Increasing cloudiness Satur-

day: rain Sunday, moderate

NEWPORT NEWS, VA., SATURDAY, JANUARY 23, 1909.

ONE JUROR CHALLENGED; NO OTHERS SWORN IN

Yesterday's Proceedings in Cooper- TILLMAN CHAMPIONS Sharpe Murder Trial Were Unproductive of Results.

HUMOR AN ELEMENT IN THE RULINGS

Judge Sitting on Case of Me Charged With Slaying Ex-Senator

(By Associated Press.)

NASHVILLE, TENN, Jan. 22-her third day of the Cooper Sharp The thred da, of the Cooper-Sharpe nurder trial passed a tonly without scening another peror, but it the motion of the state is sastated, due of the six already three a will be climinated, because he was 1909xi ted when he reported for servi-

a had accepted him and Judge that jest tomorrow at 5 o'clock a in 10 paes upon the motion.

The summoning of 500 nellibronal talesmen began have this afternoon to appear Monday when the effort will 10 made to complete the jury which will try the alleged slayers of ex-Senator Carmick.

Judge Hart announced tonich that he sessions of the trial will be field.

sessions of the trial will be held Saturday, be believes that the case can be

completed more rapidly by giving the attorneys one day in six in which

Wants Morning Toddy.
When the six selected jurors were rought into the court today one of hem, J. M. Whiteworth, called Judge

Hart and said:
"Judge, I've been used to my morning toddy for a gold many years and I missed it powerfully this morning.
Can't I get one, just one, every morning.

The constitution prohibits unusual r cruel punishment," remarked the cort judicially. "Mr. Officer, see hat those gentlemen who are wont have a toddy, get their toddy here-

eted their kinsman on trial affect

Juror Hart then suggested that th

could be made in re-count ria

the state attacking the competen-of one of the six jurors already

has eame to our attention that J. S. Leigh, the second man chosen, was drunk the day before. The law disqualities any man who has been drunk at any time since the term of court at which be serves has convened. We challenge him for

Mr. Anderson for the defense th

State More Cautious

The incident appeared to make the the inspent appeared to make install a strengy more cautious and he ingan to question prospective jurous a closely that the defense objected to "argument with witherses."

Captain Fitzburk for the prosecut

tion replied both that he must lear: the disposition of the witness before uld judge whether or not to

er or rit be got drunk One man said be drank often haf

He declared his last celebration wis

felly six weeks ago.

He was rejected by the state. Shortly after adjournment of cour!

he trouble PEACE ARGUMENTS

FREEDOM OF PRESS

Would Regard President's Success in Panama Likel Suit as Public Calamity.

one the Associated Press ! WASHINGTON, D. C. Jan. 22

a return a resist wherein the recretigated by the grand larges in this ity and in New York, Senator Til tenight scanded a note of watthing on the question of the st.

The statement is as follows: "The lastic is a momentoris successions without rewanances

the America ponte rainet guard a realisty the right of freedom of and tradom to print whatever the public interest. The news-now under fire for their offers hould have cause of us all.

Leiter Operated Upon

(By Associated Press.) CHICAGO, 11.1., Jan. 22.—Jeseph dier, whose attempt to corner the heat market some years and caused was operated on today

dicitis Mr. Leiter's condition

IN RESPONSE TO FORAKER

President Sends Message to Senate in Reply to Inquiry.

INFORMATION WITHHELD

But Reosevelt Offers Rest of It to the Senate Committee on Military Af-

(He Associated Press.)

WASHINGTON D C. Jan. 22 esident Rossevelt today sent to the material response to Senator Ferm \$1,000,000 war deficency fund ion the President says that the names are desired, he will fur the them to the committee on mil-

Thought Expenditures Unwarranted, Mr. Printer introduced his result that full wing the amount ment in connection with the Brownsylle at-tury that private detectives had been from this fund, taking the now an expenditure was by the purpose for that each an expenditure was warranted by the purpose for the energency fund was it

its action in withholding certain - team to a response to a se den McKinley for the accounts treaty of the Parish commis-

Vanderbilt's Yacht Arrives.

