any community. It was The Evening World that hammered and hammered away until the whole gas question was brought out from under a smother of legal twists and turns and exposed to the light of publicity.

Out of this decision will grow great reforms in the government of public service corporations. By setting up the contention that a corporation serving the people has a right to claim profits on what the people give it, the Consolidated Gas Company has rendered a great service to the public of the United States. The Consolidated Gas Company set up the contention and the United States Supreme Court set it aside.

Fight Lasted Six Years.

The 80 cent gas matter has been before the public in active shape, through this paper, for the past six years. Even when the question had been relegated to the depths of litigation and little was heard of it through the ordinary channels, The Evening World lifted the lid once in a while and took a peek for its readers.

The Evening World, by collecting and presenting an array of incontrovertible facts and figures, and by the formation of the Gas Consumers' League, brought about the investigation of the gas situation in New York by a legislative committee of which Charles E. Hughes, now Governor, was appointed counsel. By virtue of the evidence gathered by the committee a law was passed by the Legislature of 1906 fixing the price of gas in certain parts of New York City, including Manhattan and Brooklyn, at 80 cents per thousand feet.

This law was to have gone into effect on May 1, 1906. The authorities failed to take any steps to enforce it and the Consolidated Gas Company, except where enjoined by the Gas Consumers' League, ignored it. On May 18, 1906, the Consolidated Gas Company, upon the advice of Joseph Choate, secured from Judge Lacombe, in the United States Circuit Court, an injunction restraining the city and State authorities from enforcing the provisions of the law. The Court held that pending final decision the gas companies should deposit the 20 per cent. difference on all bills with United States Commissioner Shields.

Masten as Referee.

Justice Lacombe appointed Arthur H. Masten, a lawyer, of No. 51 Wall street, Special Master to hear evidence and arguments on both sides. The Consolidated Gas Company set up that the 80-cent-gas law was confiscatory and therefore unconstitutional.

Counsel for the Consolidated Gas Company maintained that the corporation was entitled to a fair return upon its investment—at least 6 per cent. Then he put in, under the head of investment, franchises which cost the Consolidated Gas Company and its associated gas serving corporations not a cent, at a valuation of $12,000,000. They also put in, as the valuation of the real estate used in the manufacture and supply of gas, the sum of $11,985,435, upon which they claimed the right to collect dividends. Special Master Mastin, in a long decision, after hearing evidence and arguments of an exhaustive nature, upheld every contention of the Consolidated Gas Company. He reported to the United States Circuit Court that the Consolidated Gas Company should be allowed to tax the people a percentage of the value of the franchises.

The Report Confirmed.

Judge Hough, to whom the report of the referee was submitted, confirmed the report, largely as a matter of routine, because his decision would have been appealed from had he decided the other way. He let the whole matter go to the United States Supreme Court with the statement that the fundimental point at issue was the right of the Consolidated Gas Company to capitalize its franchises for profit-taking purposes. The whole question of confiscation revolved about this point. It appeared that, with the franchises omitted as tangible property, the company could make and sell gas at 80 cents and earn a profit of 6 per cent.

Judge Parker, Mr. Whitney, Mr. Burr and Attorney-General Jackson argued the case before the United States Supreme Court. For the Consolidated Gas Company, James M. Beck, Charles F. Mathewson and John A. Garver placed lucid explanations and arguments before the august tribunal.

The decision of the court was not expected to-day. The record was so voluminous that it was believed the Justices must consume many additional weeks of time in absorbing the points. But, it appears, they went right to the heart of the controversy—they claimed the right of the Consolidated Gas Company to collect profits on franchises which were a gift from the people.

Gas Combines Affected.

The gas companies affected by the decision are the Consolidated, the New York Mutual, the New Amsterdam, the Standard, the Central Union and the Northern Union. The Consolidated Gas Company, by court permission, has not deposited anything with Commissioner Shields since last October, but the money is held by the company as safely as though it were in his charge, and it will be returned to the consumers as per their pro rata share.

Since the injunction was secured and a percentage of the gas bills of the city has been impounded the various gas companies have printed on every bill paid a conspicuous warning to the consumer to save that particular bill. An interesting question to be settled is whether or not those who did not save their bills are entitled to rebates the same as those who did.

ROOSEVELT NAMES WATCHORN

WASHINGTON, Jan. 4—Among the appointments sent to the Senate to-day by President Roosevelt was that of Robert Watchorn to be Commissioner of Immigration at the Port of New York.

