

HAINS' MOTHER TESTIFIES FOR HIM

As She Took Stand Glanced at Him but He Gave No Sign Of Recognition.

IN HIS YOUTH HE STUTTERED

Her Condition Was Distressing—Court Encouraged Her—Finally She Broke Down.

Flushing, L. I., May 4.—Mrs. Virginia Hains, the aged mother of Capt. Peter C. Hains, Jr., came to Flushing today to testify in her son's behalf at Capt. Hains' trial here for the killing of William E. Annis. Mrs. Hains is in feeble health.

Effort to show that Capt. Hains had, prior to the shooting of Annis, acted irrationally was continued by the defense at today's session. Dr. Hugh A. Rodden, formerly connected with the Queen's county hospital, said that he considered the captain's manner and speech at times irrational.

Mrs. Hains, appearing quite feeble, was assisted finally to the witness stand. She glanced at Capt. Hains as she passed by him in the courtroom, but there was no sign of recognition in the defendant's face. Mrs. Hains' hair is almost white. She spoke distinctly, but appeared a little nervous when she began her testimony.

HOW HAINS STUTTERED.

Mrs. Hains said she had been subject to dizzy spells for several years previous to her son's birth. She told how Capt. Hains suffered from nightmares when he was 2 and 3 years old. He would spring up in bed and cry out, she said. He stuttered and stammered in his speech until he was 10 years old, she said.

Mrs. Hains related the story of the accident, when her son, at the age of 4 years, fell down the hatchway of the lighthouse tender Pharoah. She said her son suffered from severe headaches for a long time afterward.

The mother's voice trembled and tears came into her eyes as she spoke of this accident, and she turned and looked at Justice Garretson.

"You are doing very well," he said, reassuringly.

Coming down to June, 1908, Mr. McIntyre asked the witness to tell the jury how her son looked and acted when he visited her home in Washington.

"I cannot. You must know I have had an awful shock, and I cannot remember anything as in other days," replied Mrs. Hains.

COURT ENCOURAGED HER.

The court encouraged her to do her best, and, sobbing quietly, she said:

"He looked so worn and tired and haggard when he first came into the house, and I did not know where he was. He did not pay any attention to me until I threw my arms around his neck. Then he said: 'Isn't

it awful; wife and home and my little children are all ruined.'"

"What else did your son say at that time?" asked Mr. McIntyre.

"He had some insane idea of us breaking up our home and caring for his children. He said we could board with them, and when I told him we were too old to break up our home, and did not have money enough to board, he shouted, 'Stop that, stop that, stop that.'"

Mrs. Hains persisted in injecting irrelevant impositions into her testimony, and Judge Garretson cautioned her not to do so. Turning to him, she said:

"Oh, can't I do that?"

Under cross-examination by Mr. De Witt, Mrs. Hains broke down completely, and had to be escorted from the stand. She was led sobbing from the courtroom as Justice Garretson ordered a short recess, after which Mrs. Hains again took the stand.

MIDNIGHT RIDE.

Evilus Hess, an automobile salesman, who formerly had a garage in Brooklyn, testified that Capt. Hains was at his garage in June last, and asked him what he knew about Mrs. Hains and Annis. The witness said he told the captain that Mrs. Hains had called on the garage one morning at 1 o'clock and asked him to come to Nineteenth street and Fourth avenue, Brooklyn, with her car. He found her there with Annis, took them back to the garage, and offered to take Mrs. Hains to her home at Fort Hamilton. Mrs. Hains is alleged to have said:

"You don't think I am fool enough to go at this hour in the morning, do you?" and she and Annis left the garage together. The witness said Hess said he told Capt. Hains that Annis and Claudia Hains had left the garage in the Hains car on several different occasions. The captain acted irrationally while he was relating these things to him, the witness said.

In the history of how Peter would walk about the house, reciting the first verse of Kipling's "Vampire" and then suddenly break out singing and crying alternately, Justice Garretson again cautioned the witness not to state merely her own impressions, and ordered some of her testimony stricken out.

This was too much for Mrs. Hains, and she broke down and sobbed for several minutes. Some of the jurors seemed much affected.

Mrs. Hains, later said she was not positive. Peter was insane when he was in Washington, and again at Fort Hamilton, where she had many conversations with him.

The witness broke down again, and court was adjourned until tomorrow.

PREST. TAFT WILL CLINCH ROOSEVELT POLICIES

Washington, May 4.—The decision of the supreme court of the United States in the case of the "commodities clause" of the Hepburn railroad rate law, was discussed at the cabinet meeting today.

