

MAKE THE
IN DEFENSE

no Killed Wm.
shing, N. Y.,—



nel for the defense were
ed to obtain the posses-
tain letters written by
Hains to Captain Haines
asking him to return from
J. Hains took a lively in-
examination of witnesses
quently chatted and smiled
over some of the answe-
rers. Whenever question-
ary asked a taleman
the defendant, Hains would
nt to himself to indicate
the defendant and not one
ous lawyers grouped about

STMAS AT HOME.
ed had every confidence
ed at Christmas dinner at
the adjournment of court
ad to a deputy sheriff
in an automobile to the
city hall. General Peter
d Mrs. Hains, father and
and defendant, returned
fter the afternoon session

ors selected today were:
foreman; Thomas Wash-
y Hecker, shipping clerk;
ason, builders' supplies;
Bendish, former stable-
ck Richmond, broker's

DWARD ON
SIT TO LONDON

Buckingham Palace
ly Improved in
Health

S TO BRIGHTON

Dec. 14.—King Edward
in London, greatly im-
h. He held an invest-
 Buckingham Palace during
lived briskly about the
alked freely with those

vice of his physicians, then
up his visit to Lon-
Derbyshire because of the
eather and returns to
orrow.

NO GIVEN

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CENTRAL INQUIRY RESUMED THIS MORNING;
E. G. EVANS, FORMER MANAGER, ONLY WITNESS

Told of His Connection With the Railway, How
Much He Paid for it and How Much He Got
---His Figures Did Not Correspond With
Those Already Submitted.

The inquiry in the affairs of the Central Railway by the special commission appointed by the provincial government was resumed this morning in the Admiralty Court room after a recess of several months. The chairman, Judge Landry, of Dorchester, presided, and Commissioners Fulton McDougall, of Moncton, and A. I. Todd, of St. Stephen, and H. A. Powell, counsel for the commission, were all present. P. C. L. Ketchum was present as stenographer. P. B. Carvell was on hand in the interests of the N. B. Coal and Railway Co., and A. F. Barnhill, representing the former company. The court was called to order at 10:30 and Edwin G. Evans was placed on the stand as the first witness. Mr. Evans was formerly chief engineer of the Central Railway, he superintended much of the construction. Mr. Barnhill announced that he appeared as counsel for Mr. Evans. Witness said he is a civil engineer, and had been for twenty-two years. He went into the employ of the Central Railway in 1888 or 1889 as assistant engineer. He assumed the management of the road in 1890. There was some discussion about dates and Mr. Powell said that in 1889 he was looking for an option on the road himself. Mr. Barnhill—You were fortunate in not getting the option, or you might be being investigated now. Witness continuing, said he retained the management until 1902. He obtained his option on the road in Sept., 1900. At that time Drexel & Co. and D. W. Clark & Co. were the owners. The road was not paying and they intended to drop it. They made witness an offer which was accepted. The terms were for three years at \$65,000, he to pay interest on \$5,000 an witness to assume responsibility for the expenses. He obtained the option as a speculation on his own responsibility. Mr. E. G. Evans was associated with him to pay interest on the debt in any way connected with it. The road at that time ran from Norton to Chipman. His option was on \$50,000 bonds issued by a trust deed which was a lien on the road. The option also covered 15 to 20 per cent. of the capital stock. The option also included all the stock and bonds of the Hampton and St. Martin's Railway. The price of \$50,000 covered both railways. At that time the company managed both roads. The Hampton and St. Martin's Railway was sold under sheriff's sale and an endorsement was placed on the Central bonds retaining them in connection with the Hampton railway. This was previous to his option. The Central held the charter and subsides from Norton to Fredericton, or Gibson. At that time something had been done towards the extension of the railway including construction of bridge piers at Great Salmon river, clearing and grading done at Newcastle. The surveys had been made right through to Gibson. He thought it had been done towards the extension of right of way. The work of extension had been done under his supervision as engineer. After obtaining the option he continued to manage the company still under the same name as the Central Railway. He heard in the winter of 1901 of the formation of the N. B. C. and R. Co., the object of this was to build a road from Fredericton to Chipman, and to take the line from Chipman to St. John. He would compete with his charter. He opened negotiations in the fall of 1901 with this company. Witness remembered dealing with Ernest Hutchinson, George Ains. Mr. Barnhill in answer to the counsel, said he had never acted in the negotiations or served actively as a director. His name appeared as a member of a committee, but this was a mistake. He did not know of it at the time. The inquiry was understood that he acted as solicitor for Mr. Evans and could not act in any negotiations between him and the company. He submitted a letter proving this. Mr. Barnhill said he had had some negotiations with Mr. Evesdale who was present while some of the negotiations took place. Mr. Evesdale was present at least once. He was not sure whether it was before or after the option was given, as it was some negotiations with Mr. Evesdale who was present while some of the negotiations took place. On June thirteenth, 1901, witness made proposition to sell the railway, with all profiles, plans R. Co. He was to hand over the charter, have the mortgages transferred and locate the line from Chipman to Gibson. His offer was \$11,500 which the company accepted. The plans for bridges were to be charged for extra. Any of the other things for which he gave an option and witness were not mentioned in the option he held were afterwards mentioned by the Central Company to the N. B. C. and R. Co. His option simply mentioned the stocks and bonds. The \$11,500 was ultimately paid in full to witness, he thought, by Mr. Ains. His offer was accepted by the company on July 5, 1901. A report formerly submitted was read by the counsel. It was made by Wm. Pugsley as attorney general and mentioned the importance of having the engineer under control of the government as the railway was a public enterprise. Witness had recognized that the N. B. C. and R. Co. might build a railway in competition with his that was why he objected. Witness had thought that portions of the proposed line between Chipman

