

DISMISSED IN TRIAL = HEY THREATENS TO SHOOT

EVANS SAYS FAREWELL

ADMIRAL TAKES LEAVE OF HIS OFFICERS

METCALF REVIEWS GREAT FLEET IN HARBOR

Pageant in San Francisco Bay is the Most Magnificent Naval Spec-tacle Ever Witnessed in Pacific

By Associated Press. SAN FRANCISCO, May 8.—Rear Admiral Evans bade a personal farewell to the officers of his command at the banquet given tonight in honor of the visit of the Atlantic fleet by the city of San Francisco.

As to armor belts, the admiral declared it made no difference whether they were at the water line or whether they were made of leather, wood or egg shells.

"It is the men who can shoot the straightest and stand punishment the longest who win battles," he declared.

Admiral Evans was cheered time and time again.

SAN FRANCISCO, May 8.—The combined Atlantic and Pacific fleets of battleships, armored cruisers, torpedo boats and auxiliaries, aggregating in weight of displacement the enormous total of more than 400,000 tons—the greatest assemblage of armor clads thus far to mark the progress of the American navy to sea—were reviewed in the bay today by Secretary of the Navy Metcalf.

Proceeding from the Oakland shore, the secretary on board the little gunboat Yorktown—a reminder of the days when the navy was in its infancy—proceeded southward through the two lines formed by the armored cruisers of the Pacific fleet and the destroyers of the Atlantic fleet, headed by the Minnesota.

The review, however, crowded about the anchorage area and gave the patrol boats plenty of work.

The heavy signal flags of full dress, paid no heed to the whistling wind, but the destroyers rolled and swayed in the trough of the seas.

Excursion crowds crowded about the anchorage area and gave the patrol boats plenty of work.

Rear Admiral Robley D. Evans, who had hoped to end his active naval career by participating in today's official ceremonies, was not permitted by his attending physician to go aboard the Connecticut.

Admiral Evans, who returned to the fleet at Santa Cruz the day before it sailed through the Golden Gate in completion of the originally planned cruise, has made his headquarters at the St. Francis hotel since the afternoon of the arrival.

Tomorrow forenoon is the time set for Admiral Evans finally to relinquish command. Although he will not be aboard ship, his flag will officially be lowered from the trunk of the Connecticut as the sharp speaking rifles on the afterdeck boom out their parting salute of thirty-three guns.

A few minutes later another thirteen guns will mark the assumption of command by a new chief, Admiral Thomas transferring his headquarters from the Connecticut to the Connecticut and changing the subordinate flag of red for the commanding pennant of blue.

Admiral Evans' leave taking of the fleet thus will date from the journey through the Golden Gate, when, clad in the double-breasted frock coat of "Admiral B," the official uniform for entering port, he stood upon the bridge of the flagship for the last time.

Usually retiring admirals are rowed ashore by the men of the fleet. There can be no ceremonies of this kind tomorrow, accompanied by members of his family and by officers of his personal staff, Admiral Evans will leave tomorrow afternoon for his home in Washington, where he will remain on waiting orders until the date of retiring on his 62d birthday, August 18.

Admiral Thomas will be in command of the Atlantic fleet until May 15, when he, too, hauls down his flag for all time to return home on waiting orders until his retirement in the fall.

Rear Admiral Charles S. Sperry will assume command with the departure of Admiral Thomas and will take the fleet on his brief excursion to Puget Sound, beginning May 18, and on its tour of the world, starting from San Francisco July 7.

Today's review was marked by the customary formalities of booming cannon, of ship sides manned with blue-jackets at attention, of quarter decks black with officers and marine guards, of red-coated bands playing the national anthem, of rainbow flag flying from jacks-taffs across the trucks surmount-

INSPECTS COMBINED FLEET



SECRETARY OF NAVY METCALF

MURDER HORROR IS INCREASING

ADDITIONAL BODIES DUG FROM LAPORTE FARM

GREAT CROWDS SURGE AROUND

Employee of Mrs. Guinness Declared to Have Had Woman at His Mercy with Threat of Exposure

LA PORTE, Ind., May 8.—Developments in the Guinness murder case came thick and fast this evening, each additional circumstance brought to light being of a nature to strengthen the charges against Ray Lamphere, who is accused of first degree murder because of the death of Mrs. Bella Guinness and her three children.

