

MCNULTY IS HELD TO ANSWER MUST STAND TRIAL FOR ALLEGED ASSAULT

Defendant Offers No Evidence in the Case.

Court Says Miss Olsen's Charge Seems True.



PROMINENT YOUNG MAN OF BERKELEY WHO WAS HELD TO ANSWER YESTERDAY ON A CHARGE OF FELONIOUS ASSAULT, THE DOMESTIC WHO IS HIS ACCUSER AND A STREETCAR CONDUCTOR AND RELIGIOUS WORKER WHO GAVE DAMAGING EVIDENCE AGAINST THE DEFENDANT.

BERKELEY, Dec. 4.—Lester McNulty is to answer before the Superior Court to the charge of feloniously attacking Miss Dorothy Olsen. Justice Edgar to-day held the young politician, whose case has stirred the political, fraternal and social circles of Alameda County, in bonds of \$2000, and directed that he be remanded to the custody of the Sheriff of the county until bail is given. McNulty promptly secured bondsmen in the person of John Havens, a Berkeley capitalist, and George Schmidt, postmaster of the college town.

No evidence was introduced by McNulty's attorney, A. L. Frick, to counteract that put forward by the prosecution. When Deputy District Attorney Everett Brown closed his case at noon to-day, and said, "The people rest," the attorney who is defending McNulty, promptly said, "We rest, also."

Justice Edgar called for the complaint, read it over, and then said: "It appearing to me that the offense in the matter mentioned in the complaint on file, to-wit: Assault with intent to commit rape, has been committed, and that there is some cause to believe the within named Lester C. McNulty, guilty thereof, I order that he be held to answer and committed to the Sheriff of the county of Alameda and that he be admitted to bail in the sum of \$2000, and is committed to the Sheriff of the said county of Alameda until he gives such bail."

Lester McNulty was positively identified in court this morning, when the hearing was resumed by A. L. Frick, a street car conductor, as the man who rode on his car, with Dorothy Olsen, on the night of November 5, and who stepped from the car a few seconds after the girl had alighted. Alvis stated that McNulty carried a light gray coat, which McNulty has since admitted was his own, but which he claims was stolen from him on the day of the attack upon Miss Olsen.

A Salvation Army cap was worn by Alvis. The cap was referred to as an indication of Alvis' opinion of the offense charged against McNulty. Alvis declared that McNulty's actions on the car with respect to Miss Olsen were such as made him wish he could have thrown the offender off. He accused McNulty of "eviling" the girl, as they rode out from Oakland to Berkeley, and said the looks he gave the young woman were "vulgar looks."

Nervous and eager, apparently, to give convincing testimony, the witness was given several embarrassing moments under the keen cross-examination of Attorney Frick, who sought to show that Alvis had not been able to recall McNulty's appearance or the fact that McNulty had used a deputy sheriff's badge in lieu of paying fare until some time after the case became public property, and McNulty was implicated.

Alvis swore that McNulty used a badge numbered 20 or 21, and Attorney Frick asked him if he had not informed Arthur McDonald, a newspaper man of Berkeley, the day after the assault, that he had a story for him, as he believed his car had carried the girl who was assaulted and the man who assaulted her, but that he could not recall whether the man in question had paid him a fare or rode on a transfer.

Alvis admitted that he had said something which might have given the newspaper man an impression that McNulty rode again on Alvis' car the day after the assault in company with Officer Farrar, en route to the Marshall home on Telegraph avenue to meet Miss Olsen, and that although Officer Farrar asked him if he could identify the man who assaulted the girl, and Alvis said he could, he failed to observe that McNulty was standing there almost as usual.

OVERCOAT IS IDENTIFIED.
Alvis explained this by saying that McNulty then stood with his back to him. The railroad man, queried regarding his animus in the case, admitted that he took a special interest in it.

"Why?" asked the Deputy District Attorney.
Read this Letter
SAN DIMAS, CAL.
BEN. LEVY & CO., Boston, Mass.
Gentlemen,—Please find enclosed one dollar, which I forward to my address two boxes of Lablache Face Powder, one pink, one white. I have used Lablache Face Powder for more than five years and have found it to be perfect. It excels any other powder in a climate like Southern California and for a beach excursion. Address: Miss _____ (Los Angeles Co.) San Dimas, Cal.

