

Weather.

Washington, April 21.—Forecast for North Carolina for tonight and Thursday: Showers tonight and Thursday.

The Evening Times

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CAPTAIN HAINS SHOWS GREATER INTEREST TODAY

Paid Attention When the First Talesman Was Called This Morning

HIS MOTHER COLLAPSES

Mrs. Peter C. Hains, Sr., Suffered a Complete Breakdown Today—Has Been Under Severe Nervous Strain—She Has Not Been Allowed to Attend the Sessions of the Court Because of Her Son's Physical and Mental Condition—Defendant Taken to Flushing in Trolley Car—Details of His Appearance.

(By Leased Wire to The Times)
New York, April 21.—Mrs. Peter C. Hains, Sr., mother of Captain Peter C. Hains, Jr., now on trial in the Supreme Court at Flushing, for the murder of William E. Annis, suffered a complete breakdown today in her rooms in the Hotel Astor because of the tense nervous strain she has been under. Every effort was made to keep the news of his mother's collapse from Captain Hains.
The elder Mrs. Hains has not attended court in Flushing since her son has been placed on trial. General Hains, her husband, knowing her condition, has persuaded her not to attend the sessions, fearing the effect upon her of seeing her son in his altered appearance, betokening the development of mental weakness. But Mrs. Hains has sedulously inquired of the general about her son and in spite of all he could do, she has insistently realized the son's condition.
The defendant was taken from the Long Island City jail to Flushing as usual in a trolley car. He was handcuffed to Warden Debraaga. The overcast weather kept the crowd away. Captain Hains looked brighter than he has at any time since the opening of the case. He wore his long overcoat, which he kept on after the handcuffs were unlocked, and took his seat in the usual place facing Justice Garretson and the witness chair. He kept the coat collar turned up. When the first talesman for the day was called, the prisoner fastened his eyes upon him. Hitherto he had not given any sign of interest in the trial.
Captain Hains soon turned his face away from the direction of the witness chair and during the questioning of the sixth talesman his head sank to his breast and he actually slept for five minutes. Lawyer Daniel O'Reilly, sitting directly at his right, prodded him with his elbow.
The prisoner straightened up a little, but did not otherwise notice or resent the big attorney's unceremonious arousing of him.
John P. McIntyre, counsel for Captain Hains, made a proposition today to the district attorney that was promptly turned down.
"Let's bar all testimony of aliens," said McIntyre.
"I will not agree to any such thing," replied Dewitt.
This leaves the question of a lunacy commission and other features of the case bearing on the mental condition of the defendant very much in the air.
General Hains, the aged father of the defendant arrived in the court room just before the noon hour. He passed quickly within the bar enclosure and saluted his unfortunate son by kissing him on the cheek. The prisoner looked up and smiled for an instant. Thirty talesmen in all were examined during the morning session, without a single additional juror being obtained. Up to the midway recess 134 talesmen had been questioned in the case.

NIGHT RIDERS PAY BIG FINE

Paducah, Ky., April 21.—No defense was offered in the federal court to the suits of Lee Baker and Nat Frizzell, negroes, for damages on account of the Birmingham night rider raid, and the full amount, \$25,000 each, was awarded. They were driven out of Birmingham by the raiders on March 9, 1908, after being whipped until, according to the testimony of Dr. Robert Overby, the lash cut into the muscles of their legs.
The verdict was against Dr. E. Champion and about twenty-five others. In his charge Judge Evans said the only evidence of shame for the deed manifested by the defendants and their failure to appear and deny the charge. Otis Blick, the confessed night rider, on whose testimony Dr. Champion and John Jackson were convicted at Benton, told of the raid and identified the defendants. Other witnesses told the stories and Dr. Robert Overby, who himself was warned out of Birmingham for dressing the negroes wounds also testified.

PRESIDENT TAFT'S SOUTHERN POLICY

(By Leased Wire to The Times)
Washington, April 21.—President Taft's policy regarding appointments in the south is expected to become known within the next week, when, it is said, he will name the judge of the eastern district of North Carolina to succeed the late Judge Purnell.
That he will appoint a democrat is regarded as certain, and so strong has this belief grown that nearly all republican applicants have either withdrawn or have practically given up hope of receiving the nomination.