(By Associated Press).
NEW YORK, Jin. 22.—The steam with Turantanta W. K. Vanderbilt cowner arrived here today, passing a grantine at 1.24 p. m. December for a cruise around C.1a.

to while in the harter of Havana
the had trouble with her machiners the had fromble with her machiners and the frip was absendened. Mr. Vandeth't and a party of friends returning to New York,

ARE UNCONVINCING

House, Unimpressed by Tawney's Allegations of Japan's Weakness, Votes for Two Battlesnips.

RACES WON'T MIX. SAYS COCKRAN

New Yorker Spoke of Crowing Nun be s of Alien Race on Pacific Coast -Declares Japanese Will Fight When Their National Pride is Step

(By Associates Press). WASHINGTON to C. Jan 22 When the House of Regresor/affer reductional consideration to the

the press can slone preserve that it there ever was a time who in this since the control of the pressure of th

"It is suppressive" he said. "he cause we are at years with all th absorbed our tence to it has never

"I am getting somewhat tired, he the public interest. The first state of the second and amid lond applicate, not these there extraption in public places aroundly recurring wars with Jacan the have the netive support of the American for their cause consideration of the may along repristion bill

Mr. Taxtley declared that Japan could not go to war and could not impose a farthing more of tax than was now imposed without a revolu-That, however, he said, was

the only reason. "Would Japan," he inquired, "even the were equipped financially, ever bink of sending a fleet of warship hardeships from Y kohama to at sk our Pacific coast in time

She would, he said, have to be sur lied somewhere in the Pacific with naval base, where she could coal ier ships and make necessary repair There was no such place in fic. except the Hawaitan islands, and he declared that when the fortifica-tions provided for were completed. the islan is would be as impregnable

Continuing Mr. Tawacy said that there was no naval vessel affoat that e sid sail from Yokohama to the Pa cific coast and back again with he own coal, and such a fleet could be he supplied with enough colliers t the requirements.

He spoke of the recent agreement between the United States and Ja-pan, which he said, we are sold inperpetual relations of pentha' country."

Water Stretches Best Defense. The two oceans, he declared wer greater bulwarks of delense of the

as the other countries tour were con i matter of naval construction.

There is no country strike effectively he exclaimed with partitions we now have and with the payy we now have

predicted a deficit this year of \$125,000,000 and heat year of \$143,000,000

taticald's, declared Mr. Slavden appropriations to (Texas), would be a declaration to the fattification the world that the United States did \$5,920,111 for the nor desire nor expect war.

We Are Still Workors.

Representative Ho, king found reato for the increase of the Days in and the wallke character of the Americans can people. Every generation of a and probably the next reception would have it, war.

M- Burton in opposing the navatinocease declared that no great conention of the United States had ever He instance t the securing of the open foor in thirt, which he said. The loca would have been mentage, by sending able to conbattle ships to the Orient

Races Wont Mix.

Mr Cocktan of New York, express-of the view that it was impossible for any two races to live together n terms of equality caused in the He spoke of the growing numbers broken electric

(Continued on Sixta Page).

COLLISION OF TRAINS KILLS MANY "JOHN MITCHELL DAY" TERRIFIC COLLISION OF

Penneyivania Railroad Officials Repulse Newspaper Men-Details of Smashup Unobtainable

(By Associated Press). HOHNSTOWN, PV Jun 21 Re me at a speed of reach to be

the Refrond, which it Poster Ish-

brough the fast section

Instructional affects leans at both the scene of the sould it

The wrest section became to zaku detinite

heat

CONTENDS THAT CLAIMS OFFSET SUBSCRIPTIONS

Barnard & Co., File , etition in Suit Brought by the Exposition Company Receivers.