We have thousands of letters of similar character from all over the world testifying to its efficacy.
Lablache Face Powder
is the greatest of all beautifiers. Beware of dangerous counterfeits or substitutes. The genuine bears the signature of "Ben. Levy" in red across the label of the box.
Fresh, White, Pink or Cream, for sale by all druggists, or by mail, BEN. LEVY & CO., French Perfumers, 125 Kington St., Boston, Mass.

BAJA CALIFORNIA Damiana Bitters
IS A GREAT RESTORATIVE, INVIGORATOR AND NUTRIMENT.
The most wonderful aphrodisiac and specific remedy for the Sexual Organs, both male and female. The Mexican Remedy for Diseases of the Kidneys and Bladder. Sells on its own merits. **DR. HERR, LEVY & CO., French Perfumers**, 125 Market St., S. F.—(Send for Circular.)

DR. PIERCE'S GOLDEN MEDICAL DISCOVERY FOR THE BLOOD, LIVER, LUNGS.
Weekly Call
ONE DOLLAR PER YEAR.

Attorney, after Frick had finished interrogating the witness, said: "Because," replied Alvis, "I believe a man guilty of such a crime should be punished. You can look at my cap and guess why I feel especially interested in this case."

Attorney Frick moved that the reference to the cap and an explanation that it was a Salvation Army cap be inserted in the court record.
"Certainly," retorted the prosecuting attorney, "We are not a particle ashamed of the Salvation Army cap."

Sophie Peterson, a maid employed at the Marshall home, where Miss Olsen also was domestic, testified that her fellow servant informed her on Sunday night, November 5, at about 10 o'clock, that she had been attacked by a strange man on the lawn of the house adjoining the Marshall mansion.

Detective Jamison identified the gray overcoat, which was retained by Miss Olsen after her struggle with her assailant, as a garment he had procured from the girl the day after the assault.
The admission of McNulty that the garment was his property was testified to by Marshal Vollmer, who stated that McNulty came with his father to the Marshall's office two days after the assault and explained that his overcoat had been stolen. Reading in the newspapers of the assault which Miss Olsen had, which resembled the one he lost, McNulty said he thought it proper to investigate, and upon looking at the coat in Marshal Vollmer's possession identified it as his property.

CONTRACTOR TESTIFIES.
"Mr. McNulty wished to take possession of the coat," said Marshal Vollmer, "and I told him an order of court would be required for that. It was suggested at that conference that McNulty go to Miss Olsen and permit her to say whether or not he was the man who had attacked her. I do not recall by whom the suggestion was made, but McNulty assented."

Testimony regarding the rescue of Miss Olsen from the clutches of her assailant was given by John Wallen, a contractor, who heard the girl's screams when about 150 feet from the scene and hurried to the place. Wallen could not identify McNulty as the man he met going away from the scene, nor could he identify Miss Olsen as the girl who was assisted by him to her home, a short distance away. The witness was driving down Stuart street, near Telegraph avenue, when the girl's screams caused him to turn back, and while walking toward the Marshall home he met a stranger and asked him what was the trouble. The stranger suggested that the police be called and then walked away.

"That man," said Wallen, "was tall, muscular and stout. If I had attacked him I think he would have given me a pretty good wrestle."
Wallen said the stranger wore a light-colored vest and had a dark complexion, and while walking toward the Marshall home he met a stranger and asked him what was the trouble. The stranger suggested that the police be called and then walked away.

torney announced that the prosecution's case was complete, and upon a like statement from the attorney for the defense the court ordered McNulty held to answer to the Superior Court.
New Grand Jury Completed.
SAN JOSE, Dec. 4.—The six members required to complete the second Grand Jury of the present year were selected to-day in Judge Welch's department of the Superior Court. The following were called: Louis Arques, F. D. Hatman, O. Hayes, A. V. Fatio, James H. Howard and Philip Anderson. Judge Welch appointed J. O. Hayes foreman. The following members of the Grand Jury were chosen last Wednesday: J. Carney, W. W. Thompson, P. Herold, J. J. Cornell, Albert Crew, W. P. Squire, Gustave Nelson, Rudolph Koehler, P. J. Dunne, Paul Masson, L. A. Sage and W. D. Stewart.

