

# T. J. HAINS WEAKENS HIS OWN CASE AMERICAN BATTLESHIPS GO TO ITALY

Weather—B. in to-night, Wednesday cloudy and cold.

## FINAL RESULTS EDITION

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## EARTHQUAKE RELIEF FROM AMERICAN BATTLESHIPS

### Three of Big Fleet Leave Port Said To-Night and Are Led by Cruiser Yankton.

### FEVER IS A NEW PERIL.

### Typhoid Breaks Out in Messina and Epidemic Is Feared—Pope Consoles Sufferers.

ROME, Jan. 5.—The prompt despatch of three of the American battle-ships now on their way around the world, with the fleet commander, Rear-Admiral Sperry, to offer aid in the earthquake relief work has added to the public feeling of appreciation and gratitude. Word has come that Admiral Sperry has opened a fund for the sufferers, and that the men of the fleet are contributing generously.

The battle-ships designated as the relief squadron are the Connecticut, the flagship of the fleet, the Vermont and the Minnesota. They sail to-night from Port Said for Naples.

In advance of these the American scout cruiser Yankton left Port Said early to-day for Messina with medical supplies and provisions on board for the earthquake sufferers. She carried also a number of doctors.

### Epidemic Now Feared.

Descriptions received today from Messina and Reggio indicate that although the situation is in some respects better, fever complications have arisen. Typhoid fever has broken out at Messina. The lack of pure water and the increasing pollution of the air cause the physicians in charge of the Red Cross work to fear an epidemic. The medical administration in conference with the Government authorities are considering the compulsory removal of all the living in the destroyed cities.

The Pope is making daily visits to the wounded in the Vatican Hospital. This morning he made his rounds accompanied by Dr. Giuseppe Petacci, his private physician, and heard the doctor's opinion on each case. There are several grievously wounded persons in the hospital, but a number of others will probably be out in a few days.

The Pontiff is taking the deepest interest in these poor unfortunates, and this morning the tears came to his eyes at the recital of a mother who had lost all her children. One poor woman had ten children in her home. She was taken out of the rooms unconscious. She is convinced that some of her little ones escaped, but it is impossible for her to search for them. The Pope promised her every help.

### More Shocks in Messina.

MESSINA, Jan. 5.—Earth shocks are continuing here and at Reggio. There were several at the latter place to-day which occurred at intervals of twenty minutes. One at noon stronger than the others shook down many walls. So far as known nobody was hurt. At night, especially, are they frequently felt. The fires in the city are being gradually extinguished.

Typhoid fever has broken out here, and this fact will cause a reaction to be taken immediately in the disposal of the dead. The hope of resting any of the living beneath the ruins has been abandoned. Until the present time all attention has been concentrated upon the removal of human bodies from the streets.

Instead of excavating in an endeavor to find the bodies buried beneath the ruins it has been proposed that every house in which it is believed persons are buried shall be covered with quicklime.

The horrors of the sanitary conditions in Messina are unspeakable, and only the roughest of surgical attention is possible.

## NAVY PLANS THE LARGEST BATTLESHIPS IN WORLD

### Sea Fighters Will Be of 26,000 Tons, Carry 14-Inch Guns and Cost \$15,000,000 Each—Admiral Capps Enlightens Senate Naval Committee.

WASHINGTON, Jan. 5.—The Senate Committee on Naval Affairs has learned through Admiral Capps that the Navy Department is making plans for the building of the greatest battleships in the world. They are to be 26,000-ton ships, with 14-inch guns, and will eclipse anything afloat. It is estimated they will cost about \$15,000,000 each.

It is stated at the Navy Department that recommendations will be made to Congress for vessels bigger than now building in this country, but the exact size is not given.

Japan is now building two battleships of 20,500 tons each, carrying 12-inch guns, while Great Britain has under construction three of 15,200 tons each. Germany is building five of 19,000 tons each, with 11-inch guns. France's largest battleship is of 18,400 tons displacement, equipped with four 12-inch guns. Russia boasts of two ships of 17,000 tons each.

