

Weather.

Washington, May 17—Forecast for North Carolina for tonight and Tuesday: Partly cloudy, showers in the west tonight.

The Evening Times

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PETER C. HAINS SENT TO PRISON AT SING SING

Given Indefinite Sentence of From Eight to Sixteen Years

DEWITT ASKS LENIENCY

Justice Garretson Imposes Indeterminate Sentence of Not More Than Sixteen Nor Less Than Eight Years on the Slayer of William E. Annis—Prosecutor Dewitt Asks For Lenient Sentence For Defendant—Hains Stood Up For Sentence and Showed No Emotion Whatever—All Motions to Set Verdict Aside Overruled—The Crime of Hains.

(By Leased Wire to The Times) Flushing, L. I., May 17—"The killing of William E. Annis was not justified and I hereby sentence you to serve an indeterminate sentence of not more than sixteen years and not less than eight at hard labor in Sing Sing prison."

Justice Garretson in the supreme court today brought to a climax with these words the series of misfortunes that have come upon the Hains family since Captain Peter C. Hains returned from his post in the Philippines to discover his wife's wrongdoing and to seek out William E. Annis on August 15, last, and slay him.

The captain took his sentence standing. He did not move a muscle. He showed neither regret nor fear. When the last word of the court had been uttered he took his seat beside his father, General Hains, whose head was buried in his hands.

"What is your name?" asked the clerk of the court of the captain after sentence had been passed. "Hains," replied the captain in a voice so low that the clerk could hardly understand him.

"Are you married?" asked the clerk. "The captain did not answer. "He is married," answered John F. McIntyre for him.

"What residence have you?" asked the clerk. "None," whispered the captain. The prisoner was turned over to the guards. His father and his brother, the only members of the family present, embraced him in turn. He gave no sign of emotion or interest.

Before the passing of sentence by the court counsel for the defense, for the people, and Justice Garretson had a conference in the judge's chambers.

Justice Garretson ascended the bench at 10:10 o'clock. Captain Hains sat with his overcoat over his ears, huddled in his chair as he sat for over three weeks during his trial.

Mr. McIntyre moved that the verdict of the jury finding the prisoner guilty of manslaughter be set aside, on the ground that it was contrary to law and the evidence. Mr. McIntyre also moved that it be set aside because of the lack of jurisdiction of the court, claiming that as Captain Hains was on duty in the service of the federal government, he should have been tried in a federal court. Justice Garretson denied the motions and nothing was left to do but to pass sentence.

District Attorney DeWitt arose and in a very low voice asked the court to show clemency to the prisoner.

Then Eugene N. L. Long, of counsel for the prisoner, with tears in his eyes and with a voice husky with emotion, pleaded with the court to be lenient. Mr. McIntyre followed him and then Captain Hains was told to stand up.

"This prisoner stands as any other prisoner, before the bar," said Justice Garretson. "He has been ably defended and he has had a fair and impartial trial and with a fair jury. His act in slaying William E. Annis was not justified and he must suffer the penalty.

Justice Garretson paused for a moment. "I sentence you to serve an indeterminate sentence of not more than sixteen or less than eight years at hard labor in Sing Sing," he added.

The crime for which Capt. Hains goes to Sing Sing was committed on the afternoon of August 15, last year. With his brother, Thornton Jenkins, he went to the Bayside Yacht Club and there found William E. Annis in his bathing suit sailing a small

boat. The captain emptied an automatic Colt into the man he had sought out and whom he charged with having broken up his home. Thornton Hains was tried as an accessory to the killing and was acquitted.

BULLET SHATTERS ROMANCE.

Breaks the Hearts of Two Women and Puts Man in Hospital.

(By Leased Wire to The Times) San Francisco, May 17—The same bullet which forever blotted out the eyesight of Eugene Moore, a rich New Yorker who tried to kill himself in this city several weeks ago, shattered a romance and broke the hearts of two women. One was his wife, whom he had abandoned; the other was Mrs. Jennie Green, of this city, who left her husband for Moore.

