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The Evening Times

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BALLINGER TESTIFIES IN OWN BEHALF

Secretary of Interior a Witness Before the Investigating Committee

THE ROOM CROWDED

Secretary of the Interior Makes Answer to the Charges Made Against Him by Pinchot, Glavis and Others—Crowd Present to Hear His Testimony in His Own Behalf—First Gave a Brief Sketch of Himself, Then Told How He Became Commissioner of Land Offices—Said He Had No Interest in Any Land Deals.

(By Leased Wire to The Times.)
Washington, April 29—Richard A. Ballinger, secretary of the interior, took the witness stand this morning, before the special senate and house investigating committee, and began the narration of his side of the conservation controversy and to make answer to the charges made against him by Pinchot, Glavis and others.

The room was crowded when Mr. Ballinger stood up and was sworn, and there was deep interest in the proceedings. Mr. Ballinger was sworn by Chairman Nelson in the formal way.

"This is R. A. Ballinger, secretary of the interior?" was Mr. Vertrees' first question.

"Yes sir," replied Mr. Ballinger. He then proceeded to give a brief biographical sketch of himself. He had been a judge on the bench, had written a text book, and was elected mayor of Seattle. When he took the office the city was a wide-open town. He enforced the laws, he said, and put the city in a decent condition.

The city has remained in wholesome condition since he left the office, he said.

Mr. Ballinger then proceeded to tell how it happened that he came to be commissioner of the general land office in President Roosevelt's administration. He read first a telegram from Senator Piles, of Washington, suggesting that Roosevelt would be glad to confer the commissionership upon him. Later there came a request from Secretary Garfield, and following that an offer from President Roosevelt. The correspondence was read and Mr. Ballinger's replies. They all went to show that Mr. Ballinger had not sought the office, but that he accepted it after consulting with his law firm at the urgent solicitation of Secretary Garfield and President Roosevelt. He had been an intimate friend of Secretary Garfield.

THE PRESIDENT OFF ON A TRIP

(By Leased Wire to The Times)

Washington, April 29—President Taft will leave early tonight for a week's tour of the middle west. When he returns here the morning of May 6 he will have added 2,300 miles to his travel record as president.

The president will be in Buffalo tomorrow, Sunday and Monday will be spent in Pittsburg. Tuesday he will be in Cincinnati and Wednesday in St. Louis. Midnight Wednesday, the return journey to Washington will begin.

President Taft will be accompanied by Secretary of State Knox until the Pittsburg date has been filled and by Count J. H. Von Bernstorff, the German ambassador, until Cincinnati has been visited. Capt. Butt, his military aide, and his secret service guards will accompany him on the entire journey.

The trip completed, the president will have three others to make before May ends. The first is to New York City, one on May 8, when he is to open the Actor's Fair and the other on May 12 when he is to witness the launching of the battleship Florida and dine with the workmen at the New York navy yard. May 9 he is also to visit Passaic, N. J., where he will be the guest of honor at the Passaic board of trade banquet. May 21 he is due at Atlantic City, N. J., to deliver an address on conservation before a meeting of ministers on Sunday the 22nd.

Early in June the president will again invade the middle west, visiting Ada, Ok., June 2 and Detroit, Jackson and Monroe, Mich. The present program for his trip is not completed, as it is possible he may extend it to Wisconsin.

THE HEINZE CASE

Staggering Blow Given to Prosecution's Case

Miles O'Brien, Bank Cashier, Testified That He Had Ample Security For the \$500,000 Loaned Otto Heinze—Testimony Caused Sensation.

(By Leased Wire to The Times)

New York, April 29—A staggering blow was given the prosecution's case in the trial of F. Augustus Heinze today when Miles M. O'Brien, vice-president of the Mercantile National Bank, testified that the bank had been given ample collateral for the \$500,000 loan to Otto Heinze's brokerage firm. The collateral, he said, was in possession of the bank for two days before he knew it. He was told about it when he went to Otto Heinze's office to see F. Augustus Heinze. The latter's clerk took him back to the bank and showed the collateral.

O'Brien's testimony caused a sensation as he was in a measure expected to join in an attack on Heinze.

Bitter warfare has broken out between F. Augustus Heinze and his former associates. Erstwhile friends are now his foes and they declare that he has betrayed them to get a scapegoat in his present trial for violation of the federal banking laws. The flames are smoldering now but are likely to burst forth at any moment and cause an explosion.

Early in his testimony O'Brien placed the burden for many of the bank's transactions on the shoulders of the copper man.

