



HAINS IN TEARS.

Captain's Brother Moved by His Own Counsel's Plea.

McINTYRE ADDRESSES THE JURY

Makes Dramatic Use of Alleged Confession of Claudia Hains and How It Maddened Her Husband.

Flushing, N. Y., Jan. 12.—John P. McIntyre addressed the jury today for the defense in the trial of Thornton C. Hains for abetting Captain Peter J. Hains in the murder of William E. Annis at the Bayside Yacht club.

Mr. McIntyre made effective dramatic use of the alleged confession of Mrs. Claudia Hains and told so pathetically how it maddened her husband against Annis that Thornton Hains wept as he sat and listened.

Hains looked worn and haggard, but he professed to have confidence in his acquittal. He said: "When I stop to think that only a few days must now elapse before I will know my fate and that from all I can see there must be but one result I can scarcely contain myself."

"The thought that I will soon be reunited with my little daughter Mollie is sufficient joy to cause me to forget the suffering that I have endured. I am also delighted at the prospect of devoting myself to my brother Conie."

Prosecutor Darrin said he did not wish to begin his closing address this afternoon, but would like to take Wednesday forenoon. Judge Crane may reserve his charge until Thursday, in which case the fate of Hains will be given into the jury's hands on Thursday afternoon.

Mr. Darrin declared that he was satisfied with the manner in which it had been presented.

"I look for an early verdict and feel confident that the defendant will be convicted," he said.

There was considerable surprise when it was announced that Prosecutor Darrin would sum up and that his specially employed assistant, Elmer S. White, would take no further active interest in the case.

Upon the verdict in this case depends the course to be taken with Captain Hains. Should Thornton be found guilty it is generally regarded that a commission will be asked for to determine the sanity of the army officer, but in the event of an acquittal for Thornton the case of the captain will undoubtedly come to trial, and his defense will be manly depressive insanity of temporary character.

JERSEY SOLONS MEET TODAY.

Change Custom of Years by Assembling in Trenton at Noon.

Trenton, N. J., Jan. 12.—Changing the custom of years, the members of the New Jersey legislature assembled at noon today in the statehouse here. It has always been the custom, at any rate in recent years, for the assembly and senate to postpone their meetings until 3 o'clock in the afternoon.

The reading of the governor's message containing Mr. Fort's views on the legislation that should be enacted at the present session was followed with careful attention by the legislators.

SMALLWOOD QUIT RACE.

Dorando Four Miles Ahead in Thirteenth Mile of Marathon.

St. Louis, Jan. 12.—The first professional Marathon race here proved a disappointment as Percy Smallwood quit the running in the thirteenth mile, when Dorando Pietri, the Italian, was four miles ahead.

Dorando ran to the end of the fifteenth mile, his time for that distance being 1 hour 30 minutes 30 seconds.

Smallwood said today that his left leg was injured.

Market Reports. WHEAT—Firm and 1/4c higher; contract grade, January, \$1.06 1/2c. CORN—Firm; January, 65 1/2c. OATS—Quiet, but firm; No. 1 white, natural, 52 1/2c.

NEW TREATY WITH ENGLAND

Secretary Root and Ambassador Bryce Sign Important Pact.

Washington, Jan. 12.—Secretary of State Root and Ambassador Bryce of Great Britain have signed a treaty for the settlement of international differences between the United States and Canada.

The treaty contemplates a disposition of all differences between the two countries and questions that may arise in the future. Provision is made for a joint high commission, to be made permanent in character.

The treaty settles numerous complex questions connected with the water boundaries along the northern border. Included in these are the regulations of the use of the waters of the great lakes, with the important question of the diversion of the waters of these boundaries, including Niagara falls which involve that of the amount of water to be taken out for power purposes, the navigation of the St. John's river between Maine and New Brunswick, and the use of the Milk river in the northwest.

The contracting powers have agreed upon a certain line of principles which are to guide the joint high commission in its work, leaving to them the interpretation of those principles as applicable to the questions that may require settlement immediately and to those that may arise from time to time.

