

# Bryan Morning Eagle

and Pilot

FOURTEENTH YEAR

BRYAN, TEXAS, WEDNESDAY MORNING, MARCH 3, 1909.

NUMBER 73

"QUALITY AND SERVICE"

WE SOLICIT YOUR MARCH BUSINESS

We are well prepared for the Lenten season. All fruits and vegetables in season. We have a specialty of

FINE TEAS AND COFFEE

TODAY:

Fresh Tomatoes  
Fresh Celery  
Fresh Lettuce  
Cauliflower

Howell & Newton

INCORPORATED  
Grocers and Coffee Roasters  
Phones 23 & 159

TELLS OF TRIGGERS.

Revolver Expert Contradicts a Witness' Testimony.

Nashville, March 2.—In the Cooper-Sharp trial Tuesday R. L. Thompson, a druggist, testified as to Carmack being in his store about ten minutes before the tragedy and his making small purchases.

William Settor, assistant superintendent of the city workhouse, said he is an expert on firearms. He said he carried a Colt's automatic revolver since they first came out and declared bullets fired from one were not steel jacketed, but covered first with copper over the lead and then with some hard composition. He said he could not see one of the bullets with a knife and did so.

On cross-examination witness said the cylinders of some Smith & Wesson .38-caliber revolvers can be turned by the finger without pulling the trigger. After an examination of Carmack's revolver he said it could be turned only by pulling the trigger. This flatly contradicts the testimony of S. J. Henning, who swore he saw Senator Carmack testing his revolver a few minutes before the tragedy by whirling the cylinder with his finger.

W. S. Morgan said he heard the shooting, but could not see the affair from his windows in the Polk apartments. He reached the court to the apartments and met Mrs. Eastman. She was hysterical. Witness said Mrs. Eastman told him Colonel Cooper, said to Carmack "That is like a dastardly coward-hiding behind a woman."

On cross-examination Morgan was asked to repeat the conversation with Mrs. Eastman. "Mrs. Eastman was crying and grabbed the lapels of my coat. She said that Senator Carmack jumped in front of her and Colonel Cooper, then said: 'That is like a dastardly coward-hiding behind a woman.'" Morgan said Mrs. Eastman did not attempt to detail the entire tragedy, but gave him the impression that Colonel Cooper shot Senator Carmack without giving him a chance. Morgan heard three shots.

Dr. Duncan E. E. a surgeon of thirty-five years' practice, was called and the wounds described by Dr. Glasgow, were related to him. He was asked if the wounds so described were fatal. He declared that all the wounds would prove fatal and that in two of the wounds described death would be instantaneous. He said he treated Robin Cooper after the tragedy and probed the wound half an inch, but did not secure the bullet. He said the wound was made by a missile from a weapon. Explaining how the bullet which afterward was found in Robin's bed got out of the wound, he said there is but one explanation—that is that it worked out; that the bullet was imbedded in a muscle which moved every time the shoulder, arm and head moved. This would tend to move the bullet and the large size of the wound would make it easy to work out. Dr. E. described how he removed twenty-six grains of powder from the young man's face and neck. If the wound had gone half an inch deeper it would have been fatal.

Adjutant General Brown testified he visited the office of J. F. Bradford the afternoon of the tragedy at Bradford's request to keep the note Colonel Cooper had written to send to Carmack. He saw Bradford and Cooper there and after a half hour's conference Cooper agreed not to send the note and Bradford was to send some one to see Carmack and to try to patch up the trouble. Colonel Cooper waited in the office until time to go to the mansion. Robin, who was there, wanted to go with his father, but the colonel objected, saying there was no necessity. While in the office the phone rang and Bradford answered it. "I saw his face go white and he said: 'My God!' and added 'Carmack has shot Robin and Robin has killed Carmack.'" Witness was not cross-examined.

Judge J. C. Bradford detailed the conference in his office at 3 o'clock, just as Colonel Cooper and General Brown had done. He told the result and how Cooper and Robin started for the governor's mansion.

The state admitted the copy of the note Cooper had written, which was the Sharp note, claiming the writer was a private citizen and not subject for attack or criticism.