As he entered the United States circuit court O'Brien paid no heed to the defendant or his aids.

The defense has made the inference that O'Brien was the real head of the bank. O'Brien today testified that only one of the loans to Otto Heinze—made on May 24, 1907—had been made by him.

"The others," he said, "were made by someone else."

"Do you know who?"

"I do not," he answered.

John B. Stanchfield, chief counsel for Heinze, has, in his questioning of witnesses, sought to make much of the fact that O'Brien's salary was raised from \$12,000 to \$25,000 a year when Heinze was president. He had also brought out prominently the fact that Heinze's predecessor received less than O'Brien finally got, his salary being but \$15,000.

THE RAILROAD BILL

House Resumes Consideration of the Railroad Bill.

(By Leased Wire to The Times)

Washington, April 29—The house today resumed consideration of the railroad bill under the five minute rule. Representative-elect Havens (democrat), of Rochester, N. Y., who recently defeated George W. Aldridge the republican boss, was sworn in.

The insurgents, the democrats and a few regular republicans who are not in love with the administration's railroad bill, drove another nail in its coffin this afternoon by the adoption of the Madden amendment directing the interstate commerce commission to make a physical valuation of all the railroads in the United States.

The amendment was carried by a vote of 130 to 67.

Madriz Ship Labeled.

(By Leased Wire to The Times)

New Orleans, La., April 29—Richard Oliver, partner of Consul General Sussman of the Estrada faction of the Nicaragua government, today labeled the steamer Venus for \$100,000. He claims the ship is a Madriz filibuster and is intended to fight against Estrada.

Bluefields cables say a battle is near at hand.

Peru and Ecuador Ready to Fight.

(By Leased Wire to The Times)

New York, April 29—Declaring Peru and Ecuador both ready for war on a moment's notice, Felipe Pardo, Peruvian minister, to the United States, arrived in New York today on his way to Washington. Señor Pardo said that while both countries were in readiness for hostilities, he would not say that the boundary question was the immediate cause of the trouble.

Steel Miller Cotton Failure.

(By Leased Wire to The Times)

New Orleans, La., April 29—The details of the Steel Miller & Company cotton failure at Corinth, Miss., are being investigated today. Caused by the Knight Nancy & Company failure, it is believed that the second collapse will result in a loss of over \$1,000,000.

F. AUGUSTUS HEINZE.



F. Augustus Heinze, the Montana mining magnate and one time known as the "Copper King" who is now on trial in the Criminal Branch of the United States Circuit Court in New York on indictments charging the misappropriation of funds of the Mercantile National Bank, of which he was president. The case has been pending for many months. The consolidated indictment contained forty-five counts, but seven of these were wiped out on argument by Heinze attorneys on the opening day of the trial.

ROAD CONVENTION AT DURHAM TODAY

(Special to The Times.)

Durham, N. C., April 29—The Good Roads Convention met here today, attended by three hundred delegates and the taking of the noon recess finds about half of the addresses made.

The meeting was called to order by Mayor Griswold, who introduced Dr. Joseph Hyde Pratt, really the moving spirit of the convention. Major John W. Graham was chosen chairman of the meeting and the convention got busy. Stirring five minute speeches were made by Mayor Wynne, of Raleigh; Clem Wright, of Greensboro; Findlay Williamson, of Burlington; Frank Nash, of Hillsboro; Harvey White, of Graham; W. W. Pickard, of Chapel Hill; C. P. Albright, of Alamance; A. A. White, of Mebane, and E. E. Britton, of Raleigh.

At the conclusion of Mr. Britton's speech adjournment was taken. Dr. Pratt moved that a committee to draft resolutions be appointed. It will be submitted at the conclusion of the speeches this afternoon.

McFARLAND CAPTURED.

One of Prisoners Who Escaped From Washington Jail Caught.

(Special to The Times.)

Washington, N. C., April 29—Henry McFarland, one of the men who escaped from the city jail on last Monday night in company with three others, was arrested today in the suburbs of this city by Deputy Sheriff Chas. Hicks and lodged in jail. Some time this morning Chief of Police M. J. Fowler received a phone message stating that two of the men who escaped had been seen in the suburbs. The officer and his assistants immediately got busy and located McFarland at John White's store on Washington street, Skipper, the other man, had gotten away. It seems that both McFarland and Skipper had become starved out and tried to induce parties in the outskirts of the town to cook for them, and these parties gave the information that led to the arrest. Sheriff Hicks received a phone message from Greenville this afternoon stating that Norris, another of the escaped men, had surrendered in Greenville, and he will also be brought back to this city.