## STOLE 2,000 SPOOLS OF COTTON FROM TEFFT, WELLER & CO.

### Boston Man Who Piled Goods in Suit Case While Clerk Watched Him Says That His Family Troubles Had Driven Him Insane.

Edward Dawson, a middle-aged man, walked into the store of Tefft, Weller & Co., No. 325 Broadway, this afternoon with a suit case. He strolled over to a pile of spool cotton in a corner of the store and put about 2,000 spools into the suit case. A clerk caught his arrest. Dawson told Magistrate Moss in the Centre Street Court that he didn't know how he came to do such a thing. He came from Boston, he said, where his family lived at No. 15 Sillaway street, and was a guest at the Hotel Albert.

"My troubles," he said, "must have made me crazy. I think my wife has just died, my sister is in an insane asylum. I have six children on my hands, and I have been ill for some time."

Magistrate Moss, after expressing his sympathy, said that he was compelled to hold Dawson for trial.

## FIND BAR WITHOUT A LICENSE IN BROADWAY CLOAK FACTORY

### Policemen Attacked by Workers When They Make a Raid, But Finally Capture Proprietor and Woman Who Acted as Bartender.

Complaint was made at Police Headquarters this afternoon that an unlicensed bar was running on the fourth floor of the building at No. 846 Broadway, in the cloak establishment of K. Sadowsky.

A squad of Inspector Cochran's men were sent to investigate. They entered from the Crosby street side of the building and went up to the cloak factory. They found a fully equipped bar in operation and a man and a woman serving drinks.

The policemen attempted to arrest the man. Then, so they told Magistrate Moss in the Centre Street Court, Proprietor Sadowsky entered, and made oration to the general effect that no arrests were to be made in his place without a warrant. The policeman differed with him, whereupon K. Sadowsky issued a call to arms, and the hundred or more cloakmakers on the higher side of the bar fell upon the policemen. In the melee the man bartender escaped.

The policeman retired and went to the Mercer street station for the reserves, who came gladly to the fray. The woman bartender, Gustav Broos, was captured. So was K. Sadowsky.

Magistrate Moss held the woman in \$1,000 bail for a hearing to-morrow. K. Sadowsky was paroled for a hearing at the same time, charged with interfering with an arrest.

## JOHN D. ROCKEFELLER JR. TAKES LIBEL CHARGE TO GRAND JURY

### Case Against Newspaper Publishers Postponed a Week While Jerome and Assistant Appear Before Magistrate Moss in Centre Street Police Court.

John D. Rockefeller Jr., accompanied by District-Attorney Jerome and Assistant District-Attorney Garvan went before the Grand Jury this afternoon and testified in the proceedings he has brought against S. S. Carvalho, Edward S. Clark and Bradford Merrill, President, Secretary and Treasurer, respectively, of the Star Publishing Company, which publishes the New York American.

Mr. Rockefeller's charges of criminal libel were heard yesterday by Magistrate Moss, in the Centre Street Court, but the Magistrate reserved decision for one week. The action of the District-Attorney this afternoon was interpreted as a move to forestall Magistrate Moss's decision by an indictment.

The Grand Jury did not report this afternoon and if indictments were found on Mr. Rockefeller's testimony they will not be handed up until to-morrow.

## SAVANNAH RESULTS.

FIRST RACE—Purse, for three-year-olds and up; five furlongs—Big Hand, 106 (McArdle), 2 to 1, 2 to 5 and 1; Tipton, 102 (Murphy), 5 to 1, 2 to 5 and 1; 2 to 3; 2 to 1; even; 100 (Crowley), 10 to 1, 3 to 1 and even; 3 Time—108 2-5; Miss Marjorie and Bright Boy also ran.

THIRD RACE—Purse, for three-year-olds and up; one mile—George Bailey, 107 (Young), 6 to 5, 2 to 5 and 1; first; Countermarch, 110 (Simmons), 2 to 1, 2 to 10 and 1 to 4; second; Jigger, 101 (Doherty), 8 to 1, 2 to 1 and 4 to 5; third; Time—1:25.5. Flinn and Bingham also ran.