Judge Bradford testified he did not help dictate the statement for the press given to Ewing of the American and sent out to newspapers. He said Ewing had a stenographer there and Mr. McConico and others had been busy getting the facts together. He said so far as he knew statement was not dictated by any one man. Later the statement idea was abandoned. He testified that the statement was not published in the American, but another one was.

Gets Year For Cruel Act.  
Macon, Ga., March 2.—Rufus Gore, a negro, was sentenced to twelve months' servitude by the judge of the city court for having poured oil on the back of a bull and set fire to it. The negro gave as his reason for his cruel act that the criminal had eaten the contents of his dinner pail.

Vault Dynamited.  
Beaumont, March 2.—Safe blowers dynamited the vault of the Magnolia Brewing company. The management deny the loss is heavy.

Large Class Initiated.  
Pittsburg, March 2.—A class of 211 was initiated into the National union.

SUPREME COURT AGREES

Decision of Texas Tribunal Has Been Sustained.

MATTER OF JURISDICTION.

Brakeman, Citizen of Arizona, Secures Judgment For Damages Occurring in New Mexico, but Trial in Lone Star State.

Washington, March 2.—In deciding the case of the Atchison, Topeka and Santa Fe Railway company vs. George Sowers against the company, the supreme court of the United States construed a delicate question concerning the application of the laws of one jurisdiction in another. It was an action for damages brought in a Texas state court by Sowers, a brakeman on the railroad and a citizen of Arizona, caused by an accident which occurred in New Mexico. The trial court awarded \$5,000 damages and that verdict was affirmed by the supreme court's decision.

The injury sustained by Sowers was riding on the tender of an engine in assisting in switching, and the railroad company contended because he was on the tender he was guilty of contributory negligence. The Texas court decided, however, that as riding on the engine tender was customary with trainmen it did not constitute negligence.

The railroad company sought to have disposition of the case controlled by the law of New Mexico, prohibiting bringing in another jurisdiction of suits for damages sustained in that territory. The Texas court held this law to be applicable only to citizens of New Mexico and not binding on others and the supreme court sustained this view.

FOUR DAYS EACH WEEK.

Bill Also Limits Horse Racing to Forty Days Per Year.

Little Rock, March 2.—Representative Whittington and Bouie of Garland county, in which is located Hot Springs, introduced a bill in the house to allow horse racing in that city for a period of forty days in the year. The bill provides that racing shall be conducted under a commission appointed by the governor, the secretary of state and the attorney general, of citizens of Garland, and to allow betting on the races except where it is shown that fraud is perpetrated.

The bill provides for racing four days in the week, as against three days under the old order.

FOUR MORE TO VOTE.

Local Option Movement Continues to Increase in Hoosier State.

Indianapolis, March 2.—With the opening of March terms of commissioners' courts in many counties of Indiana the local option movement, which is spreading broadcast over the state, is given a new impetus, and as a result four counties have fixed dates for local option elections, while in many other petitions for elections are on file and will be acted on during the present session of the commissioners. In addition, it is estimated that during the next few days elections will be ordered in perhaps a dozen other counties, to be held this month.

SPEEDY STEAMER.

Mauretania Averages Over Twenty-Five Miles Per Hour.

Queenstown, March 2.—The steamship Mauretania passed Daunt's rock at 9:47 o'clock Tuesday, being a new record for the east-bound passage from New York of 4 days 20 hours and 20 minutes. Her average for the run was 25.28 nautical miles per hour.

Princess Passes Away.

Cannes, France, March 2.—Princess Maria Theresa, wife of Prince Ludwig of Bavaria, died here Monday. She was born July 2, 1849.

Postponed Until Friday.

New York, March 2.—Justice Jenkins adjourned the A. T. Patrick case until Friday. Patrick was taken back to Sing Sing.

Kentucky Legislator Dies.

Louisville, March 2.—Representative Chris Mueller of the state legislature died in this city, aged fifty-one years.

PALESTINE LADY WINNER.

Miss Marie Cronin to Paint the Steele Portrait.