Hunyadi Janos
Natural Laxative Water, the surest, safest, best.
REMEDY
For Constipation and all Bowel ailments. You cannot afford to suffer when relief is so easy. Begin now. Go to the drugstore to-day and say distinctly "HUNYADI JANOS".
Take half a glass on arising. A positive cure.
FOR CONSTIPATION

ARREST SPOILS CONVICT'S GAME

SACRAMENTO, Dec. 4.—J. Stiles, known at the Folsom State prison as "Red Shirt" Stiles because of his desperate character, and who was discharged from Folsom two weeks ago, was arrested near the prison to-day with four big revolvers in his pockets. It is believed he intended to "plant" the pistols in the State prison yard preparatory to another outbreak by the convicts. Stiles is a chum of Kid Thompson, a desperate convict. For several days Thompson had been hinting to other convicts that he "expected to have a lot of guns." A charge of vagrancy had been placed against Stiles, as that is the only accusation that legally can be made. The authorities firmly believe that Stiles intended to furnish arms to the convicts, but cannot prove it, as he had not gained access to the State prison grounds.

A Guaranteed Cure for Piles.
Itching, Blind, Bleeding or Protruding Piles. Your druggist will refund money if Pazo Ointment fails to cure you in 6 to 14 days. 50c.

DRAGS BURNING CAR ACROSS THE DESERT
Diner Blazes as Engineer Speeds Toward a Side Track.
Special Dispatch to The Call.

RENO, Dec. 4.—While speeding across the Nevada desert last night a dining car caught fire from a defective heater. The occupants of the car were forced to take refuge in another part of the train, and all efforts of the train crew to extinguish the blaze proved futile. Seeing that the train was destined to destruction and there being no side track near the conductor signaled to go ahead at full speed, and the burning torch was pulled across the desert to Lovelock, where it was cut out from the train. The car was totally destroyed.

torney announced that the prosecution's case was complete, and upon a like statement from the attorney for the defense the court ordered McNulty held to answer to the Superior Court.
New Grand Jury Completed.
SAN JOSE, Dec. 4.—The six members required to complete the second Grand Jury of the present year were selected to-day in Judge Welch's department of the Superior Court. The following were called: Louis Arques, F. D. Hatman, O. Hayes, A. V. Fatio, James H. Howard and Philip Anderson. Judge Welch appointed J. O. Hayes foreman. The following members of the Grand Jury were chosen last Wednesday: J. Carney, W. W. Thompson, P. Herold, J. J. Cornell, Albert Crew, W. P. Squire, Gustave Nelson, Rudolph Koehler, P. J. Dunne, Paul Masson, L. A. Sage and W. D. Stewart.

Murderous Indian Jailed.
SANTA ROSA, Dec. 4.—Henry Maximilian, charged with the murder of George Carillo near Healdsburg on Thanksgiving day, and who surrendered himself yesterday to the authorities, was lodged in jail this morning. The authorities say the killing was a cold-blooded affair.

Will Not Prevent Hanging.
SACRAMENTO, Dec. 4.—Governor Pardee has decided that he will not interfere in the case of Walter Warner, under sentence to be hanged at San Quentin next Friday.

HANGS HIMSELF IN NAPA ASYLUM

NAPA, Dec. 4.—Joseph Tomassini, a violent and dangerous patient confined in the ward of the Napa State Hospital, committed suicide this morning by hanging himself. Tomassini cut up the sheets of his bed into strips and made a rope out of them. He tied one end of the rope to the grating on the window of his room, and, trying the other end around his neck, leaped from the window sill. His dead body was found by Attendant F. Lamb several hours later.
Tomassini was committed to the State hospital in June, 1905, from Yolo County, where he was a shepherd. He was thirty years of age and a native of Portugal. He was so dangerous that he was kept strapped to his bed at night. This morning he managed to escape from restraint and took his life.

