

HAIN'S LAWYER PLEASED WITH DAY'S EVIDENCE

McIntyre Assumes Jubilant Attitude After Witnesses Tell of Annis Murder

Club Members Testify That Thornton Held Crowd at Bay During Shooting

Widow of Writer Will Go on the Stand When Case Is Resumed Monday

[Special Dispatch to The Call]

NEW YORK, Dec. 18.—(Fr.)—A fragment testimony has been piled up against Thornton Jenkins Hains, novelist, who is on trial for murder before Justice Crane in the supreme court in New York, until the adjournment of court today this evidence, supported by at least five eyewitnesses of the tragedy, showed the prisoner held off four men at the point of his revolver while Captain Peter C. Hains, his brother, was driving bullet after bullet into the body of William E. Annis. Men who gave that testimony stubbornly supported it under the cross-examination of John F. McIntyre, counsel for the defense. Several persons have also testified that they were stopped in a rush toward the captain just after the first few shots were fired; that there was a pause in the firing, and that the rapid crack of the automatic revolver in the captain's hands continued after they had been threatened by Thornton Hains.

McINTYRE JUBILANT Despite the grave character of the testimony, McIntyre assumed a jubilant attitude at the end of the day's session. He was happy because he had obtained admissions from two witnesses that, prior to the shooting, Thornton Hains said: "Come, Pete; let's go. Jesperson is not here."

Justice Crane adjourned trial tonight until Monday morning. District Attorney Darrin announced, after court adjourned, that he would put Mr. Annis, widow of the slain man, upon the stand again Monday. Her testimony, it is hinted, will drive a hard spike in the defense. Mrs. Annis is expected to testify that Thornton Hains warned her that she would be killed if she tried to stop Captain Peter Hains from shooting her husband.

CLUB MEMBER ON STAND Herbert Funk, a member of the Bay-side yacht club, today told how Captain Hains, lifting the swinging boom of Annis' boat and calling "Annis," fired several shots at him as he sat at the tiller. "There was a pause after the first shot, then came four shots in succession, after which came a single shot," declared Funk. "It was after the first shot and before the other shots were fired that Thornton Hains drew his revolver and pointed it at me."

AFTER THE SHOOTING Funk was asked about the scene on the boat following the shooting. The shooting had not ceased when I noticed Mr. Roberts, who was carrying a pistol, was pointing in Mr. Annis' direction by the defendant. They were about three feet apart. Was there any conversation later? Yes, between Mr. Downs and the defendant. Mr. Downs asked the defendant to turn over his gun, and he replied: "There will be no more shooting. This is a case for the police. Call for an officer. Mr. Downs said that it was 'gentleman's club' and he should turn over his revolver. The defendant then broke his revolver, saying: 'You notice there are no shots fired from my gun.'"

THE CROSS EXAMINATION

The cross examination of Funk was then commenced. "Is it not a fact that Captain Peter Hains put his revolver in the boom of Annis' boat, where Annis was sitting, and that you saw him do so?" "Yes, sir." "Have you any ill will against this defendant?" "No, sir." "He pointed a gun at you and yet you have no ill feeling?" "No, I have not."

15,000 POUNDS OF TEA GIFT TO BIG FLEET

Ceylon Planters Honor American Nation and Praise Our Navy

COLOMBO, Ceylon, Dec. 18.—The chamber of commerce and the Planters' association tonight gave a banquet in honor of the officers of the United States Atlantic battleship fleet. In the presentation of 15,000 pounds of tea to the officers and men of the fleet the chairman of the Planters' association expressed his profound admiration for the unparalleled achievement of marshaling the American fleet in a stately procession from sea to sea. The Ceylon planters, on their independence, acknowledged that their prosperity was attributable to free institutions. They especially sympathized with the American nation and appreciated the absence from its tariff of a duty on tea, and also the new pure food law, which was aiding the consumption of Ceylon tea. Admiration, sympathy and gratitude, the speaker said in conclusion, prompted the gift of the tea.