Austin, March 2.—Tuesday was suspension day in the house, when by majority vote bills could be taken up. The first action was the killing of Briscoe's bill, providing for a commissioner of highways and appropriating \$5,000.

The bill requiring railroads to provide suitable sheds for the protection of their workmen was ordered engrossed.

After discussing for an hour Jenkins' bill, defining homicide and fixing punishment and abolishing first and second degree murder the measure was killed.

The house investigating committee to investigate the appointments of Speaker Kennedy, held a meeting Tuesday and organized. The meeting was executive. After Chairman Hill of the committee announced that the sessions would be executive except that newspaper men would be permitted to be present and take testimony for publication. He said the committee would begin work Wednesday.

The senate finance committee reported favorably Weinert's bill appropriating \$5,000 to build a monument at Gonzales to mark the birthplace of Texas independence; also favorably Senator Masterson's bill appropriating \$50,000 to build chemical laboratory building at the medical branch of the university, Galveston, out of penalties in anti-trust suits which may hereafter be collected.

Lieutenant Governor Davidson announced the commission to paint the portrait of Captain Alonzo Steel, the only surviving of the battle of San Jacinto, has been awarded to Miss Marie Cronin of Palestine over half a dozen other competitors. Miss Cronin is a daughter of Tom Cronin, a veteran railroad man. The portrait is to cost \$200.

Texas Independence day was observed here, although the legislature was in session.

The anti-racing bill which passed the house was reported unfavorably by a majority of the senate committee having it in hand, the pari-mutuel amendment being favored.

In the absence of President Davidson and President pro tem, Terrell the senate elected Senator Bradford to preside as president pro tem ad interim.

The senate committee on mining and irrigation reported favorably on the senate bill creating a state mining board.

The senate went into executive session and confirmed the appointments of the governor of the new livestock sanitary commission sent up some time ago.

Senator Meachum introduced a bill calling for an appropriation of \$10,000 to purchase from Mrs. John H. Reagan the Reagan papers and memories.

Other bills introduced were: By Watson: Revising all insurance laws of the state and to bring the laws up to date.

By Kellie: Providing better sanitation of cities and towns and authorizing city councils to make sewer connections with private corporations.

By Cofer: Two bills, one fixing limitation at ten years at which suits for delinquent taxes can be brought, and the other providing the method of bringing such suits.

House committee privileges, suffrages and elections reported adversely on the resolution relating to manner of holding elections and house bill relating to expenses of candidates for office.

The house committee on constitutional amendments reported favorably on the resolution to reward the nineteen men who defended the state treasury in 1856 from robbers.

SAFE BLOWN OPEN.

Five Hundred Dollars Stolen, but Double the Amount Overlooked.

Coleman, Tex., March 2.—Robbers broke into the dry goods establishment of Drake & Co. They blew open the safe and escaped with \$500 in cash and checks. They missed a package containing \$1,000 in bank notes tied up in a sack.

Papers and Charges Called For.

Santa Fe, N. M., March 2.—The territorial assembly passed a resolution calling for all papers and charges presented to the senate committee opposing the statehood bill. This action is taken by the people of New Mexico may have an opportunity to refute the charges of corruption made before the committee. The resolution was sent to the senate, and there referred to the committee on judiciary.

THE OVERWHELMING PREFERENCE FOR THE

## Hanan Shoe

AMONG WELL-DRESSED

MEN SHOULD BE CONVINCING EVIDENCE OF THEIR MERIT. UNIVERSAL POPULARITY DOES NOT RESULT WITHOUT REASON, AND THE GOOD OPINION OF COMPETENT JUDGES SHOULD INFLUENCE YOU TO TEST WHAT THEY PRONOUNCE PERFECT. IN ALL LEATHERS—PATENT, KID, THE NEW TAN SHADES—

\$6.50, \$5.00, \$3.00.

# A. J. Wagner & Co.

## 8% EIGHT PER CENT

IS THE INTEREST YOU PAY

# THE CITY NATIONAL BANK

WHY PAY MORE?

