

CALLENDINE IS SQUIRMING

He Intimates That He is Not Getting a Square Deal.

The Prosecution is Piling Up Strong Testimony Against the Prisoners.

It was 11:25 o'clock yesterday morning before the calendar in Justice Davis' court was cleared and the examination case of Callendine, Baker and Townsend, charged with having robbed the street car office at Twenty-eighth and N streets in November, was resumed.

Callendine showed up in a nervous condition, much more so than ever before since his arrest, and while that same hideous smile played across his crafty features, it was evident that he was not at his ease. He fumed and fidgeted, and twisted and turned, and when the evidence was strongly corroborative of the story told by Townsend, as most of it was, that sardonic grin would reveal a number of yellow molars. But he was not enjoying himself, and at one time approached the reporters' table with the request that he be given a "square deal."

He acted as though he meant something more, but concluded it best to say nothing stronger, but to keep on squirming. Baker, while he manifested the same interest in the proceedings he has all along exhibited, was much more quiet.

Mrs. Callendine—formerly the wife of Jack Harris—was in her place, but the nervousness of her husband had not extended to her. She smiled like a basket of chips, and was as cool as the proverbial cucumber.

Mrs. Baker was also there, and the lines in her face and the dark hollows around her eyes had deepened since the day before. She is severely stricken, and was the very picture of distress. Her face tells plainly how painfully her nights are passed. She sat silent and alone, bearing up bravely when her every lineament showed that she was crushed beneath the bolt that had fallen upon her.

Townsend was quiet and thoughtful, as usual. It seemed that he at length realized that his position was not one of which he could be proud, and that while the evidence piled up was strongly corroborative it was not in the least mitigating toward himself. He still has no attorney, and sits by Detective Max Fisher. Since his evidence was in he has cut very little figure in the proceedings.

McDONALD WAS THERE. A. McDonald was the first witness called. He resides at Nineteenth and I streets, and is night foreman in the employ of the Electric Light and Power Company. He was present at the robbery of the street car stables' office at Twenty-eighth and N streets.

Three men, said the witness, entered the office and ordered him and the others present to hold up their hands, which they did. The first man who entered the room asked the witness where the money was kept, and he replied at Sixth and H streets. This the robber said was not true, and that he knew where it was.

The leader then ordered one of his companions, who had a pin-bar in his hands, to go into the closet and haul out the safe, which was done.

The remainder of McDonald's evidence was corroborative in every instance of the testimony given by Townsend. There was not discernible the least discrepancy between the evidence of McDonald and the self-confessed robber.

The witness testified that the rubber coat alleged to have been worn by Baker was very like the one worn by the robber who had carried the pin-bar.

The leader of the gang told the witness to keep quiet, and that they were making too much noise in the office. The witness replied that more noise was made every evening than then, and that passers would not notice anything out of the usual.

The robbers had searched the witness, telling him that they did not want his money, but that they were looking for pistols. McDonald could not positively identify the rifle alleged to have been carried by Callendine, but stated that it had the same general appearance as the one shown in court. In general appearance and size Callendine and Baker corresponded with those of the robbers. Baker's voice also corresponded with that of one of the robbers, and Callendine's walk was precisely similar to that of one of them. He was reasonably certain that the leader of the robbers was Callendine, but was not so certain about Baker, though the resemblance was strong.

HOW HE KNEW THEM. Lawyer Johnson cross-examined McDonald at some length. He said it was from the size, general appearance and walk that the witness believed one of the robbers to have been Baker. He believed he would be able to identify the robbers by their general appearance and motions. He had heard Baker talking to Detective Max Fisher, and while the robber with the pin-bar had talked very little, his voice corresponded with that of Baker.

The witness had seen the alleged robbers at two several times in the City Prison. Fisher had asked him to return the second time. He had gone for the purpose of verifying his first opinions as to the men, and was satisfied that Callendine was one of the robbers. He could not, however, positively identify Baker.

The noon hour arrived and Mr. Johnson had not got well started when a recess was taken until 1:30 o'clock p. m.

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CALLENDINE FIDGETS.

Before court convened in the afternoon Callendine once more paid a visit to the reporters' table and made a request that any evidence that might be given by Detective Fisher regarding his family should be excluded, and reiterated that he wanted a "square deal." He was still nervous, but kept himself well under control throughout the entire afternoon.