Draw Bridge Burned.

(By Leased Wire to The Times.)

Boston, April 29—The new draw bridge connecting Charlestown and Boston suddenly caught fire today while two elevated trains were upon it. The 400 passengers were panicked as the motormen dashed through the blaze to safety. Fire engines were unable to fight the flames, this task devolving upon two fireboats.

The fire on the Charlestown bridge was extinguished with a loss of

HEARST COMES BACK

Says Mayor Gaynor Told a Falsehood

Mayor's Attack on the American the Chief Topic of Conversation in New York Today—Mayor Dodged the Issue in a Multiplicity of Words.

(By Leased Wire to The Times)

New York, April 29—The chief topic of political conversation in New York today is the attack made on the New York American and its editor, W. R. Hearst, at the banquet of the Associated Press and American Newspaper Publishers Association last night. To Mayor Gaynor's charge that the American deliberately had altered a public record when it printed a fac-simile of the warrant for \$48,000 drawn to the order of Daniel F. Cohalan, legal advisor for Charles F. Murphy, the New York American and Journal in their editions today published the following answer:

"The facts:

"Mayor Gaynor sought to imply that the dates of the payment to Cohalan of \$48,000 were not printed in the American. They were printed clearly in type in the American, Gaynor undoubtedly read them and therefore not making a mistake, but telling a falsehood.

"No Mayor Gaynor says that the payment of \$48,000 to Cohalan was a legacy from the last administration, which is also largely a falsehood. It is true that the payment was begun in the last administration, but it was not valid and could not have been paid without the signature of the clerk acting for the present administration. But such signature was affixed not during the last administration, but on January 3, during the term of the present administration.

"With all the acts and signature of the last administration, Cohalan could not have gotten his \$48,000. "But through the signature of the clerk acting on January 3 for this administration, Cohalan could get his \$48,000, and did get his \$48,000.

"Mayor Gaynor has indulged in two thousand words of his usual black-guardly language. And in two thousand words of his usual evasion. And with all these two thousand words he has not answered the question why his administration allowed this money to be paid, if it should not have been paid, when he could have stopped it.

"If Mayor Gaynor believes that Cohalan should have received the money all he would need to do would be to state that fact. But since he has given 2,000 words to mendacious excuses, he must believe with us that Cohalan should not have received the money.

"Then, why did he not prevent Cohalan from receiving the money?"

Franklin Court Adjourned.

(Special to The Times.)

Louisburg, April 29—Judge Gulon adjourned Franklin superior court today at about 12 o'clock, after which the bar held a meeting to express regrets at Judge Gulon's resignation of the judgeship after an unanimous response from all present, they appointed R. B. White, W. H. Ruffin and P. H. Cook a committee to draft resolutions expressing their sincere regret at the judge's resignation.

TEN LIVES LOST IN CANADIAN FIRE

(By Leased Wire to The Times)

Montreal, April 29—The worst Canadian fire disaster of many years occurred at Cornwall, Ont., today when the Rossmore Hotel was destroyed. Ten bodies have been taken from the ruins men and women and children, and three more are missing.

Several guests were injured. Many were trapped in their rooms and narrowly escaped death.

Brothers-in-law Killed.

(By Leased Wire to The Times)

Dallas, Tex., April 29—Aaron Shannon and Clarence Poole, brothers-in-law, were both shot and instantly killed in a shotgun and pistol duel at Hempstead early this morning. Sheriff Janus Perry and two passengers on a Houston & Texas Central passenger train, which was standing at the depot where the shooting took place, were also wounded. Haine Shannon and W. J. Poole, brother and father respectively, of the dead men, are under arrest.

Three Persons Burned to Death.

(By Leased Wire to The Times)

Cornwall, Ont., April 29—Three persons were burned to death and several injured in a \$200,000 fire here early today. The Rossmore Hotel and several other buildings were destroyed. Help was asked from neighboring towns but before the flames were under control the town was threatened.

MRS. JAMES H. BARRETT



Mrs. James M. Barrie, divorced

wife of the famous author and playwright of that name, who is now receiving an income of \$750 a year and is in possession of a country home at Franham, England, which were given to her by her former husband just before the final decree of divorce was made. Mrs. Barrie is now to wed Gilbert Cannon, an art critic who was named as co-respondent. Barrie it is said, approves the match and is doing everything in his power to hasten the affair and in every way is endeavoring to add to the happiness of his former wife.

