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CHARLOTTE, N. C., THURSDAY MORNING, MAY 6, 1909.

PRICE FIVE CENTS.

### NATION'S SECOND DAY

#### PRINCIPAL SPEAKER

The Division of Zoology of the Public Health and Marine Service, being the theme of the day's work, was the subject of the first report. The report was made by the division's chief, Dr. J. H. Henshaw, who is also the chief of the division of zoology of the United States Fish and Game Commission. The report was made to the committee on the part of the division of zoology of the Public Health and Marine Service, which is a part of the United States Department of Health and Human Services.

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### NESTER AND W. H. McCANN, to serve five years each for manslaughter.

#### BREVET PROMOTIONS

Commissions for brevet promotions for 25 years' service in the North Carolina national guard were issued today as follows: Lieutenant Colonel J. C. Bessant, Winston-Salem, advanced to colonel; Maj. J. J. Bernard, Raleigh, advanced to lieutenant colonel; A. D. Ellington, Reidsville, advanced to major.

The Seaboard Air Line and the Atlantic Coast Line join in petitions to the Corporation Commission to be relieved from the necessity of equipping certain classes of locomotives with electric headlights as required by an act of the recent Legislature, the classes of locomotives desired exempted to be specified at a hearing accorded later.

#### SUPREME COURT OPINIONS.

The delivery of opinions this week by the Supreme Court consisted of eight, from various parts of the State, as follows:

Norris vs. Laws, Wake, new trial; Hightower vs. Raleigh, Wake, affirmed; Battle & Clark vs. Lacy, Wake, affirmed; Baker vs. Railway, Anson, reversed; Richardson vs. Richardson, Anson, affirmed; State vs. Davis, Gaston, new trial; Lynch vs. Dalton, Cleveland, affirmed; Cotton Mills vs. Railroad, Lincoln, affirmed in both appeals; Whitlock vs. Dixon, Mecklenburg, affirmed; Pearson vs. Telegraph Company, Caldwell, affirmed; Webb vs. Lumber Company, Caldwell, affirmed; Booker vs. Eller, Wilkes, affirmed; Williams vs. Casualty Company, Wilkes, affirmed; Garrison vs. Railway, Buncombe, affirmed; Hauser vs. Western Union Telegraph Company, Alexander, new trial; Manufacturing Company, Rowan, affirmed; Webb vs. Lumber Company, Caldwell, affirmed; Booker vs. Eller, Wilkes, affirmed; Williams vs. Casualty Company, Wilkes, affirmed; Garrison vs. Railway, Buncombe, affirmed; Hauser vs. Western Union Telegraph Company, Alexander, new trial; Manufacturing Company, Rowan, affirmed.

#### PASSAGE OF TARIFF BILL.

##### Special Session of Congress Will Hardly Adjourn Before June 15 or July 1—Senate Not Making Headway With Aldrich Measure That Was Expected—President Opposes Income Tax.

Washington, May 5.—The possibility of a special session of Congress before June 15 or July 1 seems to have been reached by the President as a result of recent talks with Senators and Representatives, and he made it known today.

Among those who have followed the trend of important legislation on the tariff bill, the President has expressed a strong opinion in favor of a real tariff revision bill remains to be framed in conference. Whatever influence President Taft feels he can bring to bear in securing a satisfactory measure will be exerted upon the conference.

The President is still hopeful that the revenue to be derived from the new bill, and with economies in the administration of the government, will prove sufficient to prevent a deficit. He is confident that the government finances are in need of further support to meet the current expenditures, the President will adhere to his original proposition that a graduated Federal inheritance tax be levied on the estates of individuals, and he will also propose a tax on the dividends of corporations. An income tax, he believes and always has believed, should be levied only as a last resort.

#### CHANGES IN TURKISH CABINET.

Hilmi Pasha Succeeds Tewfik Pasha as Grand Vizier and Mollas Sahib Becomes Sheikh-ul-Islam, Succeding Zia Eddin—Other Slight Changes Made.

