

MRS. ANNIS ON WITNESS STAND

Wife of Murdered Man Tells Story of the Bayside Crime

A NEW SENSATION

The Mysterious "Mr. Curtis", Man Who Had Talked With Annis About Mrs. Hains Has Committed Suicide—Causes Another Sensation.

(By Leased Wire to The Times) Flushing, N. Y., Dec. 17.—An additional sensation developed before the court opened with the announcement that the mysterious "Mr. Curtis" who detailed Annis' alleged boasts of his relations with Mrs. Claudia Hains, had committed suicide.

It is said Curtis is Orlan C. Cullen, of No. 21 Bank street, Princeton, and that he shot himself on Saturday at Catonsville, Md., and was buried Monday in Rock Creek cemetery, in Washington.

Thornton Jenkins Hains walked into the court-room at the opening of today's session looking not at all a man on trial for his life.

Immediately on opening court Justice Crane somewhat disconcerted the defense by suddenly ruling out the model of the Bayside Yacht Club's docks and pier with which Hains' lawyers late yesterday afternoon began to re-enact in dramatic style, the whole Bayside tragedy.

"I have given the matter of this model considerable thought overnight," announced Justice Crane, "and I concluded that inasmuch as it was shown that the model was not wholly accurate and is out of proportion, I would exclude it."

Dr. Johnson McCloud was called as the first witness of the day. He testified that he was nearby when Annis was shot and was summoned by an eye-witness. He described the wounds made by the bullets from the captain's pistol and was turned over for a brief grilling, which did not change his story.

Dr. Leo Shamuck, of the Flushing hospital, testified that he was on duty in the hospital when Annis was brought in. Dofing his coat he described the wounds inflicted by Capt. Hains, using himself as a model. Another medical witness was furnished in Dr. Joseph Bloodgood, a local physician, who was called into consultation before Annis died.

His evidence was not accepted and his place in the witness chair was taken by Mr. Walter E. Frey, physician to the coroner. The lawyers haggled over the introduction of this testimony. After a newspaper reporter had testified to the identity of Annis' body at the time of the autopsy, Clerk Peace called out "Mrs. William E. Annis to the stand."

Mrs. Annis is a woman of rather striking appearance. She is of erect figure and about six feet tall. Her widow's veil was not dropped over her face but was neatly folded and pinned back over her wide-brimmed "mushroom" hat. She wore a sea-skin coat of three-quarter length and removed it when she took the chair. She was smartly attired in a chiffon broadcloth Princess gown which revealed a perfect figure.

Hospital when your husband was taken there?" "I was." "Was Dr. Shamuck there?" "He was."

"That's all," declared Darrin, taking the opposing lawyers by surprise. "Did you see your husband die?" asked the court. "I did," replied the stately witness.

Myintyre argued that the district attorney should be compelled to proceed further with the witness. The court ruled against him. As Mrs. Annis was preparing to leave the stand she realized that her testimony was needed to fix the hour of her husband's death and she hesitated.

"This witness probably knows better than anyone else at what hour her husband died," commented Justice Crane.

"Mr. Annis died at about twenty minutes after 7 on the night of August 15," testified the woman. She was then allowed to go. Martin Skuna, the hackman by whom the state expects to prove its case against the author, was called and said that on August 15, 1908, he was at the station at Bayside with his wagon and drove toward the depot, where he met two men coming away from the train. They talked with each other for some minutes and then one of them came over to his back. He said:

"They got into my hack and we drove toward the Bayside Yacht Club."

A man named Gus was driving a stage ahead of him, the witness said. McIntyre renewed his objections to the entire testimony. "The witness has not, and I feel cannot identify this defendant as one of the two men," argued the defense's chief.

"I will admit that his failure to identify the defendant is a surprise to me. I did not expect such an answer," sighed Mr. Darrin, who was beginning to show signs of physical collapse.

This caused another outburst from McIntyre. He declared without mincing his words that Darrin was unfair, unbiassed, prejudiced and many other things, and that his statement showed it.

Justice Crane with difficulty halted the lawyer in his denunciation of the embarrassed prosecutor. Directed by the court Darrin withdrew his witness and consented to striking the evidence from the record.