This takes from the joint high commission any functions of a treaty making body and confines its duties to that of determining to what extent the principles already laid down shall be applicable to any particular case.

SWISS BALLOON IS WINNER

Aeronauts Association Decides Against the British Claim.

London, Jan. 12.—After a lively discussion the International Association of Aeronauts by a vote of 38 to 13 decided in favor of the Swiss balloon Helvetia as the winner of the international balloon race for the James Gordon Bennett trophy in Germany last October.

The question came up on a protest filed by the Aero Club of Great Britain against the German decision awarding first place to Lieutenant Colonel Schaeck, the commander of the Helvetia, the claim being made that the British balloon Banshee was the rightful winner, as she made the descent on land, while the Helvetia was picked up in the North sea after having been towed for two hours.

The minority was composed solely of British and American votes, Roger W. Wallace, one of the British delegates, having been commissioned by the United States to be its representative.

The decision was based on the fact that the rule disqualifying competitors for descent on the sea was made three months after the entries for the race were received.

CALHOUN ON TRIAL TODAY.

Grandson of Famous Statesman Is Accused of Bribery.

San Francisco, Jan. 12.—This city witnessed today the unusual spectacle of the calling for trial on a criminal charge of a grandson of a vice president of the United States and the bearer of one of the greatest names in the history of American statesmanship.

The accused man is Patrick Calhoun of New York, San Francisco, Cleveland, Pittsburgh and other cities, grandson of John C. Calhoun and probably the most prominent figure in the street railroad world of the United States. The charge against Calhoun is bribery in connection with the granting of a franchise to his San Francisco company by the board of supervisors. The case was called before Judge William Patrick Lawlor in the superior court.

Calhoun is president of the United Railroads of San Francisco. The bribery with which his name is connected has caused the conviction and sentence to imprisonment of Abraham Ruef, former "boss" of San Francisco, and Eugene Schmitz, former mayor of the city.

MORE OF REGGIO IN RUINS

Another Earthquake Shock Sweeps Away Water Front.

Rome, Jan. 12.—Another earthquake shock today, followed by a tidal wave tore away a great section of the water front at Reggio and laid in ruin scores of houses that had partially resisted previous shocks.

More than sixty feet of the landing quays in the harbor were swept away, carrying off a large quantity of provisions stored there and several horses.

Near Giarre an immense fissure opened. It was 650 feet long, 3 feet wide and 65 feet deep and has been styled by the people "the mouth of hell."

HOT CONNECTICUT FIGHT.

Brandegee Claims to Be Ahead in Caucus This Afternoon.

Hartford, Conn., Jan. 12.—Every political worker in the state who can be used to bring pressure upon the members of the legislature was called to Hartford today to take a hand in the final work of the caucus for the United States senatorship between Senator Frank B. Brandegee and Congressman E. J. Hill of the Fourth Connecticut district.

The Hill forces claim that Senator Brandegee is beaten and that he will only have his own county as a solid delegation. Michael Kenealy, chairman of the state central committee, Senator Brandegee's manager, claims an easy victory for the senator at the Republican caucus of the members of the legislature this afternoon.

QUEEN OF SPAIN SHOT.

Bullet Grazes Her Forehead at Archduke's Hunting Party.

Vienna, Jan. 12.—Queen Victoria of Spain was mysteriously shot in the forehead during her visit with King Alfonso to the hunting lodge of Archduke Frederick.

Queen Victoria strayed away from the rest of the party. A short time



QUEEN VICTORIA OF SPAIN.

later the king and archduke heard a sharp outcry. They found the queen lying on the ground with a bullet wound in her head. The bullet had just grazed her forehead, but she was bleeding freely.

The king burst into tears at the sight of his injured wife, who was carried to the palace. The injury proved to be slight.

Several arrests were made under the belief that some one had attempted to assassinate the queen, but absolutely no evidence could be found.

HARRIMAN IS SCORED.

Interstate Commerce Commission Says He Should Be Made to Tell.

