

JURY SAYS CARELESSNESS OR DEFECTIVE EQUIPMENT

Coroner Holds Inquest Over Remains of Late J. P. Davenport, Who Was Killed in Street Car Collision

"We, the coroner's jury, find that the deceased, James Percival Davenport, a native of Virginia of the age of 63 years, came to his death the first day of December, 1905, by fracture of the skull inflicted in an accidental collision between a trolley car of the Los Angeles railway and a trolley car of the Los Angeles Interurban railway. From the testimony adduced we find that said accident was caused either by misjudgment on the part of the motorman or insufficiency of the brakes on said car."

The above is the decision of the coroner's jury which was impeached to inquire into the cause of the death of ex-Councilman Davenport.

At the inquest six witnesses testified. Of that number four were connected with the two railway companies involved, one gave testimony in no way relevant to the accident and only one of all the passengers on the car at the time of the accident, some ninety in number, testified at the coroner's inquest.

The testimony of the motorman of the car responsible for the accident was to the effect that he shut off the power and put on the brake but that the brake did not operate properly. His statement was totally without substantiation and few of the details were corroborated by the other witnesses.

Big Damage Suits Likely It was stated by a former employe of the Los Angeles railway that both Gould, the motorman, and Thomas, the conductor, were discharged from the service of the company on account of the accident. Employes of the railway would alone be partial admittance of culpability on the part of the two employes.

Henry J. Stevens, attorney for the Davenport estate, said that the fact that there were witnesses introduced who would cast any blame on the railroad makes the verdict of the coroner's jury seem all the stronger, for it is practically a censure for either way. The verdict, as interpreted, the balance of the blame falls on the Los Angeles railway. First, if the accident was due to the carelessness of the motorman the railroad company is responsible for the acts of its employes while working for said company.

"If the accident was due to the faulty mechanism of the car the company is equally guilty for failure to repair the car."

It is believed that damage suits amounting to many hundreds of thousands of dollars will be the outcome of the accident. But it is believed that the company will settle most of the claims out of court.

The first witness to be called to the stand was Ralph M. Watson of 1056 West Eighth street. Mr. Watson was a son-in-law of Mr. Davenport and merely testified to identify of the deceased and stated that Mr. Davenport had lived in Los Angeles county for the past twelve years and that he was 63 years old at the time of his death.

The motorman of the Washington car was next called. W. O. Gould of 829 Central avenue was called to the stand and address. Gould said that he had been in the employ of the Los Angeles railway for the past three months, and that at the time of the accident he was employed as extra man, having no regular run. In his own language, his story of the accident is as follows:

"I was running west on Washington street at the rate of, as nearly as I can judge, ten miles an hour. When I was within about a hundred feet of the crossing of Bush and Washington streets, I saw the Interurban car standing on the crossing. It was headed north, and was going to the city. The Interurban has the right of way at that point and I endeavored to stop my car."

Says Wheels Were Covered With Oil "I threw on the air, first shutting off the juice. Although I had about sixty pounds of pressure on the air did not take hold. Some eight blocks nearer town there is a place where they have been laying asphalt pavement. The rails are very slippery with oil at that point. Some of the oil had stuck to the wheels of the car and when I threw on the air, the brake shoes slipped on the oil and would not stop the car."

"I then reversed my controller, but that had no effect."

"How fast were you running at the time your car struck the green car?" he was asked.

"As nearly as I can state, it was running about six miles an hour."

"Did you have any trouble with the asphalt sticking to the wheels on any other trips you made that day or any other day?" was another question that was asked him by one of the jury.

MEN WHO HAVE MADE SOUTHERN CALIFORNIA--V



BYRON ERKENBRECHER

Byron Erkenbrecher was born in the city of Cincinnati, O., March 1, 1874; of German-Scotch extraction. His father was a well-known starch manufacturer and philanthropist of Cincinnati. Mr. Erkenbrecher became a resident of Los Angeles in 1895 and engaged in the manufacture of soap. In 1899 he sold out and went into the real estate business. He is the head of the Erkenbrecher Syndicate, Ltd., mining and real estate brokers. He is vice president of the Protective Savings Mutual Benefit and Loan association; ex-president of the Los Angeles Realty board; ex-vice president of the Merchants' Trust company; member of the Union League, California and Jonathan clubs. In 1897 Mr. Erkenbrecher married the eldest daughter of Joseph Burkhard, well-known German capitalist, and has one son.

