HAINS HELD BY CORONER

SENSATION IN THE COURT ROOM

Counsel Claps His Hand Over the Mouth of Thornton Hains to Prevent Him From Committing Himself to an Excited Crowd—Only Two Witnesses Called at the Inquest, Though There Were More Than Forty in Reserve—Defendants' Counsel Makes a Statement to the Associated Press, Denying Some of the Stories in Circulation—Brother of the Defendants Also Makes a Statement.

New York, Aug. 19.—After being out 22 minutes a coroner's jury tonight brought in a verdict that William E. Annis, who was killed last Saturday at Bayside, L. I., came to his death as the result of pistol shot wounds inflicted by Captain Peter C. Hains, Jr., U. S. A., aided and abetted by Thornton Jenkins Hains, his literary brother.

There was a greater crowd than the little courtroom in the town hall at Flushing, L. I., could hold when the inquest began and hundreds of men and women awaited the verdict outside, although both the defense and the prosecution did not consider the inquest of much importance since Captain Hains admits the shooting and there were many witnesses to it.

It was believed the jury would render its verdict without leaving the room, but when the jurors remained out for more than 20 minutes the spectators, many of whom were members of the Bayside Yacht Club, became restless and there were audible demands that a verdict be instantly rendered.

DEMONSTRATION IN COURT.

When the jurymen filed into the room and the foreman announced the verdict there was a demonstration. Coroner Ambler had to rap with his gavel and court officers had to caution the spectators for an attempt was made to applaud the verdict. Major John Powell Hains, who has come here from Chicago to stand by his brothers, and who was sitting beside Captain Hains, gripped his brother by the arm and whispered words of encouragement, assuring him that the inquest would have little bearing on his case.

In the excitement a crowd had gathered around Thornton Jenkins Hains and began to question him as to the tragedy in which he played such an important part. He was asked if he felt justified in holding a crowd at bay with a revolver while his brother shot down Annis. Before Hains could reply John F. McIntyre, chief counsel for the brothers, rushed to his side and shouted:

"No, no, don't answer that question."

In his efforts to prevent Hains from answering, the lawyer clapped his hands over his client's mouth and was probably just in time to prevent the prisoner from committing himself.

TWO WITNESSES CALLED.

Only two witnesses were called. They were Charles H. Robert, of Flushing, who testified that he was standing on the club house float when he heard the report of a pistol and saw Captain Hains in a kneeling position clinging to the dropping body of Annis as he emptied the contents of his revolver into it, and coroner's physician, Walter G. Frey, who testified that Annis came to his death from the bullet wounds. Dr. Frey said there were nine initial wounds and twelve secondary wounds which would indicate that the captain fired nine shots.

In cross-examining Mr. Robert, Lawyer McIntyre asked him if Captain Hains had finished shooting when he tried to go to his aid and was stopped by Thornton Hains, who held a revolver in his face. The witness said that the shooting had not ceased and that he would have had time to interfere had not Thornton Hains prevented him.

Mr. McIntyre asked him if he had noted the expression in Thornton Hains' eyes at the moment, but before the question could be answered, District Attorney Darrin objected and was sustained.

Prior to his giving his testimony Mr. Robert was asked to identify the prisoners. When he pointed out Captain Hains as the slayer the captain put his hands over his face and seemed to be greatly excited. This caused comment in the court, for he has heretofore remained wholly unperturbed apparently.

PLENTY OF TESTIMONY.

Before going out one of the jurymen demanded that additional witnesses be called, but Coroner Ambler refused to comply and ordered the jury to decide upon a verdict. His charge simply cited the lines to which the jurors must confine themselves in considering the case. There were about forty witnesses in the room but they were not needed on the stand.

Before the inquest John F. McIntyre, chief of counsel for the Hains brothers, made the following statement to an Associated Press representative:

"In answer to the statement made by Mrs. Hains that she was made to sign a confession while under the influence of drugs, I wish to say that my clients and their distinguished father have told me that there were four witnesses present when the confession was made, one of them being a prominent New York lawyer. These witnesses will testify at the trial. I am also told that Mrs. Hains talked to several persons regarding the incidents related in the confession some time before she made it, and these persons will be witnesses.

MRS. HAINS' CONFESSION.

"When Captain Hains was called back from the Philippines he questioned his wife regarding rumors he had heard about her and he became convinced that his suspicions were wrong. Later, he said, facts developed which made him demand the confession from his wife, and she made it.

"Captain Hains denies that he sent letters to Annis challenging him to a duel. Stories to this effect are absurd.