SECOND RACE—Purse, for three-year-olds and up; six furlongs—Huron, 108 (Erdel), 11 (Cowley), 7 to 5, 2 to 3 and 7 to 10; won; Risk, 118 (Holmes), 15 to 1, 8 to 1 and 3 to 1; second; Laurel, 118 (McArdle), 2 to 1, 1 to 3 and 2 to 3; third; Time—1:25.5. Belle of the Bay, White Broom, Lady Ripple and Anna Smith also ran.

THIRD RACE—Purse, for three-year-olds and up; five and one-half furlongs—Armadillo, 107 (McArdle), 1 to 1, 5 to 3 and 3 to 5; won; Merley, 106 (Lynch), 11 to 5, even and 2 to 5; second; 100 (Crowley), 20 to 1, even and 10 to 1; third; Time—1:15. Miss Cardigan, Jennie and Virgil T. also ran.

FIFTH RACE—Purse, for three-year-olds and up; five furlongs—G. W. Williams, 110 (Crowley), 20 to 1, even and 1 to 2; won; Arthur Stillwell, 108 (Murphy), 5 to 1, 2 to 1 and even; second; Factory, 102 (Polanski), 6 to 1, 3 to 2 and 5 to 5; third; Time—1:07.5. Hanaway, Cerrrosanta and Istrea also ran.

LOCAL AND INSTRUMENTAL MUSIC using luncheon—Cavannah's, 228-290 W. 34th St.

## PRETTY MANICURE DIES BY GAS IN BATH BEACH ROOM

### Miss Volks Found Lifeless in Bed at Imperial Hotel.

### HAD GOT EMPTY PURSE.

### Girl Remarked That Such a Gift Was Satirical for Lack of Money.

Margaret Volke, a manure, thirty-three years old, was found dead this afternoon in her room in the Hotel Imperial, Crosey avenue and Bay Twenty-fourth street, Bensonhurst. The gas was turned on, but an inquiry will be necessary to determine whether or not the young woman committed suicide.

Miss Volke conducted business as a manicure in Bath Beach and Bensonhurst, making her headquarters at the hotel and visiting patrons at their homes. Of late, according to her friends, she had been making very little money. Only a few days ago she showed a young woman acquaintance a purse she received for Christmas, and inquired cynically about the advantage of a pretty purse when the owner has nothing to put in it.

Miss Volke took breakfast with the other guests today and immediately retired to her room. Two or three hours later Mr. Kenny, the proprietor of the hotel, detected the odor of gas in the hall and knocked on the door of several rooms. He finally reached the door of the room occupied by Miss Volke, who called to him that the gas in her room had been escaping but that she had shut it off.

Mr. Kenny retired to the office. At 2 o'clock this afternoon guests complained again of the smell of gas on the upper floors. He went at once to Miss Volke's room and found her dead on her bed.

Dr. Mayne, of Bay Seventeenth street, was called, but said the young woman had been dead an hour or more. He notified the police and the coroner.

Miss Volke had a sister living in Manhattan, and a brother living in Philadelphia. The sister was notified of the occurrence by telegraph.

The young woman left no letters in her room and had made no threats of suicide. She was English by birth and had lived in the Bath Beach section for some time.

## MINOR LEAGUES FORCE THE MAJORS TO COMPROMISE

### Eight of Nine Demands Will Be Granted by the National Commission.

CINCINNATI, O., Jan. 5.—The most important matter before the National Baseball Commission to-day was the case of the American Association and the Eastern League, which are at present subject to rules of the National Association of Minor League Clubs and which have asked the National Commission to be put into a special class higher than class "A," their present rating in the National Association.

The National Association desired them to remain in class "A" and in control of the National Association. Before the National Commission went into session today it was believed the matter would be amicably settled and that the American Association and Eastern League would have their desires granted and be placed in the special class just below the major leagues and above the National Association rating. It was said that the National Commission had practically decided to allow the two leagues about eight of their nine requests and that it advised members of both sides interested to get together and settle the remaining point.