California calendars, a big line, all new, all good and very attractive, are born, Vail and Co., Mission st. bet. 2d and 4th.

Ocean Shore Railway Entertains Experts



CAPTAIN WHEELER GETS PROMOTION

Will Succeed Solomon Avery Jr. as District Ordnance Officer at Presidio

Captain James M. Wheeler, Sixty-seventh company, coast artillery, now stationed at the Presidio, was made district ordnance officer of that post yesterday, to succeed Captain Solomon Avery Jr., who was dismissed from the army service on Thursday. Captain Wheeler has been stationed at the post for the last two years. He is well known in this city and popular with his fellow officers.

Lieutenant Colonel Walter L. Finley, who has just been appointed chief of staff of this department, will assume his new duties on January 1. He will succeed Colonel J. W. Duncan, who is now in Washington at the head of the infantry bureau.

A new assistant paymaster, in the person of Major John P. Hains, will arrive at this post in a few days to assist Colonel J. W. Duncan, chief paymaster; Major Pickett and Captain Kornest V. Smith, now stationed here.

Major Hains is a son of General Peter C. Hains and a brother of Captain Peter C. Hains Jr., who shot and killed William Annis, and who is now on trial.

Captain Edwin G. Davis, coast artillery corps, who is up before a retiring board at the Presidio on account of injuries received in the Philippines, has been ordered to go to the general hospital for surgical treatment. After this the retiring board will bring in its verdict.

A general court martial has been ordered to convene at the Presidio on Tuesday, December 22, at 10 o'clock in the morning. The following is the personnel of the court: Lieutenant Colonel Frederick Marsh, Coast artillery corps; Captain Sterling P. Adams, Fourteenth cavalry; Captain Bush S. Wells, Fourteenth cavalry; First Lieutenant Aubrey Lippincott, Fourteenth cavalry; First Lieutenant William S. Browning, First field artillery; First Lieutenant Peter J. Hennessey, Fifteenth cavalry; First Lieutenant Fred T. Cruse, First field artillery; First Lieutenant Waldo C. Potter, First field artillery; First Lieutenant Willis C. Knight, Coast artillery corps; Second Lieutenant Harry R. Vaughan, Coast artillery corps; First Lieutenant William P. Corrier, Coast artillery corps, judge advocate.

The following officers were selected yesterday to proceed to the school of musketry for instruction, which is to meet at the Presidio of Monterey on January 3, 1909: Second Lieutenant Luther Felker, Fourteenth cavalry, Presidio of San Francisco, Cal.; First Lieutenant Harry Pratt, First field artillery, Presidio of San Francisco, Cal.; Second Lieutenant James H. Burns, First field artillery, Presidio of San Francisco, Cal.; Second Lieutenant William C. Russell, Eighth infantry, Fort McDowell, Cal.; Second Lieutenant William C. Whitener, Eighth infantry, Fort McDowell, Cal.; First Lieutenant Robert J. Binford, Twentieth infantry, Presidio of Monterey, Cal.; Second Lieutenant George C. Bowen, Twentieth infantry, Fort Slatyer, Honolulu, H. I., on first available transport.

