

Forecast made at San Francisco for thirty hours, ending midnight, November 8:
San Francisco and vicinity—Fair Tuesday; light northeast winds.
A. G. McADIE,
District Forecaster.



ALCAZAR—"Prince Karl."
CALIFORNIA—"Sweet Clover."
CENTRAL—"Her Marriage Vow."
COLUMBIA—"The County Chairman."
CHUTES—"Vaudeville."
FISHER—"Vaudeville."
GRAND—"Pretty Peggy."
MAJESTIC—"An American Citizen."
ORPHEUM—"Vaudeville."
TIVOLI—"The Messenger Boy."



ATTACK ON DOLBEER WILL BEGUN BEFORE JURY

Witnesses Say Testatrix's Mother Was Insane

MISS ETTA WARREN, FROM WHOM IT IS SOUGHT TO WREST FORTUNE, IS A SPECTATOR AT TRIAL OF THE CONTEST



ETTA MARION WARREN AS SHE APPEARED YESTERDAY IN JUDGE COFFEY'S COURT.

The battle over the \$1,000,000 estate of Miss Bertha M. Dolbeer began in earnest yesterday. The array of legal talent at last settled down to the combat before jury and court and the attack on the will by Adolph Schander, the uncle, who alleges that he was ignored because of his niece's unsoundness of mind, opened with the vigor of determined effort. There was formidable resistance at every turn and in large measure it was successful.

Schander's attorneys announced that some of their most important evidence would be declarations by Miss Etta M. Warren herself as to the insanity of Miss Dolbeer, but when it came to the reading of the deposition of a New York detective who says they were made to him, Judge Coffey refused to admit the testimony.

One of the strongest witnesses for the contestant, Mrs. Raymond H. Sherman, who is a daughter of Mrs. J. L. Moody, left last Thursday for the East, but her testimony had been taken in a deposition and this was read to the jury. Unlike Schander, who scarcely ever held a conversation with Miss Dolbeer, and to whom the testatrix was virtually a stranger, though he was her uncle, Mrs. Sherman was on terms of intimacy with her cousin and was in a position to speak intelligently on her condition at the time the will was executed. But Mrs. Sherman's evidence was hardly of a strongly convincing character. The most she could say was that "a change came over Miss Dolbeer in the last year, she looked sad and appeared indifferent to anybody or anything or to life." The witness had never seen any act or heard any words that would firmly establish the fact of an unbalanced mind.

MISS WARREN TIMID.

Miss Warren, lifelong companion of Miss Dolbeer and chief beneficiary in the testament, was in court yesterday, the first time she has appeared since the suit which seeks to deprive her of about \$850,000 was instituted. She was accompanied by her nurse, Miss Alexander of New York, who came to San Francisco with her when the remains of Miss Dolbeer were brought across the continent for interment. Seated on the other side was a half-sister, Miss Stuart, of this city. The experience of coming to court was a new one for Miss Warren and it was with difficulty that the courtroom was found among the dark corridors of the puzzling City Hall.

Nor did Miss Warren enjoy the

glances of the audience. Her refined face told plainly of her recent illness. Her nervousness was apparent and she could not repress a few tears. She was dressed in mourning, giving emphasis to saddened though comely features. The modest, shrinking woman seemed far out of place as the center of the war the lawyers were waging at the bar with loud voice and many an angry quip.

The opening statement for the contestant was made by Hiram Johnson, who set forth his case with clarity and conciseness. He said the contestant would show that Miss Dolbeer was of unsound mind when she made a will wherein the closest of her kin were not mentioned and the greater part of the estate she had inherited from her father was bequeathed to Miss Warren, to whom she was bound by no tie of consanguinity. It would be proved, he declared, that her insanity was hereditary, for her mother had committed suicide while insane and members of her father's family had been committed to asylums. Then the death of Miss Dolbeer's brother, resulting from a runaway accident, her father's death and other circumstances of her life had aided to bring on melancholia, from which she was suffering in acute form when she executed her testament and when she flung herself from the window in the Waldorf-Astoria Hotel in New York four months later.

AFFLICTED AS WAS HER MOTHER

It would be proved, the attorney continued, that Miss Dolbeer was suffering from a peculiar pain in the back of the head, with a falling of the eyes, insomnia and all the symptoms of melancholia, such as her mother suffered before her death. Early in the present year it had become necessary to prescribe opiates for Miss Dolbeer that she might sleep. She had become more and more depressed, indifferent to the world, absolutely indifferent to life, grown thinner and thinner, a pallor settled on her countenance and melancholia, the most insidious form of insanity, had developed in strong degree.