RAILWAY MEN
CONVENE HERE

I. C. R. Officials Hold
Conference
TRAFFIC DULL NOW
Pottinger Says Branch Line
Announcement Will Be
Made Soon

Yesterday afternoon a conference was held among prominent International Railway officials in this city. Matters incidental to the routine business of the several departments was chiefly taken up and discussed. Among those present were: J. G. Burpee, general manager; J. C. Burpee, engineer of maintenance, and J. T. Halliday, divisional superintendent. Mr. Pottinger when seen by The Sun shortly after the conference, stated that business was in good condition and that the branch line of the province, Mr. Pottinger said that the matter was still in the hands of the department at Ottawa. The result of the investigation, however, would in all probability be made public shortly. Mr. Halliday when seen stated that the decision of the board of inquiry which was recently to inquire into the causes of the accident at the Island yard was still under consideration and would not be given out for some time.

AN INTERESTING SUIT

An interesting case is set for hearing in the equity court at 11 o'clock on Tuesday next, when the suit brought by Albert B. Pugsley, of Sussex, against George W. Powell and Rufus J. Pope will come up for hearing. The matter has to do with transactions in western lands which have received a lot of notice throughout Canada. The plaintiff declares that Mr. Pugsley subscribed \$300 to a fund for investment in lands and he claims that a gross profit of \$300,000 was made. He now asks for an accounting, claiming that he is entitled to one-third of the profits as there were thirty shares in the syndicate and he held one. The defendants in the suit are Dr. A. W. MacLeod, K.C., appears for the plaintiff and W. B. Jones for the defendant.

RENDERS JUDGMENT
FOR THE PLAINTIFF

His Honor Judge MacLeod yesterday afternoon rendered judgment for the plaintiff in the case of the Henry Carriage Co. of Montreal against Frank R. Shaw et al. of Woodstock. Messrs. Todd and Winslow for the plaintiff and Hon. F. B. Carvell, K.C., and Hon. W. P. Jones, K.C., for the defendants. This is understood that the case will be appealed to the Supreme Court. The case arose out of the purchase by the Woodstock Carriage Co. of goods of the value of \$2,000 from the plaintiff company, after the defendants had moved from the yacht club, first where the shooting occurred, to the Flushing hospital. On cross examination Dr. MacLeod said he thought Dr. James then the house physician at the hospital was now in Grouse. Dr. Leo Schmalck, a physician at the Flushing hospital, testified as to the transaction. "What did Annis die of?" asked the prosecuting attorney. "He died of a hemorrhage brought on by some of the things I have described," said the witness. The physician said he made no autopsy on the body. Dr. Joseph Blodgett, of Flushing, who also attended Annis at the hospital took the stand. He related the treatment given to the wounded man and of the examination he had made. Mrs. William E. Annis was then called to the stand. She was dressed in a dark suit and wore a seal overcoat. A heavy veil was hung back over a large flaring black hat. She spoke in a quiet, low tone. She said: "I am the wife of William E. Annis. My name is Ellen Annis. I was present at his death. Dr. Schmalck was there." "Did you see your husband die?" "Yes." "That is all," said the district attorney. Mr. McIntyre said that the district attorney should exhaust the witness upon all her knowledge of the case.

SOLDIERS TAUGHT IN RESTAURANTS.