ARMY AND NAVY ORDERS WASHINGTON, Dec. 18.—First Lieutenant George H. Richardson of the medical relief corps is relieved from duty at the Presidio, San Francisco, and is to take the transport to sail from San Francisco about January 5 for the Philippines. Navy orders.—The following cable has been received from Rear Admiral Giles B. Harber of the Pacific fleet, Manila: Commander W. McLean is detached from the naval station at Cavite, P. I., and ordered home. Commander E. E. Capelhart is detached from command of the Mohican to the command of the Rainbow. Ensign L. S. Robinson is detached from the Concord and ordered to the Rainbow. Ensign A. S. Hickey is detached from the Concord and ordered to the Rainbow. Midshipman C. R. Clark is detached from the Missouri and ordered to the Rainbow. Assistant Surgeon A. E. Lee is detached from the Concord and ordered to the Rainbow. Passed Assistant Surgeon J. A. Randall is detached from the Rainbow and ordered to the naval hospital at Canacao. Assistant Surgeon J. O. Downey is detached from the Charleston and ordered to the naval hospital at Canacao. Assistant Surgeon M. E. Higgins is detached from the naval hospital at Canacao and ordered to the Charleston. Ensign L. S. Robinson is detached from the Concord and ordered to the Helena. Midshipman C. C. Slayton is detached from the Concord and ordered to the Chattanooga. Passed Assistant Surgeon A. W. Bush is detached from the United States naval hospital at Cavite and ordered home. Pharmacist C. E. Alexander is detached from the Relief and ordered home. Assistant Surgeon H. Butts is detached from the United States naval hospital at Canacao, etc., to the naval station at Cavite. Commander R. M. Hughes is detached from the command of the Rainbow to command the Concord. Lieutenant D. P. Mannix is detached from the Rainbow and ordered to the Concord. Ensign A. W. Fitch is detached from the Rainbow and ordered to the Concord. Ensign L. B. Bernheim is detached from the Chattanooga and ordered to the Concord. Ensign H. L. Irwin is detached from

GUESTS ON SPECIAL TRAIN ENJOY TRIP

President J. Downey Harvey and Vice President J. A. Folger Are the Hosts

Electrical Engineers Compliment Promoters on Success of System

President J. Downey Harvey and Vice President J. A. Folger of the Ocean Shore railroad company entertained a party of eastern railway experts and representative local businessmen yesterday by taking them over the new road in a special train. Luncheon was served en route, and the easterners took occasion to praise highly the promoters of the project, as well as the system itself. The special left the local depot at 9:15 and made the run to Arleta Park before 11 o'clock. From this point the special was taken over the newly laid rails to Tunitas creek, three miles north of San



Scenes incident to the trip over line of the Ocean Shore Railway.

the Helena and ordered to the Concord. Commander J. H. Sears is detached from the command of the Concord and ordered to duty as naval attaché at Tokyo and Peking, China.

CASTRO WANTS FRANCE TO ARBITRATE TROUBLE

German Government Believes Venezuela's President Intends to Stay in Europe

BERLIN, Dec. 18.—There is an evident desire on the part of President Castro to effect an arrangement of the outstanding difficulties between Venezuela and France. He authorized a diplomat today to make the following statement: "I believe it would be very easy to bring about a renewal of relations between Venezuela and France by submitting the questions at issue to arbitration."

Castro had a lengthy conference with a prominent representative of the German foreign office. The subject matter of the interview is not known. A further consultation between Castro and Dr. Israel took place this afternoon. The surgeon advised Castro to remain quiet.

The feeling is also growing here that Castro left South America not because of illness, but to escape political turmoil, and that he has no intention of returning. The German government has information stating that it is uncertain whether Vice President Gomez will become president of the republic or whether a provisional government will be organized under another head. Gomez is believed to be still true to Castro.

FOUR YEARS FOR BRIBERY

COLUMBUS, O., Dec. 18.—Fred Lied, formerly member of the Columbus board of control, was sentenced to four years in the penitentiary today by Judge Rogers for accepting a bribe from Nelson Cannon, local representative of the Trinidad paving company of Cleveland in connection with the East Broad street paving. Fred Lied, another former member of the board of control, is serving a term in the penitentiary.

PURCHASE INTEREST IN BANK

HONOLULU, Dec. 18.—W. G. Irwin of the William G. Irwin & Co., Limited, today purchased the interest of Claus Spreckels in the banking house of Claus Spreckels & Co. of this city.

EARTHQUAKE IN FRANCE

COUTANCES, France, Dec. 18.—A slight earthquake was felt here this evening. No damage except the breaking of crockery was done.