TO CURE A COLD IN ONE DAY
Take LAXATIVE BROMO Quinine Tablets. Druggists refund money if it fails to cure. E. W. GROVE'S signature is on each box. 25c.

Help Wanted To-Day!

As advertised for in The Morning World's Want Directory.

MONDAY, JAN. 4, 1909.

Agents	11	Housework	112
Artists	2	Horseshoers	1
Bakers	6	Ironers	17
Bartenders	2	Janitors	10
Bookbinders	2	Janitresses	3
Bookkeepers	5	Jewelers	3
Boys	45	Ladies' Tailors	1
Businessmen	3	Laundresses	4
Butchers	30	Machinists	2
Buttonhole Makers	1	Managers	2
Cabinet Makers	1	Manicures	4
Canvassers	13	Milliners	14
Carpenters	2	Nurses	19
Cashiers	8	Operators	66
Chambermaids	21	Painters	2
Chefs	1	Photographers	3
Chauffeurs	1	Printers	2
Collectors	3	Plumbers	2
Compositors	4	Polishers	2
Cooks (Female)	29	Porters	8
Cutters	8	Pantry Help	1
Dressmakers	18	Pressers	10
Dentists	3	Pressmen	2
Dishwashers	3	Salesladies	10
Drivers	11	Salesmen	33
Drug Clerks	5	Shirt Hands	1
Electricians	1	Skirt Hands	4
Elevator Runners	1	Sleeve Hands	2
Embroiderers	8	Solicitors	2
Engineers	4	Stablemen	1
Engravers	2	Stenographers (F.)	1
Feeders	9	Tailors	4
Finishers	6	Trimmers	13
Firemen	1	Tinsmiths	1
Folders	3	Typewriters (F.)	1
Foreladies	1	Waiters	9
Foremen	1	Waitresses	16
Girls	46	Miscellaneous	91
Harness Makers	1		
Total			1,022

The World printed to-day 1,022 Help Ads., 643 more than all other New York papers combined.

THORNTON HAINS ON THE WITNESS STAND TELLS OF THE KILLING OF ANNIS AT YACHT CLUB

(Continued from First Page.)

"and he cried out 'I broke down your door. I apologize, I apologize.'

"I said 'Why, Peter, what brings you here. I thought you were in the South Pacific?' He said: 'It is terrible, Claudia has confessed to me that she loves Annis. I know everything. She's told me everything.' I was so shocked for a minute I couldn't do anything. Then I said: 'It's too bad,' but he broke in and said: 'Don't sympathize with me Thornton, help me, help me, help me to do something.' He spent twenty or thirty minutes telling me of his wife's admissions to him and then, at his suggestion, we went to find my father."

"Describe his appearance when you first saw him." "He was very wild," said Thornton Hains, raising his voice and shaking his clenched fists above his head again, in vivid illustration of his brother's behavior. "His eyes glared, his face was drawn and distorted and his language was broken and disconnected."

Good Actor on the Stand.

"Did you go with him to see your father?" "I did. We spent practically all of that day—it was Sunday—with my father down at the fort. Father ate a little lunch, as I remember, but neither myself nor Connie, as I have always called Peter, ate anything. After lunch I took my brother down to the battery of 5-inch guns and we sat down together and I tried to get a connected story from him, but all he would say was: 'My God, she told me all about her relations with Annis.' Then he would sink his head in his hands, tearing at his hair and say: 'My God, my God, she's told me everything.'"

At this point, Thornton Hains having been on the stand about twenty-five minutes, Justice Crane announced a recess. But in that short time Thornton Hains had proved himself to be considerable of an actor. Telling of his literary achievements, his voice and manner had fairly radiated with the pride of authorship. A little further along, when the Justice admonished him to wait for possible objections from the prosecutor before making his replies, Hains, who had been snapping his replies in quickly, said "All right," briskly and emphatically, in the voice and with the air of a sea captain used to giving orders.

As he approached the place where he told of Peter Hains's sudden entry into his house on the night after Claudia Hains confessed her wrongdoing, he threw a lot of fervor and dash into his description of his brother's behavior, yet constantly sweeping the faces of the jurors with a sidewise, lightning-like turn of his eye to see what effect his narrative might be having upon them. He was smiling with seeming satisfaction as his guards led him, handcuffed, out to luncheon.