President Taft repeatedly has announced that he intends to take up and study the question of the control of corporations during the summer months and that he hopes to be in a position next December to submit definite views to Congress on the subject.

The commodities clause decision today, undoubtedly, will have a distinct bearing on his consideration of the matter, and it was announced today that Mr. Taft would devote himself largely to the recommending to Congress the passage of legislation which would prevent the possibility of an evasion of the clause by the coal railroads.

Under the decision of the court, the railroads can carry coal of any company which they don't own outright. Through holding companies, they could control the mine and the transportation of the output as though no law on the subject existed. To remedy the act in this respect will be the question to which the president will first direct his inquiry.

Mr. Taft also will have recommendations to make as to legislation tending to bring railroads and other corporations more definitely under government regulations.

"To clinch the Roosevelt policies," was one of the campaign slogans of Mr. Taft, and it is said the commodities clause decision will give him an early opportunity to make known his position, as president in regard to that class of legislation. In speeches the president recently has stated the necessity of amendments to the Sherman act.

DUTY ON SUGAR.

Colorado Sugar Men Organize to Oppose Any Reduction.

Colorado Springs, Colo., May 5.—Organized opposition to any reduction in the duty on sugar is the object of the movement started here yesterday by beet growers, sugar factory men and business men of this city and southern Colorado. A petition, addressed to Senators Guggenheim and Hughes, has been prepared and is being circulated throughout the state. It sets forth that beet growing and the manufacture of sugar is one of the leading industries of the state and "any change in the tariff tending to cripple this industry would very seriously cripple its prosperity."

RELIGIOUS TRAINING.

Ante Nuptial Agreements Regarding Children Cannot be Enforced.

St. Louis, May 5.—Stipulations made before marriage, by which one or the other party agrees to permit the education and religious training of any children that may be born after marriage in a given religious faith, cannot be enforced by law.

Judge Matthew G. Reynolds yesterday handed down a decision to this effect.

This decision, said by attorneys to be the first of its kind, holds to be of no effect in law one of the cardinal principles of the Catholic church, which requires non-Catholics who marry Catholics to sign an ante-nuptial contract, giving control of the religious education of any children born of the marriage to the Catholic party to the affair.

"DON'T YOU KNOW ME?
I AM YOUR SISTER"

Newark, N. J., May 5.—Mrs. Amelia Ziegler opened the door of her home here late yesterday to be confronted by a strange woman. The caller said nothing and Mrs. Ziegler inquired what she desired. The stranger threw her arms about Mrs. Ziegler and cried:

"Don't you know me? I am your sister Elsie."

The visitor proved to be Mrs. Elsie Clinehard of Washington state, who had not seen her sister since she moved to the Pacific coast 28 years ago. It was some time before Mrs. Ziegler recovered herself.

DUKE OF THE ABRUZZI
MEETS WITH ACCIDENT

Rome, May 5.—A report has been circulated here to the effect that the Duke of the Abruzzi met with a serious accident while beginning his ascent of the Himalayas range in India—the highest mountains in the world. No particulars of the accident or confirmation of the report has been obtainable. It has been stated that Italian guides have written home that the duke was about to embark on a dangerous ascent against advice of local guides.

WEIGHT OF BREAD.

Los Angeles City Council Prepares Ordinance Regulating It.

Los Angeles, May 5.—The city council, acting on suggestions of Mayor Alexander, secretary to the people at home, an ordinance regulating the weight of bread.

The city attorney was directed to prepare the ordinance and present it at the next meeting, when it will be passed. The new ordinance will declare the weight of a loaf of bread to be 32 ounces, although quarter, half and three-quarter loaves may be sold. It also provides that each loaf must bear a stamp showing the name of the maker and the weight of the loaf.

ARRESTED FOR EMBEZZLEMENT

New Orleans, La., May 5.—Ettore Ferrata, an Italian contractor and inventor, and said to be a nephew of Cardinal Perrata, secretary to the pope at Rome, was arrested here last night at his home on telegraphic advices from the chief of police at Roanoke, Va.

He is charged with being an embezzler to the extent of \$50,000, and it is alleged has been wanted by the authorities of Roanoke for more than a



MISS NORA ISELIN, HEIRESS, WHO IS TO WED A COUNT

Reports from Aikin, S. C., where C. Oliver Iselin, the New York banker, and his family are staying, say that Mr. Iselin has settled \$2,000,000 on Count Ferdinand Coloredo Mannsfeld, to whom Miss Nora Iselin is to be married on May 10. The count is an embassy secretary in Rome, and his mother is a sister of Baron Aehrenthal, German minister of foreign affairs. The count owns a castle built in 1300. He is 30 years old. The wedding will take place in New Rochelle, N. Y.

