

HAINS' AGE OF MARRIAGE BROUGHT TO STAND

Tells of Captain's Irrational Acts After Wife's Confession.

DARRIN IS ORDERED TO CONTINUE CASE

General Hains, Defendant's Father, Says His Parent Died in Asylum for Insane.

FLUSHING, L. I., Dec. 31.—A small gray-haired woman, bent with the weight of sixty-eight years, and grief-stricken so that time and time again she had to stop to weep quietly for several minutes before she could answer questions, may open the prison gates for the murder of William E. Annis. She is the mother of T. Jenkins Hains, and Capt. Peter Hains.

Mrs. Hains was the principal witness at the trial of the former before Justice Crane here today. She gave a heroic exhibition of motherly love which plainly has its effect on all those in the little court room, as she told of the condition of Peter Hains. Indeed, every person must have felt that there was something in her mind.

Darrin to Continue.

"If you, Mr. Darrin, should withdraw from the case, this defendant must go free. The constitution of the State of New York provides that no man shall be put in jeopardy twice for the same thing. If this case ends by your withdrawal the defendant goes free. You have a responsibility to the people of the State which I can not permit you to lay down, though your term ends at midnight tonight. You are still a lawyer and an officer of this court. You can not withdraw without my leave, and that I refuse to give. I have noticed what you have said in the morning papers about criticism and unfairness. A man can but do his duty. If he does it to the best of his ability no criticism can smother him."

John F. McIntyre chief counsel for the defense, today showed plainly the effects of the almost continuous wrangling, which has been going on between the judge and the lawyers for both sides since T. Jenkins Hains' trial began. His face was white and drawn and he complained bitterly of the long hours the court has kept him on.

Major Hains Called.

Major Hains, when court reconvened, continued his recital of his conversations with Captain Hains. "The captain told me," witness said, "that when he reached Fort Hamilton his wife was angry and wanted to know why he had hurried across the country. I told her," he said to me, "that she needed me there was gossip affecting her good name. She told me there was nothing in the stories and this relieved me so that I told her to call up Annis and I would show the people there was nothing in the stories."

"Next day he told me when his wife went to the telephone he found her much excited and talking to Annis. He took the phone away and invited Annis to dinner. He came here and they went for an automobile ride. They were arrested and Peter put up \$70 of the \$100 needed to be released."

"The next day he told me when he went to the Hotel Astor to see my father, who told him Claude had been away for a week and they did not know where he had been. The general and he agreed to go where she had been to vindicate her."

Confessed All.

"This angered her so she demanded he give up the project. When he refused she told him she guessed she might as well confess all; that she and Annis were in love and that instead of being away with relatives, she was with Annis in New York."

On my brother told me this I worked on him he did not know what he did. He begged her to let me see her. She stuck to her story and in the morning my brother sent for my father and she made a complete confession of her relations with Annis. While taking this my brother seemed to be insane. Later I got him to bed down, but he got up and come over to me crying and moaning and saying 'I can't sleep! I haven't had an hour's sleep since I left San Francisco.'"

GIRL HAS SOBBED FOR NEARLY WEEK

TAKES EMBALMING FLUID AND DIES

NORTHUMBERLAND, Pa., Dec. 31.—James B. Diefenbach, secretary of the board of health, and superintendent of the local water works, felt chilly today and swallowed from a bottle which he thought contained whisky. The fluid was embalming fluid or formaldehyde.

He entered a doctor's office for relief from violent pains following the drink and soon died.

E. M. F. now on exhibition at our galleries, 1213 New York Ave.—Adv.

PRIMARY ELECTION GOVERNOR'S CHANCE

State Executives Lead Move for Popular Choice of Senators, by Which They Have Good Show to Win Seat in Upper House of Congress.

By J. C. WELLIVER.

When Governor-elect Stubbs of Kansas, was in Washington recently he was busy inquiring about the workings of the Oregon primary election law. He had interviewed with a number of people who have had to do with promotion of the primary election idea, and made plain to them that he was seeking the best in primary election of party candidates with a view to recommending it to his State's Legislature.

Governor Stubbs and Governor Hughes, along with Hadley, of Missouri, are just now looked upon as the foremost rising lights among the group of progressive governors. The governor business has had something of a setback lately because of the tendency to send the progressive governors to the Senate. But the States in a good many cases have risen to the situation by finding new radicals to select for the executive chair.

