



TO IMPEACH JUDGE

Automobilists Accuse Naar of Illegal Methods.

NEW JERSEY LEGISLATURE ACTS

Allegation Is Made That Accused Jurist Abused Office In Dealing With Speed Law Violators.

Trenton, N. J., Feb. 24.—The New Jersey legislature has taken up the matter of impeaching Justice Manfred Naar of this city, who has proved a terror to New York automobilists by means of a corps of constables who detect alleged violators of the speed laws, take their numbers and turn them over to the justice, who is charged with writing to the car owners demanding a fine or their appearance for trial in five days' time.

Automobilists have striven in vain against Naar's methods heretofore, but today Assemblyman William Burpo of Passaic introduced a petition from the Automobile Club of America charging Naar with extortion and abuse of his office and with dealing in an illegal manner with automobilists charged with violating the speed laws.

The petition was referred to the judiciary committee, which will at once investigate and report. In the petition several cases are cited, and it is declared that in none was a summons duly served or a warrant issued according to law. The automobilists allege that many fines were paid by accused persons rather than stand trial or lose time coming from New York to Trenton to look into the matter.

One of the men who makes an affidavit filed with the petition is Joseph S. Josephs of New York. He says he received a letter from Naar that a complaint had been lodged against him for excessive speeding near Hightstown, N. J., and if he desired to save a trial he would please send \$13.75 to the justice and proceedings could be stopped.

Josephs replied he was not in his car at the time and was therefore not guilty, but Naar insisted upon the fine, and Josephs paid it.

The Automobile club in this case claims the offense was that of the driver and not the owner. Many other affidavits are given alleging unjust fines and illegal procedure on Squire Naar's part.

CHRISTIAN SCIENTISTS WIN.

Conviction For Manslaughter Set Aside by Supreme Court.

Trenton, N. J., Feb. 24.—The conviction for manslaughter of Mr. and Mrs. Edwin Watson, Christian Scientists, whose failure to provide medical attention for their seven-year-old son, Granville, resulted in his death, was set aside by the supreme court here.

Justice Swayze holds that the trial judge erred in not having taken into consideration a law of 1901 making it a misdemeanor to fail to provide proper medical attendance.

Mr. and Mrs. Watson are residents of Moorestown. Their conviction for manslaughter was the first of the kind in this state, and the case attracted widespread attention. Judge Homer tried the case, imposing a fine of \$100 upon each defendant, and the fight to have this set aside was taken up by Christian Scientists all over the country.

FRANCE OFFERS MEDIATION.

Will Try to Keep Serbia and Austria at Peace.

Berlin, Feb. 24.—The menacing attitude of Serbia and the military disposition taken by Austria-Hungary in connection therewith have caused the French government to undertake mediatory representations in the interest of peace, and Germany has been asked to join France in this endeavor.

The German foreign office has replied that it is in full sympathy with the object of these representations, but does not consider it desirable to participate in suggestions to Austria-Hungary. It is willing, however, to assist in pressure upon Serbia to keep the peace.

It is understood in Berlin that France took this step after reaching an agreement with Russia, a power very deeply interested in this situation.

FORTY LIVES LOST IN WRECK

Argentine Steamship Catches Fire With 200 Passengers Aboard.

Buenos Aires, Feb. 24.—According to a dispatch received here by the minister of marine, forty persons lost their lives in the wreck of the Argentine steamer Presidente Roon on the east coast, between Puerto de San Antonio and Puerto Madria. She caught fire. There were 200 passengers aboard.

SUITS AGAINST HASKELL.

Actions to Prevent Governor Interfering With Pipe Lines.

Muskogee, Okla., Feb. 24.—Suits brought by four eastern corporations against Governor Charles N. Haskell and other state officials seeking to restrain them from interfering with the construction of pipe lines and the piping of gas out of the state were argued in the United States district court here. The actions are brought by O. D. Bleakley of Pennsylvania, who owns a right of way for the construction of a pipe line from the Oklahoma gas field to Kansas; by A. W. Lewis of Ohio, owner of gas territory in Oklahoma; the Marnet Mining Company of West Virginia, contractor for the purchase of gas territory in Oklahoma and to deliver gas outside of the state, and by the Kansas Natural Gas company, owners of Oklahoma gas territory.