PREDICTS WILL BE NO
TREES IN FIFTY YEARS

Chicago, May 5.—Within 10 or 15 years, according to J. H. Pinney, secretary and treasurer of the Appalachian forestry association, there will not be a stick of timber standing east of the Rockies and within 50 years the entire country will be as barren of timber as the American desert unless something is done to avert the disaster.

This statement is made in a communication to the Traffic club.

Regarding the coal situation, Mr. Pinney declares the country consumes an average of five tons per capita and wastes three.

ERNEST THOMPSON-SETON
PRAISES ROOSEVELT

New York, May 5.—Ernest Thompson Seton, the nature writer and artist who returned from Europe on the Kron Prinz Wilhelm yesterday with Mrs. Thompson-Seton, praised the expedition of Theodore Roosevelt into Africa. He said that passengers on the ship heard of the former president's success in killing as soon as the people of America.

"Mr. Roosevelt's expedition," said the writer, "should be of great value. He is splendidly equipped for the work and has with him two of the best naturalists in America. I hope he will kill many lions, for they are vermin in Africa. Mr. Roosevelt is a splendid shot and should do well."

MINING EXCITEMENT IN FIJI.

Victoria, B. C., May 5.—News was brought by the Marara of mining excitement over rich gold and copper lode mines in the Fiji group, where a number of mining engineers were awaiting the issuance of a proclamation opening the mining rights.

CHOLERA MORBUS CURED.

This is one of the most severe and dangerous diseases. In almost every neighborhood someone has died from it. Mrs. W. E. Smith of La Marque, Texas, writes: My little girl was taken with cholera morbus. The attack was so severe that I feared she would die. A druggist advised me to give her Chamberlain's Colic, Cholera and Diarrhoea Remedy, which I did and three doses of it relieved her. For sale by all druggists.

LAMEREAUX TUNES PIANOS.

23 West First South, Ind., 3231.

FOR CONCERTED ACTION
ON WESTERN LEGISLATION

Seattle, Wash., May 5.—President J. E. Chilberg of the Alaska-Yukon-Pacific exposition has sent out letters to all western governors and members of Congress inviting them to come to Seattle during the summer to attend a conference planned to bring about an agreement for concerted action in all legislative matters affecting the far west.

In his invitation President Chilberg calls attention to the fact that the interests of the western states are mutual and that through concerted action far better results can be accomplished. He urges that if a conference is held between the govern-

nors, senators and representatives a working basis can be established whereby the entire west will be unified.

No date for the conference will be fixed by President Chilberg until replies are received from all the executives and members of Congress invited to attend the meeting. Congress is not expected to adjourn until early July so a mid-summer meeting probably will be arranged.

A BRAVE RESCUE.

Chicago, May 5.—The sight of his granddaughter in danger of losing her life for a moment brought back to Charles Koch, 70 years old, the strength and agility of his youth and enabled him to save her from death under the trucks of a street car.

The rescued child was Helen Bailey, 7 years old. After Mr. Koch had leaped from the pathway of the car with the child in his arms he collapsed. Both were uninjured.

Headache?

If it does, you should try Dr. Miles' Anti-Pain Pills. Why not do so. They will relieve the pain in just a few minutes. Ask your druggist. There are 45,000 druggists in the U. S. Ask any of them. A package of 25 doses costs 25 cents. One tablet usually stops a headache. They relieve pain without leaving any disagreeable after-effects— isn't that what you want?

"My son Frank Snyder has used Dr. Miles' Anti-Pain Pills for a long time. He never had anything to help him so much for headache. A year ago he came home, and I was down sick with such a dreadful nervous headache. He gave me one of the Anti-Pain Pills, and after while I took another and was entirely relieved. I always keep them in the house now, and gave many away to others suffering with headache."

MRS. LOUISE LEWELLYN, Powell, South Dakota.

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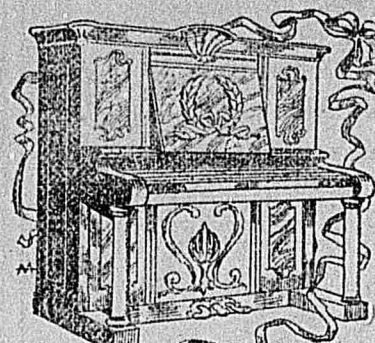
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