NORFOLK, VA. Jan 22—In the federal earl action against 1,272 de-linguant preferred and common received as of the Lamestown Exption, the claim was male today a pet tien filed by W. H. Barnard in a pertien filed by W. H. Baynard and Company that by a resolution concerning the duky of recistance of of the board of gevernors all delinquent subscribers to stock are ever of their constitutional rights, empt from sait in su for as claims, again to the exposition commany will clared, was not all bad, but he said cover in the amount of their napaid

Many of the 1,272 defendants are o affected

Counsel for the general creditors the exposition company answere saying that the resolution of the and of governors permitting the permitting the to stock subscription was illegal best gate and officer in the converter to stock subscription was illegal be cause the exposition company wa-not selvent at the time of its adoption.

BRYAN'S DAUGHTER FILES SUIT FOR DIVORCE

Reason Set Forth in Petition Is All eged Non-Support-Husband Is in Paris.

LINCOLN, NESC. Jan 22 - Ruth Bryan Leavitt, daughter of William J. Bryan, today feed suit for divorce rom William H Leavitt

T. S. Allen, or ther in-law of Mr. Bryan, is the all they for the plain

Leavitt is in Paris. The reason given in the pediti n is alleged non support. To minimize projeity the attorn exercised a common privilege of taking tack into his possession the do-

ing tack throws amounts in the re-ESTIMATES CUT NEARLY TEN MILLION TOLLARS

ure Committee on Appropriations
Startes Recommendations for
Seacoast Fortifications.

(Br Ass r and Press). effect this year of \$125,000,000 and ext year of \$143,000,000 WASHINGTON D. C. J. Cutting d wn the estimates \$10,000,000, the leave committee of the two \$10,000,000, the leave committee of the two states of the two states of the two committees of the two states of the two committees of wire committee arrest to borr The larger of \$1 to make the Political Control carried is that Philippines of Fort Paker

For the prot

Big Fire Tressers Princeton PRINCETON Addr ated Press

i Jan 22 For wipe not a second the morning in and the Terminal partment was a blaze and sen

to Trenton " statice The 1 we 1 dred sand awa The town g gas pipes and

IN MINERS CONVENTION

Leader Expresses His Views Upon Rights of Free Speech and Free Press

GOMPERS SENDS HIS GREETINGS

Mitchell Says Injunction Not All Bad. But Sometimes Misused-Repudi ates Nothing He Has Said or Write ten-Money Voted For Defense of Leaders.

(by Associated Press.)

INDIANAPOLIS, IND. Jan This wa John Mitchell Day of avenues of the United Mine Work

s of America.

When the f coner president of the Tombinson Hall, 1.350 delegates wen wild with continuous me

I feel keeply sen frive to the i n you have given me this day. would reem that at niners' convention, a former leade of laboring people loses none of h instite because he is settenced

sidered the injustice of a system by which the constitutional rights of tree specificand a free press were denied and by which men could be deprived of their libert; without a trial by jury

He Repudiated Nothing. He repudiated nothing that he had said or written in his book in the past

was not all had, but he sai! had been used as an instrument of

J. McLester, a delegate, m that a petition be prepared and our send to President Rosevett potesting against Judge Wright a or

Samuel Gompers sent the following message to the convention:

"Please convey to the delease accural greetings and best wis's or a most successful convention, Now is the time that tries men's son. Now is the time to more thoroughly organize and solidify the ranks of labor. S and true for the cause of

justice and human freedom. On motion of President T. L. Lewis, the convention voted \$2,500 as a preliminary aid for the defense of Com-pers, Mitchell and Morrison in the contempt cases against them

The resolution alopted also fo-structed the miners international securive board to appropriate in th future as much as is necessary give the men troper recompense. The resolution was adopted unual monsiy

Message to Gompers.

WASHINGTON, D. C., Jan. 22 Stay in the game clashed the inited Nittee Workers of America, in a message from Indianapolis President Samuel Gempets of American Federation of Labor,

The torsage referred to the fight Store & Range Company contemp ares in which an appear is now peopling before the Listrict of C lumbba court of rigidals, from the sentences invosed on Merses Gomiers, Michelland Mersen by Jacides Weinle, or the Desire superme court.

The relevance and 1,550 date

the thought and thought of the state of the opposition \$200 for present need. instanced the executive a to need in the whom the last

one and Black Diamond arrive are with you or this fight to a find hit to the course local right. T L LEWIS

JOHN T WHITE . D BYAN.

