

# TAMPA MORNING TRIBUNE

TAMPA, FLORIDA

TAMPA MORNING TRIBUNE – SUNDAY, JULY 11, 1909

## PROGRESS MADE IN FICARROTTA TRIAL

SEVERAL WITNESSES GIVE TESTIMONY AT SESSION

*Discussion of Burmudez Incident Indulged In – State's Attorney Declares Incident Reprehensible*

Good progress was made in the hearing of the case of C. Ficarrotta, charged with the murder of G. Ficarrotta, in circuit court yesterday, witnesses testifying to the actual incidents of the killing being examined and telling what they knew of the murder. The testimony was about the same as that submitted at the habeas corpus hearing and before the coroner's jury.

The first witness was Dr. A.C. Hamblin, who described the nature and location of the wounds, having performed an examination of the body. The next was Jose Fernandez, tax assessor of West Tampa who was on a street car when he heard the shots which ended Ficarrotta's life. He rushed to Ficarrotta and found one of the guns which had been used in the murder. The witness drew a diagram showing the exact position of the body when he found it. Fernandez struck a match to see how badly Ficarrotta was wounded.

### Found Loaded Shells

Arthur Schleman, who served on the coroner's jury, told of a visit which was made to the home of Castenge Ficarrotta and during which a search of his supply of ammunition was made. This revealed that certain shot gun shells had not been reloaded with slugs similar to that which caused the death of Ficarrotta and to that which was later found in his yard. The witness identified a fence picket through which one of the slugs was fired.

The witness stated that at the time he visited the defendant's house the latter was standing near the house of the murdered man and that an alleged associate of his was squatting in a clump of palmettos nearby. The defense objected to this testimony on the ground that it was irrelevant and prejudicial, and the matter was argued after the jury had been ordered to retire. It resulted in the testimony being withdrawn by the state. Other witnesses heard were Captain Barnwell, W.P. Clark and T. Martinez, the former two testifying to having sold a gun similar to one of the guns with which the shooting was done to Ficarrotta and a companion.

### Incident Discussed

In a discussion of the Burmudez incident yesterday morning, Judge Gordon, associated with Robert McNamee in the defense of Ficarrotta, declared that he had nothing to do with the \$100 check alleged to have been offered Burmudez by McNamee, State's Attorney Phillips made a few remarks on the matter in which he declared the plan of Col. McNamee to be a very reprehensible one to be followed by a member of the bar, to which Judge Wall Agreed.

Speaking of Burmudez, Colonel McNamee declared that there was as much evidence against him as against \$100 check alleged to have been the defendant and that circumstances look very suspicious for Burmudez in connection with the killing. The defendant accused Burmudez of doing the killing while he was confined at the county jail.