A Magnificent Train on an Ideal Winter Route.
Sunset Express, leaving San Francisco daily at 5:45 p. m. for New Orleans, via the famous Coast Line Route, is the ideal train for winter travel East. Courteous attendants, model service and the latest equipment assure the comfort of passengers. Passenger steamers from New Orleans to New York, or trip may be completed by limited trains. Particulars of Southern Pacific agent, 615 Market st.

PRESCOTT APPOINTED REGISTRAR OF LAND
Speaker of Assembly Is Given Important Place in Los Angeles.
Special Dispatch to The Call.

SAN BERNARDINO, Dec. 4.—General Frank C. Prescott of Redlands has been appointed registrar of the land office at Los Angeles, succeeding A. J. Cruikshank, who resigned. General Prescott expects to take charge of the office in about two weeks, as it will take about that time for his commission to reach him after he had fled his bond and otherwise complied with the law. He denied any intention of making any changes in the office and said he would resign as Speaker of the Assembly and Regent of the University of California in due time.

Septuagenarian Hangs Himself.
SAN JOSE, Dec. 4.—Charles Baxter, who for more than thirty years had resided at Evergreen, hanged himself in his barn this morning. He was 70 years of age and had for a long time been sick and despondent. He has one son, who was living with him.

SAN JOSE, Dec. 4.—The King-Wood Company has filed articles of incorporation to conduct a "financial business" in this city, the capital stock of \$45,000 having been all subscribed by Louis F. King, Louis F. Ward and Walter H. Wood.

CRUELLY BEATS MAN WITH CLUB

Star Witness in the Oregon Land Fraud Cases Victim of Rage of Brother-in-Law

ASSAULT UNPROVOKED

Town Marshal of Prineville Attacks Man Who Helped Send Swindlers to Prison

Special Dispatch to The Call.
PORTLAND, Dec. 4.—William J. Crain, the star witness in the land fraud trials in which Congressman Williamson and his partners were recently convicted, lies at death's door with a fractured skull and partly paralyzed at his home near Prineville, in Oregon. Further details of the assault made upon him by Robert J. Harrington, his brother-in-law and Marshal of Prineville, last Monday, shows it to have been without provocation and brutal in the extreme.

Crain came to Prineville on business. As he was about to leave town Marshal Harrington stepped up to him and after a few words struck him on the jaw with a billy. The rancher dropped like a log. Harrington struck him again and, turning around to see whether any one would take his victim's part, twice more wielded the weapon on the defenceless man.

Crain was not intoxicated, nor was he noisy and abusive as alleged by the Marshal. The Marshal has not been arrested nor has any charge been preferred against him. The Sheriff is a partisan of Williamson and under indictment for attempted intimidation of Federal witnesses in land fraud trials.

When Crain was testifying in Portland his barn, and hay were burned by incendiaries, and it required great effort on the part of Federal officers to keep the thirty-four witnesses in Portland during his third trial it was brought out in the testimony that Williamson had threatened to "throw the harpoon" into the Prineville witnesses, Crain being among the number.

MAKES GOLD STRIKE IN AN OLD TUNNEL

Hunter Uncovers Big Ledge of Fine Ore Near Barstow.

Special Dispatch to The Call.

SAN BERNARDINO, Dec. 4.—A remarkable strike of gold in the Grapevine District has thrown Barstow into a fever of excitement. The find was made by C. W. Roach, who entered an old tunnel while hunting. He idly poked at the wall and a large slab of clay fell out, showing a four and one-half foot ledge with ore that will assay as high as \$300 a ton with "kidneys" running to \$1000 a ton. Roach has filed on his claim and many others are locating claims. The mine is located near the old Grapevine cemetery.

TOWN IS SNOWBOUND AND FOOD IS SCARCE

Residents of Rockland, in Nevada, Are in a Sorry Plight.

Special Dispatch to The Call.