McDONALD UNSHAKEN.

Resuming McDonald's cross-examination Mr. Johnson drew the witness first into a discussion concerning the arms used by the robbers, and next questioned him with regard to the manner in which the robber purporting to have been Callendine had walked. He was absolutely certain that the gait and motions made by Callendine in the City Prison were the same as those of the robber in question. He identified him from his size, appearance and gait in walking, and also from his prominent cheek-bones. As it was rather dark in the office at the time of the robbery, it was rather difficult to distinguish the features of the men.

In the red-hot examination, McDonald said that since he had seen Baker in the City Prison he had noticed him frequently hitch up his trousers, sailor-fashion, and that he had noticed the robber who wore the rubber coat do the same thing.

The man who had done the most of the talking at the street car office had worn a mask, and his voice was somewhat muffled, but the witness was positive that the voice was decidedly similar to that of Baker.

UPHOLDING TOWNSEND.

G. C. Snider, who resides at Oak Park, and is foreman of the electric railway, was the next witness. He had visited the car stables early in the morning after the robbery. He described the back of the building and the door entered by the robbers. When he went to the stables he found the gate and the back door open, the latter being held in position by bricks piled against it.

This evidence was corroborative of the story told by Townsend, who testified to the bricks having been piled against the door to keep it open.

SAW CART AND GUN.

Motorman T. J. Elliott testified that he saw Callendine on the evening of the robbery in a cart at Tenth and P streets with another man whom he did not know. There was a gun in the cart between the two men. It was about 4 o'clock and Callendine was leaving the Harris house.

The witness also saw Callendine the next morning. The latter boarded his car and asked the witness, "What is the latest?" At that time Callendine was wearing a mustache. He said, "Jack, the newsboys must be having a holiday, too." Elliott denied that Callendine had said anything to him relative to the robbery while on the car.

General Hart took up the witness for cross-examination and elicited the fact that the gun in the cart was a rifle.

Counsel asked the witness how long he had resided in Sacramento, and he replied, "Well, General, you ought to know as well as I do. I came from Colusa County about the same time you did."

E. A. Wright, who was a conductor on the P-street line on the same car of which Elliott was motorman, had also seen Callendine. The latter wore a short, stubby mustache at the time. The evening before he had seen Callendine in a cart, in which was another man, a gun and some other truck. He was sure the gun was a rifle, and that the bore was larger than that of 22-caliber.

On cross-examination Mr. Wright stated that he was unable to say how many times he had seen Callendine leave the Harris house with a gun, in a cart. Once before, he was certain, that he had seen him in a cart, having a double-barreled shotgun, but couldn't say whether he had seen him at any other times or not.

THE BOODLE.

Conductors John White, T. J. Coffman, D. S. Baker, C. A. Spicer, G. S. Stillman and others testified as to their receipts on the day of the robbery.

A. McDonald, the foreman, was recalled and testified that twenty-five conductors had been employed during the day, and that each one had deposited his receipts in the safe.

LIKE A GRANGER.

C. E. Russell testified that he was slightly acquainted with Callendine, and on the 17th of March had seen and talked to him. The latter had said: "I look well to go to the St. Patrick's ball to-night, with my pants full of hayseed and cockleburrs, don't I?"

Callendine had further said that it cost him \$150 to get out of the scrape after he had killed Jack Harris, and that General Hart had only been to see him three times. The best part of it was that he was not even put on the stand to testify. Continuing, the witness testified that Callendine said: "The only thing a man in a fix need do nowadays is to get a smart lawyer like General A. L. Hart or Grove L. Johnson to defend him, keep his mouth shut, and he will come out on top."

General Hart asked that the evidence be stricken out, which request was denied by the court, to which ruling the attorney took an exception. The General refused to cross-examine the witness, asserting that the testimony was immaterial.

THE ROBBERS' ARSENAL.

Police Officer George W. Maley testified to having found the guns at the Harris house at Tenth and P streets. Callendine told him where he could find the guns, and gave him permission to get them. He also found the rubber coat alleged to have been worn by Baker. The latter told him where the coat was to be found.

G. L. Okey identified the hat alleged to have been worn by Callendine at the time of the robbery. Detective Fisher found it, the witness said, in the basement of the witness' residence, which had been Callendine's lodging-place. The bottle, supposed to have been the one which contained the whisky the robbers had used on the night of the robbery and which still has some liquor in it, was also found by Mr. Fisher and identified by the witness.