The careers of Marshall in Indiana, Hughes in New York, Stubbs in Kansas, Hadley in Missouri, Deneen in Illinois, Johnson in Minnesota, are going to be watched with the greatest interest in the next two years because all these men are looked upon as possible Presidential timber for 1912, and also because these men are all rated as likely Senators within the next few years. The governorship of a State has become the accepted pedestal from which to step over to the Senatorial distinction.

House Loses Position.

The lower house of Congress, until a few years ago, was the favorite recruiting ground for Senators. But since the House has fallen under the guns of the muckrakers, and has come to be criticized violently as an unpopular institution, fewer Senators have been coming up from that body. A Senator said the other day that he guessed if a man should rush in on the floor of the Senate and shout, "Hello, governor!" he would raise about half the members from their seats.

The decadence of the House in popular esteem has had much to do with making the governorship a steppingstone for ambition; but beyond this is the fact that the governor has the best chance possible for getting acquainted with the people and cultivating their good graces. He lives among them all the time, while the Senator or Congressman gets close to the people of only a single district at best.

It is this rise of the gubernatorial position in distinction that to considerable extent accounts for the tendencies to popularize the election and the nomination of Senators. The governor who has an ambition for the Senate, and who appreciates the possibilities of his position, naturally has an idea that he would come nearest to winning if he had a popular primary election law. No sooner figured out than recommended.

The governor suggests to the Legislature that it pass such an act, and the Legislature does it. Then the governor runs for the Senate under and by virtue of that act, capitalizing his acquaintance and touch with the people, and wins.

Likes Oregon Law.

Governor Stubbs, for instance, has a notion that the Oregon primary law is about the thing Kansas needs. Nobody with this requirement he thinks the law governing that body can more effectively be carried out.

The Senator also thinks that the establishment of State bureaus of transportation would be excellent. The proposition for such a bureau is under consideration in Iowa now, and will come before the legislature this winter.

Senator Cummins is not ready to discuss the plan of Judge Taft for division of the powers of the Interstate Commerce Commission. He is unwilling to believe that Mr. Taft is actually in favor of such a restriction as news dispatches indicate.

RUMOR AGAIN SAYS HARRIMAN IS ILL

Financial District Is Greatly Concerned Despite the Persistent Denials.

NEW YORK, Dec. 31.—Reports that E. H. Harriman has been taken seriously ill are again widely circulated in the financial district, where rumors have been busy recently with the state of Mr. Harriman's health. The reports are denied by associates of Mr. Harriman, who said that, so far from having been taken ill again, Mr. Harriman was doing well.

Mr. Harriman's continued absence from his office is in keeping with the plans he made before leaving business last week. It was then made known that he would not return to his desk until after New Year.

MAJOR FREMONT WILL BE TRIED

Major Francis P. Fremont, Fifth Infantry, U. S. A., a son of Gen. John C. Fremont, the "Pathfinder," is to be tried by court-martial on the charge of slandering his superior officer. By direction of the President the court-martial will convene at Sagua La Grande, Cuba, Friday, January 8.

Best Coal at Low Prices. R. J. & M. C. Grace, 4th & F. Ave. Phone Linc 222.—Adv.

DISTRICT REORGANIZATION TO DELEGATE

Commissioners Prepare Bill for Firemen and Police Fund.

MEMBERS' FINES SWELL THE SUM

Beneficiaries to Include Those Disabled While in the Service.

The police and firemen's pension funds of the District are likely to be reorganized completely by Congress before the end of the current session. Last season a big row was started over alleged inequities and extravagances in the management of the funds, and Senator Burkett, for the Senate Committee on District Affairs, made a careful investigation and a report which developed that if these funds should keep on growing for a few years more they would involve the District in a huge expense.

As a result, Congress on March 27, passed a resolution calling on the District Commissioners to report in full on the fund and its management and also to report a draft of a proposed bill to reorganize the whole system. The Commissioners' report has just been transmitted to the Senate, as Senate document 558.

Almost Million Paid.

The pension and relief funds, since 1888, have paid almost a round million dollars to beneficiaries. The proposed bill, as drafted by the Commissioners, reorganizing the conduct of the funds, provides that among other things "the policemen's fund," the "police fund," and the firemen's relief fund, shall be designated as the "police and firemen's relief fund," and shall consist of all lines imposed by the Commissioners upon members of the departments by way of discipline; all rewards proceeds of gifts and emoluments received by said departments for extraordinary services, except such as may be allowed to such member on approval of the Commissioners; all receipts from sale of the claimed property in the custody of the police department; one dollar per month to be deducted from the pay of each member of the departments; and all fines and forfeitures paid into Police Court. Provided, that should the fund at any time be insufficient the Commissioners shall direct the collection of taxes to deposit to the credit of said fund, out of receipts from all licenses, other than liquor licenses, a sufficient amount to meet any deficiency in said fund.