Mrs. J. L. Moody, an aunt of Miss Dolbeer, Johnson proceeded, would testify that on April 24, the day after the will was made, the decedent was seized with a paroxysm and uttered cries of despair, that clearly indicated that the mind was gone. It was plain that her intellect was clouded, that her view of life and things was distorted and that she was utterly incapable of executing a will.

Miss Dolbeer then took the trip to Europe, accompanied by her constant companion, Miss Warren, on the ad-

vice of her physician, and the stewardesses of the trans-Atlantic steamships she sailed on, Johnson said, would testify that during the voyages she acted strangely and talked irrationally. And finally, after Miss Dolbeer, while suffering from aberration of mind, ended her life by tragic suicide, Miss Warren herself told the Coroner of New York that her ward had been insane for some time, and to the detective detailed to investigate the case made the statement that she had been apprehensive that the derangement of mind would lead Miss Dolbeer to take her own life.

MOTHER SHOT HERSELF.

The opening statement ended, Mrs. Millie Scott Biven of Oakland was called as the first witness and she testified as to the insanity of Miss Dolbeer's mother and the fact that Mrs. Dolbeer was afflicted with a peculiar pain in the head, insomnia and melancholia at the time of her daughter's birth. The mother had been taken to Stockton by her husband and later, on her return home, procured a pistol and shot herself dead. Bertha was two years of age at that time.

The decree of distribution of the estate of John Dolbeer was introduced in evidence, showing that Miss Dolbeer inherited property valued approximately at \$1,100,000.

Raymond H. Sherman was next called to prove that his wife was out of the State, having departed last Thursday after a subpoena had been served on her by proponents. The contestant was then allowed to read Mrs. Sherman's deposition. The burden of her testimony was that she had noticed a great change in her cousin's condition in her last year. Miss Dolbeer was unusually listless, became very thin and was much depressed. Her eyes were heavy and wholly without animation, she "had little to say for herself, looked sad," and "displayed no feeling in taking leave to go to Europe."

Mrs. Mary Ribbey, who answered that she was employed as foster-mother for Bertha Dolbeer in 1878 and 1879, told of the insanity of Mrs. Dolbeer and of her suicide.

The trial will be resumed to-morrow.

NEW YORK, Nov. 7.—A letter written by Miss Bertha M. Dolbeer while in London to Dr. Homer Gibney of this city, in which she said she was "enjoying herself immensely," was read at today's taking of testimony for the contest over Miss Dolbeer's will. Counsel for the contestants objected to the admission of the letter as evidence. The examination will be continued to-morrow.

ROOSEVELT WILL CARRY THE SOLID NORTH WITH A RECORD BREAKING POPULAR VOTE

Final Estimates Give Parker No Electoral Delegates Except Those of the South.

Republicans Will Have Good Working Majority in House

WASHINGTON, Nov. 7.—Final estimates received from Republican National and State headquarters to-night were more optimistic than any that have heretofore reached the President. The party managers are confident that Roosevelt will sweep the entire North, and that he will receive a record-breaking popular vote. Not a single State outside of the South is conceded to Parker. The one obstacle to Republican success—the danger of over confidence—has been removed by the energetic efforts of the campaign committees in the past few days, and the full strength of the party will be voted at the polls. It is no longer feared that control of the House of Representatives will be lost; in fact, the Republican majority in the House may be increased. On the eve of the election all indications point to a Republican "landslide."

FINE WEATHER IS PROMISED AND TREMENDOUS VOTE WILL BE CAST IN ALL THE STATES

Belief That To-Day's Election Is Only a Formality Is Reflected in Wall Street, Where the Flurry Usual on the Eve of a Contest for the Presidency Is Lacking

Special Dispatch to The Call.

NEW YORK, Nov. 7.—There is every prospect of a tremendous vote being cast at to-morrow's election in all the States. The Herald estimates that the total vote of New York City alone probably will reach 653,000, which are unprecedented figures. It estimates that the vote throughout the State of New York will in proportion approach this flood-tide volume.

Election eve found both parties claiming victory and an unexampled divergence of opinion existed regarding the State of New York, which has been the great battleground of the canvass and will continue to be until the polls close. While the Democratic managers profess to be equally confident as the Republican managers of the State for their national ticket, the stock market failed to show a tremor of uneasiness at a prospect of a change in the national administration. The business interests of the country all appear to regard the election of Roosevelt as a foregone conclusion and as a satisfactory outcome. The market showed considerable advances and great strength. This was more marked than in 1900 and different from the condition which prevailed in 1896, when so much was at stake in the business world in the East that many persons desisted from trading and waited with bated breath for the announcement of the returns. The market, however, has advanced before each Presidential election for twenty years.

HIGGINS MAY BE BEATEN.