Constantinople, May 5.—Hilmi Pasha and Mollas Sahib were today installed respectively as Grand Vizier of the empire and Sheikh-ul-Islam, or head of the faith. The former succeeded Tewfik Pasha, and the latter Zia Eddin Effendi. The changes in office were made with the usual ceremony. In the imperial hatt ordering the changes the Sultan expressed his firm desire for the restoration and maintenance of peace and tranquility in the empire, and the regularity of administration.

#### INVESTIGATING ASYLUM.

South Carolina Legislative Committee Holds First Session of the Investigation of the State Insane Asylum—One Witness Kicks on a Lack of Baseball While the Other is Displaced With the Cooking.

Observer Bureau, 1210 Berkeley Building, Columbia, S. C., May 5.—The first meeting of the legislative committee to investigate the State Insane Asylum was held today, when one of the witnesses turned up so drunk that he was twice ordered away.

### DOLLIVER THROWS BRICKS

#### CONCLUDES SPEECH ON TARIFF

Undivided Attention of Senate Was Again Given Senator From Iowa as He Attacked Tariff Measure—Engaged in Tilt With Several of His Colleagues—Touches on a Statement of Mr. Aldrich Regarding Cotton Rate and Also One by Mr. Lodge, Which Latter Said Was a Misquotation—Tillman Enjoyed Watching Iowa Throw Bricks at Republicans But Didn't Want Any Thrown at Him.

Washington, May 5.—Senator Dolliver, of Iowa, today continued his tariff speech and again he secured the undivided attention of the Senate.

Recalling that Mr. Aldrich had said yesterday that it would be shown to the Senate that no changes increasing the cotton rates had been made by the Senate committee on finance, Mr. Dolliver said that if that was a correct statement, he would expect all of the italics carrying Senate amendments to be stricken from the measure. The fact was, he said, that these cotton rates were increased. He then read from a New York newspaper, which he added had for "twenty years been watchful of the spiritual side of the Senator from Massachusetts" (Mr. Lodge), a statement to the effect that Mr. Lodge had said, as reported from the committee on finance, the cotton schedule, as amended by the Senate committee, was of great value to Massachusetts. The same article, he said, also appeared in a Boston paper.

Mr. Dolliver said Mr. Lodge was quoted as saying that "the ad valorem rate in cotton had been increased." Mr. Lodge said that that must be a misquotation. "It is stated," he said, "the ad valorem rates had not been increased."

"Then," responded the Iowa Senator promptly, "you were mistaken in stating that, as I have demonstrated to the Senate, and if you did not state that in the Boston paper, you omitted a very important part of your duty."

"I have mathematically demonstrated that these rates have been increased," said Mr. Dolliver, facing the Massachusetts Senator.

Mr. Dolliver said that the tariff bill, as amended, would increase the rate on cotton from 10 to 12 cents a square yard for having superimposed threads, and another one cent a yard for mercerization. Referring to the board of appraisers at New York as "elder statesmen who failed to be re-elected," he went on to explain the mercerization of cotton, declaring that the one cent a yard for that or similar processes, provided in the bill, was in excess of the cost of the mercerization.

Mr. Smoot saying that the mercerization process required Egyptian or Siam Island cotton, Mr. Dolliver denied the statement, and the Democratic side said that was the cotton for which the Senator from South Carolina had so strenuously worked for a tariff duty.

Quickly Mr. Tillman disavowed any desire to have a duty on Siam Island cotton. He admitted, however, seeing the Senator from Iowa throw bricks at his Republican colleagues, but that he did not want him to throw them at him.

#### TARIFF BILL ANALYZED.

Senator Culbertson Figures the Decreases to Be Made in the Increases and Furnishes No Figures as to the Increases.

Washington, May 5.—Statements were made to the Senate late today by Senator Aldrich, representing the finance committee, and Senator Culbertson, the minority leader, analyzing the tariff bill as it was reported to the Senate and comparing it, so far as increases and reductions are concerned with the Dingley law.

#### INVESTIGATING ASYLUM.

South Carolina Legislative Committee Holds First Session of the Investigation of the State Insane Asylum—One Witness Kicks on a Lack of Baseball While the Other is Displaced With the Cooking.