NIAGARA RIVER STILL JAMMED BY DRIFTING ICE

Several Towns Are Threatened With Destruction by the Ice Jam

DANGER TO THE FALLS

Residents of Lewiston and Niagara Falls Are Afraid Serious Consequences Will Result Unless Immediate Steps Are Taken to Relieve the Terrific Ice Jam That Is Damming Up the River—Fear That the Course of the River May Be Changed and the Falls With All of the Great Power Plants Destroyed.

Niagara, Falls, N. Y., April 21.—A terrific ice jam in the Niagara river today threatens the destruction of the towns of Niagara Falls, Lewiston and Youngstown. Unless immediate action is taken by the government to break up the jam it is feared that the course of the Niagara river will be changed and that Niagara Falls, with all of the great power plants will be destroyed.
Residents of Lewiston and Niagara Falls are panic-stricken.
Chief of Police Thomas H. Lyons, of Niagara Falls, said that if steps were not taken to break the ice jam before nightfall he feared serious consequences would result. A similar statement was made by Proprietor Cornell of the Cornell House at Lewiston.
At Niagara-on-the-Lake the water reached the first floors of three big hotels, imprisoning more than 100 guests, who were rescued by means of boats.
Thousands of lives are imperiled by the mountains of ice that have choked up the river and property worth millions of dollars is in danger of destruction.
Department Can Do Nothing.
Washington, April 21.—At the war department this morning it was said that Col. W. L. Fliske, in command of the United States engineers office at Buffalo, N. Y., wired the department that there is nothing the department can do to relieve the danger from the ice gorge at Niagara Falls, there being no facilities for undertaking the work. The statement was made that it is believed the ice is in a soft, mushy condition, instead of being hard, and this being the case dynamite or other explosives could not be used to advantage.
"The war department is willing to do whatever it can to relieve the situation," said an official, "but it cannot go against providence or nature."
"Then it amounts to just this: That the people at Niagara Falls will have to help themselves as best they may," was the suggestion made.
"That is about what it amounts to," was the reply.
A man who tried to cross the ice field this afternoon was carried over the falls. For some time he was seen clinging to the rocks below and then he was finally covered by a mass of ice that piled around him.

LETTER TO EDUCATORS

Supt. Joyner Writes to Leaders in Every County

He Advises County Superintendents and Boards of Education as to the Workings of the New Law—Efficiency, Persuasion, and Persistence Necessary to Perfect School System.
State Superintendent of Public Instruction J. Y. Joyner is sending out to county superintendents and county boards of education blanks for the itemized statement to be submitted by them to the board of county commissioners of each county on the first Monday of June, 1909, in accordance with the act of the general assembly of 1909, repealing sections 4099 to 4106 and section 4112 of the public school law and providing for a more equitable apportionment of the second hundred thousand dollars and the levying of a special tax for the maintenance of one or more public schools in every school district for a term of four months in each year.
In his letter accompanying the blanks he sets out graphically the needs of the public schools and defines "necessary expenses." He says:
"Your estimate of necessary expenses for the maintenance of one or more public schools in each school district for four months should be as conservative and as economical as is consistent with the actual educational needs of the school districts, and with the actual educational demands of civilization and of this age. Here are some of the necessary expenses for the proper maintenance of a public school that your board should consider conservatively in making its estimate:
"1. A suitable house with respectable equipment in every district. For this purpose set aside in your estimate, if necessary, the entire amount allowed by section 4116 of the public school law for building and repairing schoolhouses and other equipment. You will observe that the law reasonably limits the proportion of the school fund that may be annually used for these purposes.
"2. Reasonably efficient supervision. If the salary now paid your county superintendent is insufficient to employ a thoroughly competent man to devote enough if his time properly to supervise, direct and visit the public schools, you can and ought to include in your estimate a sufficient salary to employ such a man and provide such supervision. The pub-

Scene in the Famous Chicago Grain "Pit."



Picture shows the famous Chicago Grain Pit, in which many fortunes have been won and lost within the past few days, because of the manipulation of the wheat market by Mr. Patten.

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JAMES A. PATTEN.