G. S. PARKER, President

A. W. WILKERSON, Cashier

E. H. ASTIN, Vice Pres.

E. W. CRENSHAW, Asst. Cashier

J. N. COLE

J. A. PARKER

J. W. ENGLISH

MRS. ROOSEVELT'S GIFTS.

Thirty-Eight Ladies Present Her Exquisite Tokens.

Washington, March 2.—A string of thirty-five diamonds and an illuminated and embossed friendship book was presented Mrs. Theodore Roosevelt as a token of esteem by thirty-eight of her friends, prominent society women of Washington. The two gifts were taken to the White House by Miss May Williams and Mrs. Robert Hitt, wife of Congressman Hitt of Pennsylvania. Members of the committee which purchased them. They were not presented to Mrs. Roosevelt in person, but handed to an attendant at the White House door. The names of the other donors have not been made public.

READY TO FIGHT ANY MAN.

Jack Johnson Soon to Pay a Visit to Galveston, His Home.

Honolulu, March 2.—Jack Johnson, the champion heavy weight pugilist of the world arrived here on the steamship Makora, from Australia. He gives an exhibition here, after which he departed for Vancouver. From Vancouver he will go to Chicago and then to his home in Galveston. After a brief visit there he will go to New York and then to London, where he has a series of music hall engagements. Johnson stated he stands ready to fight any man for a purse and side bet of \$5,000.

Must Sell Massachusetts Holdings.

Boston, March 2.—By a decision of the state supreme court the New York, New Haven, and Hartford Railroad company was ordered to dispose of its trolley holdings in Massachusetts by July 1, 1909.

The decision is the result of a bill in equity brought by the attorney general in May, 1908. The decision upholds the ruling since a justice of the supreme court, from whom the New Haven company appeals, on the ground that these trolley companies are held by consolidated companies of Connecticut.

Poultry Market.

Eggs, 10 to 12 1-2 cents.  
Hens, \$3.00, \$3.50 and \$4.00  
Friers, \$2.50, \$2.75 and \$3.00  
Broilers, \$2.00 to \$2.50  
Geese, \$3.50 to \$4.00, unplucked  
Ducks, \$2.00 to \$2.50  
Guineas, \$2.00 to \$2.50  
Roosters or old Democrats, \$1.50 to \$2.00

Demand is excellent for all kinds of poultry. Egg market dull and on the decline.

Flowers That Bloom in Spring.

Flowers, great masses of them, as beautiful as any that ever bloomed in the spring, are now in full bloom in Bryan and are to be seen in the show cases of W. J. Conlter. He has roses, violets, chrysanthemums, wreaths, and all other varieties of every shade and color. They are beautiful and stylish for trimming your spring and summer hats. The ladies are invited to call and take a look at them. w29 73

Administrators Notice.

Any person having claims against the estate of W. A. Bell, will please present same at once.

JNO. K. PARKER,

Administrator.

T. W. C. Recital.

The Texas Woman's College will give a music recital on Friday night, March 5th, at the First Baptist church. No admission will be charged and everybody cordially invited.

THE WEATHER.

New Orleans, La., March 2.—Tonight and Wednesday fair; moderate temperature.—Cline.

For sale—A good, gentle family horse. See Sim Cooper at Webb Bros. 74

Wanted—A man who understands gardening. Apply at the Eagle Office. 74

SPECIAL FOR THIS MONTH

Your March Orders Will be Appreciated

CORNED BEEF  
IRISH POTATOES  
SWEET POTATOES  
CABBAGE  
SPINACH  
CELERY  
TURNIPS  
TOMATOES  
LETTUCE

FRESH VEGETABLES  
CHIPPED BEEF  
PLUM PUDDING  
BROILED MACKEREL  
KIPPEL HERRING  
FRENCH SARDINES IN OLIVE OIL  
NEW CATCH BOSTON MACKEREL  
ETC.

Everything good to eat, at the lowest prices possible.—Free delivery.—Prompt service

C. E. BULLOCK & CO.

WATCH FOR GREATER REDUCTIONS

In Our

## Big Grocery Sale

ALL FRESH STOCK

## Will S. Higgs