Washington, Jan. 12.—In commenting on the recent decision of the supreme court that E. H. Harriman could not be compelled to answer questions propounded during the Alton investigation, the annual report of the interstate commerce commission to congress says in part:

In the opinion of this commission, when Mr. Harriman assumes control of the Union Pacific railroad he ceases to be a private individual to that extent and can no longer claim protection. He might properly be required to state whether he had sold to the Union Pacific, which he controlled, stocks belonging to himself and, if so, that he should further be required to state what profit he had individually made out of this transaction. If this gentleman is allowed to accumulate from the manipulation of these public agencies vast sums of money which must finally come from the body of the people, we think he is so far a trustee of the people that he cannot object to stating in the manner in which these accumulations have been made.

MRS. PALMA TO LIVE HERE.

Widow of Cuba's President Is Coming to America.

Middletown, N. Y., Jan. 12.—Mrs. Tomas Estrada Palma, widow of the former president of Cuba, has decided to return to Central Valley, Orange county, with her children, there to spend the rest of her life. She will reach there next week. The family resided in Central Valley for many years while Cuba was under Spanish rule, and the widow regards that time as the most pleasant of her whole life.

IS NO HYPNOTIST.

Mrs. Carmichael Denies Minister's Dying Charge.

NO HAND IN CHURCH MURDER

She Declares That Neither the Pastor Nor His Victim Nor She Knew Anything of Hypnotism.

Adair, Mich., Jan. 12.—"I did not hypnotize him. I am no hypnotist," said Mrs. John Haviland Carmichael when told that her husband had accused her before his suicide at Carthage, Ill., of having forced him to murder Gideon Browning, the carpenter, cut up his body and burn it in the church stove.

When it was explained to Mrs. Carmichael that her husband before cutting his throat had written a letter confessing the murder of Browning and saying that he had done the deed while under his wife's hypnotic influence Mrs. Carmichael declared that she knew nothing of hypnotism, that her husband, she knew, was also ignorant of it and that hypnotism had never been discussed in their home.

"I never saw a person hypnotized," she said, "and know absolutely nothing about the practice. And if my husband made such a statement in a letter he must have been crazy."

"I would not think that Mr. Browning either would have known anything of mesmerism or hypnotism. I never spoke of Mr. Browning to my husband, and my husband never spoke of him to me. I never said any more than 'How do you do?' to Mr. Browning. I never was in their house."

"I never knew Mr. Browning and my husband were close friends until this came out. I can't understand it, unless my husband wanted to help Mr. Browning to make a success in life. He would naturally take some interest in everybody like that."

"Now, if Mr. Carmichael ever did anything to Mr. Browning my husband must have been crazy. Why, he didn't have an enemy. He never showed any anger to any one. He controlled himself. He never struck a man or was ever in a fight."

"He could not have been aroused over any action of the people here, for everybody was kind to us from the first. I have often been afraid that the gatherings in my husband's ears would cause his death or make him insane."

"We never had any trouble, only over that manuscript of his two novels. I saw some of it once, a few sheets, but I felt called upon to tell him he should not write such things. But he persisted. That caused a coolness, but not a quarrel."

Prosecuting Attorney Brown said that his office would as a matter of course investigate the allegation in Carmichael's letter that his wife's hypnotic influence impelled him to the Browning murder.

In a conversation with Mrs. Carmichael the prosecutor learned that she has an aunt and a cousin in Rushville, Ill. But Mrs. Carmichael insisted to him also that she had no relatives or friends in Carthage and knew nothing of the place.

Pastor Carmichael's confession concludes with the statement that Browning attacked the minister with knives and that Carmichael was forced to kill the man in self defense. This he did with a hatchet and then cut up and burned the body in the stove.

Carmichael also wrote a ten page letter admitting his identity and confessing that he killed Browning, cut up the body and burned it in the stove "while under the hypnotic influence of his wife."