### PEACE CONGRESS CLOSES

#### LAST DAY WAS A NOTABLE ONE.

Only Fireworks of the Congress Were Set Off When A. H. Simon, of Chicago, a Socialist, Introduced a Resolution, Which Jailed the Meeting and Which Was Tabled by a Two to One Vote—Addresses Made by Representatives of Seven Nations—Congressman Barthold Announces That Negotiations Have Been Renewed With Germany—An Arbitration Treaty With Bright, an Object of a Successful Conclusion.

Chicago, May 5.—Feeling that a real step forward in the world's peace movement had been taken, delegates to the national peace congress brought their three days' convention to a close with a banquet tonight.

Richard A. Ballinger, Secretary of the Interior, representing the United States. Others of the international representation were Alfred Mitchell Innes, counselor of the British embassy; K. Matsubara, Japanese consul at Chicago, and Dr. Haiyuan Koh, of the University of Nanking.

Tonight the delegates were entertained at a banquet given by the Chicago association of commerce, Secretary Ballinger and Congressman Tawney and Barthold being among the speakers.

Congressman Barthold presided at the banquet session. He introduced Chinese minister Wu Ting Fang, as "minister of the German empire in the United States." The chairman was stopped by laughter, but presently saved himself by stating that he had made a mistake.

It is rumored—and circumstances seem to bear it out—that Duncan and Adams have fallen out. A story to the effect that Duncan desires to succeed John G. Capers as Commissioner of Internal Revenue, is in circulation. It is a fact that Adams is out of that race. Adams, C. J. Harris and Charles H. Coffey did not get into the race tonight. That may mean something or nothing; everybody knows.

Judge Pritchard, it is stated, is trying to get to the White House, but is afraid to make the effort until he knows how he will be received. Mr. Taft, then, it is said, Duncan will endorse T. S. Rollins for district attorney. The belief is general here, however, that Mr. Taft will give this position to Thomas Settle. The row in the Republican camp is about to break out if one is to judge by what he hears in Washington.

#### STATE WILL APPEAL.

Attorney General Major, of Missouri, to Take Railroad Rate Cases to Supreme Court—Tells Judge McPherson That He Has Two Years in Which to Perfect an Appeal.

Kansas City, Mo., May 5.—"There has been so much talk about the decree of this court in the Missouri railroad rate cases, which I have been asked to take to the Supreme Court, that I am glad to see that an appeal has not been taken from that decree. Do you intend to appeal?" asked Federal Judge Smith McPherson today of Attorney General Major, of Missouri, at the hearing to decide whether the Missouri State should be permitted to appeal the case to the Supreme Court.

#### KILLED NEGRO IN CELL.

Deputy Sheriff Claims That He Was Forced to Fire as Prisoner Had Attacked Him With a Stool.

Albany, Ga., May 5.—Ely Holmes, a desperate negro prisoner in the Lee county jail at Leesburg, was shot to death this afternoon in a hand-to-hand fight with Deputy Sheriff H. D. Logan, in a dark cell in the jail, a fight in which the loser could not leave the cell alive. Both men realized this, according to Deputy Logan, when his chance came he killed the negro. He had entered Holmes' cell and the negro attacked him, it was said, with a stool, beating the officer unmercifully before the latter could draw his pistol. Then a fight began for its possession, which ended when Deputy Logan fired and the negro dropped to the cell floor dead. The officer was exonerated.

#### CONSTITUTION FOR PERSIA.

Proclamation Signed and Issued by Shah and Elections Will Be Held Soon.

### HITCH IN THE JUDGESHIP

#### NO APPOINTMENT IS IN SIGHT.

Republican Senators' Expressed Intention of Fighting the Confirmation of Connor in Case He Lands, May Cause the President to Withhold the Appointment Until Congress Adjourns—Opponents Would Have No Say Then and After Getting in It Is Believed He Would Stick—Other Candidates Clamoring for a Hearing—A Row Brewing in the Republican Camp.