Charles A. Birchfield, bosom friend of Annis, was then called. "I went to the yacht club about 2 o'clock the day of the shooting," began the witness. He said he met the defendant in the reception room of the club, that Captain Peter C. Hains accompanied the latter and that Thornton Hains asked for Jespersen, a real estate man, saying they desired to buy nearby property. "I offered to sell him a piece and then suggested that he see Mr. Storm, a club member, about it; Captain Hains tapped the prisoner on the shoulder and they withdrew to hold a whispered conversation," he declared.

"Then I went down the float," he continued, "where a few minutes later I met him again. Mrs. Annis, Miss Nesbit and several members of the club also were there. He talked along about various things and asked me if Annis' boat was like all the rest and I pointed it out to him. We were then near the edge of the float. The boat was coming down well in the lead in a preliminary brush. The prisoner showed keen interest in the race. I told him the number of Annis' boat was '7'. He repeated the number.

He repeated the number. Mrs. Annis had reached the float at this time and when he asked me again about her husband, I pointed her out."

Birchfield described how the boats neared the float and then got down to the actual firing. "I was about in the middle of the float after having shored off Annis' boat when I saw Captain Hains advance and open fire at Mr. Annis, who was standing at the mast. When I heard the shot, I cried out, 'My God, is he crazy,' and the defendant declared: 'Keep back, keep back, he knows what he is doing.' He pointed a gun at me as he made the declaration. The defendant was standing on the float with a pistol in his hand which was pointed at me. He then turned his revolver from me and pointed it at some one else. The defendant and his brother were both on the float when Annis fell from the boat after being shot. Mr. Roberts was also there and Mrs. Annis came down the runway screaming. I saw the defendant point his gun at Mrs. Annis when she reached the float."

Recess was then taken until 1:30 o'clock.

Japanese General Dead. (By Cable to The Times) Koto, Japan, Dec. 17.—General Inouye, of the Japanese army, is dead here. General Inouye specially distinguished himself for gallant service in the Russo-Japanese war.

SENSATION IN NIGHT RIDER CASE

One of Two Jurors Selected Removed From the Case Today

DENIED THE CHARGES

J. H. Russell, Selected as Juror, Has a Son Who Belongs to the Night-rider Gang—Is in Sympathy With Their Organization and Would Have Been a Witness For the Defense if He Had Not Been Selected as a Juror—Charge Made by Attorney General Caldwell.

(By Leased Wire to The Times) Union City Tenn., Dec. 17.—A sensation was sprung this morning at the trial of the eight alleged night riders when Attorney General Caldwell declared to the court that Juror J. H. Russell was the father of night riders; is in sympathy with their organization and would have been a witness for the defense if he had not been selected as a juror. The announcement threw the court into confusion and Judge Jones immediately called Russell before him. Under close questioning Russell admitted he was the father of Charles Russell, living in Reelfoot Lake district, an alleged night rider. He denied the charge that his son was a member of the clan. He also denied the charge that he had said many acts of the night riders were justifiable, although the prosecutor claimed to have positive proof of this statement on his part.

Judge Jones declared Russell incompetent and removed him from the jury box.

One other juror had been selected, J. D. McKinney, a farmer. He is now the only man on the panel.

Although more than fifty venturers have been examined, the court refused to allow attorneys for the defense to ask the prospective jurors if they had read Governor Patterson's interview regarding night riding, declaring his statements had nothing to do with the case.

LIFE SAVING SERVICE Report From Year 1908 Submitted

Superintendent Kimball of the Service Submits His Report—There Are Now 280 Stations in the Service—Number of Disasters to Vessels.

(By Leased Wire to The Times) Washington, Dec. 17.—General Superintendent Kimball, of the life saving service, has transmitted to the secretary of the treasury the report of his bureau for the year ending June 30, 1908.

The report states that at the close of the fiscal year the service comprised 280 stations. The number of disasters to documented vessels within the field of station operations during the year was 388. There were on board these vessels 3,749 persons, of whom 16 were lost. The estimated value of the vessels was \$9,776,576, and that of their cargoes \$3,135,190, making a total of property endangered in connection with casualties \$12,911,766. Of this amount \$11,666,805 was saved, and \$1,244,961 lost.

There also occurred 708 casualties to undocumented craft—sail-boats, launches, rowboats, etc.—carrying 1,963 persons, of whom 6 were lost. The value of the property involved was \$618,310, of which \$609,830 was saved and \$8,480 lost.

The life saving crews succored 562 victims of shipwreck and of boating accidents, a total of 1,000 days relief being furnished.