SKIPPER OF HADDON HALL TELLS OF MUTINY ON BOARD

SAYS MEN HAVE TWO YEARS YET TO SERVE

Capt. J. W. Dakin Talks of Conditions on His Vessel and Relates His Past Experiences

"We were near a lee shore and I told the crew to set the mizzen stay sails. They refused and I clapped most of them in irons and put them in the brig with rations of bread and water with full rations every six days. That's the reason my crew mutinied and wanted their discharge," said Capt. J. W. Dakin of the bark Haddon Hall yesterday at the Hollenbeck hotel.

"They signed the articles for a three years' cruise and they have only served about one year. Oh, they will stay all right. I have been on the sea as a master for thirty-three years and I never had a crew get the best of me."

"They asked permission to see the British consul and said that they thought he would make me release them. What they really thought was that I would let them leave the ship to see the consul and then they thought they could desert."

"One time about twenty years ago when I was a great deal younger than I am now I was master of the schooner Bluebird bound to the south coast of Africa with a mixed cargo."

"When we got to Delagoa bay I found that one of the sailors had been broaching the cargo and stealing whiskey which we were carrying to the blacks of South Africa."

Put in Irons "I had him put in irons for the theft, but he wanted satisfaction and demanded to see the consul at that port. I let him go to see the consul, but apparently he got no satisfaction, for the consul asked me what should be done with him and I told the consul to shut him up in the jail until we got ready to sail."

"We were in Delagoa bay for seven weeks doing a trading business with the blacks. We gave them beads and whiskey in return for ivory and coconuts. This fellow stayed in jail all that time and when we were ready to start he was brought back on board the vessel and placed in irons again."

"He was kept in irons until we got to Mozambique, where we had to lay up for repairs. I had him put in the calaboose and went to see him occasionally. One one of the visits I saw that he was up to mischief and watched him very closely. Soon I saw him reach around to his back pocket and pull out a long knife."

"I was watching him and as soon as he pulled out the knife I jumped for him and caught his arms, then wrested the knife away from him."

CREATES SCENE IN CAFE

Young Man Threatens to Shoot Girl, Police Come to the Rescue

Angered because he found Miss Julia V. Mabee in company with two couples sitting at a table at a Spring street cafe last evening, W. B. Griffin took the girl from the cafe by threats and when they had reached Main and Third streets Griffin turned to the girl and told her that he would shoot her, causing her to faint.

Hearing the disturbance, Sergt. Murray and Patrolmen Allen and Daniels were attracted to the scene of the affair. Thinking that the girl had swallowed poison the police called the ambulance and sent Miss Mabee to the receiving hospital and Griffin to the city jail.

It was learned that Griffin accompanied Miss Mabee and her brother, James Mabee, to Los Angeles about two years ago from Mount Earle, Tenn., where they lived. Griffin was practically an adopted son of the Mabee's parents and since childhood has been associated with the children as a brother and sister.

The trio took rooms at the Avon, 405 Carolina street. Last evening Griffin says that he returned home early but did not find Miss Mabee. Believing that she had gone out with friends he waited and then left for the city. After spending his time about town he strolled into the cafe and found the girl in the company of two married couples.

Without inquiry he called Miss Mabee away from the table and told her that if she did not accompany him he would shoot her. At Third and Main streets Griffin suddenly turned to Miss Mabee, snatched her watch from her and threw it into the gutter. With an oath Griffin told the girl that he was going to kill her.

So far as can be learned the police say that they think Griffin was suddenly maddened to see Miss Mabee in the cafe with people who were strangers to him and did not stop to consider his actions. So far as the police have been able to learn Miss Mabee was in good company and the scene was uncalculated.

Griffin was arrested on suspicion and Miss Mabee was taken to the home of a friend after she had recovered at the receiving hospital.

Miss Mabee is 18 years of age. She came to Los Angeles with her brother for her health but formerly played a season with the Charles Taylor company in Nashville, Tenn.

May Fight Japan Some Day "It may be that we are cherishing a delusion," said John Edwards of Sydney, Australia, "but our people are figuring on a time when we shall go to war with Japan."

"There's nothing in it for a sailor before the mast to try to swindle the skipper. He will always get the worst of it."

Capt. Dakin says that if the members of his crew succeed in getting their discharges he will be in a bad way, for there are no men obtainable nearer than San Francisco.