The end is not yet. Complications have come to involve the Judgeship. President Taft has been told that if the appointment of Connor is sent in his confirmation would be fought by Republican Senators. In turn Mr. Taft has intimated that he might defer action until after Congress adjourns, so that Connor could serve several months before the Senate would have an opportunity to pass on him, believing that no one would oppose the confirmation then. It is believed that Marion Butler is behind this move.

It develops today that the supporters of T. T. Hicks have asked for one more hearing and it will be granted. Judge Timberlake, who believes that he still has a chance, will have several more persons call on the President, now that the postoffice matter has been satisfactorily explained.

E. C. Duncan, accompanied by Postmaster General Hitchcock, will call at the White House to-morrow night. It is safe to say that no appointment will be made until after that visit. Some believe that if the President has made up his mind to name Connor he will do it regardless of threats to block his confirmation.

#### ADAMS AND DUNCAN AT ODDS.

Chairman S. B. Adams, who has been here for two days, left for home tonight.

It is rumored—and circumstances seem to bear it out—that Duncan and Adams have fallen out. A story to the effect that Duncan desires to succeed John G. Capers as Commissioner of Internal Revenue, is in circulation. It is a fact that Adams is out of that race. Adams, C. J. Harris and Charles H. Coffey did not get into the race tonight. That may mean something or nothing; everybody knows.

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### EX-GOV. MSWEENEY BETTER

#### CONSCIOUSNESS AND HIS RECOVERY IS HOPEFUL FOR—SAN JOSE SCALE HIS APPEARANCE IN THE "RIDGE" SECTION.

Observer Bureau, 1230 Berkeley Building, Columbia, S. C., May 5.

A phone message from Hampton today says that ex-Gov. Miles B. Sweeney, who was stricken unconscious with acute indigestion on the 27th of last year, while returning home from his office with his two sons, is decidedly better after a very anxious night. He has recovered consciousness, and it is now hoped he will be entirely restored to health, though the worst is feared as he has been in bed nearly for seven years.

Unless the Governor intervenes, S. W. Stockman, given seven years for Lexington for killing his son-in-law, Hampton Hartley, will have to serve his sentence, beginning service this week. His only hope now is with the Governor and the pardoning board, the Supreme Court in a decision filed today having denied him a hearing. The killing occurred December 29, 1906, in front of Stockman's own home, where Hartley is alleged to have come in a drinking condition looking for trouble.

#### BATTLESHIP'S SILVER SERVICE.

Governor Auel this afternoon made public the specifications for the \$5,000 silver service for the battleship South Carolina, which is to be bid on by the jewelers by June 15. The historical designs to be used are specified as follows:

#### KIDNAPERS ON TRIAL.

Prosecution Had Intended to Prove That Willie Whitla's Alleged Abductors Were Not Legally Married But Refusal of Priest to Testify Upsets Plans—Jury Selected.

Mercer, Pa., May 5.—James H. Boyle, charged with the abduction of Willie Whitla, of Sharon, Pa., was placed on trial this afternoon. Court adjourned for the day one hour later after a jury had been selected temporarily. Little difficulty was experienced in securing a jury. Each man was closely questioned, and only 27 were examined before the box was filled. It is believed the trial can be concluded before the end of the present week.

The prosecution to-day secured the following statement: "Holy Family Church, 417 West Twelfth street, Chicago, Ill.

#### AT THE NATION'S CAPITAL.

The Most Important Happenings of the Day Briefly Summarized.

Washington, May 5.—The most important happenings in the nation's capital today were as follows: Tariff revision in all probability will keep President Taft and the members of Congress until near the summer, the former having abandoned hope of an earlier completion of the latter's important task.

Orders to proceed to Merina to protect American interests there were issued to the armored cruisers North Carolina and Montana when news was received here of their arrival at Gibraltar.

#### SPENCER STEAM LAUNDRY STARTS UP.

Spencer, May 5.—The latest business enterprises for Spencer, opened for business yesterday. The plant is well equipped with new and modern machinery and meets a great need in Spencer. It is owned by A. W. Hicks and A. D. Smith and is managed by Charles M. Williams, of Ohio.