RENO, Dec. 4.—Snowbound and without provisions. Such is the condition of the residents of Rockland, Nev. This much was conveyed by means of the telegraph to the outside world. The little town is situated in the desert in the eastern part of the State, where a fierce blizzard has blown for several days. The inhabitants of the town are nearly out of food-stuffs and fuel is extremely scarce. A relief party is being fitted out at Pine Grove, and will endeavor to reach the snowbound camp, owing to the depth of the snow it is not thought it will be successful.

WOMAN IS ATTACKED BY NEGRO PORTER

Emplove of Santa Fe Road Makes Assault on a Passenger.

Special Dispatch to The Call.

SAN BERNARDINO, Dec. 4.—Chief Detective Selby of the Santa Fe telegraphed to-day to District Attorney Specker that he was coming to this city to-morrow with a negro train porter who had attacked a white woman in his car near Needles and that the victim of the fiend was also being brought here. Particulars of the affair are not obtainable to-night, beyond that Selby was taking every precaution to guard against violence to the prisoner.

Septuagenarian Hangs Himself.
SAN JOSE, Dec. 4.—Charles Baxter, who for more than thirty years had resided at Evergreen, hanged himself in his barn this morning. He was 70 years of age and had for a long time been sick and despondent. He has one son, who was living with him.

SAN JOSE, Dec. 4.—The King-Wood Company has filed articles of incorporation to conduct a "financial business" in this city, the capital stock of \$45,000 having been all subscribed by Louis F. King, Louis F. Ward and Walter H. Wood.

ADAMS INVESTS GOLD IN EAST

Buy's Half Interest in Drug Store With Dust Taken From Seattle Assay Office

ATTORNEY IS NOTIFIED

Secret Service Men Think Embezzler Is the Owner of Other Valuable Property

SEATTLE, Dec. 4.—George Edward Adams, former cashier of the Government assay office in this city, who is under arrest charged with big defalcations, is now accused of having purchased with gold taken from the United States a half interest in a drug store at Amsterdam, N. Y. His brother, Frank I. Adams, is the owner of the other half interest. Information to this effect reached United States Attorney Frye to-day. Mr. Frye says he will take steps to attach the property. The secret service officers are now making a thorough investigation in New York and Boston, believing that Adams owned interests there also. It is stated that other arrests in this connection will come soon.

An agreement has been signed between Jesse Frye, District United States Attorney, and four lawyers representing Mrs. Adams, whereby it is agreed that John H. McGraw, former Governor of this State, is to be appointed trustee of the Adams property. According to the agreement McGraw, as trustee, is to hold all the properties of Adams, and the Government or miners are to sue him for recovery of any of the claims. If it is proved that a claim lies against Adams, it is stipulated still further that it is to be adjudicated whether Mrs. Adams has any community interest in the property involved or not. According to the Government's figures property valued at \$35,000 has already been seized by Federal attachment. These would be released under the stipulation Adams' friends intimate that he still holds about \$100,000 worth of property that the Federal agents have not discovered.

HEAVY FINE FOR THOSE WHO BEFOUL WATERS OF LAKE TAHOE

Nevada Commissioners Are Determined to Prevent Pollution of Nature's Great Handiwork.

RENO, Dec. 4.—As soon as the ordinance passed by the Washoe County Commissioners to-day goes into effect it will be a misdemeanor for persons to throw or drain sewage or garbage into that part of Lake Tahoe within the State of Nevada. The State of California has already taken steps to prevent the pollution of the lake. A fine of not exceeding \$100 or more than fifty days in jail, or both, await the offender.

INDEPENDENCE, Iowa, Dec. 4.—William McWilliam is charged to-day with three indictments found against him for the killing of his wife and five children.

EVEN MINISTERS ROW OVER WOMEN

Consideration of Suffrage Movement Causes Hot Debate by Oregon Divines

STRONG WORD IS USED

One Preacher Creates a Sensation by Declaring That Another Pastor Is a Liar

Special Dispatch to The Call.
PORTLAND, Dec. 4.—"If Dr. Wilson or any other man says there was a plot to run this matter of woman suffrage through, I say he is a liar."
The Portland Ministerial Association was electrified by this statement this morning from Dr. E. L. House, pastor of the First Congregational Church, after two hours of heated discussion, teeming with caustic personalities, following the attempt of the suffrage association to secure the indorsement of its cause. A moment of silent amusement followed, and then came cries of "Shame" and hisses, and Dr. House angrily repeated the statement, though the "strong word" was drowned in the sounds of disapproval.