The plaintiffs seek to have declared invalid an act adopted by the Oklahoma legislature prohibiting the exportation of gas. They ask for a permanent injunction restraining the state officers from interfering with them. Both sides submitted briefs, and the court took the cases under consideration.

RUSSIA MAKING TROUBLE.

United States and England Join in Protest as to Harbin.

Pekin, Feb. 24.—The situation at Harbin, Manchuria, arising from the insistence of Russia that she administer the municipal government has entered upon a new phase by the Russian authorities closing all the Chinese stores and warehouses westward of Harbin because of the refusal of the owners of these establishments to pay Russian taxes.

The negotiations in Pekin between Russia and China concerning the administration of Harbin have been at a deadlock, and China has alleged that the Russian administration of the Harbin municipality constitutes a violation of the Portsmouth treaty.

Sir John Jordan and W. W. Rockhill, British and American ministers to China, have notified the Russian legation that while Great Britain and the United States do not desire to interfere in the relations between Russia and China they must reaffirm the necessity of observing treaty obligations if the question of the municipal control of Harbin is now raised.

PRESIDENT AT FUNERAL.

Came From Washington to Attend Robinson Obsequies Today.

New York, Feb. 24.—The funeral of Stewart Douglas Robinson, son of Mr. and Mrs. Douglas Robinson of this city, who was killed by falling from a window of a dormitory at Harvard university, was held in this city today.

President Roosevelt, an uncle of the deceased, accompanied by Mrs. Roosevelt, came over from Washington to attend the services. Theodore Roosevelt, Jr., son of the president, also attended. A large delegation from Harvard was present.

After the services, which were held at the Robinson home on Madison avenue the body was taken to Herkimer county for interment in the family burial ground.

President and Mrs. Roosevelt returned to Washington as soon as the services were concluded.

J. Pierpont Morgan in Egypt.

Cairo, Egypt, Feb. 24.—J. Pierpont Morgan of New York arrived here today.

Weather Probabilities.

Fair and colder; brisk southwest winds.

Market Reports.

WHEAT—One cent higher; contract grade, February, \$1.20 1/2; 2 1/2. CORN—Steady; February, 70 1/2. OATS—One-half cent higher; No. 2 white, natural, 69 1/2.

BUTTER—Steady; unchanged; receipts, 2,719 packages; creamery, specials, 31a 1/2; official, 31c; extras, 30a 3/4; birds to firsts, 22a 3/4; held, common to special, 22a 3/4; process, common to special, 18a 3/4; western factory, 18a 1/2; western imitation creamery, 21a 3/4.

CHEESE—Strong; receipts, 1,534 boxes; state, full cream, specials, 15a 1/2; colored, fancy, 14c; white, fancy, 14c; good to fine, 14 1/4; winter made, best, 13c; common to prime, 11a 1/2; skims, full to specials, 7a 1/2.

EGGS—Lower; closing weak; receipts, 15,661 cases; state, Pennsylvania and nearby, fancy, selected, white, 30c; fair to choice, 28a 3/4; brown and mixed, fancy, 27a 3/4; fair to choice, 25a 3/4; western, firsts, 25c; second, 25c.

POTATOES—Easy except for Bermuda, which rule firm; domestic, in bulk, per 100 lbs., \$2.52 1/2; per bbl. or bag, \$2.10a 1/4; European, per bag, \$1.90a 1/2; Bermuda, new, per bbl., \$1.55a; sweet, No. 1, per basket, \$1.50.