VENEZUELA HAS DECLARED WAR

(By Leased Wire to The Times.) Washington, Dec. 17.—A dispatch has been received at the state department from Patton Hibben, secretary of legation at Bogota, Colombia, in which it is stated that Venezuela has declared war against Holland. No confirmation of the report has been received at the department.

WHITE MAN WAS LYNCHEDBYMOB

Elmer Bill Taken From Kentucky Jail and Lynched By Tremendous Mob

CONFESSED HIS CRIME

Mob of About Thirty Men Break Into Jail and Lynch White Man Charged with Assault and Murder—He at First Denied His Crime But When Rope Was Placed Around His Neck Confessed and Told Details of Crime—His Victim Was Only Thirteen Years Old.

(By Leased Wire to The Times) Monticello, Ky., Dec. 17.—Elmer Hill, a white man, was taken from jail here this morning by an armed mob of about thirty men and hanged to a tree just outside of the city. Hill was incarcerated on the charge of assaulting Mamie Womack, aged 13, and murdering her. The girl was on her way from school.

Hill, when taken from the jail, flatly denied the charge, but when the rope had been placed around his neck and he apparently saw no way of escape, told the story of the crime. He said the girl was coming home from school when he attacked her, tying a handkerchief around her neck and strangling her. When the girl was unconscious he took her into the woods and killed her.

RELIED ON CURTIS. General Hains Placed Great Faith in Testimony That He Was to Give. (By Leased Wire to The Times) Washington, D. C., Dec. 17.—Gen. Peter C. Hains had relied strongly upon the testimony of Orlan Clyde Cullen, who shot himself at Catonsville, Md., on Saturday last, to clear his sons of the charge of murdering William E. Annis.

Representing himself, it is alleged, as Charles A. Curtis, of Princeton, N. J., Cullen went to General Hains shortly after the killing of Annis last summer and told General Hains that he had much evidence to give against Annis and in favor of the general's two sons.

Curtis gave Gen. Hains an outline of the facts he claimed to have and Gen. Hains was impressed. In a statement to the papers following his interview with Curtis, Gen. Hains said that the evidence to be given by Curtis was of the most vital importance.

Mrs. Cullen in an interview after her husband's death said she believed his statements of knowledge pertaining to the Hains case were due to an insane delusion.

PROTECTION FOR TOBACCO.

North Carolina and Virginia Tobacco Men Appear Before the Ways and Means Committee.

(By Leased Wire to The Times) Washington, Dec. 17.—Representatives of the Virginia and North Carolina tobacco growing interests, headed by A. B. Carrington, of Danville, Va., appeared before the ways and means committee yesterday afternoon and asked that the tariff on the Turkish and Egyptian cigarette tobacco be increased in order to prevent these products becoming a competitor of the Virginia and North Carolina light leaf, used in making cigarettes.

Mr. Patterson and Mr. Moseley presented the cause of the tobacco growers to the committee. They declared that the Connecticut-raised tobacco, which has a competitor in the Sumatra leaf, enjoys protection of a schedule of \$1.85, while the bright leaf of Virginia and North Carolina, used in making cigarettes only has a protection of 35 cents per pound from the Turkish and Egyptian product. The southern tobacco men asked that the southern product be given as proportionate protection from foreign products as is enjoyed by the northern-grown weed.

THE LEADING CONTESTANTS

- Miss Ruth Featherston... 73,551
Miss Isabelle Young... 44,249
Miss Josephine Sears... 42,948
Miss Mary Herndon... 38,347
Miss Viva Parker... 32,380
Miss Bessie Humphries... 27,976
Miss Katherine Davis... 22,580
Mrs. Althea Fitzgerald... 8,310
Miss Mabel Kelly... 5,193

COULDN'T HEAR HERSELF THINK

(By Leased Wire to The Times) Middletown, Conn., Dec. 17.—Young Augustus Marsh, who was a tackle on the Middletown High School eleven, left that institution of learning in some haste. As a consequence, the other students have ceased to wear their trousers "turned up."

They have been rivals in the splendor of their hostelry. Augustus bought and wore socks to school that were so loud that his young lady teacher could not hear herself think; they drowned the sound of the noon whistles so that recess was late. They were Nile green in color, embroidered in a vivid red. To better display their glory, Augustus made a double roll in the end of his trousers. So, when he sat cross-legged before the teacher all of one stocking above his low shoe was glaringly visible and much of a garment above the stockings' top.