OTHER TESTIMONY.

M. M. Drew, Chief of Police, said he had told Baker that the rubber coat, which appears to play such a prominent part in the case, was too small for him when he tried it on at the City Prison. Baker explained to him that there was a buckle behind by which means the coat might be loosened, and further explained its different fastenings. Baker seemed to be familiar with the coat and everything which pertains to it. Max Fisher, the Deputy Sheriff large-

ly through whose efforts the three men accused of the crime were lodged behind the bars, testified that he had known Callendine since 1887. He had seen Callendine, Baker and Townsend together, and had seen the first-named on the 17th of March last. Callendine asked the witness if he had ever seen a safe blown open, and how it was done, and said:

"That was a pretty good job done at the street car office. I was in the mountains at the time, and didn't get back until the next day."

This he repeated and then questioned the detective as to whether a safe could be got into after the outer door had been blown off.

After his arrest Callendine denied ever having told the witness that he was out of town at the time in the mountains or anywhere else. Callendine also asked what was the reason the safe at Fourth and M streets had failed to blow open under the pressure of the charge.

When Baker was arrested by Mr. Fisher and Officer Pennish he asked: "What am I arrested for?"

"For being an accomplice in the robbery of the street car office," was the reply.

"Oh, my God!" exclaimed Baker, "what will become of my poor wife?" "Why didn't you think of that before?" asked the witness.

"Oh, I didn't think it would come to this," replied Baker. He would not, however, talk further about the matter.

The witness further stated that he arrested Townsend as well as Baker, and told how it was done.

FISHER WAS AWAKE.

General Hart then took the witness in hand and the impression prevailed that he had his hands full.

"Who put you onto this business?" inquired General Hart.

"I declined to answer that question," returned Fisher. "I promised the men who told me that I would never tell, and I never will."

"You got your pointers from the police of this city, didn't you?" continued Mr. Hart.

"Not at all. The police gave me no assistance in the matter whatever," returned Fisher.

"You don't know, then, whether that man who gave you your information said was true or not?" "Oh, no; I don't know."

"Then the man was talking through his hat, wasn't he?" Here Judge Davis took a hand. He said in his existing through his hat, had no meaning whatever.

The witness, however, said he understood what was meant. It was that a man did not know what he was talking about. With this definition General Hart concurred.

Then the witness was taken back over the ground which he had covered in his first examination. He admitted that he was interested in the reward offered, but that if a conviction was secured his share of reward money would be very small.

When asked why he had not left the room during the earlier part of the examination, the witness said he had not been ordered to do so, and that as an arrested officer he considered it his duty to remain.

Fisher was not positive whether Baker, when arrested, had said: "I didn't think it would ever come to this," or "I didn't think I would ever come to this," but he had said one of the two things.

Though General Hart carried the witness through many devious paths his evidence was not shaken, and he ended by stating that the police had done the reverse of assisting him in the case. He made a good witness for the prosecution, and when he left the stand the defense had not scored a single point against him.

When Fisher stepped down from the stand the battle ended for the day and an adjournment was taken until 10 o'clock this morning.

JOE WINN'S CASE.

Evidence to Show That Gertie Labadie is But 14 Years Old.

Joe Winn, the waiter charged with having placed Gertie Labadie, a fourteen-year-old girl, in a house of prostitution, was arraigned before Justice Davis yesterday morning.

The girl's mother and grandmother testified that she was not yet 15 years of age. The girl herself testified that she had visited Folsom and Davisville with Winn with the intention of entering a house of prostitution.

There being two important witnesses absent, the case was further continued until this morning. In suggestion of City Attorney Brown, the girl was arrested on a charge of vagrancy, and steps will be taken to have her placed out of harm's way.

The case for Winn looks dark, and from the evidence already in it may be expected that he will be held to answer before the Superior Court.

An Estate to be Settled.

John Donahue, guardian of the estate of Clara Lehan, an insane person, has filed in the Superior Court a statement showing that she had real estate in this county valued at \$2,000. Since his appointment as guardian Mrs. Lehan has died, but no administrator has been appointed to take charge of her estate. He asks that the court have the proper action taken in the matter.

A Well-Managed Estate.