Lamphere today sent a request to his attorney, H. W. Worden, asking the latter to send to the farm of John Wheatbrook for the trunk which Lamphere left there when he was arrested April 23. But before this word had reached the attorney the trunk had been confiscated by the authorities.

It contained a number of letters written by Mrs. Guinness to Lamphere after the latter had taken employment at the farm of John Wheatbrook, near Springfield, seven miles north of this city.

The exact dates on these letters were not announced, but that they were recent is evidenced by the fact that Lamphere went to the Wheatbrook farm February 3, 1908. The woman wrote to Lamphere urging him to return to her farm and to "bring your sweetheart with you, if she has money enough."

The identity of the woman is a mystery, and neither does Mrs. Guinness mention the amount deemed necessary for her reception at the Guinness farm.

Woman's Rings Found

Along with the letters were found several woman's finger rings, some of which were of unusual size, and many have been the property of Mrs. Guinness.

Lamphere today evidenced a desire to break the silence which he has kept since his arrest. To a visitor to his cell he said:

"There are some things I would like to talk about, but my attorney has told me not to say anything about my troubles to any one. But there are some things which I think might be talked about and not hurt my case. They might even help me if they became known."

Lamphere then requested that his attorney might be informed of his desire for some clothing in the trunk at Springfield.

The resumption of excavation at the Guinness farm again drew an immense crowd of spectators. The rush of visitors has become so great that some of the local livermen have established a regular bus line to the farm.

The announcement by Coroner Mack that two bodies had been discovered only served to increase the rush of curiosity seekers. The scraps of humanity were found in the barnyard, which had already given up nine cadavers and were discovered under circumstances similar to those which prevailed Tuesday and Wednesday.

Find Decomposed Body

About four feet below the surface the excavators encountered two bodies of a woman's size, one of which was wrapped in burlap and a few strokes more of the spades and hoes revealed the skull, a decomposed torso and leg and arm bones.

While the investigations were going on at the farm, prosecuting Attorney Smith, aided by Deputy Sheriff Roy Marr, was collecting additional evidence concerning Lamphere's alleged participation in the affair.

One of the first new witnesses found today was Colson, who told of a conversation in which Lamphere declared his ability to get money and clothing from Mrs. Guinness. According to Col-

REJECTED; ENDS LIFE

KILLS SELF IN SWEETHEART'S PRESENCE

SOLDIER HAD BEEN ENGAGED TO GIRL

Patrolman Summoned to Protect Beautiful Young Widow Vainly Tries to Prevent Shooting. Commander Notified

Samuel Barr, a private in the hospital corps of the United States army, stationed at the Presidio of Monterey, committed suicide in a most dramatic manner in this city last night at Twenty-seventh street and Central avenue by shooting himself through the head.

More than a year ago Barr became acquainted with Stella Erb, a handsome young widow 25 years of age, at her parents' home in Monterey.

He was fresh at the military post in the old historic town, having just come from Chicago, where he enlisted. He met Mrs. Erb and fell in love with her.

For a time all went well with his suit and the young couple were practically engaged. An obstacle appeared, however, in the fact that Mrs. Erb is a Catholic and Barr a Protestant.

Refuses to Change

Mrs. Erb's parents objected to the match unless Barr would embrace the Catholic faith and this he refused to do. Mrs. Erb finally informed him that unless he became a member of her church she could not go against her parents' wishes and marry him.

With this it was alleged he became abusive and threatening, and his conduct toward her became such that her feeling for him was changed and she finally dismissed him from her house and ordered that he never appear there again.

Despite this, however, Barr, it is said, continued to call on and annoy her with his attentions and he finally resorted to threats that if she did not marry him he would kill her and then kill himself.

Mrs. Erb consulted with her parents and the priest in charge of the parish church which she attended and influence through the commander of the military post at Monterey, Colonel Marion P. Maus, was brought to bear upon Barr to compel him to leave the woman alone.