JAMES PATTEN LOOKING OVER SITUATION

(By Leased Wire to The Times)
Chicago, April 21.—James A. Patten, the "wheat king" left Chicago suddenly today. The explanation given at his office was that he had gone to look over the wheat situation in the west and southwest. Reports that Patten was ill were denied absolutely.
The school law requires a county superintendent who shall supervise and visit the public schools; therefore, this is a reasonable part of the necessary expense required by law for the proper maintenance of one or more schools in each school district for at least four months.
"3. Properly qualified teachers and enough of them to do thorough work in branches required to be taught in public schools. Under the law the board of education is required to fix and report the number of teachers necessary for each school in each school district and the salary of each teacher. In fixing such salary the board should have due regard for the grade of work to be done and the qualifications of the teacher necessary to do this work, and should fix a salary sufficient to command a competent teacher. A school can be no better than the teacher.
4. Reasonable incidental expenses, such as fuel, stoves, buckets, etc. (Continued on Page Seven.)

TRAINS BY TELEPHONE

Telegraph Service Succeeded by Telephone System

Beginning Tomorrow the Illinois Central Will Operate Trains Over 773 Miles of Road by Use of Telephone Instead of Regular Dispatcher's Service.
(By Leased Wire to The Times)
Chicago, April 21.—After Thursday 773 miles of the Illinois Central train service will be operated by telephone instead of by telegraph. G. H. Groce, superintendent of signals and telegraph of the Illinois Central who leaves Chicago today for Carbondale, where he will begin the new telephone service.
Mr. Groce says he is also working and expects to have open within a few weeks telephone operation on the Paducah, Mississippi and the second Louisiana divisions and expects eventually to extend the telephone system over every mile of the Illinois Central lines.
The New York Central is experimenting with the telephone train operation for 80 miles on the Albany division.
Mr. Groce says that all of the present telegraph operators and train dispatchers will be used in the telephone service. The dispatchers will do their work verbally entirely and will use a double receiver similar to those used by the telephone exchange operators. A patent by Mr. Groce allows the dispatchers to call stations by a bell code.
VAN CLEAVE RESIGNS.
Is No Longer President of the Citizens' Alliance.
(By Leased Wire to The Times)
St. Louis, Mo., April 21.—James B. Van Cleave, president of the Citizens' Industrial Alliance, has tendered his resignation as head of the organization. The change comes about through antagonism shown to Van Cleave by manufacturers over the country after his fight against Gompers, Mitchell and other labor leaders. Van Cleave is president of the Bucks Stove and Range Company, which secured an injunction which prevented Mitchell and Gompers advertising a boycott on the company's product.
Gambler Breaks the Bank.
(By Cable to The Times)
Nice, April 21.—Huntley Walker, an Englishman, broke the bank at Monte Carlo last night, winning \$60,000 in two hours.

THE INCOME TAX AMENDMENT NOW BEFORE SENATE

Introduced by Senator Cummins As An Amendment to the Tariff Bill

THE RATE PROVIDED

Senator Cummins Estimates That His Amendment Will Yield \$40,000,000 Annual Revenue—Amendment Provides Only For a Tax on Individual Incomes, But Requires That Corporations Shall Make Annual Reports Showing Their Net Income and Also to Whom Dividends Are Paid—Bill to Give President \$25,000 Traveling Expenses.

Washington, April 21.—Senator Cummins today introduced his income tax amendment to the tariff bill. It exempts incomes below \$5,000, and authorizes the deduction of that amount from every dutiable income. The rate provided for is as follows: Incomes not exceeding \$10,000, 2 per cent.; \$20,000, 2½ per cent.; \$40,000, 3 per cent.; \$60,000, 3½ per cent.; \$80,000, 4 per cent.; \$100,000, 5 per cent.; all over \$100,000, 6 per cent.
Senator Cummins estimates that this amendment will yield \$40,000,000 annual revenue. The amendment provides only for a tax on individual incomes, but requires that corporations shall make annual reports showing their net incomes and persons to whom dividends are paid.
The senate met at noon. Senator Guggenheim introduced a bill as a rider to the senate appropriation bill, providing for an annual allowance of \$25,000 for the president's traveling expenses.
Senator Cummins made a brief explanation of the income tax amendment in which he said that he recognized that it challenged the opinion of the Supreme Court in one particular, but he maintained that it removed all other points of collision. The one point in question was whether a tax levied on incomes derived from investments in either real or personal property is a direct tax. This was a broad question and if it was impossible to tax such incomes then a direct tax would be impossible without an amendment to the constitution. He believed that the courts might hold such incomes taxable.
He also explained why he had eliminated incomes to corporation from the amendment.
Senator Smith of Michigan, and Senator Rayner raised the point that under the operation of Senator Cummins' amendment foreign investors in American securities would escape taxation. Senator Rayner called attention to Mr. Andrew Carnegie's immense income from the steel corporation which he said would be exempt under the proposed amendment.
Senator Cummins promised to reply to this argument later.
He said he had no intention in advocating an income tax to assail the policy of protection. His position as a protectionist had been attacked, he said, when he entered the senate.
"If I am to be measured by the test imposed by an association of selfishness such as the American protective tariff league then I am unsworn under the doctrine of protection, but if I am measured by the republican platform as the teachings of McKinley, Garfield and other republican leaders, then I am sound."