"Augustus," said the teacher, blushing as red as the clocks on her pupils' socks, "pull down your—pull down your trousers' end."

Augustus only grinned. The teacher reported him to Principal Woolsey, who suspended him indefinitely.

THAW'S AUNT DIED IN ASYLUM

(By Leased Wire to The Times) Philadelphia, Dec. 17.—Harriet Thaw, 85 years old, aunt of Harry Thaw, died on Tuesday night at the Friends Asylum for the insane, in Frankford.

The fact that she was an inmate of the asylum for the insane was used in the second trial of Harry Thaw for the murder of Stanford White when a defense of insanity was advanced in behalf of the young millionaire.

Miss Thaw had been an inmate of the asylum for several years but the taint of insanity in the Thaw family was carefully concealed from the public until it was necessary to have the fact known in order to save the life of the unfortunate woman's nephew on trial for murder.

In the permit issued at the city hall yesterday for the removal of Miss Thaw's body to Pittsburg, her address was given as 4246 Frankford avenue, Philadelphia. Dr. Chase, head of the asylum, was a witness in the Thaw trial.

MILK MADE PURE BY POLARIZATION

(By Leased Wire to The Times) New York, Dec. 17.—Physicians in this city are greatly interested today in the announcement of Dr. C. C. Carroll, of 216 West 78th street, that sterilization and pasteurization do not free milk of bovine tuberculosis bacilli, as is claimed. This announcement was made before the members of the Medical Legal Society at their meeting in the Waldorf-Astoria.

Dr. Carroll said that the only way in which milk could be made pure was by polarization between two electrodes alternating velocity in passing. To prove his assertion, he opened a sealed can of milk and showed through the microscope that the bovine bacilli had been destroyed. The electricity, he declared, also destroys the bacteria, which causes it to turn sour.

REAR ADMIRAL EMORY RETIRES

(By Leased Wire to The Times) Washington, Dec. 17.—Rear Admiral William Hensley Emory, U. S. N., retired today on account of the age limit. His career began when he entered the naval academy, in 1852, and ended when as "Admiral of the Blue" he lowered his flag last November at Hong Kong as commander of the second squadron of the Atlantic battleship fleet and left his flagship, the Louisiana, to return home.

Commercial Silver. (By Leased Wire to The Times) New York, Dec. 17.—Commercial bar silver, 48 1/2; Mexican dollars, 45c. Bar Silver. (By Cable to The Times) London, Dec. 17.—Bar silver quiet, 22 5-16d, unchanged.

BRYAN STANDS BY THE WORLD

(By Leased Wire to The Times) Lincoln, Neb., Dec. 17.—Commenting on attack by President Roosevelt on Joseph Pulitzer, of the World, William J. Bryan comes out strongly on the side of the World and warns the president that he cannot muzzle the press. Under the heading, "President Oversteps the Limit," Mr. Bryan will say in next week's issue of the Commoner:

"President Roosevelt has sent to congress a message which announces a new and dangerous doctrine. It is the duty of every publisher and every believer in free speech and a free press to resent the president's attempt to use the government to terrorize those who would criticize the action of public officials.

"It is a matter of little consequence whether the charges made by the World are true or false. That can be determined by suit at law in the ordinary way. But it is a matter of great importance that every editor and every other individual shall be free to express his opinion on any subject connected with public affairs.

TAFT PLANS ARE DELAYED

(By Leased Wire to The Times) New York, Dec. 17.—President-elect William H. Taft's plans for his trip to his winter home in Georgia was partly upset today by a sudden and somewhat mysterious message urging him to go to Washington at once and hold a conference.

As a result of this summons Mr. Taft, who was visiting his brother, Henry W. Taft, at 35 West 48th street, had to arise at 6 o'clock in order to catch the 8 o'clock train for Washington.

President-elect Taft had planned to leave New York at 9:55 o'clock with his sons, Robert A. and Charles Taft, and his secretary, W. W. Mischler, and arrive at Augusta at 10:15 o'clock Friday morning. Mr. Taft's sons and his secretary left on the 9:55 train as they had planned. By the time they reach Washington it is believed Mr. Taft's conference will have been concluded and he hopes to join them and go on to Georgia.