LIVE POULTRY—Strong; prices not established. DRESSED POULTRY—Firm; turkeys, young, selected, per lb., 28c; young, poor to good, 16a 1/2; capons, nearby, 24a 1/2; western, 22a 1/2; spring chickens, roasting, nearby, 18a 1/2; western, 14a 1/2; fowls, boxes, 15c; barrels, 15 1/2; old roosters, 12c; ducks, western, 18a 1/2; geese, western, 10a 1/2; squabs, white, per doz., \$1.50a 1/2; frozen turkeys, No. 1, 2a 3/4; broilers, milk fed, fancy, 2a 3/4; corn fed, 2a 3/4; roasting chickens, milk fed, 2a 3/4; corn fed, 1a 3/4; fowls, No. 1, 14a 1/2; ducks, No. 1, 17a 1/2; geese, No. 1, 12a 1/2; capons, 2a 3/4.

HAY AND STRAW—Steady; timothy, hundred, 6a 3/4; shipping, 6a 1/2; clover, mixed, 6a 1/2; clover, 6a 1/2; rye straw, 11a 1/2; small bales, 7a 1/2; less.

COL. COOPER FIRM

His Story of Carmack Killing Not Shaken.

HOW THE TROUBLE STARTED.

Gives Proof of His Friendship For the Tennessee Senator Some Years Before the Latter Was Killed.

Nashville, Tenn., Feb. 24.—Colonel Duncan Cooper, after spending twelve hours on the witness stand in the Carmack murder trial, proved to be a splendid witness in his own behalf.

The courtroom was crowded. Colonel Cooper's two daughters sat near him and during his testimony leaned forward in their seats with intent interest, seeming to drink in every word.

Colonel Cooper held the attention of the jury throughout, and his story of his relations with ex-Senator Carmack made a strong impression upon the twelve men who hold his fate in their hands. Under severe cross examination Colonel Cooper never faltered for one moment, and his statements regarding the events leading up to the shooting remained unshaken. When the court took a recess it was generally conceded that Colonel Cooper had materially strengthened his case.

"I met Senator Carmack at Columbia when he was quite young," said Colonel Cooper. "I brought him to Nashville as editor of the American, and he remained with me until 1892, when he went to Memphis."

"Were your relations friendly?" he was asked. "More than friendly. They were cordial and close until his race with Senator Taylor four years ago. Then we disagreed."

"Did Carmack ever give expression to sentiments of gratitude to you?" "Yes. When he went to Memphis in 1892 he wrote an editorial thanking me."

"Did you, after he left, maintain friendly relations?" "Absolutely so. We corresponded, and the last very friendly letter I had from him was in December, 1904. Our relations were pleasant after that, however. At that time he was in the United States senate."

The witness produced a letter written by Senator Carmack signed "Sincerely, your friend."

"What was the first note of discord between you and Senator Carmack?" "The relations were not cordial during the Carmack-Taylor senatorial contest. The first offensive note appeared in the Memphis News-Scimitar in 1908."

"Who started the changed relations?" "Why, I supported Taylor in that contest, and he took offense. I regretted it very much."

"Who did you support for governor?" "Governor Patterson."

"After that did you notice any further change in Senator Carmack's manner?" "Yes, sir. He ceased speaking to me."

"Had you done him any wrong?" "I had not."

"What other indication of hostility did you observe in Carmack's attitude to you?" "Well, there were articles in the paper."

"Was that editorial written by Senator Carmack?" "I was so informed."

One paragraph of the editorial referred to Colonel Cooper and Colonel Gates as "consistent bolters, who got together in support of the only governor the Louisville and Nashville rail-road in its history of crime and debauchery ever owned."

Colonel Cooper said he was unarmed on Sunday, Nov. 8, when he asked to meet Carmack in order to have the editorial attacks discontinued.

"I wanted no apology. All I wanted was that these attacks should cease. I said that unless they did the town was not big enough to hold both of us; that I was tired of having a man spit in my face each morning as soon as I got up."

France Sees Brilliant Comet.

Cherbourg, France, Feb. 24.—A large and brilliant comet was visible here for an hour. Large crowds on the sea front watched it slowly sink into the horizon.