Frederick Lothhammer, executor of the will of Louis Lothhammer, deceased, has, by his attorneys, Joseph & Castlehugh, filed his final account in the Superior Court.

The estate yielded a total of \$50,196, and the disbursements have been \$2,358. There is now cash on hand, \$32,832, and real estate and other property valued at \$19,863.58.

Hard Times Social.

Sloam Lodge, No. 2, I. O. G. T., gave a very pleasing entertainment at Pythian Castle on Tuesday evening. All the members were attired in a manner to indicate "hard times." A good program of music was rendered, and plenty of pork and beans were served. These socials are given each month.

Wants the Matter Settled.

Minnie H. Parkinson, by her attorney, F. D. Ryan, has petitioned the Superior Court to grant her a final discharge from her debts and liabilities. She represents that she has surrendered all her assets and fully complied with the requirements of the insolvency Act.

Alleged Shoe Thief.

John Deming, charged with petit larceny in having stolen a pair of shoes from the store of H. Marks, on K street, was yesterday morning arraigned before Justice Davis. He entered a plea of guilty and demanded a jury trial. His case was set for Thursday, the 30th inst.

It's our business! It's our business to make the best beer because you want it. New Brew and Beck Lager are the best. Try them. Buffalo Brewing Company.

THE CHILDREN'S DAY HOME.

To-Night's Entertainment to be Given For Its Benefit.

An Institution That Has Done Much Good and Can be Made a Blessing.

The good ladies who are interesting themselves in the entertainment to be given this evening in aid of the Children's Day Home were feeling in good spirits yesterday over the bright prospect of having, as the result of their labors, a substantial sum to be devoted to the expense of maintaining that most deserving institution.

Mrs. Clara Wood, who has charge of the arrangements for the entertainment, has devoted all of her time for several weeks past to promoting the worthy object in view, with the result that a splendid entertainment is assured. The sale of tickets has been remarkably good, and when all the receipts shall have been counted the ladies believe they will feel well repaid for their exertions.

The entertainment will take place at the Sixth-street M. E. Church, and the admission fee is but twenty-five cents. The programme promises to be an excellent one. Mrs. Frances Mosler, who is a skillful organist, will preside at that instrument. Mr. Owens, a newcomer, who possesses a remarkably fine tenor voice, will sing one or more selections, and Miss Marie Dixon, an accomplished reader, recently from the East, will favor the audience with a recitation. There will be six young lady ushers.

The feature of the evening will be the stereopticon exhibition by J. W. Erwin of San Francisco, entitled "An Hour in Childhood's Realm," with descriptive remarks. All the songs, recitations, etc., will be in keeping with this subject.

The purpose of the Children's Day Home—which was started and is managed by the Women's Christian Temperance Union, is to provide a place where mothers whose necessities require them to work to support, or help support their families, may have their infants cared for during the day while they are engaged. There are scores of mothers, many of them widows, who would be prevented from earning anything but for this opportunity.

It costs something to maintain a home of this character and employ competent persons to look after little children, and it should be maintained in the most efficient manner possible. The better its support, the more widespread its beneficial results will be—the more mothers will be able to work and earn money to support themselves and their little ones.

Not much is asked or expected of anyone, but if a large number of persons will each contribute a little to the fund it will be possible to maintain the home during the summer and autumn months while there is work for women's hands to do.

NO QUORUM.

City Trustee Pennish's Father in a Critical Condition.

The City Board of Trustees was to have held a meeting last night, but as a quorum was not present an adjournment was taken till next Monday night and those present indulged in an hour of go-as-you-please discussion of street sprinkling, street repairs, boilers and other subjects.

Trustees Tozer and Devine were said to be in San Francisco, and Trustee Pennish was in attendance on his father, who is lying at the point of death from an attack of asthma, which affects his heart.

Receiver Appointed.

In the case of William Land against J. E. Camp, for the foreclosure of a mortgage for \$15,000, Judge Johnson has made an order appointing S. B. Smith receiver to take charge of the property pending the foreclosure proceedings. His bond was fixed at \$3,000.

Mary Flaherty's Homestead.

Peter Flaherty, administrator of the estate of his deceased wife, has applied to the Superior Court to have set apart to him her homestead property—the west half of lot 6, between P, Q, R, S, T, U, V, W, X, Y, Z, streets. It is valued at \$1,300.

Creditors of W. A. Ford.