Beneficiaries of Fund.

"That whenever any officer or member of the police or fire department shall become disabled by injury or disease contracted in the line of duty he shall, in addition to his salary, receive his necessary expenses during the time of such disability. If any officer or member of the police or fire department become so permanently disabled, or having served not less than fifteen years, shall, immediately upon his discharge, be entitled to relief from the said fund in an amount, to be fixed by the Commissioners, shall direct the collection of taxes to deposit to the credit of said fund, out of receipts from all licenses, other than liquor licenses, a sufficient amount to meet any deficiency in said fund."

MATHUES' DEATH CHEATS THE LAW

Former Treasurer of Pennsylvania Was Under Sentence for Bribery.

MEDIA, Pa., Dec. 31.—Arrangements are being made today for the funeral of William L. Mathues, formerly State Treasurer of Pennsylvania, who died suddenly yesterday at his home here, aged forty-six years. The cause of death was given by his physician as pneumonia, but it is generally believed that this illness was superinduced by Mr. Mathues' tribulations, which were brought upon him by the Harrisburg capitol graft cases, and his recent sentence of two years in the penitentiary for his part in the alleged conspiracy.

In March of the present year Mathues, former Auditor General William P. Snyder, James M. Shumaker, former Surgeon of Public Grounds and Buildings, and Furniture Contractor John H. Sanderson were convicted of conspiracy in defrauding the State out of \$15,928 in a contract for wood in furniture.

ANTI-DANCING ORDER DEFIED BY CO-EDS

Students at New Wilmington College, Pa., Are in Rebellion.

PITTSBURGH, Dec. 31.—Students of New Wilmington College are in rebellion. The faculty has issued an order that none of the students are to dance either at the school or at home. The co-eds have decided to disregard the edict. The order also has caused considerable indignation among the parents of the pupils.

The campaign against dancing is to be waged with vigor by the faculty. No student who dances during his holiday vacation at home will be received back at the college in good grace.

When the faculty entered their lodge rooms and broke up the furnishings dances were in progress. The place of the Greek letter meetings.

HOW much a man and his wife and a little child live on Eighteen dollars a week for such a family means a close shave, and yet that is all the money allotted to the Langdons, told about in "A Fight for Pines," the new serial story that begins in Saturday's Times.

CABBY DOWN AND OUT; PEOPLE WANT AUTOS

Old Driver, Sued for Non-Support, Says "A Night Liner Ain't Got de Show He Use' ter Hab," as Everyone Wants the Fast Motor Cars.

"Dese are days de automobile jedge. People wants ter go fast. A night liner ain't got de show he use' ter hab."

Dick Smith, colored, night-hawk cab driver, stood before the bar of the Juvenile Court and mournfully uttered the words. Richard's presence was due to a complaint of his spouse, who alleged that he had grown most negligent in providing the weekly wherewithal. Therefore, she prayed the judgment of his honor for "non-support."

Better Get Another Job.

"If you can make but four or five dollars on a cab, you'd better get another job," suggested the court. "Get out and do a little manual labor with a pick and shovel."

Sky Boat Will Carry One Hundred Men—\$50,000,000 Capital.

NEW YORK, Dec. 31.—Lewis Nixon, the expert engineer and shipbuilder, tells of plans to build the first real air warship in this country. It is to take form in the Nixon yards, under his supervision, and the Aerial Navigation Company of America, with a capital of \$50,000,000, has been organized to furnish the money.

"We expect to start the construction of this airship almost immediately," said Mr. Nixon. "It will be 700 feet long, with a diameter of eighty feet and passenger room for 100. Yes, we will mount some guns, but I am not at liberty to speak of them tonight."

"Besides its passengers and armament, the ship will be expected to carry food and fuel enough for a trip across the ocean. The ship will cost something more than \$1,000,000. When completed it will probably weigh 140 tons. It has been most carefully thought out in every detail by Lewis Nixon of New York, who is known and the shape of the vessel as well as the arrangement of the motor power and machinery other details are original with him. He has been at work on them for twelve years, and some of his patents on features of the ship were obtained twelve years ago.

Consulting Engineer.

"We have been working every day on the design for the ship. I have been asked to act as consulting engineer. Of the personnel of the company I know very little. Mr. Pennington mentioned the names of the directors, but I have forgotten."

Passenger Ships.