Mrs. Green, who is a strikingly handsome young woman, pleaded in vain for the privilege of devoting her whole life to the care of the helpless man. Mr. Moore rejected her proffered sacrifice, although unwillingly. Next Tuesday he will accompany his brother, M. E. Moore, back to New York, where he will enter a sanitarium, where he will end his days. His family is wealthy.

Moore deserted his wife early in the spring and came to San Francisco. His family put detectives on his track and when they located him here he went out to Golden Gate Park and at the foot of the Drake Cross fired a bullet into his head. The missile entered the brain area shattering the nerves of his sight, but failed to effect his death. The bullet was removed in a remarkable operation performed by University of California surgeons.

TOBACCO FOR NATIVES

Objection to the Roosevelt Presents.

Superintendent of the Anti-Cigarette League is Mad Because Kermit Roosevelt Took Cigarettes and Tobacco Along as Presents for the Natives.

(By Leased Wire to The Times) Chicago, May 17—Lucy Page Gaston, superintendent of the anti-cigarette league, expresses great regret over the report to the effect that Kermit Roosevelt has taken 6,000 cigarettes, 325 pipes and a great quantity of tobacco into Africa to be given as presents to the natives.

"I can hardly believe the report," she said, "in view of the prestige of the Roosevelt expedition. The scattering of such gifts will undoubtedly mean the rapid spread of the cigarette habit among the natives in Africa. Some other presents might have been used.

"What makes it hard for me to understand is that such presents should be taken unless the former president and his son are addicted to the tobacco habit themselves. Several years ago, Carrie Nation came into this office and tore a picture of President Roosevelt from the wall, asking me what I meant by having the photograph of a cigarette smoker in the headquarters of our league. She said she knew Mr. Roosevelt used tobacco.

"I immediately wrote a letter to the president and received a reply from Secretary Loeb, in which it was stated that the president never used tobacco in any form.

"Then came the reports that his daughter, Mrs. Longworth, uses cigarettes. I recall recently reading a report that her husband has insisted that she diminish the number of cigarettes she smokes. Now comes this report that Kermit has taken all this tobacco into Africa with him to give to the natives.

"I am most interested in these reports regarding the Roosevelt children as the stories regarding their doings have such a wide-reaching effect. In Mrs. Longworth's case the reports are particularly disastrous as the cigarette habit seems to be increasing among women.

"If Kermit Roosevelt did not smoke a pipe or cigarettes himself, it does not seem to me that he would have thought of such things as gifts to the natives."

APPOINTMENT HELD UP.

Lieutenant Cone May Not Head Bureau of Steam Engineering.

(By Leased Wire to The Times) Washington, May 17—Despite the fact that he has been appointed to the position by President Taft, Lieutenant Commander H. I. Cone, may not, after all, head the bureau of steam engineering of the navy department. The confirmation of his appointment by the senate is being held up by Senator Hale, of Maine.

Senator Hale is said to be holding up the appointment because of his friendship for Rear Admiral Capps, until recently head of the bureau.

SENATOR DEPEW SPOKE TODAY ON TARIFF MEASURE

Senator Sutherland Spoke on the Proposed Income Feature of Bill.

MR. DEPEW'S SPEECH

Senate Convened at 10 O'clock and Tariff Bill Was Immediately Taken Up—Senator Sutherland Holds That Income Tax Should be Reserved to States Except in Cases of Absolute Necessity—Dewey Says If the Protection on Cotton is Wiped Out the Manufacturers in North Carolina, South Carolina and Georgia—The Same Principle in Other States.

(By Leased Wire to The Times) Washington, May 17—The senate convened at 10 o'clock. The tariff bill was immediately taken up. Senator Sutherland spoke on the income tax, contending that this form of taxation should be reversed to the state except in cases of absolute necessity. He reviewed at length the history of taxation in the United States and defined the powers of congress under the constitution.