PARIS, Dec. 16.—In order that men of the First and Second French Infantry Regiment may become proficient in the art of cooking, the commander of the regiment, Colonel Dufour, has made arrangements with twelve of the leading restaurants of the city for a number of his soldiers to attend the kitchen every day during the next two months to receive instructions from the chefs.

PURE DEMOCRACY.

(From the New Amstel Magazine.)
Scene—Country house.
Characters—Mr. and Mrs. John Jackson, Miss Jackson, aged 22; John, Jr., aged 18; Miss Mabel, 16; Tom, 14; Ruth, 9; Willie, 4.
Time—After morning prayers.
Pa Jackson—The family will please come to order for the business of the day.
John, Jr.—Mr. Chairman, I move that Ruth act as secretary.
Willie—I second the motion.
Pa—All in favor say aye.
Family (in chorus)—Aye!
Pa—Now to business. What about dinner and supper?
Little Ruth (interrupting enthusiastically)—I second Tommy's motion.
Ma—But—
Miss Jackson—I rise to a point of order. Ma has no right to 'but' in questions.
Tom—All in favor of turkey for dinner will please say aye.
The Family (except Ma, in chorus)—Aye!
Is this ideal democracy?

CASTRO SHOULD BE AT HOME
TO KEEP A GRIP OF AFFAIRS

Absence Makes the Heart Grow Fonder of the Other Fellow—
His Influence Waning—Venezuela Is Somewhat
of a Surprise

WASHINGTON, Dec. 17.—The stirring events in Caracas are somewhat of a surprise to officials in Washington where it had been generally expected that any manifestation of hostile acts by a foreign power against Venezuela would have the result of mobilizing all elements of the people and making them rally vigorously to President Castro and his Government. That they have not done so but on the contrary have engaged in riotous demonstrations against his interests and those of his friends is quite inexplicable to the authorities here. It has been the common belief in Washington that had the United States taken any forcible steps against Venezuela in the efforts to have its claims against that country arbitrated, Castro would have become a veritable hero in the eyes of the people there. It is possible, even, that anticipating such an atti-

THORNTON HAINES WAS
A DISAPPOINTED AUTHOR

Manuscript He Sent to Annis Was Rejected—He Promised
to Get Square Sometime—Doctors Examined
Today

FLUSHING, N. Y., Dec. 17.—Counsel for Thornton J. Hains declared today that the state's witnesses called to prove the charge that Hains was a principal with his brother Captain Peter C. Hains Jr., in the killing of William E. Annis, will be subjected to severe cross examination. Hains' lawyer said that the prosecution's witnesses were all close friends of Annis and that there is little doubt they have rehearsed the tragedy with the design of presenting an unvarying story. A new light in the case was shed this morning when Hains' counsel admitted that Thornton J. Hains had had some trouble with William Annis over the publication of a magazine article last June. Hains' lawyer said that he was really not a member of the syndicate. Dr. A. W. MacLeod, K.C., appears for the plaintiff and W. B. Jones for the defendant.

THE ARMY OF GOD-KNOWS
WELDER.

(Civil Engineers.)
(Alfred Damon Bunyon, in the Bohemian Magazine.)
No bands are playing gaily when they're going into action.
No crowds are cheering, madly at their death of derring-do.
They are owning small allegiance to any flag or faction—
Their colors on the sky-line and their war cry, "Put it through!"
Ahead of both and Bible and of late repeating rifle.
The flags can only follow to the starting of their trail;
They herd the leagues behind them, every mile the nearest trife;
They mark the path of safety for the slower self-said rail.
They work the Quite Impossible; they scuff the earth and water—
They've solved the problems of the air and found them easy.
They quell the ocean's raging, the mountain's fearful haunter,
As they march toward the sky-line with the war cry, "Put it through!"
Their standards kiss the breezes from the Arctic's cooling fies
To where the South Pole's poking out its undecorated head;
You can see their paths of smelting through the lands of rum and spices—
And east and west you'll always find their unrepeating dead.
No time for love and laughter; with their rods up their shoulders,
No time to think with vain regret of home or passing friends,
They are slipping down, the oceans charging up the mighty houlders.
The compass stops from overwork; the pathway never ends.
They slit the gullet of the earth; dig out its hoarded riches
(But little too short for them to stop and snatch a rightful share);
They've a booking on the Congo putting in some water ditches;
A darning to take sea, with death; they make it by a hair!
You will find their pickets watching in the unexpected places;
You will hear them talking freely of the things that can't be done.
Oh, the faith they speak so strongly and the hope that's in their faces—
It lights the gloom of What's-the-Use as brightly as the sun!