The biggest crowd that had yet been in the court chamber was drawn to the afternoon session by the news that Thornton Hains had finally taken the stand. Flushing townspeople, with a thin sprinkling of Manhattanites, jammed the room when the Justice entered. With Thornton Hains back in the chair, McIntyre went at him in this fashion:

Gave Him Sedatives.

"Tell us more about that Sunday morning, May 31, when Peter first appeared?" "Well, I was asleep on the second floor and he burst in the front door downstairs. I jumped up and had reached the dining-room when he appeared rushing up the steps. Among the things which I now recall he said was this, 'Help me, Thorny!' He said this as he rushed up and down the room. I took him by the arm and a flood of disconnected words—just words without meaning—poured from his lips. Then he sank into a chair with his feet extended. Suddenly he jumped up, crying out, 'It's all right! It's all right! Let's forget it!' After that he hummed a tune which I did not recognize. This went on half an hour. He was shaking all over and in a state of nervous excitement. I tried to get him to eat, but he refused. Finally he said, 'Let's go to see pa.' I walked him to the fort. Because of his dispirited and excited appearance I feared to put him on a street car.

"It took up a long time to reach the Fort because his feet dragged like an old man and he seemed thoroughly exhausted. When we reached the Post I sent for Dr. Wilson, who arrived after lunch, finding us on the front porch of Peter's home. Dr. Wilson felt Peter's pulse and examined him closely and prescribed bromide of potassium for him, which I administered. We also gave him veronal."

Along here Mr. Darrin repeatedly broke in to say that the witness was giving his own conclusions, but the Justice permitted Hains to go ahead. Most of the time Hains's voice had a languid drawl that bespoke his Southern rearing, but, under stress, he snapped off his words as if they came from a whip lash instead of from a tongue.

Repeats Confession Details.

After telling of the administering of the medicines to Peter Hains the prisoner went ahead like this:

"About 5 o'clock my father, Gen. Hains, asked me to get a lawyer, saying Claudia Hains had made a second confession. Capt. Hains put in, saying, 'I can't think, I can't do anything. I'm tired out.' Mr. Bennett, the lawyer, came in a little while, and in about an hour we all went in the house to the parlor."

Here Hains detailed the scene during the confession of Mrs. Claudia Hains, his testimony conforming closely to that of Gen. Hains. During this meeting, Hains said, the Captain would jump up, panting, with his hands to his head, and cry out, "Oh, my God! My God! How can I stand it?"

"Mr. Bennett wrote down her admissions," he continued, "and asked her if they were correct. She said they were. He then asked her to sign the paper and she came over to the table and wrote her name."

The prisoner gave another dramatic portrayal of his brother's excited behavior when Claudia Hains put her signature on the so-called confession. After the woman had gone back upstairs to bed Thornton Hains said that he, at his father's request, took Peter Hains home to Bay Ridge and kept Peter there with him all night. Thornton Hains was required now to describe his brother's actions during the ensuing days.

"From 9 o'clock that night until daylight Connie walked the floor," said Thornton Hains. "All night he was crying out, 'My God, I can't stand it. That man has wrecked my home. How can I stand it?' He spent most of the next day sitting in a chair with his head hanging. But at intervals he jumped up, clutching his head and screaming out at the top of his voice, 'My God, Thornton, I can't stand it!' When he walked he staggered or stumbled, like one exhausted. He often held his arms rigid, with his hands trembling, and once or twice I noticed the saliva was trickling from the corners of his mouth.

"During the next few days he grew quieter, but seemed to take little or no notice of what was happening. I wanted to take him automobiling, but I didn't know how to run the car and he didn't. I took him about with me often during the early part of June.

"I brought him over to New York once, and we were walking down the east side of Broadway between Eighteenth and Nineteenth streets when he suddenly stopped, grew rigid, trembled all over and said, 'Annis.' I looked across the street and saw a man that looked like Annis, although I wouldn't be sure. My brother's face turned ghastly white and his teeth clenched. I said 'That's not Annis; come away,' and took him by the arm. He shook my hand off. He stood still, trembling, for half a minute or so, but I took him by the arm and led him down the street to the Fourteenth street subway station.

"On the way home he said, 'I don't know what to do with myself. I don't know what's the matter with me. I can't control myself when I see Annis.' Then Peter added something like this: 'When I see Annis I want to get at him.'"