One large 9-inch bowl and set of six individuals . . . 35c

Worth many times the price. It is a grade of glassware known as "press cut." Resembles the real cut glass so closely that many people are deceived with it.

KOREAN ADMITTED FIRING AT STEVENS

Two Witnesses in Chang Trial Give Damaging Testimony Against Alleged Slayer

Diplomat in Antemortem Statement Intimated That He Aided Hermit Kingdom

Two witnesses on the stand in Judge Cook's court yesterday at the trial of I. W. Chang, charged with the murder of Durlham White Stevens, gave damaging testimony against the Korean. Henry Owens, a policeman, was the first witness called, and he related how Chang had admitted firing three shots at Stevens and also declared that the Korean recognized the revolver with which the shooting was done. Owens reiterated the testimony given by former witnesses concerning the declaration made by Chang that Stevens had taken money from Korea and had turned "it" over to Japan. The trouble-some pronoun bobbed up again despite efforts to prevent the statement from entering the records of the case. "You ignorant fool. You don't know what I did for your country," was the dying statement attributed to Stevens by James J. Hourihan, a bond and warrant clerk who took Stevens' antemortem statement. Hourihan also testified that Stevens pointed at Chang while the former was on a cot in the party predicted a great future for the party, which was the work of agents of the Diaz government. The sheriff has charge of the case. No arrests have been made. The work of destruction was thorough, the presses, furniture and the current edition being either demolished or carried away.

PAPER'S PLANT WRECKED, DIAZ AGENTS BLAMED

Editor Recently Prominent in Revolutionary Movement Accuses Mexicans

TUCSON, Ariz., Dec. 18.—Unidentified persons last night wrecked the plant of El Defensor del Pueblo, a Spanish weekly newspaper, published here by Manuel Sarabia in the interest of the liberal party of Mexico. Sarabia was prominent in the recent revolutionary movement and was held in confinement by immigration authorities here and in Los Angeles for nearly a year. He states his belief that the outrage was the work of agents of the Diaz government. The work of destruction was thorough, the presses, furniture and the current edition being either demolished or carried away.

ELECTRIC HEATING PLANT BURNED

LOS ANGELES, Dec. 18.—Fire completely destroyed the plant of the Electric Heating and Manufacturing company at Dolgewille early today. The loss will be between \$40,000 and \$50,000, with less than half the amount covered by insurance.

HUSBAND AND WIFE MURDERED

WILMINGTON, Del., Dec. 18.—Wicentz Florczik, a Polish morocco worker, and his wife were butched by an unknown assassin at their home here early today. Their lifeless bodies were found in separate beds today by Alexander Florczik, aged 18, a brother of the murdered man and a lodger at the house, who is detained pending an investigation.

Do You Want \$5.00?

Read THE CALL'S weekly offer on page 15.

FURTHER PROTESTS ON FREIGHT RATES

Representatives of Industries Tell Why Proposed Increase Is Unjust

Question Will Be Submitted to Transcontinental Bureau for Decision

Further protests by the local shippers against the projected increase in rates on westbound freight were made yesterday morning in the office of H. A. Jones, freight traffic manager of the Southern Pacific company. The protesters held practically the same as the eastbound shippers that harm would befall the trade of California should the new rates be permitted to go into effect. At yesterday's conference, which probably will be the last, were G. W. Luce, general freight agent of the Southern Pacific; H. A. Jones, freight traffic manager of the Southern Pacific; E. W. Chambers, assistant traffic manager of the Santa Fe; G. J. Bradley of the California traffic association; Thomas W. Collins, representing the beet industry of the east; Walter M. Field, representing the canned fruit industry. Field protested against the increase in the rates on canned fruits. Under the proposed schedule the canners would lose thousands of dollars, according to the argument advanced by Field. He said that eight canneries in California had lost \$150,000 on this year's pack on account of the minimum amounts of shipments that the railroad companies would take. Collins argued against the proposed increase of 16.2-3 per cent in the rates on beer and malt products, shipped from eastern points to this coast. John D. Sibley, manager of the Deere implement company, who was to have appeared before the railroadmen to protest against the raise in rates of farming implements, had not recovered sufficiently to appear and voice his protests. The protests will be submitted to the transcontinental freight bureau at Chicago, with which body the adoption of the proposed increases rests.