When Carmichael was found in an outhouse with his throat cut he was half dead from loss of blood and exposure to the cold. At the boarding house he had stated that he intended to start a factory and had called on the local Catholic priest, stating that he was a Catholic and wanted to enlist that church in his enterprise.

FINANCIAL AND COMMERCIAL.

Closing Stock Quotations. New York, Jan. 11. Money on call was 2 per cent; time money and mercantile paper unchanged by rates.

Amal. Copper...	8 1/4	Nor. & West...	8 1/2
Atchison.....	9 1/2	Northwestern...	1 1/2
B. & O.....	10 1/2	Penn. R. R.....	1 1/2
Brooklyn R. T.....	6 1/2	Reading.....	1 1/2
Ches. & Ohio.....	6 1/2	Rock Island.....	2 1/2
C. C. & St. L.....	6 1/2	St. Paul.....	1 1/2
D. & H.....	5 1/2	Southern Pac.....	1 1/2
D. & W.....	5 1/2	Southern Ry.....	2 1/2
Erie.....	3 1/2	South. Ry. pt.....	2 1/2
Gen. Electric.....	15 1/2	Sugar.....	1 1/2
Ill. Central.....	4 1/2	Texas Pacific.....	2 1/2
Int.-Met.....	1 1/2	U. S. Steel.....	6 1/2
Louis. & Nash.....	1 1/2	U. S. Steel pt.....	6 1/2
Manhattan.....	1 1/2	West. Union.....	4 1/2
Missouri Pac.....	6 1/2		
N. Y. Central.....	1 1/2		

DUCHESS LEAVES \$8,000,000.

Marlborough Dowager's Fortune Goes to Her Young Son.

London, Jan. 12.—It is stated that the fortune left by Lilly, dowager duchess of Marlborough, lately known as Lady William Beresford, who died yesterday, exceeds \$8,000,000. This will go to her son when he becomes of age.

The Dowager Duchess of Marlborough was an American woman, who as Miss Lilly Price was a reigning belle years ago in Washington and New York society. She was noted for her beauty.

Andrew Gordon Hamersley of New York and his son, Louis C. Hamersley fell in love with the beautiful Miss Price, and the latter was successful in winning her hand. In 1883 Andrew Hamersley died, leaving his son a large fortune, and a short time after ward Louis C. Hamersley died, leaving most of his money to his widow.

In 1887 she met the late Duke of Marlborough, and about a year after ward they were married. She spent \$3,000,000 in restoring Blenheim castle, and great social functions were held there until the duke died in November, 1892.

The duchess remained a widow until April, 1895, when she married Lord William Leslie de la Poer Beresford.

MEYER FOR THE NAVY.

He Has Accepted Mr. Taft's Offer of Cabinet Place.

Augusta, Ga., Jan. 12.—George von Lengerke Meyer, the present postmaster general, has been selected as secretary of the navy in the Taft cabinet and has accepted the appointment.

Meyer is a close personal friend of the president elect, and at Hot Springs, Va., after the nomination of Taft he was in many conferences with the president elect regarding the



GEORGE VON L. MEYER.

speech of acceptance and the issues on which the campaign could best be made.

Mr. Taft admires the ability the present postmaster general has displayed in general governmental affairs and in the interests of the post-office department.

It is regarded as of special importance that the next secretary of the navy should be a man who could be depended upon to hold the place throughout the entire administration and give continuous effort to the work of reorganizing the navy department. For these reasons and through the advocacy of his cause by Senator Lodge of Massachusetts and Senator Knox, the Taft secretary of state, his selection was made.

GOMPERS ASKS FUNDS.

Appeal Must Be Abandoned Unless Money Is Raised.

Washington, Jan. 12.—President Gompers of the American Federation of Labor is in favor either of making an appeal to labor and its friends for necessary funds to be used in prosecuting an appeal from the recent decision of Judge Wright in the contempt case or of abandoning it altogether.

BISHOP TO BE CONSECRATED.

Ceremony in Reformed Episcopal Church in New York Tonight.