"Did you go anywhere else with your brother from early in June up to Aug. 4?" "I took him to the train when he went to Washington. He came back about the middle of June and stopped at my house. I was with him constantly all day and often at night. I never saw him sleep all that time. He may have slept, but I never saw him. He spent most of his days sitting in a steamer chair on my upstairs porch, often staying there till dark. He ate very little. Sometimes he would become almost violent, stamping up and down whistling, singing, waving his hands and often crying out, 'Oh, let's forget it! It's all right. Let's forget it!' He frequently quoted 'The Vampire' or sang, 'Oh, How Happy to Be Married!' over and over again."

Saw Victim on Broadway.

"Did you take him out motor-boating?" "Yes, I took him out at least thirty times that summer. We would run at top speed all day covering 100 or 200 miles, and once circling Staten Island twice the same day. My father asked me to keep him out on the boat as much as possible."

"Do you remember what happened on or about Aug. 4?" "Yes, we went to the Army Building on Whitehall street, and from there rode uptown on a Broadway car. We had just got off the car and were walking toward the door of the store when he stopped and shook all over. I said, 'What's the matter?' He pointed to a man who was crossing Herald Square and said: 'There he goes—there he goes! That's Annis!—that's the man!' He stood there several minutes, and I had a hard time getting him to go on. He trembled all over, his skin drawn tight over his face and his eyes were glassy, shining like a snake's eyes.

"In a day or two he was sent to Fort Hancock at Sandy Hook, and my father and mother came up from Washington to the house for him. I used to take him out in the motorboat every day. On July 26 we went up the Shrewsbury River. We were coming back when we saw two soldiers fishing in a boat off the hospital just inside Sandy Hook. He asked me to run up to them. As we neared them, running at about twelve knots, my brother suddenly jumped up and threw open the switch, greatly increasing our speed. I threw the wheel over hard and as we brushed by, narrowly escaping striking their boat, he jumped on the seat of our boat and cursed the soldiers.

"When we had got by I said, 'Why did you throw open the switch?' He said, 'Switch, hell! I never touched it.' Up until that time he had seemed to me to be improving mentally. About 5 o'clock that afternoon he came into me and said to me:

Speaks of Suicide.

"'Thorny, I have just seen father. I am a soldier and a gentleman. This man Annis has made Claudia accuse me. I can't live under this. I must die. There's only one thing to do—I must die. He has wrecked my home and now he has killed me. I am a gentleman and an officer, and a soldier, and I must die.'

"I said 'You shan't die, you shall live here with me. Besides, it may not be true, it's too monstrous to believe they would accuse you of such things.' He said, 'I tell you I saw the papers and I must die.' I cannot describe his appearance except to say that tears were running down his cheeks and he fairly screamed."

"In your opinion were his acts rational or irrational?" asked Mr. McIntyre. "They were most irrational," said Hains.

"Before your brother's return from the Philippines had you been negotiating for property at Bayside?" "I had. I had been dickering with Mr. Jesperson and Mr. Bugg, who have both testified here. Back in March I met Jesperson on a Broadway car and recognized him. He told me he was now in the real estate business, and I told him I was looking for some seaside property on which to build a home for my little girl. He told me of property at Douglas Manor.

"I agreed to go to his office that afternoon, but failed to do so. After that he called at my house, and then I went to his office, and there I found Mr. Leo Bugg, who showed me upon a map two lots on the shore at Bayside, near the Bayside Yacht Club.

"We agreed to go out and look at the lots. As I understand it, Mr. Bugg said he would be at Bayside or at the Bayside Yacht Club any Saturday. I think we agreed to go out in an automobile that next Saturday or the following Saturday, but I failed to go, and after that Mr. Jesperson came down to see me and we talked the project over.

"He came again on June 12 and I agreed to go with him as soon as I could, but I told him that on account of the domestic trouble I was taking care of my brother. Jesperson said he thought he could make the price right for the two Bayside lots, adjacent to the clubhouse.

"I understood Jesperson to say he would be at Douglas Manor any Saturday or at the Bayside Yacht Club. That is what I thought he said. He said there was usually a crowd at the club on Saturdays for the races, and told me I could find him."

This was a partial contradiction of the testimony of both Jesperson and Bugg, who expressly stated that they had no engagement of any sort with Thornton Hains for midsummer at Bayside.

His Motorboat Dismantled.

"Did you talk with Charles Raymond Weaver, who has testified here, about the Bayside project?" "Yes, he came down one night in June or July, and we talked about concrete houses. He thought he could build me a concrete house very cheap if I bought the Bayside lots."