COLUMBUS STREET CAR MEN ON STRIKE

(By Leased Wire to The Times)

Columbus, April 29—Between 600 and 700 employes of the local street railway company struck at 4 o'clock this morning. Only a few cars were sent out early. Pickets were dispatched to the barns and captain appointed to each party. The leaders of the employes organization warned their men that order must be kept. They declared that if any trouble was started only company's men could be blamed.

The strikers declare that an agreement reached by arbitration has been violated by the company.

The few regular cars leaving the barns at 5 o'clock were un molested but an hour later the streets were choked with sympathizers and the various barns throughout the city were surrounded by large crowds who urged the conductors and motormen at work to join the strikers.

Early in the day two cars were overturned by sympathizers on the busiest thoroughfare at junction points, tying up traffic on the side street lines.

The strike committee reported that the union was increasing in membership rapidly and that men were leaving their cars on every trip. The company says the strike already has been broken.

Cars Stopped.

Columbus, O., April 29—All cars were ordered off the streets at noon today as a result of several fierce fights in the street car strike. If the power-house employes of the traction company which also lights the city, strike, the streets will be in darkness tonight.

Seaboard Train Wrecked.

(By Leased Wire to The Times)

Tallahassee, Fla., April 29—The westbound passenger train, going out last night on the Seaboard Air Line Railway, was wrecked at Little River crossing by running into a burning trestle. The engine was overturned and the engineer, James Weeks, one of the oldest and most valuable employes of the road, was killed by being smothered underneath the tender. There were no other fatalities.

Colonel Roosevelt Invited.

(By Leased Wire to The Times)

Washington, April 29—Theodore Roosevelt has been invited to be a guest during the home-coming week, which will be held in Washington during the latter part of October.

In order to have the first invitation extended to the distinguished American, a cablegram has been sent to Colonel Roosevelt at Brussels by Isaac Gans, chairman of the public committee of the Chamber of Commerce, which is arranging for the big fall celebration.

PILLS IN CONTROL

Took Flood of May Cotton Hurled at Them

With Pool of \$30,000,000 Patten, Scale and Brown Took the Cotton With Spot Cash—Two Hundred Thousand Bales Changed Hands—Record Smashed.

(By Leased Wire to The Times)

New York, April 29—With a pool of \$30,000,000 behind them Patten, Scale and Brown stood under today and met the enormous flood of May cotton that was hurled at them with spot cash. Within thirty minutes after the opening of the exchange contract deliveries of 200,000 bales has been made. The \$15,000,000 that this involved was forthcoming immediately, most of it from the big bull trio to whom the bulk of the cotton was chucked.

Today's early deliveries smashed the notice day record for the period more than twice over. Heretofore 97,000 bales was the high mark. Nobody but themselves know how much the big bulls' contract call for but the Street believes that many hundred thousand bales are still outstanding and that some of the big bears will be begging for quarter as the only alternative to ruin before the last of the three notice days has passed. Reports had it today that one big cotton house was short 300,000 bales.

The situation is absolutely in the hands of the Patten-Scales-Brown clique and they can make their victory as onerous to the bears and as precious to themselves as they wish. Patten has said he will be merciful. Just what he considers merciful will remain to be seen.

The market was nervous today. May went up a dollar a bale and July 70 cents. The older months showed little change. Afterwards pressure developed in May which eased off the price about 60 cents from the high but it was viewed by the traders as merely a spasmodic movement and expectation favored a strong trend in the other direction before the day ended.

THE SWOPE CASE

Experts Testify As to the Effects of Poisons on the Human System.

Kansas City, Mo., April 29—Effects on the human body of arsenic, cyanide of potassium, bacilli of typhoid fever and other subtle poisons were explained at length today by experts at the trial of Dr. B. Clark Hyde, accused of the murder of Col. Thomas H. Swope, the eccentric millionaire. Dr. Ludwig Hecton, a taxologist of renown, and Prof. Walter Haines, of Rush Medical College, of Chicago, and Dr. Victor C. Vaughan, of Ann Arbor, Mich., were the poison expert witnesses.

It was they who examined the viscera of Colonel Swope and of his nephew, Chrisman Swope.

Miss Florence Hyde, the devoted wife of the defendant, was in court earlier than usual, and when her husband was not at his accustomed place at that hour she paled a little, rested her chin on her upturned hand, and wept.

Today there is much speculation as to just what the trial is costing the Swope family. More than \$15,000 has already been paid and the experts will claim \$100 a day for their services, a witness told the court.