"What unbalanced Captain Hains mind was the countercharges made by Mrs. Hains in a suit she filed in answer to his suit for divorce. Captain Hains believed the statements made by Mrs. Hains in the counter suit were dictated by Annis."

Major John Powell Hains also made a statement to the Associated Press before the inquest. He was asked if he thought his brother was justified in shooting Annis without giving him a chance to protect himself.

"I can best answer that question by recalling an incident that happened to me at Fort Riley," he said. "I was about to put on my boot one morning when I found a snake in it. I immediately drew my revolver and shot the snake. It is the same with my brother; I do not believe he should have given Annis a chance."

"Knowing what you do of the case, would you do the same thing?" he was asked.

"I most certainly would," he answered emphatically.

"Is it true, as the district attorney says, that your brother Thornton Jenkins instituted the shooting?" he was asked.

"Not at all," he replied. "For a long time Thornton and myself have tried to dissuade our brother from killing Annis for the sake of our gray-haired father and mother. Out of consideration for them our brother restrained himself, but finally the strain became too great and he acted. He would have killed Annis sooner had it not been for this."

VALUATION OF RAILROADS.

Corporation Commission Has Just Finished Fixing This For the Purpose of Assessment—Colony Company Chartered by the State—A. & M. Students Arrive to Make Up Back Work—Gray Gives Bond.

Observer Bureau,
The Holleman Building.
Raleigh, Aug. 19.

The work of fixing valuations for assessment as taxation on railroad and other corporations of quasi-public character in North Carolina is just completed by the corporation commission and shows an increase in valuation over that for 1907 of $1,458,003. There is also a showing of 246 miles' increase in the mileage of railroads in the State, of which the Norfolk & Southern has 100 miles increase. The synopsis of valuations follows:

Atlantic Coast Line Railroad, 947.68 miles at $28,434,900 valuation; Seaboard Air Line, 616.71 miles at $12,500,000 valuation; Southern Railway, 1,332.74 miles at $33,913,768 valuation; miscellaneous roads, 1,454.28 at $10,932,635. Total railroad mileage in the State, 4,851.51, valued at $85,780,703.

The aggregate of valuations of other classes of corporations assessed are: Electric light and gas companies, $1,196,396; bridge and canal companies, $167,350; refrigerator companies, $111,136; steamboat companies, $131,633; telephone companies, $1,402,964; street railway companies, $2,190,951; waterworks companies, $445,225; Southern Express Company, $419,099; telegraph companies, $917,974. Total, $7,402,153. Grand total, $93,182,856.

The St. Helena Colony Company, Wilmington, having for its purposes the location of colonies and the development of trucking and other lands in eastern Carolina, is just chartered with Hugh McRae, H. M. Chase, C. L. Fisher, C. VanLouvin and others as the incorporators. The capital is $100,000 authorized and $1,000 subscribed by the incorporators.

Another charter is to the Merchants' Dray Company, Asheville, capital $15,000, by A. C. Jackson, R. G. Harper and others, being merchants who pool interests for hauling and delivery of goods.

A change of charter for the Telfair Sanitarium Company, (Inc.), of Asheville, provides for moving the sanitarium from Asheville to Greensboro. W. C. Ashworth is president of the corporation.

President D. H. Hill, of the A. & M. College, says quite a number of students is arriving for special work to meet conditions that must be complied with in further preparation before they pass up to next higher classes when the college opens for the fall term September 3d.

Bond was given by J. S. Gray this evening in the case in which he is charged with false pretense in representing to the local agent of the Norfolk & Southern here that he had paid a draft for a car of oats and was mailing to the agent the bill of lading that was attached, thereby inducing the agent to release the oats. Gray was in the office of the sheriff but not in jail from Tuesday afternoon to this evening, when the adjustment was made whereby his household and office furniture was put up as an indemnity to the N. & S. agent for the value of the oats and a bond of $200 given for answering to a criminal charge.

Mr. Murphy Accepts the Judgeship.

Special to The Observer.

Asheville, Aug. 19.—Hon. J. D. Murphy, of Asheville, who was yesterday afternoon tendered a place on the Superior Court bench to fill the vacancy created by the death of Judge Frederick Moore, will accept. Judge Murphy is naturally pleased with the honor that has been conferred upon him. He said this morning that he would accept the appointment and at once enter upon the discharge of the duties of his new office. It is expected that Judge Murphy's commission will reach here tonight or to-morrow. The first court over which Judge Murphy will preside will be that of Caldwell county. Caldwell Superior Court convenes Monday at Lenoir and Judge Murphy will in all probability leave here Saturday for that place.

Portsmouth Policeman's Slayer Arrested at Henderson.

Special to The Observer.