Judge Catlin has made an order citing the creditors of W. A. Ford, an insolvent debtor, to appear in his court on the 29th of May and show cause, if they can, why Ford should not be discharged from his liabilities.

Civics Club To-night.

In the lecture-room of the Congregational Church this evening, at 7:30 o'clock, the Young Men's Club of Civics will meet and discuss the subject of "The Mayor's Power to Make Appointments."

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When you take Hood's Pills. The big, old-fashioned, sugar-coated pills, which tear you all to pieces, are not in it with Hood's. Easy to take

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and easy to operate, is true of Hood's Pills, which are up to date in every respect. Safe, certain and sure. All druggists, 25c. C. I. Hood & Co., Lowell, Mass. The only Pills to take with Hood's Sarsaparilla.

SPECIAL NOTICES

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HODSON, of 813 K street, makes all the children's pictures.

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IF YOU WISH any of the following delicacies, you can find them in the finest quantities at the Sacramento Market, 309-12 K street: Salmon Sausages, Mackerel, Smoked Halibut, Smoked Salmon, Corned Beef, Limburger, Cheese, Cream, Roquefort Adam, German Ham, Sap Sago and Pineapple Cheese. Curtis & Forsberg.

T. B. REID, dentist, Masonic Temple, Tenth and K streets. Office hours 9 to 5.

AUCTIONS.

AUCTION SALE OF THE ENTIRE STOCK OF THE Belmer Grocery Store, on the premises, 915 K STREET, TUESDAY, April 28, 1896. Sale to commence at 10 o'clock a. m. of the entire stock of Groceries, Tobacco, Liquor and Store Fixtures: Horse, Wagon and Harness; National Register, 2500 Milk Scales; Counters, Showcases, Shelving, one Phaeton, etc. Sale positive. Terms cash. BELL & CO., Auctioneers.

HAMMOCKS. Best quality T wine Hammocks, closely woven mesh, with valance. Price, \$3 50. The valance Hammock has merits besides those of grace and beauty. The valance serves to screen the body, or may be used as a covering. Other styles for \$1, \$1 50, \$2, \$2 50 and \$3. WATCH OUT FOR OUR SIXTH FRIDAY SPECIAL. John Breuner 604-606-608 K ST., SACRAMENTO

Golden Slugs. In digging our foundation on Fifth and K, which will be 68 feet wide, 400 feet long, and filled with concrete and cement, the Press reported that "Slugs" were found estimated at from \$5,000 to \$15,000. We do not claim this money, but we will sell Saddlery and Harness Goods below the market price. Call and see us before it is too late. JOHN T. STOLL, 610 K Street.

Our Laundry. At this time of the year we wish to call your attention to it. We make a specialty of doing up Lace Curtains and other fine goods. If other places don't suit you try us. We do without exception the best laundry work in the State, and we stand ready to prove it. SHIRTS AND SHIRT WAISTS Of every description MADE TO ORDER. MASON'S Steam Laundry and Shirt Factory, 628 J STREET.

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AMUSEMENTS. CLUNIE OPERA HOUSE. J. H. Todd, Lessee and Manager. Week Commencing Monday, April 20, Saturday Matinee and Sunday Night. WALTER HODGES' COMPANY in the Roaring Fourth Comedy. The Private Secretary. NEW SPECIALTIES. PRICES—10c, 20c, 30c. METROPOLITAN THEATER. J. H. Todd, Lessee and Manager. TWO NIGHTS, Friday and Saturday, April 24 and 25. The Great Success, Mark Twain's Pudd'nhead Wilson! As dramatized by Frank Mayo, with FRANK MAYO As Pudd'nhead Wilson, Supported by the New York Herald Square Theater Company.

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EVENT OF THE SEASON! I. O. O. F. PICNIC AT NATOMA GROVE, FOLSOM, Saturday, April 25, 1896. Tickets, \$1. Children (5 to 12 years), 25c. AMUSEMENTS, CONTESTS AND GAMES for old and young, for which suitable prizes will be awarded. MILITANT BAND (18 PIECES). Tickets on sale at Ing & Allee's, 712 J; G. T. Boyd's, 727 K; J. A. Greene's, 25c; reserved, 25c; Knovies & Wagner, 710 K. Train leaves depot at 8 o'clock sharp. Basket route in another column. ap17-2t

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