WRIGHT'S SISTER IN FLIGHT.

Aeroplane Makes Trip Across Country With Passengers.

Fau, France, Feb. 24.—Wilbur Wright made an aeroplane flight far across the country with his sister as a passenger.

For the first time M. Tissandier and Count Lambert handled the machine and landed unaided by Mr. Wright.

CAPTAIN HUTCHINS ILL.

Kearsarge Commander Succumbs to Strain of Long Cruise.

Washington, Feb. 24.—There have been many inquiries at the navy department concerning the case of Captain Hamilton Hutchins, commander of the battleship Kearsarge, who was detached from his command at Gibraltar and ordered home in advance of the battleship fleet. In the absence of a formal report from Rear Admiral Sperry the officials will say nothing about the matter.

Captain Hutchins, who received his commission on Oct. 13, 1907, two months before the battleship fleet sailed for the cruise around the world, suffered severely from the strain of the arduous trip.

After Captain Hutchins got the Kearsarge through the Suez canal his nervous condition became noticeable, and just before the fleet left Gibraltar on the homeward voyage Admiral Sperry relieved him of his command.

Captain Hutchins came home from Gibraltar as a passenger on the Princess Koening Louise under the care of two sailors detailed to be his personal attendants on the voyage.

BROWNSVILLE BILL PASSES.

All Republicans in Senate Vote For Re-enlistment Measure.

Washington, Feb. 24.—The Aldrich bill providing means for re-enlistment of the negro soldiers who were discharged without honor on account of participation in the Brownsville riot was passed by the senate.

By the terms of the bill the president is authorized to appoint a court of inquiry to determine the qualifications for re-enlistment of discharged negro soldiers of the Twenty-fifth infantry regiment who were accused of shooting up Brownsville, Tex., on the night of Aug. 13-14, 1906.

The bill was passed by a party vote of 56 to 26, except that Senator Teller voted with the Republicans for the passage of the bill.

The bill is a compromise measure approved by President Roosevelt, Senator Foraker and all of the Republican members of the committee on military affairs. The court of inquiry will act as a board to consider applications for re-enlistment and recommend the restoration to duty of such soldiers who are not found guilty of complicity in the affray.

HEADLESS SKELETON FOUND.

Missing Salesman's Skull Was Ten Feet Distant From the Rest.

Westfield, Mass., Feb. 24.—The skeleton of Robert A. Perkins, a traveling salesman for the Utica Rubber company of Utica, N. Y., was found beside a road near here. The skull was ten feet distant from the rest of the skeleton.

Beside the skeleton was a suitcase, in which were letters and pamphlets of instruction from the Utica Rubber company to Perkins. There was also a letter signed "Hattie" and postmarked Proctor, Vt., Sept. 22, 1907.

Perkins disappeared from Malden, Mass., more than a year ago after a quarrel with a Malden man.

Perkins' father, E. C. Perkins; his mother and a sister, all live in Malden. Miss Hattie Perkins, a sister, the writer of the letter found in his suitcase, is supervisor of music in the Castleton (Vt.) public schools.

OPIUM CONVENTION ENDING.

Tuan Fang Hopes Powers Will Help China to Get Rid of Evil.

Shanghai, Feb. 24.—The international opium convention is expected to conclude its labors tomorrow. In addition to condemning opium smuggling and opium smoking, the commission will recommend international prohibition of trade in morphine.

Tuan Fang, the head of the Chinese delegation, expressed the earnest hope that the United States, Great Britain and the other powers would help China to rid herself of the great evil.

"If the importation of foreign opium is prevented by joint international action," he said, "I will hold myself personally responsible for the stopping of the sale of the drug. I have already practically stamped out the poppy in the three provinces over which I rule."

NEAR EIGHTY GETS TEN YEARS

Aged Mrs. Peck, Convicted of Fraud, Sent to Auburn.

New York, Feb. 24.—Gray haired and bent with age, Mrs. Ellen Peck, aged seventy-nine years, was sentenced in the court of general sessions to ten years in Auburn prison.