For this purpose a meeting of the representatives of the national association and the two class "A" organizations was held late last night, resulting in the appointment during the early morning hours of a sub-committee, consisting of Secretary Farrell, of the National Association, and President Killian, of the Milwaukee club, who were to prepare some sort of compromise reports to be presented to the National Association committee meeting, which was called for today before the session of the national base.

## DR. BULL'S CONDITION.

At the Plaza this morning it was stated on authority of Dr. Gerardus H. Winkon that the condition of Dr. William T. Bull was unchanged to-day, and that he had rested comfortably during the night.

## LOCAL AND INSTRUMENTAL MUSIC

using luncheon—Cavannah's, 228-290 W. 34th St.

# HAINS RAGES AND SQUIRMS AS HE FALLS INTO TRAPS SET BY DARRIN

## Mrs. Sydney J. Smith, Society Woman, Who Has Sued for a Separation



## FINN AND BINGHAM IN AN EXCHANGE OF HOT ROASTS

### Magistrate Says Commissioner Has the Soul of a Waiter, and Commissioner Rakes Up Some Old Arrest Records.

In reply to an attack made upon Commissioner Bingham from the bench by Police Magistrate Finn yesterday the Commissioner issued to-day a typewritten statement which could scarcely be surpassed for bitterness. It appears that the Commissioner has dug back for thirty-three years through the dusty, cobwebbed files of the Police Department and has discovered that in the days of his lusty youth when he was an active force in life along the river front, "Battery Dan" was, at times, arrested.

Before issuing his statement, the Police Commissioner removed Magistrate Finn's probation officer, Bernard O'Connor, and ordered him to patrol duty in the Elizabeth street station. Under the pressure of the double insult "Battery Dan's" spirit flared up, and what he said about Commissioner Bingham was certainly hot, rare and rare.

Finn Starts In on Bingham.

"Bingham," said the Magistrate, "is a waiter by training and inclination, and he has a waiter's soul. It is a small man that can't stand the truth. Bingham has shown by his action to-day that he is the most diminutive public officer this city has ever nourished."

Police Commissioner Bingham's researches into the life of "Battery Dan" profess to show that when the present Magistrate was from thirty to thirty-five years old he was arrested six times—five times on charges of assault and battery and once on a charge of keeping a liquor store at No. 11 Park Row open after hours. "Battery Dan" denies the record. He admits that he has been arrested twice in his life—both

# NERVE ALSO DESERTS PRISONER AS HE FLOUNDERS AND FUMES UNDER SEARCHING CROSS-EXAMINATION BY THE PROSECUTOR.

## HIS MEMORY REFRESHED, HE CONTRADICTS HIMSELF.

### "I Don't Want to Be Twisted," He Shouts at Tormentor, Who Leads Him Into State-Direct Testimony.

Thornton Hains, writer of blood-curdling sea tales, on trial for his life at Flushing for complicity in the murder of William E. Annis by Capt. Peter Hains, to-day was not the same eager, dominating Thornton Hains, who yesterday so daintily and glibly told the story of the killing at Bayside, Aug. 15 last, and of the domestic woes that, the defense claims, unseated the mind of the slayer.

Caught in traps by Special Prosecutor Darrin early in the cross-examination, Hains raged on the stand, squirmed and twisted as his tormentor made him contradict his direct testimony in important details, and when respite came at recess he had entirely lost his magnificent nerve, and with it had gone the major part of his memory.

The recess, longer than usual because the Court, moved by Hains's distress, adjourned early, had done little to calm the prisoner's racked nerves or dispel his rage, but there was a semi-apologetic, semi-apprehensive air about him as he climbed into the chair, and as the troubling questioning resulted in more contradiction and a consequent weakening of his whole case, he bowed his head in almost utter exhaustion and the Court again took pity on him and ordered another recess.