New York, Jan. 12.—The Right Rev. Robert L. Rudolph, professor of systematic divinity in the Reformed Episcopal seminary, Philadelphia, will be consecrated assistant bishop of the diocese of New York and Philadelphia tonight at the Reformed Episcopal church in this city.

Presiding Bishop Samuel Fallows of Chicago will conduct the service. Bishop Charles Edward Cheney, also of Chicago, the first bishop consecrated in the Reformed Episcopal church, will preach.

Field Estate Is \$83,000,000.

Chicago, Jan. 12.—The exact value of the estate of the late Marshall Field is placed at \$83,450,032 in the appraiser's report.

FORAKER ATTACK.

Ohio Senator Denounces President and Taft.

PHILIPPIC ON BROWNSVILLE.

Senate Listens to Charge That Public Funds Were Wrongly Diverted to Get Evidence Against Negro Soldiers.

Washington, Jan. 12.—Once again today the senate chamber was the Mecca for hundreds who boast that they never miss hearing the epoch making orations of statesmen, for it was well known that Senator Joseph B. Foraker of Ohio was to take the floor and attack the president on the Brownsville incident.

Every gallery seat was taken long before Senator Foraker rose to speak. Then the spaces back of the gallery benches were filled, and the pressure for admission became so great that the attendants permitted the narrow aisles to be crowded.

Every senator who could be there was in his seat when Foraker rose to address the senate. Scores of members of the house, together with others entitled to the privileges of the floor, stood in compact array in the rear of the chamber.

Outside the gallery entrances people were clamorous for admission. Even the floor lobby, which is not open to spectators when the senate is in session, was packed with visitors who fought to get a glimpse of what was going on beyond the swinging doors of the upper house.

When the senate doors opened the floor as well as the galleries, for the senate employees were powerless.

The Ohio senator denounced what he characterized as the wrongful diversion of public funds by President Roosevelt and the then secretary of war, William H. Taft, in employing detectives Browne and Baldwin at a cost of \$15,000 to get evidence against negro soldiers of the Twenty-fifth infantry as to participation in the riot at Brownsville in the summer of 1906.

Mr. Foraker declared that the \$15,000 was flished from the public treasury in a shocking and atrocious manner and that to pay the detectives illegal hands were laid upon money appropriated by congress ten years ago for a special emergency war and contingency fund.

It was the duty of Secretary of War Taft to make report to congress as to how this fund was expended and who got the money, Mr. Foraker declared, but no such reports were made.

Most of all, said Senator Foraker, the employment of outside detectives by the government is a violation of statute and clearly illegal. Furthermore, he insisted the employment of detectives in the Brownsville case was utterly unnecessary, as the president had previously and publicly declared that the guilt of the negro soldiers was conclusively proved.

TWO PROBES OF PRESIDENT.

Senate and House Appear Their Investigating Committee.

Washington, Jan. 12.—Speaker Cannon announced the following as the committee to have charge of the secret service inquiry: Olmstead, Pennsylvania; chairman; Currier, New Hampshire; Young, Michigan; Brantley, Georgia; Bowers, Mississippi, the last two being Democrats.

In the upper house the Culberson resolution calling upon the senate committee on the judiciary to investigate the authority under which the president permitted the absorption of the Tennessee Coal and Iron company by the United States Steel corporation was referred to the subcommittee, consisting of Senators Clark of Wyoming, Dillingham, Kittredge, Culberson and Overman.

Railroad Beats Two Cent Rate Law.

Easton, Pa., Jan. 12.—Judge Scott has handed down an opinion in the case of the Central Railroad of New Jersey versus the County of Northampton to restrain the latter from collecting fines for violating the two cent rate law, the court finding for the railroad company.

BALKAN SETTLEMENT.

Turks Accept Austrian Offer of \$10,500,000 Compensation.

Paris, Jan. 12.—The Turkish ambassador has informed Foreign Minister Pichon that Austria had offered the porte £2,500,000 Turkish (\$10,500,000), as compensation for the annexation of Bosnia and Herzegovina and that the porte had accepted the offer in full settlement.