His unwelcome attention continued, however, and finally on the night Mrs. Erb slipped away to Los Angeles and went to the home of her uncle, Edward Jones, 720 East Twenty-seventh street. Shortly after her arrival here she secured a position as cashier at the Cloverleaf creamery, 314 Hawthorne street.

In the meantime Barr continued hounding her family in Monterey to learn of her whereabouts and threatened to kill them if they did not tell him.

While they refused to let him know where the girl was he in some way learned she had come to Los Angeles and also the address of her uncle.

Learns Girl's Whereabouts

It was only after two months' constant search that Barr found the whereabouts of the girl.

March 3 he applied to his chief sergeant for a pass to leave the post for eight days and permission to wear civilian clothing, stating that he was going to San Francisco.

Ten days ago he appeared in Los Angeles and yesterday went to the Jones residence on Twenty-seventh street and asked for Mrs. Erb. He was told she was out and that it was not known what time she would return. He then left the house, but hung around the place all day, returning several times to ask if she had returned.

These facts were telephoned to Mrs. Erb at her place of employment and she telephoned the office of Chief of Police Kern stating she was afraid of the man and wanted an officer to accompany her home.

Chief Clerk Ora May of Chief Kern's office was detailed to go to the creamery and accompany the young woman home. He arrived at the place at 6 o'clock and together they took a car and rode to Twenty-seventh street and Central avenue. As they alighted from the car they saw Barr walking up and down the sidewalk near the Jones residence.

They walked directly toward him, and as they came abreast of him he observed Mrs. Erb and spoke to her.

Officer May told Mrs. Erb to walk along and he turned to the man and inquired of him why he was bothering the woman. Barr wanted to know what business it was of his.

FIREMEN START BLAZE AT BIG SHOW GROUNDS TO SAVE THEIR JOBS

Four Members of Department at Jamestown and Two Guards Confess to Charge of Incendiarism

NORFOLK, Va., May 8.—Four members of the Jamestown exposition fire department and two of the Powhatan guard were today held to the grand jury on the charge of arson.

Two of the men filed written confessions that they started the fire on the grounds which destroyed the Philippine and other exhibits ten days ago.

The resolution pointed out that two such propositions are before the United States senate.

UNIVERSITY STUDENTS PAY DAMAGES; CHARGES OF RIOTING DISMISSED

Merchants in Ann Arbor Reimbursed for Loss Sustained by Outbreak of Col. legians

ANN ARBOR, Mich., May 8.—The charges of rioting preferred against fifteen University of Michigan students as a result of the student outbreak on March 18, when a mob of 2000 students attacked and wrecked the Star theater, were dismissed today after the students had reimbursed the county to the amount of \$208.50 for expenses and paid \$1000 for damages to persons whose property was destroyed in the outbreak.

TECHNICITY MAY FREE THAW FROM ASYLUM

Counsel for Young Millionaire Asserts That Order of Commitment to Institution Was Illegal

POUGHKEEPSIE, N. Y., May 8.—Counsel for Harry K. Thaw today filed a traverse to the return on Thaw's writ of habeas corpus.

The chief question raised by the traverse is the constitutionality of Thaw's commitment to the Matteawan state hospital. It is alleged that the return made by Dr. Amos T. Baker is invalid, null and void.

Should Justice Moreschauer decide Thaw was not constitutionally committed to Matteawan he probably would order Thaw discharged without any inquiry as to his sanity.

WHEAT PRICES TAKE BIG JUMP IN EASTERN MARKET

NEW YORK, May 8.—The government report today upset all calculations in the local wheat market, causing a rush of shorts to buy to protect their contracts.

In the Malay archipelago, the report continued, the increased power of Japan is dimly felt to be a threat rather than an incitement, and reported experiences of Formosa and Korea lend stability to European rule.

The Philippines at first the Japanese success produced some wild talk, but the American concession of a larger degree of self government than has yet been vouchsafed to a dominated people in the history of nations, with the object lesson of how Asiatics may fare at the hands of other Asiatics has made for a degree of contentment with the American program that could scarcely have been looked for at the beginning of the quadrennial.