Henderson, Aug. 19.—Officer Champion, while at the station this morning at 2 o'clock, as a freight train pulled in, saw a man crawl to the top of one of the cars and lie down. The officer immediately followed and arrested him. The suspect proved to be the negro Strong, who murdered a policeman at Portsmouth, Va., a few days ago. Chief Henderson has his photo and "tattoo" on the arm and believes he has the right man. The mayor of Portsmouth informs Mr. Henderson that an officer will be at Henderson to take the prisoner to Portsmouth.

Little Girl Badly Hurt in Runaway.

Special to The Observer.

Winston-Salem, Aug. 19.—Mr. George C. Tudor's carriage team ran away this morning, frightened by an automobile, and struck a wagon near the Auditorium on Liberty street, throwing out 12-year-old Ruth Jarvis and injuring her seriously. The child was tossed under a mule's hoof and kicked on the back of the head. She was taken to the Twin City Hospital, where it is said she will recover, although a fracture of the skull is apparent. Her father is James Jarvis, who lives nine miles west of the city.

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MR. LAWSHE TO EDITORS.

Third Assistant Postmaster General Discusses the Attitude of the Postoffice Department Toward the Newspapers—Don C. Seitz Arraigns the Newspaper Trust.

St. Paul, Minn., Aug. 19.—Hon. A. L. Lawshe, Third Assistant Postmaster General, was the principal speaker at today's sessions of the National Editorial Association. His subject was "The Attitude of the Postoffice Department Toward Newspapers and Second-Class Matter."

Mr. Lawshe outlined the laws relating to second-class matter. He stated that the daily newspapers furnish a little over 40 per cent. of the second-class mail and the weekly and other papers a little over 15 per cent. He said that he regarded the present rates on second-class matter as justified but that he was not in favor of an increase in the rates.

The address of Don C. Seitz, of The New York World, on "Combines and Prices as Related to the Existing Tariffs on Wood Pulp and Print Paper," was read by Walter J. Driscoll, of The St. Paul Dispatch. Mr. Seitz severely arraigned the paper trust, pointing out the alleged injustice worked to the papers of the country, and especially to the country papers.

The morning session closed with an address by John A. Sleichter, editor of Leslie's Weekly, on "Delusions."

In the afternoon delegates took a trip to White Bear Lake, where all the privileges of the resort were afforded them.

Husband and Wife Leave the World Together.

New York, Aug. 19.—Believing her husband was about to leave her forever, Mrs. Edward H. Hacker committed suicide to-day by shooting herself. Her husband, who had bade her good-bye after a series of altercations and started from the Hague court apartment house, where they lived, heard the shot and ran back to their flat. Upon beholding the lifeless body of his wife he was overcome with grief and remorse and, locking the door of the apartment, he picked up the revolver with which she had killed herself and ended his own life by shooting himself three times. When the superintendent of the building and employes broke down the door they found husband and wife dead. Hacker with his arms clasped about his wife's neck and his lips close to her cheek as though he died while trying to kiss her.

Governor Magoon En Route to Washington.

Tampa, Fla., Aug. 19.—Governor General Charles E. Magoon, of Cuba, passed through this city to-night en route to Washington and Oyster Bay. He said:

"I go to Washington and then to see the President for a discussion of preliminaries to turning over the Cuban government February 1st."

Speaking of the recent elections, Governor Magoon said they were conducted with thorough honesty and fairness and that there could be no complaint that the will of the people is not recorded at the ballot box.

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Indigestion Tablets.

"Is it your opinion, then, that the Peruna Tablets will relieve every case of indigestion?" was asked of Dr. Hartman the other day.

"No, indeed, that is not my opinion. Indigestion is a very broad term. It covers every sort of derangement of the stomach that leads to indigestion. It might be cancer of the stomach, or ulceration of the stomach, that causes indigestion. Of course the Peruna Tablets are not intended for any such condition.

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"Of course, if everybody would eat correctly, there would be no need for such a remedy, or any other remedy for indigestion. But all people cannot be persuaded to eat correctly. Hence, remedies for indigestion.

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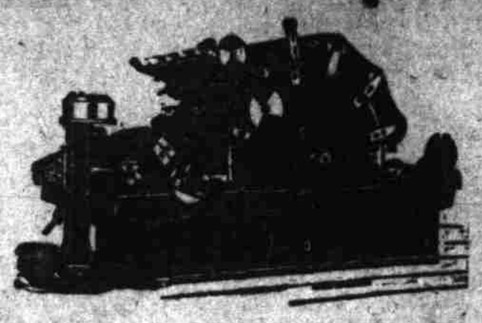

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