"Did you at any time during the season suffer a breakdown in your motorboat?" "Yes, late in the afternoon of Aug. 14, as we were coming inside the Hook the gasoline ran low. The weather was threatening so we ran inside and landed at the Government dock. After trying to get some gasoline we decided to come over to Fort Hamilton on a Government tug. So we took out of the motor-boat all the gear and portable fixings and my gun, which I always carried with me on those trips. Then we put a canvas cover over the motor-boat, crossed to Fort Hamilton on the tug and spent the night at my home in Bay Ridge.

"I was very tired when we got home, and I slept late next morning. About 1 o'clock we started back to Fort Hancock, intending to take the Sandy Hook boat to the Hook and then go over to the Government Dock and get the motor boat. We came over to New York on the "L." As we came down from the Brooklyn Bridge right in front of the World Building we met Charles Raymond Weaver."

On the Way to Bayside.

Then Hains testified exactly as had Weaver—how they talked until it was too late to go to the Hook, how they went uptown on the way to Bayside and how Weaver found it was too late to go to Bayside and then went on alone. In one particular he contradicted Weaver. He told of having missed Peter from his side at Wörth street as they started up Broadway and of going back in the crowd to find him.

"How far back was he?" asked McIntyre. "Only about the length of this room."

Weaver had said that Thornton went back fully a block before he found the Captain.

Mrs. Annis and her faithful friend Mrs. Birchfield, entered the court room at this point and took the seat which she had previously occupied. She looked white and sick in her widow's weeds and her huge black hat.

Having woven the various separate strands of the narrative into one solid column—the motor boat and the craze for going armed, the water side lots as the reason for going to Bayside and the chance meeting with Weaver as the excuse for not going to Fort Hancock—Mr. McIntyre working deftly and daintily, pointed his client's feet toward the climax of his story—his account of the shooting of Annis, in the course of which, it was known in advance, Thornton Hains would have to contradict the accounts of all eye-witnesses to the tragedy excepting one.

Thornton Hains saw Mrs. Annis, but his voice did not falter. He cut a sharp, quick glance at her, and then turned his eyes toward Mr. McIntyre and awaited the next question. Mrs. Annis, after seating herself, fastened her eyes on the witness and never once moved them for several minutes. The defendant went on to tell of leaving Weaver and starting for Bayside. McIntyre introduced the unused return portions of two excursion tickets to show that the brothers intended to come back.

"Did you know Mr. Annis was a member of the Bayside Yacht Club that day when you started for Bayside?" "I did not."

"When you left for the Bayside that day did you know where Annis was?" "I did not."

The witness said that on the ride down to Bayside the Captain was pale. He looked tired and exhausted and spoke but little.

"We got to Bayside a little before 2," went on the prisoner. "When we got out of the train I saw a lot of rigs, but they all seemed to be engaged. I looked around and found a boy who, I have since learned, was Martin Skura, with a surrey. I told him I wanted to look at some lots and asked him to drive us around.

"I asked the boy if he knew Mr. Jesperson. He did not. I asked him where the Bayside Yacht Club was and told him to drive me there. The Captain was standing behind me and I remarked that if we did not find Jesperson, we might look at the lots."

"Did you ask the boy if he knew Annis?" "I did not."

"Did you notice a stage at the station platform?" "Not particularly. I saw some stages and surreys there, but paid no attention to them."

"Did you know Mrs. Annis at that time?" "I never had seen or heard of a Mrs. Annis."

"You have seen Mrs. Annis here in court. On that day did you see her get in or out of the stage?" "I did not see her either get in or out of any stage. I didn't see her at all."

"Did you see a stage on the way to Bayside Bayside Yacht Club?" "I did not."

"Did you tell the boy to keep one hundred feet back of the stage, all the way over and to pull up close behind it when the stage stopped?" "I did not see any stage—how could I?"

"Did you say within hearing of the boy of the surrey: 'Now we've got him?'" "No, sir. I didn't say that or anything like it, at any time."

"Did you say anything to the Captain?" "Yes, something about the lots, but the Captain made no answer. He made few replies to my remarks."

"Did you speak to the boy at all?" "I did not."

"Did you know that Annis was at the club-house?" "I have already answered; I did not," replied the defendant testily. "I went into the reception room of the club-house and saw a colored man whom I asked for Mr. Jesperson. I left Peter in the carriage. The colored man did not know Jesperson, but referred me to another young man, a white man, who had just entered. But he did not know Mr. Jesperson, but said a man answering to Mr. Jesperson's description was down on the float with nearly everybody else. We talked a little while and then I noticed that my brother had gotten out of the carriage and had gone toward the dock. I excused myself and followed him."