Total Mane Work to of America ---Must Carry Life Preservers

WASHINGTON, D. C., Jen. 22 - All, and heats probabled by naptha or another hereafter will be required. the present to the senate cons are assisting

ARCHITECTS DISSATISFIED AT EGGLESTON'S TREATMENT

illeged That Some of Them Believ Shown.

RICHMOND VA. Jan 22 Some the atchiects of the state seen discrimitled and rore at Joseph D. Expleton, separintendent of pulinstruction over alleged discrimnates in connection with the Smilding of new school houses

The architects complain that one man is succeeded in setting the bull if the contracts to the detriment of the others, and they are collecting ats to show that Mr. Explision has they claim favored one Mr Rot is the yellam. Bayers do no. Mr Rob-post. The charges baye into book referred, but they are in course of typostrom and where they have een completel it is said that they ill be placed in the bailes of the yelling to presentation to the state and of education,

When Mr. Eggleston was asked r parding the report roday be made the tolowing statement:

- to me several days ago, I have worsely and I shall not wears

"I shall be alad to have every fact n connection with the butbling of the of houses during the past three ears in Virginia published as widely an estimation with the buttons of all Model License League upon the short leaves during the past three question of regulating properly the vent in Virginia published as widely a possible. It is a record of which I in exceeding a proof. If there is anything about it which has not been for the heafit of the schools of the United States. tate I shall probaby be more dilighted than any one clae to have

If there is anything to show that have not attended to my duty, or there is the least thing say ring funtairness or injustice, then I am of intairness or injustice, then I am not the man to held the position, which the people of the state saw fit to give me nearly four years ago

Cruisers for Taft Convoy.

(By Associated Press). CHARLESTON, S. C., Jan. 22.— The cruiser North Carelina, which to convey President elect Taft to Panama, arrived in port today from Norfolk.

Mr. Taft will reach here tomerrov orning from Augusta and embar; Monday morning at 7:30.

The cruiser Montana to convey the other members of the Tafr party will come here Sunday morning

LIVES LOST IN FLOODS

One Hundred and Seventy Three Fatalities are Reported.

ALSO GREAT DAMAGE TO PROPERTY

Water General Throughout Transvaal Colony and Northern Natai-Breaking of Dam Increases

(By Associated Press.) JOHANNESBURG, Jan. 22.—One undred and seventy-three persons we known to have 1 st their lives as a result of the floods which general throughout the Transvaal ny and northern Natal.

By the bursting of Knight's dam. the Wiwatersrand gold mine in the southwestern part of the Transvaal was flooded and ten white men and fifteen natives were drawned.

Gr at damage also has been dire

of Fishing where a number of house acressvept away and thirteen per gens perioded.

A good dredge valued at \$60,000 sion dealing roke adrift on the Kape river and temperance. cas arroked

Army and Navy Luxuries.

WASHINGTON D. C. Jan 22— The committee on appropriations was often directed by a resolution lattre-ture the Senator Flint of California and adopted by the senate to ascer-tage and report to the senate whether any officer of the government includany officers of the arms and navy ire develop to their personal or pri-vate use any carriages, automobiles or other while se which are the pri-p-city of or are provided by the government.

Finishes Were Spirited.

SAVANNAH, GA. Jan. 22.—Two spirited finishes thrilled the special ors at the Thunderb It race track his afterneon. In the first race his afterneon. In the first race fromky closed with a burst of speed

In the fifth race Ensies forged in in the last lap just landing ahead of Nicoless. The other three events were well in hand all the way.

The pistol, to found beside here well in hand all the way.

PROPER REGULATION OF LIQUOR TRADE

PRICE TWO CENTS

Model License League Resolution Protesting Intemperence and Lawlessness.

ALSO DENOUNCES TREATING HABIT

hibition Is Un-American and Op pased to the Idea of Individual Sov ereignty-Mention of Roosevelt's Name Produces Great Applause.

(By Associated Press).

(By Associated Press).