MARINE NEWS

SEATTLE, Dec. 18.—Local United States inspectors Whitney and Turner investigated the recent stranding of the steamer Northland on Enterprise reef. The testimony of Captain Brun, Chief Engineer Flint and Mate Ansel was given. A decision will probably be rendered next week. Steamer Fampico is loading dynamite in the stream from steam schooner St. Helens, arriving from San Francisco last night. The cargo of the Seas arrived from Nansimo with a cargo of coal. Steamer Jeanie arrived from Ketchikan and ports and after remaining in port a short time proceeded to Tacoma to discharge. British steamer Suerre arrived at 1 p. m. from the orient via Victoria, with a general cargo, including silk. Steamer Portland, from Seattle, arrived at 4 p. m. today. Steamer Northland, after being repaired at Moran Falls, sailed tonight on her usual run to Ketchikan and Juneau. British steamer Adato was expected from Tacoma tonight to complete cargo for the orient.

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Buy your Christmas Presents from the manufacturers at manufacturers' prices. We have the largest stock of useful Holiday Goods at popular prices ever shown in this city.

CONSISTING OF SHIRTS, NECK DRESS, NIGHT ROBES, BATH ROBES, PAJAMAS, HOSIERY, GLOVES, ETC. 1453 Fillmore St., Near O'Farrell 1158 Market St., Opp. Seventh

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TOM DILLON Market Street Opp. Call Bldg.

HOTEL COLONIAL

Stockton Street Above Sutter European Plan \$1.50 Per Day and Upward American Plan \$3.00 Per Day and Upward HOWARD T. BLETHEN, Manager. Sutter street car direct from ferry.

HOLIDAY GOODS DAMAGED

By Explosion of Powder on Train in Transit to Pacific Coast Now in OUR STORE and Marked at Figures That Will Startle the Buyer

To the Residents of the Mission:

A portion of our stock for Christmas Sale came to us slightly damaged as stated above. We have cut the price of same

ONE-HALF to ONE-THIRD their selling price.

OUR LOSS IS YOUR GAIN

Come and See the Pretty and Useful CHRISTMAS GOODS in This Sale Space Is Limited and we Cannot Enumerate All the Articles Here

In Part These Goods Consist of

Unbreakable Dishes - - - - - \$1.00 Sets for 50c Toy Books, Beautiful Linen Books - \$1.00 Value for 50c Miscellaneous Books - - - - - \$1.00 Value for 25c

STANDARD BOOKS—Grimm's Household Tales, Andersen's, Robinson Crusoe and many others which are in perfect condition, will be sold for HALF THEIR VALUE, and in many cases for less.

Up to date BOX WRITING PAPERS, etc.

DOLLS AND DOLL GOODS, Coasters, new and in perfect condition will be sold in this sale at greatly REDUCED PRICES. Never before were dolls sold so low.

KEISNER DOLLS

We have them. They are only slightly damaged, but we are going to dispose of the whole lot at STARTLING PRICES

DON'T BUY DOLLS TILL YOU SEE OURS

OUR LINE OF SPORTING GOODS is up to date and the stock complete. The prices on these have all received a REDUCTION and go in on THIS SALE.

LADIES' AND GENTS' Purses and Wallets, Card Cases, Manicure Sets, Toilet Sets. A large stock and Prices RIGHT.

Bring the children to see this store. You will receive the same cordial reception as you would if you were a customer.

THIS SALE CONTINUES DURING CHRISTMAS WEEK

BLAKE'S BAZAAR

1108 Valencia Street The old stand, opp. Horace Mann School. Above 22d.