Serious illness of the wife of one of the jurors may cause the postponement of court for a few days. After court adjourned at noon Judge Latschaw announced that the wife of William Beebe was in a hospital and had undergone a second operation.

Permission was given to Beebe to visit his wife in company of an official of the court.

R. B. Mitchell, an undertaker, employed by Ott & Company, Independence, was the first witness of the day. He told of preparing the bodies of Colonel Swope and Chrisman Swope, he testified, was splinted with red. This, the state contends, was due to cyanide of potassium poisoning.

Mitchell said that Mrs. Hyde had come to the undertaking rooms to select a casket for Moss Hunton, who died a few days before Colonel Swope.

"She told me at that time," said Mitchell, "that her husband had said that Colonel Swope could not live and she wanted the same kind of casket for him when he died."

The admission of this statement was opposed by Hyde's counsel and the court ordered it stricken from the records.

At that time Colonel Swope was not considered to be dangerously or even seriously ill.

GUILTY OF DEFRAUDING.

Harrisburg, Pa., April 29—The jury in the case of Architect James Huston of the state capitol frauds, today handed in a verdict, "guilty of defrauding the commonwealth."

It was not accepted, the court ordering the jury to return a verdict of guilty or not guilty of conspiracy.

ROOSEVELT CONTINUES HIS JOURNEY

Given Enthusiastic Ovation on His Departure From Brussels This Morning

CROWDS AT STATION

Left Brussels for the Netherlands

Early This Morning—Crowds Jammed the Station and Filled the Streets About—Many Officials Present to Bid Him Farewell—Antwerp Sends Him an Invitation to Stop There for Luncheon—Belgian Society for the Prevention of Cruelty to Animals After Him—Colonel Discussed Congo Situation With Colonial Minister.

(By Cable to The Times.)

Brussels, April 29—Theodore Roosevelt's brief stay in Brussels came to an end this morning with one of the most enthusiastic ovations that the former president has received since he emerged from the African jungle. The Roosevelt party left for the Netherlands on the 7:33 train, given godspeed by a great crowd which jammed the station and filled the streets about. All the pomp that has marked the departure of Mr. Roosevelt from other cities was observed here.

Foreign Minister Davignon bid him farewell on behalf of the government and there were at the depot, besides the throngs of commoners, representatives of the king, the army and the navy.

An interesting feature of Mr. Roosevelt's stay here was his meeting with Colonial Minister Remarque, with whom he discussed the situation in the Congo, and commented on the plans for reform promised and undertaken by King Albert after the death of his predecessor, Leopold.

Before the departure, a formal invitation was delivered to Mr. Roosevelt from the burgomaster and the councillors of Antwerp, asking him to halt for luncheon on his way to Het Loos.

The Independence Belge prints a statement to the effect that the Belgian society for the prevention of cruelty to animals has, through the American legation, sent to Mr. Roosevelt a protest against the slaughter of animals on the African hunting trip.

At The Hague.

The Hague, April 29—Theodore Roosevelt today entered the land of his forefathers. He was recalled by the Queen of the Netherlands with all the honors an emperor might expect.

When the Roosevelt party arrived at the frontier station of Roosendaal, they were met by special train sent at the direct request of Queen Wilhelmina. A distinguished party of officials and military men formed the

(Continued on Page Six.)

MORE RIOTING AMONG CHINESE

(By Cable to The Times.)

Shanghai, April 29—Rioting similar to that which led to the anti-foreign war in Hunan and the burning of missions has broken out in two of the most popular provinces of China—Kiang Su, on the Yellow Sea, and Chikiang, on the Eastern Sea. Disorders are also being renewed in Hunan, according to advices received today. Millions in these provinces are faced with famine.

The lower classes attribute the food shortage to foreigners and maladministration by the Chinese officials. It was this belief that led to the Hunan uprising.

In the remote districts it is feared that the situation is already beyond control. Mobs are pillaging and destroying in Chekiang, where several schools have been burned and the pupils dispersed.

At Suchow in Kiang Su—the principal city of which is Shanghai—a mob of several thousand looted a foreign flour mill. Reports today from Nakin, a city of 150,000, lying on the railroad line 200 miles west of Shanghai, say today that the situation there is critical. The viceroy is retaining tribute of rice allowed him by law. The populace deeply resent this. Serious trouble is imminent.

New Labor Ministry.

Melbourne, April 29—The new labor ministry was completed today under the leadership of Premier Andrew Fisher, leader of the federal parliamentary labor party, who was minister of railway in the Dawson ministry and minister for trade and customs in 1904.