LOUISVILLE, KY., Jan. 22.—De-nanciation of prohibition as insincere-gate way ioday to a taking of the sense of the delegates to the sec-ond angual convention of the Nation of al Model License League upon the

The resolutions, in part, follow: that as representatives the brewing, winemaking and distill the brewing, whemaking and distin-ing trade, and of wholesale liquor dealers, saloon keepers, inn keepers, and members of collateral trades, we protest against all intemperance in the use of alcoholic beverages and against all lawlessness of every sort whatsoever in the sale of such

Intemperance a Curse. "Second, that intemperance is a curse, and every man who becomes intoxicated should be arrested and

"Third, that 'treating,' which is responsible for so large a per cent of involuntary intemperance, should be opposed by public sentiment and by every memler of our trade.

Fourth, that the licenses of all retail liquor dealers, who violate the

law, should be cancelled. Prohibition Declared Un-American. residual pechares un-American.

Fifth, that prohibition is un-American; that it is opposed to the idea of individual sovereignty and to the spirit of our institutions; and, furthermore it must continue to be merely a costly absurdity as long as it prohibits only the manufacture and the of alcoholic between the continue of the contin

sale of alcoholic beverages, "Sixth, that when prohibition whether for state or county is sub mitted to the people, it should pro-hibit, not only the sale, but the pri-vate possession and use of beer, wine and whiskey.

"Seventh, that the country should not be the unit in local option con-tests, as it does not represent the American principles of local self-gov-

ernment. Eighth, that where prohibition is adopted by a legislature or a people the manufacturers and dealers in wine, beer and whiskey should be compensated for investments made prior to its passage in otedlence to demand and under the sanction of existing laws."

Mention of the name of Theodore Rossevelt as the greatest force for law in the nation, despite the crit-icisms of congress and the abuse of many, cooked the greatest enthusiasm curing the convention today during the address of Dr. Nathan A. C.le. of Peoria, Ill., who said that In half a century the greatness of Roos-yelt would stand forth above

his detractors. Mayor David S. Rose of Milwau kee spoke: "We cannot reject pro-hibition as the remedy unless we can The waters from this dam also offer something better and I believe regulation is the remedy," said Mr. Rose.

Dr. J. C. Calem, of Pittsburg. Kan-sas, took up the line of argument at the opening of the afternoon ses-sion dealing with prohibition versus

PRAYER AND SUICIDE

Man Shoots Himself While in Kneel ing Position in Church, SAVANNAH, GA., Jan. 22.—in a

position of prayer, in St. Patrick's church here, and with a bullet hole Patrick's through the temple, the dead body of Otto Schueltzer, of Philadelp found today several hours after the fatal shot was fired.

Two notes were found. one - bequeathing \$1 for queathing \$1 for "St. Anthony's Bread," and another expressing regre- vaguely that he "had permitted himself to have any ill feeling." Schneitzer had been here but a day, reaching the city aboard a steamer

from Philadelphia early this morning.
The shot that killed him was not heard by anyone traffic in the street report.

The pistol, the man had used, was found beside his knee where he knett

VOL. XIV. NO. 17.

and Dice Rolling Privilege to Six Men Aiready Enrolled

The state clims it secared knowledge of Juror Leiga's condition after had accepted him and Judge clari-

It became known this marning that Judge Allison of the chancery court who was killed by Juror Whiteworth's brother a few years ago was the father-in-law of Attorney General McCarn, who is presenting this case.

Stands Very High.

Stands Very High.

He stands very high in the community, however, and is recarded as one of the best men yet selected.

Mrs. John Sharpe was the only reliative of any of the metendants in court this morning when the proceedings began. Later Colinel Cooper's daughter and nices arrived and

tionately,
Later the atterneys asked for a
conference and were granted for:

May Hold High Revelry

TYes, and roll dice on the flow they want to," retorted the court. When the conference was ended e first surprise of the trial was sprung in the form of affidavits filed

iceted and asked time to examine the affidavit

State More Cautious.

The judge ordered the examination of the talesmen to proceed pending a decision as to the competency of Juror Leigh.

Each man thereafter was asked whether or not be drank and wheth

this of ernoon Judge Hart became