Mrs. Peck, who has been arrested nearly a hundred times and has been convicted five times before for "flim-flam" games, was convicted of obtaining \$1,000 from Normand & Wilson on a bogus title to 225,000 acres of land. She was arrested at Sparkhill, N. Y.

Ten Buried by a Cave-in.

Seattle, Wash., Feb. 24.—While workmen were digging a trunk sewer here a cave-in killed Daniel Roberts and entombed nine other workmen.

BLOW TO THE BEEF TRUST.

Supreme Court Upholds Fine and Forfeiture Under Arkansas Law.

Washington, Feb. 24.—The supreme court of the United States dealt a severe blow to the beef trust in upholding the validity of the Arkansas anti-trust law, which provides a penalty of from \$200 to \$500 for each offense and the forfeiture of the right to do business in the state.

The decision was handed down in the suit against the state of Arkansas by the Hammond Packing company of Chicago, which it was charged had conspired with other packers to fix the price of meats.

The case originated in the circuit court of Pulaski county, Ark., where a \$10,000 fine was imposed. That verdict was sustained by the Arkansas supreme court, whose finding is now affirmed.

The constitutionality of the law was attacked on the ground that it impairs the obligation of contract, denies equal protection under the law and stands in the way of due legal process. It was also contended that inasmuch as the packing company is an outside corporation its offense, if it committed any, was committed outside of the state. It was also urged that the trial had been irregular in that there had not been a jury, as required by the Arkansas constitution in criminal actions.

Justice White's decision was against the packing company on all these points. He gave especial consideration to the complaint that when the company refused to produce its books in obedience to an order from the court a judgment was given against it contrary to the federal constitution.

Justice White declared that it is the duty of a corporation to live in the light of day and to be prepared at any time "to exhibit its proceedings to its creator, the state."

N. Y. CENTRAL DEFEATED.

Federal Court Confirms Fines of \$134,000 For Rebating.

Washington, Feb. 24.—The verdict of the United States circuit court for the southern district of New York imposing a fine of \$108,000 upon the New York Central Railroad company on the charge of granting rebates to the American Sugar Refining company was affirmed by the supreme court of the United States.

The rebates to the refining company were given on shipments of sugar in 1905 from New York to Cleveland and Detroit. Between New York and Cleveland the railroads published a tariff calling for a charge of 21 cents per hundred pounds, while the rate to Detroit was 23 cents. The cut in the first instance was 5 cents and in the second 2 cents.

The court rendered a similar decision upholding the lower court in the case of a shipment to Cleveland, O., in which a fine of \$26,000 was imposed.

TO STUDY IN PARIS.

Society Women Give \$25,000 to Send Architectural Students Abroad.

New York, Feb. 24.—Five wealthy New York society women have subscribed \$5,000 each to create a fund to be used by the Society of Architects to send one American architectural student every three years to Paris for a two and a half year course in the Ecole des Beaux Arts there.

The first preliminary competition for this scholarship, which is to be known as the Paris prize, will be held in this city on March 15. It will be open to any American. The winner will receive \$250 quarterly from the time of his departure until his return.

The donors of the fund are Mrs. Goelet, Mrs. Harry Payne Whitney, Mrs. Auchmuty, Mrs. W. K. Vanderbilt and Mrs. Alexander G. Cochran.

GERMAN ADMIRALS LIBELED.

Navy Captain Is Found Guilty and Fined \$1,250.

Berlin, Feb. 24.—The trial of a sensational libel suit in which Naval Captain Berger and Dr. Igenstein, a journalist, were accused of libeling some of the most prominent and active admirals of the German navy, including Admiral von Tirpitz, minister of marine, ended with the sentencing of the former to a fine of \$1,250 and the latter to six months in jail.

The case aroused intense interest. Captain Berger, who had been dismissed from the navy, accused the admirals of conspiring to drive him out of the service through false reports. Igenstein reproduced Berger's statements in the course of several articles.