Senator Dewey spoke on the tariff in part as follows:

"Mr. President, I doubt if it is possible to shed much light upon the question of the tariff. New York is the largest manufacturing state and there is hardly an industry in the 2,000 items in this measure which does not directly or indirectly affect our citizens.

"We are apt to think that wool and cotton industries now is shared with protective countries whose markets she formerly monopolized.

"In all the speeches that have been made here, so far as I can recall them, the only open and direct attack upon the protective system as a policy or a system has been from the distinguished senator from Georgia (Mr. Bacon.)

"My eloquent friend from Georgia, in his brilliant defense of the south, which needs no defense, claimed that the prosperity which has created a new south would have come without any protective tariff, and that the protection which, in our judgment, has made the new south, has created a class who live by placing tax burdens upon their neighbors who owe them nothing and receive no benefits whatever from their existence.

"Repeat the protection upon cotton and you wipe out the manufacturers in North Carolina, South Carolina and Georgia. Repeat the protection upon iron and the phenomenal progress and development of Alabama, Tennessee and West Virginia will cease. I do not wish to differ with my friend from Georgia, but it is hard for me to understand, if his statement is correct that the south found its own capital for these manufacturing enterprises, where a purely agricultural people, who had no personal property in 1865, got two hundred and fifty millions of capital in 1880, six hundred and fifty millions in 1890, one billion one hundred and fifty million in 1900 and two billion one hundred million in 1908 and that none of it was contributed from outside sources. The profits of cotton must be beyond precedent."

STEAMER AND TOW BOTH GO ASHORE

(By Leased Wire to The Times) Providence, R. I., May 17—The whaleback steamer Bay City, with her tow, the whaleback barge Britannia, bound from Newport News to this port, went on the rocks off Southwest Point, Block Island, in a thick fog early last evening. The Bay City struck hard, ramming holes in her metal hull and quickly filling.

The Britannia, towing behind, slid along and struck beside the Bay City. Both vessels are deep laden with coal. Unless a storm sets in it is believed the steamer and barge can be floated. Both vessels belong to the White Oak Transportation Company. They hail from Belfast, Me.

Devotional Meeting Tonight.

The devotional meeting of Edenton Street Epworth League will be led by Professor Bivens tonight. The public is invited.

HOUSE AMUSED OVER ATTACK ON HOLLINGSWORTH

Mississippi Paper Calls Him Names and Representative Wants to Explain

THE PHILIPPINE TARIFF

Representative Barthold Wants Report From Committee as to Practicability of 14-foot Channel From St. Louis to New Orleans—Expression of Mississippi Paper Not Complimentary, But Do Not Constitute Ground For Personal Privilege Explanations—Hollingsworth Wanted to Discharge Naval Committee From Further Consideration of His Resolution.

Washington, May 17—The house met at noon. Representative Barthold asked unanimous consent for the consideration of his resolution directing the secretary of war to transmit as soon as possible the report of the findings of the special board of army engineers on the practicability and desirability of constructing and maintaining a navigable channel 14 feet deep from St. Louis to New Orleans.

Representative Alexander said that this report had been received and that when ready it would be submitted to congress. He therefore objected to the resolution of Representative Barthold.

Representative Hollingsworth then afforded considerable amusement to the house, rising to a question of personal privilege and sending to the clerk's desk an editorial from the Daily Clarion Ledger, of Jackson, Miss., entitled "Waving the Bloody Shirt". It was based on Mr. Hollingsworth's resolution of several weeks ago calling on the secretary of the navy for information relative to the silver service presented to the battleship Mississippi by the people of that state. The editorial referred to the representative as a "contemptible little whelp" and declared that he was a "young man who belonged to the past". Much laughter was caused by this accusation, which was added to when the expression "pusillanimous" was added to the collection as well as "one of Sherman's bums who robbed defenseless women" and "an ass of the first magnitude."