District-Attorney Darrin, who, according to the current rumor, may now elect to sum up for the State, thus shutting out Special Prosecutor Elmer White altogether, was armed with a mighty sheaf of notes and scraps of typewritten transcript as he arose to begin the cross-examination. He started in by asking Thornton Hains to tell more about the events of May 31, when Peter Hains, who he had thought was on the South Pacific, broke in on him at his home in Bay Ridge, crying out that Claudia, his wife, had admitted to him all her wrongdoings.

Mr. Darrin, whose work in the early part of the trial had been open to criticism, showed considerable deftness in his opening bout with the defendant, fencing skillfully. Darrin's hired colleague, Mr. White, was missing from his accustomed place, thus confirming in a measure the story that he is sulking in his tent because Darrin is going to steal the chance for the last speech to the jury.

Mrs. Annis in Court.

Just as the cross-examination started Mrs. Helene Annis, widow of the murdered man, came in, dressed in her rather spectacular black costume, and took her regular place inside the railing, where she could look straight at the prisoner as he answered the prosecutor. She was one of twelve women in the big audience, which included also many of the men who have already testified.

Hains led off by telling his chief of counsel, John F. McIntyre, more of his part in the killing of William E. Annis by his brother, Capt. Peter Hains, at the inside Yacht Club on Aug. 15.

"I didn't see Mrs. Annis on the club boat at any time," he said, repeating one of his most important statements of last evening, "and, of course, I did not point any gun at her. I don't remember Mr. Funko or Mr. Birchfield at the time of the shooting or just after. There was great excitement and I was running about and screaming and cursing. It was a regular riot and I can't recall everything that happened."

"Now, then," said McIntyre, having emphasized this point sufficiently, "tell us about the letter to Mr. Annis, addressed 'Dear Willie' and signed 'Claudia,' which your father says you showed to him on May 31 at Fort Hamilton."

"It was like this," explained the

## SYDNEY J. SMITH'S WIFE SUES HIM FOR SEPARATION

### Albert Ritchie Named by Court as Referee to Hear the Testimony.

Supreme Court Justice Vernon M. Davis to-day appointed Albert Ritchie, a lawyer, of No. 75 William street, referee to hear the testimony and report to the Court his findings in the suit brought by Fannie Taiter Smith against her husband, Sydney J. Smith.

Mr. and Mrs. Smith have been living apart since last August, and a member of the firm of Nicol, Anable, Lindsay & Fuller admitted that the action was for a permanent separation. Mrs. Smith, who is bringing the action, is represented by this firm, while Mr. Smith has employed Parker, Hatch & Sheehan.

For more than two years there have been stories of marital infidelities in the Smith household, which maintained a Newport villa and a town house at No. 4 East Eighty-sixth street.

Mrs. Smith was formerly Miss Nannie Taiter, a daughter of Mr. and Mrs. Edward N. Taiter. She is a sister of Mrs. L. Burnett, Mrs. Robert Livingston and T. Sufferin Taiter, who married Miss Maude Lorillard, the only daughter of Mr. and Mrs. Pierre Lorillard.

Mr. Smith is a brother of the beautiful and rich Mrs. Samuel J. Colgate. The Smiths were married in Grace Church on Dec. 17, 1894.

The first public knowledge of the difficulty between the Smiths was last August, when they met without recognition at a tennis match at the Newport Casino. Mrs. Smith came in alone and sat in the grand stand. Then Mr. Smith appeared with Mr. and Mrs. Henry Redmond, whose house guest he was. While the couple watched the tennis they made no effort to speak, or even bow to each other.

Both Mr. and Mrs. Smith are popular in the smart set, and number among their acquaintances several branches of the Gould family. At the home of Mrs. Smith's parents, No. 11 Washington Square North, all knowledge of the suit was denied by Mrs. Taiter. Mrs. Smith is the owner of several high-class horses, and she has carried off many prizes at the Horse Show. She has an independent fortune of her own from the Sufferin estate.

## Fine New Turkish Baths

now open at the new Pulitzer Building, only two blocks from the Grand Central Station. In every detail, Electric and Turkish baths at all hours. All-day barber shop.

(Continued on Second Page.)