THE NEWS SUMMARY

FORECAST

For Los Angeles and vicinity: Fair, cooler Saturday; brisk north winds diminishing. Maximum temperature yesterday, 68 degrees; minimum, 50 degrees.

LOCAL

Rejected suit to kill self in presence of sweetheart and patrolman. A man who wishes to become snake charmer severely bitten by rattler.

Negro prisoner who has been "going nuts" for more than a month. Court's order gives former coroner another reprieve.

Son of wealthy Boston man held under heavy bonds. Patrolman fined for being drunk. Appears in court without star.

EASTERN

Horror at murder farm in La Porte, Ind., is increasing; remains of two additional bodies are unearthed. Fire rages in Atlanta, Ga., and causes loss estimated at \$1,500,000.

Prosecutor Heney and attorney for Ruef quarrel in court and Heney threatens to shoot.

Portugal Announces Lease LISBON, May 8.—The Economist today announces that Delagoa bay, in Portuguese East Africa, has been leased to the Transvaal as an outcome of a conference recently held at Pretoria.

Aged Churchman Seeks Retirement

BISHOP THOBURN LEAVES SERVICE

METHODIST MISSIONARY IS RETIRED

CONFERENCE PAYS TRIBUTE OF HONOR

Delegates at Baltimore Shocked by Receipt of Advertisements Set- ting Forth Value of Certain Whisky

By Associated Press. BALTIMORE, May 8.—Giving advancing years as his reason, Rev. Dr. J. M. Thoburn, missionary bishop of Bombay, India, today asked the general conference of the Methodist Episcopal church to retire him from active service.

The resolution pointed out that two such propositions are before the United States senate.

STRANDED CREW TAKEN ASHORE

ALL ON BOARD BIG SHIP ARE SAVED

LIFE SAVERS BATTLE AGAINST WAVES AND WIND

After Long Battle with Sea Seventy-two Men Are Taken Off Huge Freighter Peter Rickmers

NEW YORK, May 8.—Seventy-two men, who for more than twenty-four hours had been facing death in the raging sea near Fire Island, were rescued from the crumbling hulk of the big German ship, Peter Rickmers, early today.

The rescue was effected after one of the most trying sieges the life savers on the coast have ever been called upon to face.

No less than a dozen times hope of saving the men on the doomed ship was all but abandoned, and it was only the easing of the gale and terrific sea that made the rescue possible.

The great steel ship, one of the finest sailing vessels that ever rode the sea, is a total wreck. Her bow and stern are completely torn off by the waves, her masts were ripped out, her deck houses and bridges swept away and she is full of water.

The wind increased so rapidly and the sea assumed such proportions that the wrecking tugs standing by were forced to flee for their own safety, leaving behind on the ship thirty-nine life savers, who have been working on the cargo and thirty-three of the crew of the Rickmers.

As the storm increased the waves drove the big vessel steadily back on the sand bar. One by one her masts went by the board and, surging over the crumbling hulk, threatened to sweep every living thing on board into the sea.

The storm continued to grow in intensity, and the plight of the men of the wrecked ship became more desperate.

Early this morning the storm had subsided sufficiently to permit the wreckers on board the ship to launch their boats, and they landed unaided. Then a line was sent to the wrecked ship and the crew of the vessel was brought ashore.

OKLAHOMA PUTS BAN ON ALL LOBBYING

Both Branches of the Legislature in New State Agree to Enact a Stringent Law Against It

By Associated Press. GUTHRIE, Okla., May 8.—Both branches of the Oklahoma legislature today agreed to the anti-lobbying bill, which provides that criminal action may be had on any lobbyist who does not first file his name and a statement of his business with the legislature.

The bill is similar to a measure proposed by Governor Folk of Missouri. Governor Haskell has said he will sign the bill.

Troops for Korea

TOKYO, May 8.—The Twenty-third and Twenty-seventh regiments of infantry will proceed to Korea on May 14 to cope with any possible emergency.