CYCLONE SWEEPS THE JAMES RIVER

(By Leased Wire to The Times)
Richmond, Va., April 21.—A cyclone dashed the steamer Pocahontas wildly about on the James river at Wyanoke on her return from Norfolk yesterday. Old river men say it was the most terrible blow they ever experienced. Passengers on the steamer congratulated themselves that it lasted no longer. As the steamer neared Wyanoke what appeared to be a small, but dense fog was observed north of the river in a field. Suddenly it developed into a furious cyclone, heading directly for the steamer. The passengers did not realize their danger until they saw roofs swept from houses and large trees uprooted in the path of the wind. Shingles and rafters flew in the air like shavings.

DAUGHTERS MAY MAKE THE FUR FLY BEFORE IT IS OVER

Daughters of the Revolution Are Doing Politics With a Vengeance

OPPOSITION IS STRONG

Gentle Methods Are Used by the Opposing Candidates, But Still There is Much Bitterness Between the Factions—Followers of Mrs. Story Are Still "Peevish" at the Way Mrs. McLean Treated Her Yesterday—Mrs. Story's Friends Say the Society Should Rid Itself of "Boss" Rule.

(By Leased Wire to The Times)
Washington, April 21.—The fair members of the national society of the Daughters of the American Revolution, in convention assembled here, are "doing politics" with a vengeance. While, naturally, the methods pursued by the adherents of Mrs. William Sumner Story, conservative candidate for the office of president-general, and those of Mrs. Matthew T. Scott, the administration candidate, are characterized by gentler methods than those usually adopted by the male sex in matters politic, yet there is much feeling, not to say bitterness existing between the factions. The followers of Mrs. Story are still "peevish" about the way in which Mrs. Story was treated yesterday evening by Mrs. Donald McLean, the present president-general and presiding officer of the convention, when she was not permitted to read her report as state regent from New York, being ruled out on a technical point of order. The friends of Mrs. Story are declaring today that Mrs. McLean's action is evidence that she feels the cause of Mrs. Scott is not as strong as could be wished, while Mrs. McLean's adherents insist that she acted entirely according to parliamentary procedure and furthermore that Mrs. McLean's action was "good politics," viewed from a practical standpoint.
It cannot be denied that Mrs. McLean's action has created a great deal of comment and that Mrs. Story's friends are taking every advantage of the opportunity to make use of the incident as proof of their claim that the society should rid itself of "boss" rule.
That tomorrow will see the crystallization of the partisan feeling existing between the factions is a foregone conclusion in view of the fact that the election of officers is to take place then. In the meantime members are electioneering "to beat the band," and are sparing no legitimate effort to win votes.
The convention was called to order by President-General McLean shortly before 11 o'clock this morning. Prayer, music and the reading of the minutes followed, after which the reading of reports of standing committees commenced.
At the 3 o'clock session the special order of business will be the presentation of the report of the memorial continental hall committee, of which Mrs. McLean is chairman. Further contributions to the building fund will be received.
It is thought the question of Mrs. McLean's recent acceptance of a large portrait of herself, to be hung in the hall, instead of permitting the question of the acceptance of the picture to be decided by one of the standing committees, may come up for consideration this afternoon, in which case "fur may fly," the members being divided in opinion as to the propriety of Mrs. McLean's action.
(Continued on Page Four)

A COTTON MILL TRUST.

Plan of the Duke to Get Control of Southern Cotton Mills.
(By Leased Wire to The Times)
Winston-Salem, N. C., April 21.—It is reported that the Duke are planning to organize a southern cotton mill trust, one similar to the American Tobacco Company, of which "Buck" Duke is the head.
According to the report, the Duke, who have made millions out of the tobacco business, own a large controlling interest in the Southern Power Company, through which they expect to manipulate the scheme now contemplated to get control of a majority of the leading southern cotton mills, many of which are now being operated with power furnished by the Southern Power Company.