Representative Barthold made the point of order that Mr. Hollingsworth had not stated the question of personal privilege. Mr. Hollingsworth had not proceeded far enough in his speech to enable the chair to decide the question of personal privilege. As the clerk finished reading the editorial Representative Fitzgerald said the matter presented by Mr. Hollingsworth did not form the basis of a question of privilege. The speaker said he did not think Representative Hollingsworth had been attacked in his capacity as a representative and he therefore would not sustain the point of order. Mr. Hollingsworth moved to discharge the committee on naval affairs from further consideration of his resolution, but Mr. Hale made the point of order that Mr. Hollingsworth's motion was not in order. Mr. Hollingsworth asked unanimous consent to make a statement in the record explaining his position. His request was objected to.

JAMES T. WILLIAMS RESIGNS POSITION

(By Leased Wire to The Times) Washington, May 17—James T. Williams, Jr., of South Carolina, recently appointed civil service commissioner, resigned today. Mr. Williams is suffering from tuberculosis. He will go to Fort Bayard, N. M., for treatment.

THE LAURA E. REGISTER CASE.

Crime Was Committed by Left-handed Man, the Police Think.

(By Leased Wire to The Times) Providence, R. I., May 17—Laura E. Register was slain by a left-handed man of extraordinary strength that enabled him to drag her bodily in the grip of his fingers on her throat for a long distance, according to the latest theory of the police advanced today.

"If it was not a left-handed man

who strangled her," said a high police official, "then the murderer must have twisted his right hand in such a peculiar manner that the imprint of his thumb was left on the left side of her throat. This does not seem feasible, and we are certain that the strangler, when found, will prove to be left-handed.

"The fact that only one scream was heard and that the young woman, although not of slight build, was practically carried in one hand of the slayer, proves that he was a man of enormous strength," declared Inspector Armstrong.

The police still believe Clarence Chase, the missing Auburn barber, might be able to throw some light on the circumstances leading up to the tragedy. He was known to have been in this city Monday night. Since then no one has seen him, and although the fact that he is wanted has been published far and wide, he has not communicated with the police.

RECEPTION TO HARRISON.

Chicago Democrats Honor Their Former Mayor With Big Reception.

Chicago, May 17—Carter H. Harrison, four-term mayor of Chicago and known as "the undefeated democrat", will arrive in Chicago this evening from Los Angeles. His advent is causing a stir in local political circles. Preparations are being made by the faction of democrats who regard him as the Moses of the party, to give him a rousing reception when he steps off the train. He will speak during the judicial campaign for the straight democratic ticket.

TARIFF MAKING SLOW

Progress on Bill Not Rapid Enough.

Senate is Getting Along Very Slow With the Measure—Only One-Fifth of the Number of Paragraphs Disposed of in Five Weeks.

(By Leased Wire to The Times)

Washington, May 17—Progress on the tariff bill is not as rapid in the senate as the leaders would like to have it. The manner in which the republican insurgents have attacked the schedules of the bill thus far reached has delayed consideration more than has the opposition of the democrats. The senate has now had the bill under consideration for five weeks and has disposed of only one-fifth of the number of paragraphs. There are yet several set speeches to be made, and a stubborn fight is expected upon two or three of the schedules. In view of the situation the prospects of a prolonged session are so apparent that Senator Aldrich has forced the senate into early sessions beginning daily at 10 o'clock. He hopes that warm weather will follow and shut off oratory. It is likely that the metal paragraphs will be under consideration nearly all of this week.

MRS. HAYES TALKS.

Appreciates the Honor to Her Father by the State of Mississippi.

(By Leased Wire to The Times) Colorado Springs, Col., May 17—Regarding criticism of the adornment of the silver service for the battleship Mississippi with her father's portrait, Mrs. Margaret Howell Jefferson Davis Hayes said:

"The honor came from the state of Mississippi and I appreciate it the more on that account. We had no part in this matter and I accepted the tribute to my father's memory as a splendid evidence of a reunited north and south. I know nothing about the opposition which it is rumored has developed.

"Naturally I appreciate the spirit that inspired the movement to have my father's head placed on the silver service, the more so because it came as a tribute from his own state. Nor have I had any intimation that there was opposition to it."