Then Dr. House quickly mastered his emotion and made suitable apology for his abrupt language.
The words followed a bitter discussion by the members of the ministerial association of the relative merits and demerits of woman suffrage, which came up after a resolution had been offered indorsing the movement. The body of ministers is made up of men with firm convictions, on both sides, and a large number of women were present to hear the results of the interesting debate.

TRUST COMPANIES WIN A BIG SUIT

Oregon Supreme Court Gives Decision Affecting Title to Land Worth \$1,000,000.

SALEM, Dec. 4.—In the case of F. A. Marquam, plaintiff and respondent against the United States Mortgage and Trust Company, the Title Guarantee and Trust Company, the Oregon Company and J. T. Thorburn Ross, defendants, and appellants, an appeal from Multnomah County, the Supreme Court by a unanimous opinion reversed the decision of the lower court. This was a suit brought in equity against the Title Guarantee and Trust Company and other defendants to redeem certain real property purchased at execution sale by the trust company while holding the legal title thereto in trust for the plaintiff. The amount of the property involved approximated \$1,000,000.

Fredericks' Christmas Specials

A Christmas gift is symbolic of remembrance. The ideal gift is one that imprints on memory's brow a fond and enduring recollection.

Furniture is an ideal gift—decorative in appearance, practical in use, lasting in its purpose.

Fredericks' furniture is of the dependable kind—the quality that bespeaks good judgment in your selecting it to make somebody happier about Christmas time.

The store fairly beams with suggestions—we hint at a few here:

MUSIC CABINETS—Mahogany finish, golden oak, mahogany, vernis Martin and gold leaf . . . \$5 to \$50	TRIPLE DRESSING MIRRORS—All woods . . . \$4.50 to \$10
HALL CLOCKS—Weathered oak, mahogany and mahogany finish . . . \$2.50 to \$3.25	SHAVING STANDS . . . \$12 to \$45
CHESTNUT CLOCKS—All woods . . . \$20 to \$200	TABOURETTES—Golden oak, weathered oak and mahogany finish . . . 75c to \$3.50
COSTUMERS—All woods . . . \$2.50 to \$50	LIBRARY TABLES—All woods . . . \$3.50 to \$325
GENTLEMEN'S CHIFFONIER WARDROBES—All woods . . . \$45 to \$188	SEWING TABLES—Mahogany . . . \$15 to \$40
DRESSERS—All woods . . . \$12 to \$150	CARD TABLES—All woods . . . \$4 to \$125
LADIES' DESKS—All woods . . . \$7.50 to \$175	MORRIS CHAIRS—All woods . . . \$12 to \$50
PARLOR CHAIRS—Mahogany finish . . . \$7.50 to \$175	PARLOR ROCKERS—Mahogany finish . . . \$7.50 to \$75
	COMFORT ROCKERS—All woods . . . \$4 to \$25
	PARLOR CHAIRS—All woods . . . \$4 to \$25

Jos. Fredericks & Co.

54-50 ELLIS STREET Near MARKET.

The Same Conductor All the Way

He is one of the good points of the Burlington's personally conducted tourist excursions to the East, via Great Salt Lake, the Scenic Rockies and Denver. Being thoroughly acquainted with the route and with all features of the service, he shoulders your travel-troubles the minute the train starts, and carries them for you clear through to the journey's end.

I am very certain it would be worth your while to investigate our service. You can do it on a postal card.

W. D. SANBORN, General Agent,
631 Market St., San Francisco.
1913

RECORDS CUT

50c Zonophone, Victor or Columbia records cut to	35c
\$1 Zonophone, Victor or Columbia records cut to	60c
\$1.50 Zonophone, Victor or Columbia records cut to	\$1

Choice of any standard records; private rooms for record buyers; easy terms—always the lowest prices.

KOHLER & CHASE

The Largest Piano House on the Coast.
Established 1850
Corner Post and Kearny Streets