PRESIDENT MUST TELL THE SENATE

(By Leased Wire to The Times) Washington, Dec. 17.—Chairman Perkins, of the select committee to which was referred the question of taking action regarding the president's strictures upon congress made in connection with the secret service, reported to the house a resolution calling on the president to submit to the house the information upon which he based his insinuations.

Mr. Bennett, of New York, moved to strike out a paragraph of the resolution to the effect that the president's language was a plain intimation that congressmen were afraid of an investigation of the secret service.

The paragraph, however, when put to a vote, was carried 270 to 14 and the resolution was then adopted unanimously.

PROMINENT MAN KILLED AT DUDLEY

(Special to The Times) Goldsboro, Dec. 17.—There was a sensational murder at Dudley, in this Wayne county last night, when B. J. Bowden shot and killed Ira Hatch. Details of the tragedy have not yet been received in this city and the immediate cause of the tragedy is unknown. The coroner who lives in this city, went to the scene of the killing early this morning to make an investigation. Some weeks ago the men had a difficulty over a dog and it is supposed that this was renewed last night, resulting in the death of one of the men.

Additional interest is attached to the killing from the prominence of the man involved. The man killed once represented this county in the legislature and was a brother of the present clerk of the superior court. The entire community is shocked by the tragedy.

SIX DAYS LEFT TO WORK FOR RING

Miss Humphries Secures a Large Number of Votes and Her Friends Are Working

EACH GIRL CONFIDENT

Raleigh Fire Department Getting Busy and They Will Enter the Fight For One of Raleigh's Girls—A. & M. Boys Coming to the Rescue of the Raleigh Girls, While Trinity is Helping Durham.

Few people realize what a great thing the big diamond-ring contest really is and to what extent the people of the entire state are interested. This is the first beauty contest ever conducted by any newspaper in the state of North Carolina, and when it was announced numbers of people freely predicted that it would be a failure, but contrary to these predictions, it has been a success from the very first day, and when the final day comes we are going to be able to announce that it has been the greatest success of any contest ever run by a newspaper in the state.

"A Beauty Contest" was something out of the ordinary and the people did not believe that it would be a success, but then it is the new things we are looking for and it is the new things that are making this paper take front rank in the newspaper field of North Carolina.

The fight for first honor has been an interesting one from start to finish and the people of the entire state are interested and every mail brings votes for some of the contestants. A Trinity College man was in The Evening Times' office today paying for subscriptions, and he said that Trinity alone was going to take enough copies of The Evening Times to win the diamond for Miss Herndon over any Raleigh girl.

That the fight should be so bitter between Trinity and the A. & M. College for the great beauty prize is real interesting, but then the Raleigh boys are determined that the ring shall not go to Durham and the Trinity boys are just as determined that it shall go to the Durham beauty. The A. & M. boys got busy last night and this morning several subscriptions came in and the votes will go to one of the Raleigh girls.

Miss Bessie Humphries, of Woodsdale is doing fine work and today her vote goes up to nearly 28,600, and still they come for her and she is getting a fine lot of subscriptions, both in North Carolina and also in Virginia. A large list of subscribers were received from Virginia for her today and this is another indication that one of the girls with only a few votes may come in with an enormous number of subscriptions on that final day and win the grand prize.

There is no more time to lose as there are only a few more days to work and you and all your friends had better get real busy today and get your subscriptions ready, so you can rush them in on that last day. All the contestants are requested to have all their clipped votes put up in packages of 100 each, so that the judges can count them more easily. It is not necessary to put your name on each vote, but simply put 100 votes in an envelope and seal it and write your name and address and the number of votes it contains. There is certainly going to be a great rush on that last hour, so we must insist that each contestant address with each subscription and under no circumstances will any money be received unless the name and address comes with the money. No names will be changed or transferred after the voting is over and no person will be allowed to pay over ten dollars in advance of December 24th.

Place all your money, checks and subscriptions in the same envelope and have them ready so that you can hand them in before the closing hour, and then the money and votes can be counted and you will be given the proper credit by the judges.

Durham and Raleigh are working as never before and it is said that the fire department of this city is coming into the race on the final home stretch and that they are going to give somebody a big surprise. They have been working day and night for a Raleigh girl, and they are going to do the right thing by her when the last minute comes.

The hearts of the contestants are beating faster and in a few days it will all be over except the counting, and some girl will be declared the winner. (Continued on Page Seven.)