QUARREL IN COURT

PROSECUTOR AND MURPHY AT POINT OF BLOWS

HOT WORDS EXCHANGED OVER ACCUSATION

Counsel for Former Boss Charges Opponent with Carrying Gun and Being Too Ready to Use It

SAN FRANCISCO, May 8.—Endeavoring to come to the defense of the prosecution's star witness, who was being subjected to a severe cross-examination, and accused of having put words in the witness' mouth, Assistant District Attorney Francis J. Heney precipitated a sensational scene in the courtroom last evening during the trial of Abraham Ruef.

The outbreak occurred during the cross-examination of James L. Gallagher, the prosecution's principal witness in the bribery-graft cases, whose home in Oakland was blown up two weeks ago.

Gallagher, who admittedly was the agent and go-between between Ruef and the supervisors, had testified that Ruef instructed him to "hold up" the application of the Parkside Realty company for a trolley franchise and subsequently told him to see the other members of the board, advise them that each supervisor would get \$750 to pass the ordinance and "put it through."

He also told of Ruef's message to the board that there would be \$250 more in it for each member when some months later the Parkside company wanted the trolley route in the franchise changed.

Threatens to Use Gun

So hoarse that he could not speak above a whisper without great effort, Ach commenced Gallagher's cross-examination at 10 o'clock, with a repetition of the same question in various forms and a relentless probing for details.

Gallagher became nervous and confessed that he had put words in the staid and phlegmatic witness and he moved restlessly and uneasily about in the chair.

Wrought up by Ach's methods and insistent and categorical replies, Assistant District Attorney Heney remonstrated and said it was about time Ach was stopped from putting words in the witness' mouth and of trying to mislead him.

Ach came back with the accusation that it was the assistant district attorney who had put words in Gallagher's mouth.

"You are a liar!" retorted Heney, rising to his feet and shouting at Ach. "Put him out!"

"If either of you want anything and will come outside, I'll give it to you this minute," challenged the assistant district attorney, as he reached for his hat.

"Take that big gun out of your pocket," retorted Murphy, "then I'll call you a liar."

"Yes, and if I do I'll use it," said Heney, as he started toward the side counsel for the defense, at the same time dropping his hand to his side menacingly.

He was stopped by Detective Burns, shining a light on Heney's hand. "The court all this time was exclaiming, 'Gentlemen! Gentlemen!'"

Ach pushed his associate back into his chair, admonishing him to "be a gentleman."

Order being restored, the court said: "If it were not for the fact that I want to get through with this case, I have a gun. An attempt has been made to assassinate me and one other man connected with this proceeding by some of their crowd of thugs who are about frozen in this courtroom right now."

"Yes, Burns' thugs," interjected Murphy. "No, your thugs."

The trouble had broken out again. "He goes around making a big noise, thinking he will scare somebody," said Heney.

Ach, addressing the court, said he desired to take an exception to the statement made before the jury that the assistant district attorney had said that he had a gun. He declared that Ruef did not have in his employment any other persons than his attorneys and his office boy, and asserted that while Heney had no right to come into court with weapons on him, he said, if he considered his life in danger, he had a guard with him.

Heney declared that he had been receiving letters threatening his life, and taking one from his pocket, said "there is one right now that came in care of your honor."

Heney also stated that in coming to and going from the courtroom he was daily called vile names by persons in the corridors and on the sidewalks in front of the building.

After the court had again severely admonished the attorneys, saying that he would greatly regret to postpone the trial for a week, and while very patient and making all allowances, he would not again permit the recurrence of such a scene to go unpunished, and Ach resumed the cross-examination of Gallagher.

Asked if he did not testify before the grand jury that Ruef said there "ought to be \$750 in it for each supervisor, instead of 'there would be,'" the witness declared that he "would not say positively" that he had not made such a statement, but was satisfied that he had not, and attributed it to an error on the part of the reporter who took down the testimony.

Just before court adjourned Judge Pooling again warned counsel against indulging in a repetition of the incident of the afternoon.

District Attorney Heney apologized. (Continued on Page Two)