"Now while all of the general principles of this ship are perhaps not new, most of its features are. There are many of the same general principles involved in the construction of an airship as of a water ship. In an airship, however, we must combine strength with lightness and stability."

Passenger Ships.

"Passenger ships? Yes, sir; that is Mr. Pennington's plan. The construction company will not only build airships, but it will construct aeroplanes and flying machines. Mr. Pennington, I know, foresees the airship as a passenger vessel, and it would not be surprising if ships to carry passengers will be realities in the not distant future."

LIKE CANNED MUSIC.

HOBART, Okla., Dec. 31.—Chief Lone Wolf, head of the Kiowa Indians, has taken a great liking to "canned" music. Recently he took a phonograph and some blank records among his people, and had a number of his tribesmen talk and sing into the instrument. He then had the machine run off the newly made records, much to the delight of the Indians, who danced about the machine and eyed it with amazement.

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FARQUHAR IN RACE FOR DIRECTORSHIP

Twenty-eighth Candidate for Place on Chamber of Commerce Body.

CAMPAIGN LACKS INSIDE POLITICS

Each Presidential Nominee Assured Other of Support If He Is Defeated.

T. B. Farquhar was this morning nominated to fill one of the vacancies which will soon occur in the Chamber of Commerce board of directors. Mr. Farquhar's name, which was put up by A. Leftwich Sinclair, makes the twenty-eighth nomination that has so far been received by Secretary Grant.

The names of James F. Oyster and Charles J. F. I-I have been placed in nomination for the positions of first and second vice presidents to succeed themselves. These are the only nominations that have been received so far for these two offices. Both names were proposed by E. P. Mag and E. F. Saul. The efficient services which Mr. Oyster and Mr. Bell have rendered the Chamber during the past year make them favorites for re-election, and but little competition is looked for in this feature of the election, January 14.

Campaign Love Feast.

Whether Arthur Moses or William F. Gude is elected president, one fact has been definitely determined—that the very best of good feeling will prevail between the two candidates. Each assures the other of his support in the event he is defeated.

"The contest is progressing very satisfactorily," said Mr. Gude today, "and both sides are working hard. Of course, I expect to win, but if I do not, Mr. Moses' administration will have my heartiest support. There are not going to be any hard feelings in this matter."

Concerning his attitude in the race Mr. Moses had the following to say:

No Bitterness.

"I trust the contest for the presidency will be free from all bitterness for the good of the Chamber, that its usefulness be in no way curtailed. It is of vital importance that every member retain his active interest, no matter which candidate is elected. I promise to give my heartiest support and best endeavors to Mr. Gude, if he be the choice of the majority, and I thoroughly believe he will do likewise for me in case of my election. Let every friend of both candidates remember that the Chamber is already organized to serve the District, and that the efficiency of its service will be materially lessened if the harmony which has prevailed in the entire body since its formation should be in any sense changed by the existence of factions. The result of every partisan hearty support my friends are giving to me will be the most perfect antidote for the sting of defeat, should it come."

N-Y's Drinks

It's nice getting them in, . . . getting them out. But there's a way—CASCARETS are known to hundreds of thousands for the natural and easy way they clean out the system of over-drinking. Be prepared, a box in your pocket of CASCARETS—take one or two sure when you go to bed—then tomorrow will be pleasant.

CASCARETS are a week's treatment. All druggists. Biggest seller in the world. Million boxes a month.

Perfectly Appointed Equipages For All Occasions. You will find our livery service all the most complete and desirable every particular. Our equipages resemble private conveyances rather than those hired.

SHIRT MAKER T. S. Stracker's Soap SPECIALS. 6 Madras Shirts . . . \$10.00 Write him; he comes over every Thursday. 461-sa. 12-14

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In Saturday Evening's Edition of The Washington Times

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And the Real Estate Reader and Buyer

Are getting together as never before.

News of the week in the Real Estate Field

Told in Picture and Text, Special Opportunities to Buy Profitably Told

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In the Advertisements.

1909 January 1 Greeting CLOSED All Day Tomorrow Open 8:30 Saturday S-KANN, SONS & CO THE BUSY CORNER The only department store on the main thoroughfare of the nation's capital. Again a new year. It is with great satisfaction that we look back upon a year of success, during which promises made at the year's beginning have been more than fulfilled. The year's unprecedented progress is, we feel, evidence of public appreciation of our earnest endeavors. We thank you and ask a continuation of your patronage, assuring you that we shall do everything within our power to deserve it. S. KANN, SONS & CO.