FOR A PLAY CENSOR.

New York Board of Aldermen Asked to Call a Hearing.

New York, Feb. 24.—A resolution calling a public hearing to determine whether or not the theaters of New York need to be placed under the restraining hand of a play censor was introduced in the board of aldermen. It was referred to the committee on laws and legislation.

The resolution invites the attendance at the hearing of clergymen "and such other persons as may be interested in the subject."

STANDARD OIL WINS

Too Many Farmers on Jury Is Court's Ruling.

SIXTY-TWO AMONG TALESMEN.

Court Hears Argument Today as to Whether Shipments Constitute Offense—New Panel Tomorrow.

Chicago, Feb. 24.—The retrial of the Standard Oil Company of Indiana was unexpectedly delayed when Judge Anderson in the United States district court quashed the panel of 150 venire men because of what he considered the singularly large proportion of farmers thereon. There were sixty-two farmers among the 150.

It was a so called "farmers" jury which brought in the former verdict making Judge Landis' fine \$20,240,000 in the original case possible, and John S. Miller of the defense was prompt in calling the court's attention to the fact that the panel present here for the new trial contained but three Chicagoans, although 60 per cent of the population within the jurisdiction of the court lives within Cook county.

"It looks like design, or if not design it looks like a strange coincidence," commented Judge Anderson, whereupon T. C. McMillan and R. C. Jones, the jury commissioners, insisted with vigor that the latter was the case; that the panel had been drawn exactly as in other cases. This the court later admitted to be a fact.

District Attorney Sims and his special assistant, James H. Wilkerson, quoted authorities to show that all a defendant can legally claim is a fair, honest and intelligent jury to try his case. Mr. Wilkerson declared that the jury did not need to represent every portion of a judicial district. He said there was no statute to compel the jury commission to take geography or occupation into consideration.

"I don't want to start in with this hearing feeling that there is something unfair," answered the court. "We ought to start fair and keep fair. I think this panel ought to be set aside."

"I will instruct the jury commission to put in 150 names of men a good proportion of whom shall be good business men of Chicago."

"It so happens that this case is tried in a district composed of an enormous commercial city and several rural counties. The country may have purer air, a higher moral standard and greater intelligence than the city, but that is an open question."

"However, I am not going outside the issue when I say that if the jury were composed partly of business men who would realize the great industrial and commercial phase of the case a more satisfactory and just verdict may be reached."

The jury commission was ordered to produce the new panel tomorrow. Judge Anderson heard arguments of counsel today as to whether shipments or settlements of freight charges constitute the offense.

The government contends that each shipment of oil on which an alleged rebate was paid forms a separate violation of the law. Under this construction of the law it would be possible to fine the defendant, if found guilty, a maximum of \$10,000,000. There are, it is charged, thirty-six settlements of freight charges on these shipments. Accepting this view, a maximum fine of \$720,000 is possible.

BLOW TO PICTURE SHOWS.

Court Upholds Power of New York Mayor to Revoke Licenses.

New York, Feb. 24.—Supreme Court Justice Plazek dealt a severe blow to the moving picture houses in a decision declaring that the power of the mayor to revoke licenses cannot be questioned.

Justice Plazek's decision was in the cases of William Mackenzie, Achille Bartuluzi and the El Dorado Amusement company and applies to a hundred similar cases pending in the courts. The application of the moving picture promoters for an injunction restraining the mayor and the chief of the bureau of licenses from interfering with them was denied.

BRITISH SMOKELESS CRUISER.

H. M. S. Indefatigable to Have Internal Combustion Engines.

London, Feb. 24.—The keel of the first funnelless cruiser, the Indefatigable, was laid down in the Devonport dockyard. She will be similar to the ships of the Invincible class. She will have two masts, but apart from her gun turrets and bridges her upper deck will be as clear as that of a sailing ship with sails stowed away.

The introduction of internal combustion engines will enable the cruiser to dispense with funnels.