While the market was thus strong and buoyant and cocksure of Republican success everywhere, a remarkable exhibition was given in the betting. A large portion of the speculative population seems to believe that the State will be carried for Roosevelt and an equally large portion seems to be grounded in the conviction that Higgins will run so far behind the ticket that Judge Herrick will be elected and that a situation will be disclosed on election night similar to that of 1888, when Harrison, Republican, carried the State for President and Hill, Democrat, was elected Governor, there being a difference of 32,000 between the head and tail of the ticket.

Governor Odell made the closing speech of the campaign in New York at a meeting early in the day to the employees of the H. B. Clafin Company. He took occasion to tell the story of his connection with the government and politics of the State. He defended his own administration and the record of Higgins and declared he would make no effort to control the conduct of Higgins as Governor.

All of the official claims and estimates of the two parties have been made. It is understood that the Democratic leaders here believe New York City will give at least 140,000 for the Democratic State ticket. Governor Odell is of the opinion that Higgins will beat 140,000 up the State.

The Democratic managers are pressing the charges which they made that the Republicans are colonizing voters in the rural counties. Warrants have been issued for suspects in Elmira. On the other hand the Republicans are preparing for a sensational raid on repeaters in this city. They solemnly declared to-night that they had perfected plans to prevent the casting of 10,000 illegal votes.

Aside from the preparations for the

receipt of the election returns, there was little evidence of the close of the political campaign, unless it might be found in the absence of familiar faces about the national and State headquarters and hotels. There was nothing that indicated any excitement or undue interest, and, in fact, the political headquarters, both national and State, showed little of the activity that has been noticeable up to the end of last week. Nothing that either campaign committee could do at this late day, it was recognized, would affect the result, and this accounted in part for the quietude. It being well known that the case had been closed and had gone to the great American jury.

The extreme quiet of headquarters was apparent also at the hotels—and those haunts where politicians often congregate to discuss the prospects of the different candidates were deserted nearly all day by the men who are most interested in the elections.

—Election returns will be received at all the headquarters. Chairman Cortelyou will go to Hempstead, Long Island, to vote and upon his return will remain at the committee room throughout the evening.

Vice Chairman Nicoll, Chairman Sheehan of the executive committee and Secretary Woodson will receive the returns at Democratic National Committee headquarters.

Chairman Cord Meyer and other Democratic State committeemen will be at the Hoffman House. William Barnes Jr. of the executive committee will be in charge at the Republican rooms in the Fifth Avenue Hotel.

Evidences of breaking up were apparent to-day when members of the various committees were observed clearing out their desks of things that had accumulated during the campaign. It looked very much as if the end was near at hand.

DEPEW TALKS TO NEGROES.

Senator Depew Pays High Tribute to Booker T. Washington.

NEW YORK, Nov. 7.—Senator Depew closed the campaign to-night with an address at the Abyssinian church. Senator Depew said that in the Republican party rested the hope of the negro. He paid a high tribute to Booker T. Washington.

"I have hardly met his equal anywhere, and I have met all the great men of the world," he said. "No negro in the United States can vote against the Republican party unless he betrays his race. You colored men must vote with the Republicans until the Democratic States stop disfranchising your race or until you can point at a Republican Legislature that is trying to take away your voting franchise."

Claims of Minnesota Nominees.

ST. PAUL, Minn., Nov. 7.—The candidates of the Republican and Democratic parties to-night made their final appeals. Robert C. Dunn, the Republican candidate for Governor, spoke in Minneapolis as a counter to Johnson, the Democratic candidate. Henderson County is claimed to be doubtful territory, with the odds in favor of the Democrats. Dunn claims the State by 50,000. Secretary Keen of the Democratic State Central Committee estimates Johnson's plurality at 26,000. There seems little doubt that the National Republican ticket will be victorious.

Election News Continued on Page 2.

ROOSEVELT A SIX-TO-ONE FAVORITE IN THE BETTING ON THE NATIONAL RESULT

Two-to-One Is the Prevailing Quotation on His Chance for Carrying New York State, but Big Speculators Concede the Governorship to the Democrats

Special Dispatch to The Call.

NEW YORK, Nov. 7.—Excepting at the longest of odds—odds that have never before been witnessed in Presidential betting in Wall street—no Parker funds were forthcoming in to-day's closing betting on the campaign. The length of the odds, however, tempted some bettors to try "long shots" upon the Democratic candidate.

It is estimated that \$5,000,000 has been placed on deposit by bettors. One trust company holds \$2,500,000. One big bet was closed before noon at odds of 6 to 1. The \$500,000 Roosevelt money in this bet was offered by Frederick H. Brooks. It was covered by Sheffield & McCullough, who put up \$300 on Parker.

The betting ring in the curb market was an exciting place to-day, as outside brokers deserted business in stocks to get down, as far as they were able, belated wagers.