All this was in direct denial of the statements of three witnesses—Skura, the cab boy, Ellerson, the negro, and Birchfield, the club member, who have united in swearing that the two Hainses left the surrey together and whispered to gether in the club house.

"Did you talk to the colored man about Annis at any time?" "I never dreamed of Annis," said Hains.

"Did you see Mrs. Annis go toward the dock?" "There was no woman on the road to the dock that I saw. I joined Peter and walked down to the dock, and presently this Mr. Birchfield that I'd seen up at the club came down. I met one man who did know Jesperson but he had not seen him that day."

"Now after that, what?" asked Mr. McIntyre. "There was Mr. Birchfield, whom I have mentioned. He walked beside me to the dock when he called down to a man on the float, whom he told of my desire to purchase real estate. This stout man was Mr. Storm. I told Mr. Storm that there was no need of him to miss the race on my account in order to talk real estate to me, as I was going to do business with another man. At that time I had no idea Annis was down there at all sailing a boat or doing anything else.

"All of a sudden Mr. Birchfield turned and said, 'Hello, Mrs. Anis!' I turned and saw a large, fine looking woman standing at the head of the float. I said, 'Annis? What Annis?' He said, 'That's Mrs. William E. Annis, wife of the advertising manager.' For a moment I was shocked. When I got over my surprise I said, 'Is William E Annis down here?' Birchfield said, 'Yes, he's out there now in boat No. 5,' and he pointed toward a small boat out in the bay.

The Murder of Annis.

"I waited a moment and turned to my brother and said, 'Come on Pete, Jesperson is not here; let's go.' He made no answer. He was standing with his arms folded, his face pale and looking out steadily from under his brows. Twice more I said, 'Come on, Pete, I'm going.' He made no answer. Then I said it more decidedly and put my hand on his arm. He threw my hand off without saying a word. He was then standing on the dock about six feet behind Mrs. Annis. So I turned and started up the dock toward the club, telling him I was going home."

"Did you know he was armed?" "No. I had no idea he was armed."

"What did you do?" "I walked ten or fifteen feet and then looked back for him. He had disappeared. I knew he must have gone down the float, so I went to the runway and started down. Just as I got to the head of the runway I heard shots—several shots coming like this," rapping one, two, three, four, five, six, as fast as he could clap his hands. Then he continued:

"As the shots ended I saw my brother standing on the edge of the float below me, holding in his hands a revolver which I had never seen before. I saw him stand up, still holding the gun. As I started down the runway a big man, dressed like a sailor, rushed across the float, struck my brother with his left hand on the shoulder or left side of the neck, like that"—another violent gesture—"and seized him. I rushed forward to get between them.

Why He Drew His Gun.

"My brother dropped his gun at the blow and as the big man raised his arm to strike him again I got between them. This took only a fraction of a second. At the same instant another man, whom I know to be Mr. Roberts, came forward, picked up my brother's dropped gun and swung its muzzle toward me. I can't say he aimed it, but it looked to me as if he did. I naturally supposed the gun had more loads in it, and so I pulled my own gun like this and threw it down in Roberts's face like this"—more spirited pantomime—"and I cried out 'Get back, get back, don't you shoot him. Don't you shoot, get back.'"

"Did you point your pistol?" "Only at Roberts, I just waved it toward the others. Men were rushing about wildly. It was a riot. Men were screaming and cursing. I waved the gun to and fro, this way and that, shouting out, 'stand back. You can't hurt this man. He's my brother. Get an officer.' I cried this out at the top of my voice at least six times while holding them off."

"Did you intend to shoot Roberts?" "No, I never saw the man before. I was only protecting my brother. I didn't mean to shoot anybody."

"Were there any threats?" "Yes. Lots of shouting and whooping. I heard one man swear. I suppose it was like any other fight. I heard cries of 'Get a rope.' 'Lynch him.' 'Throw him overboard,' and things like that."

"Did you take any hand in the shooting or try to keep back those who would have saved Annis?" "The shooting was all over before I got there. I had no chance to interfere until it was all over."

"Did you go down on the float to prevent anybody from interfering with the Captain shooting Annis?" "I did not."

Court Asks Questions.

The Judge broke in with the question: "You say you did not pull your revolver until after Roberts had picked up your brother's pistol?" "I did not."

"Did you go down on the float before your brother did?" "No."

"Did you turn to your brother and beckon him to go down to the float?" "No, tell you."