THORNE-MCDONAH.

A very quiet yet pretty wedding took place at the residence of the bride's parents, Mr. and Mrs. Milton W. McDonah, 20 Stanley street, yesterday, when their eldest daughter, Essie Pearl, was united in matrimony to Talmage A. Thorne, of Betsenden, N. B. The ceremony was performed by the Rev. T. Howard. Miss Ethel McDonah, sister of the bride, played the wedding march.

Provincial News

HOPEWELL HILL, Dec. 10.—The case against Adolph Copp, who was charged with killing a cow moose, was finished at the police court yesterday, the matter being dismissed, no evidence against the accused being adduced. Chief Game Warden O'Leary was down looking after the case, and was much disappointed at finding there was nothing to base the charge on. The carcass of a cow moose was found at Mount Gleason on November 28th, the animal evidently having been killed a week or more when found. Information was laid against Mr. Copp, who is a brother of the local game warden, but the witness declined no grounds for the charge. C. A. Peck, K.C., appeared for the defendant; A. B. Bray, clerk of the peace, representing the prosecution. The ladies of the Methodist Church at Albert held a well attended supper and sale of fancy and useful articles, last evening, in Oulton Hall. The receipts are in aid of the parsonage fund. Mrs. Carter, wife of Sheriff Carter, of Hopewell Cape, who was stricken with paralysis a while ago, is in a critical condition, her recovery scarcely being looked for. Mrs. S. S. Calhoun is quite seriously ill at her home at Lower Cape. Golden Rule Division of P. is arranging for an entertainment to be given in the division room on Tuesday, Dec. 23rd. The ladies of the Missionary Society of the Baptist Church held their annual at home this afternoon in the church. Lunch was served and an enjoyable time spent.

MONCTON, N. B. Dec. 11.—The
option tonight considered the propo-
sition for the removal of the White Chan-
try Company of St. John. The Rev. Dr. Hayes was present on behalf of the
company and submitted an alternative
proposition which in effect is the city
to purchase the building and lease to
company and give them a bonus of five-
thousand dollars. The city council
would thus mean about twenty-three
thousand dollars, to be paid back by
the company in twenty years. Neither
the original nor alternative proposition
was acceptable to the city, and a resolu-
tion was affixed granting exemp-
tion from taxation and factory rates
for water and light, but this was re-
jected by Dr. Hayes as being out of
the question to be entertained by the
council. It was suggested by Mr.
Marlin that the city might guarantee
the bonds to the extent of twenty
thousand dollars with proper security.
After submitting the matter to plebs-
cite it was finally decided to refer the
matter back to the White Chantry Com-
pany with a view of their submitting a
proposition for twenty thousand dollars
bond guarantee.

FREDERICTON, Dec. 14.—Henry
Chester, the well known hardware
merchant and publisher, was seriously ill
at his home, in Water-
loo Row.
Mrs. James McCreary, who died at
her home at Covered Bridge, Nash-
ville, Saturday, left a family of ten
children, the eldest twelve years old,
and the youngest one only four years.
She was 80 years old and is also sur-
vived by her husband.

Harry Beckwith who held a position
in the Public Works Department for
some months ending in August, and
with that department a few weeks ago,
is now, it is said, to be employed by
the Crown Land Department looking
after the collection of coal royalties at
the Mine Mines at St. John. Mr. Beck-
with enjoys the distinction of being
Premier Haines' uncle.

CHARLOTTETOWN, Dec. 15.—Chad
in summer clothes, without gloves or
overcoat, Joseph Shepherd and Char-
les Macdonald have been captured at
Lot Forty, twenty-six miles from the
Queens County jail, where they
escaped on Sunday night. Shepherd
was caught just after entering a barn
for the night and Macdonald after leav-
ing another barn who took by. They
were found in the locality where they
committed the crimes of horse stealing
and burglary which led to their im-
prisonment about three months ago.

MONTEREAL, Dec. 15.—Some days
ago a Canadian, Associated Press de-
spatch from London, gave an account
to a rumor from Rome that Hon. Sym-
ney Fisher, Canadian Minister of Agri-
culture, had committed a breach of
international etiquette by officially
calling upon the Pope before waiting
upon the King. How the report gained
circulation is not known, for it was
entirely erroneous.

Private letters received in the city
state that Mr. Fisher, as first vice-
president of the International Agricul-
tural Congress, waited on the King
at the head of a deputation from the
congress, on Nov. 27, and on the 28th,
the next day, paid an official visit to
the Pope.

GASTORIA

Spokane the
Gastoria