RANCHER KILLS HIS WIFE

Because She Served Milk Instead of Cream For Breakfast.

Hillsboro, Ore., May 17—J. C. Roselair, a rancher living in the mountains, 39 miles northwest of here, killed his young wife with a butcher knife Friday morning because she served milk instead of cream for his breakfast.

He removed and burned the woman's clothing, washed away all traces of blood, composed the body and then, waiting until 10 o'clock that night started on horseback for Hillsboro, arriving here Sunday morning and giving himself up to the sheriff. The murdered woman was formerly Miss Lizetta Dombrower, a San Francisco stenographer. Roselair is 45 years old, and she was 23. Roselair's first wife got a divorce because her husband beat her, and he is paying her alimony.

FIRST STEP IN OCCUPATION OF CUBAN REPUBLIC

State Department May Object to Island Sending Agent On Tour

PURPOSE OF TOUR

The Cuban Government Proposes to Send General Del Castillo on Tour of South American Republics—The General is a Man of Marked Revolutionary Tendencies and it is Said the Cuban Government Wants to Get Rid of Him—United States Government Recognizes This as a Laudable Purpose But Don't Want the General to Go Because He May Cause Trouble—Countries Visited.

(By Leased Wire to The Times)

Washington, May 17—The first step toward United States intervention in Cuba will probably be taken by the state department today in sending instructions to Minister Morgan at Havana to represent to the Cuban government that in view of its finances it can ill-afford to send General Loiniz Del Castillo and two aides on a two year tour of South and Central America, as was suggested in dispatches published today in newspapers. The department is considering such a step, and is giving close study to the serious situation, as existing in the islands, as announced exclusively by the Hearst News Service last week.

General Castillo is a man of revolutionary tendencies, and it is apparently the intention of the Cubans to keep him out of the country to avoid trouble as long as possible. While the Washington authorities agree that this is a laudable purpose and realize that this piece of strategy was taught to the Cubans by Governor Magoon, when he sent General Guerra away from the country yet there is a potent reason in the eyes of the state department, why General Castillo should not tour South America. He is a man of marked anti-American prejudices, and representing Cuba in an official capacity could do harm. South America looks upon the policy of the United States in Cuba as a criterion of its attitude toward the other small republics. A disbelief in the Cuban policy would undo all of the diplomatic work of former Secretary Root on his tour of South America, it is believed by this government.

BIG REWARD FOR BANDITS.

Great Northern Offers \$60,000 for Men Who Help Stop Train Saturday Night.

(By Leased Wire to The Times) Spokane, Wash., May 17—In hope of realizing the \$60,000 reward offered by the Great Northern Railway for the capture of the six bandits who held up westbound passenger train No. 3, near Morse, fresh posses were recruited at dawn today and started on the trail. It was learned today that none of the twelve passengers hurt by flying glass when the wild engine which the robbers reversed ran into the passenger cars, is severely injured. The bandits fled into the fastnesses of the mountains with their \$20,000 loot and have a good start on their pursuers.

The authorities today began looking for Edward McDonald, a lawless character known as "Red" McDonald who was concerned in the theft of \$40,000 from the Great Northern Oriental Limited near Rondo Siding, Mont., three months ago. McDonald was seen in the vicinity of Morse on Saturday night. Description of the men say they were all of big stature, wearing slouch hats and masks.

FLORIDA MAN DEAD.

Died of Heart Trouble in New York Hotel Early Today.

(By Leased Wire to The Times) New York, May 17—Registered at the Broadway Central Hotel since Thursday last as Louis De S. Davis, St. Augustine, Fla., a man was found unconscious in his room there early today and died before the arrival of a doctor, evidently of heart disease. A letter addressed to "dear mother", with the envelope addressed to Mrs. James P. Davis, No. 16 Cincinnati avenue, St. Augustine, Fla., was found in the room and in it Davis wrote he had been suffering severe pain about the heart and would see a doctor about it.