"Did you say come on, and then run down to the float?" "No, I did not. I only said: 'Come on, I'm going home.'"

"Did you say to Robert's, 'Stand back or I'll kill you?'" "No."

"Did you say to Birchfield, 'Stand back' He knows what he's doing?" "No."

"Did you say to Edwin Andrews, 'Stand back, I am running this affair?'" "I said: 'Stand back, I'll take charge of him; get an officer.'"

"Did you say to any one, 'The first man who moves is a dead man?'" "Everybody was moving, of course I didn't say that."

"Did you put a revolver at the back of Mrs. Annis?" "No."

"Did you say to her, 'Move, or you'll get the same?'" "No."

"Was Mrs. Annis on that float at any time?" "She was not. She was never off the dock."

"What happened when you said to Roberts, 'Sand back?'" "They stood back. Some ran and some walked. Roberts walked. He said to me, 'Don't you point a gun at me or I'll have you arrested. You're as guilty as he is.' I said, 'He's my brother; what could I do? I had to protect him.'"

"Did you say to Roberts, 'I came down here to protect my brother?'" "No. What I said was, 'I jumped here to protect my brother.' I meant I had jumped off the dock to the float to protect him."

"Now, then, after this unhappy occurrence, what then did you do?" asked McIntyre, when Hains, exhausted by the fervor with which he had told his story, leaned back in his chair.

Pleased With Himself.

Hainss face was white even under the jail-pallor, but his eyes glittered with satisfaction at the impression which his narrative, so at variance with that of every other spectatorN, had created on his audience.

"Well," said Hains cockily, "if nobody interrupts, I'll tell what happened."

"There'll be interruptions, be sure of that," said Mr. Darrin.

Mr. McIntyre protested at this language, but the Justice cut him short, saying it would be proper for Darrin to make objections and that it was improper for the defendant to use such language regarding interruptions.

Mrs. Annis sat rigid as she heard the defendant tell this story of her husband's shooting—a story that differed so materially from the one she herself had told, and one that differed in almost every detail from the story as told by those members of the Bayside Yacht Club who had testified on this same witness stand. Her lip curled as the defendant made his denial of the assault upon her. She seemed about to speak out, to refute his words. Mrs. Birchfield touched her arm and she sank back in her chair.

The description of the tragedy and the scenes preceding it, as detailed by the prisoner, had varied in many points from the one told by the prosecution's witnesses, the material point of difference being in the time that elapsed between the discovering of Annis by the brothers and the shooting of him by the captain. The defendant's story made this as a very short space of time, while the witnesses for the prosecution all agreed that the time was between twenty and thirty minutes.

"After I had said repeatedly that I would take care of my brother until an officer came, nearly everybody ran up on the dock," continued Hains after a short recess. "I led my brother to the centre of the runway. In a few seconds several men—eight or ten of them—came down the runway. One of them in a yellow silk pongee shirt, whom I know now to be Mr. Downs, was carrying my brother's automatic gun. Mr. Downs said to me very politely, 'This is a gentleman's club and I must ask you to give up your revolver.' I said, 'I'll give it up when an officer comes.'

Gave Up His Gun.

"Being finally satisfied that an officer was coming, I opened my own revolver—an old-fashioned Smith & Wesson which I have carried for twenty-five years—and dumped the shells out. I then handed Downs my holster also, after putting the cartridges into my pocket. I led my brother to some upturned skiffs and we waited there for an officer. I was very much upset and I took out an old pipe that I always smoke when I'm nervous. But I had no tobacco, so I sucked the pipe and chewed the stem.

"Somebody said that in his country men settled these things with their fists, and I said, 'I guess youre not an American. I'm just as sorry as you are for all this—he is my brother.' Roberts said something, and I said to Roberts, 'I probably saved your life. He might have shot you.'"

Mr. Darrin objected to Mr. McIntyre's question, asking the defendant what he meant when he said "I am here to protect my brother."

The Court here interrupted with the following: "If his brother's pistol was out of his hand before he himself drew his revolver I believe he should be given a chance to explain himself. The witness explained: "I was there to protect him from himself or anybody else. I didn't know he had a gun on him. He might have had other pistols and knives."

"Did you say to Mr. Kimmel, 'If Annis had done to me what he did to my brother I would have done the same thing?'" "I don't recall saying any such thing."

"What did you mean when you said to Mr. Stephens that he was evidently not an American?" "It was only a passing expression," said Hains pleasingly. "I did not mean anything particularly. I just said it."