### ALIENISTS ON THE STAND

#### MENTAL CONDITION OF HAINES.

In Answer to Hypothetical Questions, Dr. Manson Declared That Captain Haines Was Suffering From "Impulsive Insanity" at Time He Killed Annis and That He Had Been Victim of "Manic Impulsive Insanity" Since Day His Wife Confessed to Him of Her Improper Relations With Annis—Several Forms of Insanity Discussed by Alienist—Jury Appointed to Be Lost in World Mass of Physical Phenomena.

Flushing, N. Y., May 5.—This was a "hypothetical day" at the Haines trial. For nearly two hours the jury listened to the reading of a hypothetical question containing more than 10,000 words, as propounded by the defense, upon which three alienists are to predicate their opinions of the mental condition of the defendant, Captain Peter C. Haines, when he shot and killed William E. Annis at the Bayside Yacht Club.

During the cross-examination of the first alienist, Dr. Samuel Manson, forms of insanity ranging from ordinary melancholia to the ravings of a hopeless lunatic, were discussed. The jury and every one but the witness, at times, appeared to be lost in the weird maze of physical phenomena.

In answer to the hypothetical question, which covered practically all the actions and speech of the defendant, tending to show irrationality as put in evidence by Manson, the witness said that Captain Haines was suffering from "manic depressive insanity" at the time he killed Annis. He had been the victim of "manic depressive insanity" the day on which his wife, Claudia, is alleged to have confessed to him of her relations with Annis, up to the time of the shooting.

"Manic depressive insanity," the alienist explained, was a form of "stuporous melancholia," subject to "violent maniacal outbursts," such as Captain Haines is alleged to have experienced when he shot Annis. The period of "impulsive insanity," the witness said, lasted from the time the defendant first heard the name of Annis mentioned on the Bayside Yacht Club float, until the last of the eight bullets had been discharged into the body of his victim. "Then," according to the alienist, "a relieving quietness of mind" from the pent-up mental fury followed and the defendant lapsed into a state of "manic depressive insanity." His mental condition had improved since that time he added.

Dr. Manson was on the witness stand under cross-examination when court adjourned for the day. Two other alienists will be called by the defense.

#### SPRAY TO ERECT Y. M. C. A. BUILDING.

Special to The Observer.

Spray, May 5.—Attractive premiums have been offered by the civic association to those housekeepers who best adorn their yards with vines and flowers and who look with special interest after the sanitary conditions surrounding their homes. The civic association has allotted premiums on foot towards building a \$15,000 Young Men's Christian Association building for the benefit of the mill operatives, both men and women. The plans and blue prints have already been submitted by Messrs. Hook & Rogers, of Charlotte, and negotiations with a permanent secretary are going on. Mr. Huntington, of the Charlotte Young Men's Christian Association, is taking much kindly interest in the work and Mr. Townsend, of New York, has also manifested much interest and has visited the civic association several times.

#### THROUGH TRUCK TRAIN TO NEW YORK.

Special to The Observer.

Newbern, May 5.—Monday at a meeting of the Board of Supervisors, presided over by the Mayor, the beginning with the exercises of the graduating class on the evening of May 8 at 8 o'clock in the school auditorium. Friday morning at 11:30 the annual sermon will be delivered by Rev. J. H. Pender, pastor of the Episcopal church of Norfolk, Va., and Friday evening at 8 o'clock the decennial celebration of the first special tax for schools in this city. The literary address will then be delivered by Dr. William F. Foster, president of Wake Forest College. After the literary address the medals and certificates of graduation will be awarded the graduating class.

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#### CARD GAME ENDS IN ROW.

Special to The Observer.

### MRS. SARAH DAWSON DIES SUDDENLY.

Paris, May 5.—Mrs. Sarah (Morgan) Dawson, of Charleston, S. C., died suddenly in Paris today. Mrs. Dawson was the widow of Captain Francis W. Dawson, former proprietor of The Charleston News and Courier. She is survived by a son, Francis W. Dawson, a writer, and a daughter, Mrs. Herbert Barrer, of New York.