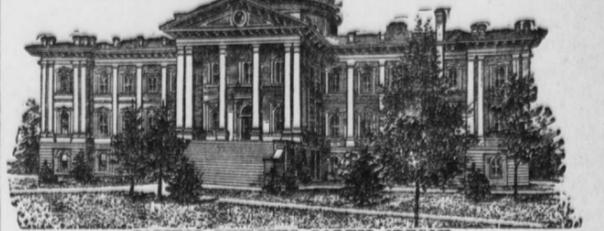
"I am not hard on my men. Most of the crews I have had under me liked me. But this time I have a crew of bloody sea lawyers and they want everything on earth."

"I don't allow my mates to hammer the men around as some skippers do. I don't believe in beating the crew. But if the bloom'n' dogs won't work without beating, beat 'em in what I say."

"I am going up to Portland after I get this tangle straightened out. I have a newish up there. Did you ever hear of Mysterious Billy Smith, the pugilist? Well, he is my nephew."

EX-GOVERNOR OF OREGON

Uses Pe-ru-na in His Family For Colds and Finds It An Excellent Remedy.



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You take no chances when you buy Dent's, Fowne's or Adler's for men—and as for women's, there's nothing quite equal to the "Trefousse," at \$2.00.

3-clasp "Dorothy"—a real kid glove, made by the Trefousse people—at \$1.50.

We've a dollar glove that equals the general run of \$1.25 gloves—the overseam styles have two clasps; the piques have one pearl clasp.

Now That the Prelude

To the holiday season is passed, it is time to settle down for the grand event. Having paid tribute to your inwards on Thanksgiving, some outward display to your friends on Christmas is in order. While looking about for a suitable gift for some loved one, you are able to combine the useful with the beautiful—you make what the boys call a home strike, and, by the way, it is the striking novelties of the furniture line, combined with the useful for home comfort, that we are offering to Santa Claus this season.

Broadway Drapery and Furniture Co. 447 South Broadway Not in the Combine



SANTA CLAUS MAKES HIS HEADQUARTERS THIS YEAR AT THE FAIR

Old Santa was somewhat surprised to note the changes taking place in his home at The Fair. He has had many invitations to make his headquarters at other stores, but refused, saying that he liked the children best that he meets every year at The Fair. Bring the children to see Santa Claus' new stock.

The Fair Meader, Priestler & Co. 224-226 S. Spring St.

A GREAT PHYSIOLOGIST

Once Said That the Way to Keep the Stomach Healthy Is to Exercise It. But He Did Not Tell How to Make It Healthy.

The muscles of the body can be developed by exercise until their strength has increased manifold, and a proper amount of training each day will accomplish this result, but it is important to know whether you can increase the digestive powers of the stomach by eating indigestible food in order to force it to work.

Nature has furnished us all with a perfect set of organs, and if they are abused they will attend to the business required of them. They need no abnormal strength.

There is a limit to the weight a man can lift, and there is also a limit to what the stomach can do.

The cause of dyspepsia, indigestion and many similar diseases is that the stomach has been exercised too much and it is tired or worn out. Not exercise but rest is what it needs.

To take something into the stomach that will relieve it in pure form for a short time—something to digest the food—will give it a rest and allow it time to regain its strength.

GIVES ENTERTAINMENT

Young People Enjoy High School Evening at Home of Miss Leone Hutchison

The home of Mr. and Mrs. Hutchison at 418 West Thirty-ninth street was the scene of much merrymaking last evening, when their daughter, Miss Leone, entertained the members of the Los Angeles high school orchestra and a few friends. The affair was given in honor of her cousin, Miss Lois Leonard, who is visiting here.

The front parlor was decorated in blue and white, the school colors of the high school, while the dining and dancing rooms were decorated with red and white crepe.

Covers were laid for thirty-five guests. Stuart, Deering and Branscomb assisted the hostess in entertaining the guests.

UNITED PATRIOTS ORGANIZE

Fraternal Insurance Company Establishes Branch and Officers Are Elected

What Happened Afterward Tam O'Shanter tied his mare in the stable and went wearily up to the house to meet his sulky, sullen dame. She was waiting for him.

"Well," she said, in a shrill, angry voice, "what tale has ye now?" "None!" he said, taking her out to the stable and showing her poor Maggie's bleeding stump.

Then he told her a fairy story about his having been attacked by desperate highwaymen on the north shore, who had fired a volley at him that had missed him by a narrow margin and taken effect on the mare.—Chicago Tribune.