"I move to strike that out," said Darrin.

Darrin Gets a Rebuke.

"Do you mean that?" asked the Justice, who evidently regarded Hains's statement as a serious admission.

"I do," said Mr. Darrin.

"Well, I will not strike it out," said the Justice, and there was a titter.

"Did your brother say after the shooting, 'We have finished the work that we came down here to do?'" "He did not. He did not speak a word all the time except to make some meaningless exclamation as I reached him. After I drove the others back he raised both hands above his head, and I put my arm around him and he walked across the float with me. When the officer came I turned my brother over to him and said, 'Take me, too.' Then it was that Roberts said I was as guilty as my brother, and I told him I had probably saved his life."

"Did you think when you saw the boatman seize your brother a moment after the shooting, that your brother was in danger of grievous bodily harm?" "I certainly did think that."

"During the inquest over the body of Annis in this court house did you talk with Officer Eugene Fallon?" "I did not."

"Did he sit by you and did you use certain language to him, such as 'I'd like to bring Annis back from hell and kill him over again?'"

"I did not. I didn't see him at the inquest and I never talked to him. I never use such language as he repeated here, anyhow."

"How long have you owned the revolver which you had Aug. 15?"

"Since 1883. I always carried it with me on shipboard and I generally carried it on the motor-boat last summer."

"Did you know your brother was armed that day?" "I did not. Only the month before I'd taken his service gun away from him and I had no idea he was going armed."

"Was your revolver cocked while you were on the float?" "I think not."

At 5.20 o'clock court adjourned with Hains still on the stand, his testimony far from being finished. His story was still full of flaws which he will try to patty up to-morrow morning.

When Gen. Hains resumed the stand he was asked to describe the physical characteristics of Peter at the time he considered his conduct as irrational.

He detailed the meeting with the Captain, describing the now familiar actions, the twisting of his hair, his exclamations of despair, the frothing at the mouth, the fixed stare, and said he had thought the Captain was improving until Thornton Hains intercepted a letter written by Claudia Hains to Annis. Then he said the actions of the Captain became more irrational.

GIRL DIES THAT NEEDY MAY GET LIFE INSURANCE

TRENTON, N. J., Jan. 4—That her sister and her family might be benefited by the small insurance carried upon her life, Jennie Joyce, seventeen years of age, killed herself to-day. She drank a quantity of carbolic acid and was beyond aid when her act was discovered. Miss Joyce lived with her sister, Mrs. William Sait.

The sister's husband had been out of work for months owing to the dullness in trade. The outlook for work a few weeks hence was good but there was no means in sight of tiding over the interval.

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HANDS CRACKED RAW AND SCALY
Itched and Burned Terribly—Arms Affected, Too—Could Not Move Thumbs Without Flesh Cracking—Sleep and Work Often Impossible—Was Fairly Worn Out.
CUTICURA SOON CURED HIS FEARFUL ECZEMA
"About a year ago an itching humor began to appear around the back of my hand. It started in to spread, and pretty soon it covered both my hands and got up over my wrists and even up to the elbows. The itching and burning were terrible. My hands got all scaly and when I scratched, as I was doing a good part of the time, the surface would be covered with blisters and then get raw. The eczema got so bad in around the pit of my thumbs that I could not move the thumbs without deep cracks appearing. I went to my doctor, but his medicine could only stop the itching and did not seem to heal my hands up at all. At night I suffered so fearfully that I could not sleep, often lying awake until well toward morning, then waking up still tired. I am a chef and steward by trade and I had to give up my place, as my hands were so terrible to look at that they did not like to have me around about the food. I could not bear to touch them with water, but when I positively had to get my hands clean I would rub them with oil.
"This sort of business went on for three months and I kept trying zinc and tar ointments and such remedies with no particular benefit. I did not know what to do, for I was fairly worn out. For a long time several friends kept asking me why I didn't use Cuticura and at last I thought I would. First I got the Cuticura Soap, then Cuticura Ointment and at last Cuticura Resolvent. I put the Cuticura Ointment on at night, covering my hands with light cotton gloves. In the morning the inside of the gloves would be lined with scales, sometimes half as long as your finger, leaving nice healed places where the scales had been. In a month I was cured and have kept so now for nine months. My hands and arms are perfectly clear of all traces of eczema and I think I am well rid of it. Walter H. Cox, 16 Somerset St., Boston, Mass. Sept. 25, 1908."
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