Money was freely offered at odds of 2 to 1 that Roosevelt would carry the State, while the betting on the Governorship result opened at 2 to 1 on Herrick; bets of varying amounts being closed later at odds ranging from 4 to 10 to 6 to 10 on Herrick.

Up town little money was wagered. Old-timers declared on Broadway and Sixth avenue that a duller election was never remembered.

A good deal of money was put up in \$50 and \$100 bets in Considine's place, with odds on Roosevelt carrying the State at 10 to 7. This was the price wherever there was any betting in the tenderloin. There was little Higgins money in evidence, the odds on Herrick being 10 to 6. Betting continued active until the close and was attended by a good deal of excitement.

A. G. Wood offered to wager \$1000 to \$1200 that Roosevelt would not carry New York, New Jersey and Connecticut. He could not find any takers. Late this afternoon there was a great deal of Parker money offering at 1 to 6, but the Roosevelt backers were offering only 5 to 1, although some small bets were made at 6 to 1.

CHICAGO, Nov. 7.—Betting on the result of the election was quite brisk to-night in some of the downtown hotels. The largest wager of the evening was made by a number of Board of Trade men against James O'Leary, a bookmaker, the brokers offering \$50,000 on Roosevelt against \$1500 on Parker. H. Dryer of New York made a bet of \$5000 to \$1000 on Roosevelt. The name of \$5000 to \$1000 of the Parker end could not be learned. These were the largest bets made during the evening, but many small ones were made, the prevailing odds being on Roosevelt at 5 to 1. A number of wagers were made on the result in New York at 2 to 1 that it would go Republican on the vote for President.

OHIO PREDICTIONS.

Even the Enormous McKinley Plurality May Be Exceeded.

CINCINNATI, Ohio, Nov. 7.—The Republicans are confident that their organization in Ohio will secure unusual results, even exceeding pluralities in what were previously called "the McKinley years." While the Democrats have no such organization as their opponents, they claim that there has been during the past two or three days "a whirlwind in their favor" that justifies their expectation of a landslide that might make the State close and enable the Democrats to gain three or four Ohio Congressmen. They say that the vote has not been out so fully in

years as they expect it to be to-morrow. The Democrats also say they will be benefited by the reduction of the Populist vote and the increase of the Socialist vote. They estimate that the former Socialist vote of 13,500 will be more than doubled and come largely from Republican workingmen.

The Socialists have held more meetings in Ohio than all other parties combined, but their efforts have been confined to the larger cities and will not affect doubtful Congressional districts, notably the Third, Twelfth and Fifteenth. As the larger cities in Ohio, with possibly two exceptions, are Republican strongholds, there may be some ground for the claim that the Socialistic agitation will affect the Republicans more than the Democrats.

While other localities are lacking in interest, the contests in the Third, Twelfth and Fifteenth Congressional districts, and in Cleveland, on the county ticket, are among the most animated ever known in the State.

THREE CLOSE DISTRICTS.

Interesting Congressional Contests in Blue Grass State.

LOUISVILLE, Ky., Nov. 7.—Republicans and Democrats agree that in three Congressional districts of Kentucky the contest will be close. They are the Third, Fifth and Ninth. In the Third, J. M. Richardson, Democrat, is opposed by William H. Jones, Republican; in the Fifth Swager Sherley's opponent is W. C. Owens, and in the Ninth J. M. Holt's adversary is J. V. Bennett. The fight has been waged desperately, but the Democrats claim to-night that they will be victorious. The Democratic State Committee expects a heavy Democratic vote from the First, Second, Fifth, Sixth and Seventh districts, while the Republicans look to the Tenth for a majority for Roosevelt, so large as to carry the State.

LA FOLLETTE OR PECK?

Both Parties Confidently Claiming Wisconsin Governorship.

MILWAUKEE, Nov. 7.—It is generally conceded that Roosevelt will carry the State by 50,000. Chairman Connor of the Republican State Central Committee claims that Governor La Follette will have 75,000 plurality. The Republicans claim six Congressmen, and that they have an even chance of electing four others.

Democratic State Chairman Warden claims George W. Peck will be elected by 25,000 plurality and that the Democrats will control the Legislature. Warden claims five or six Congressmen.

The Legislature, which is to elect a United States Senator, probably will be so divided among the two Republican factions and the Democrats that none will have a majority.

MARYLAND IN DOUBT.

BALTIMORE, Nov. 7.—Chairman Vandiver of the Democratic Committee to-night repeated his claim that Maryland would go Democratic by 15,000 majority and that the Democrats certainly would elect four, and probably five, of the six Congressmen.

At Republican headquarters Chairman Hanna confidently predicted a majority for Roosevelt and the election of four Republican Congressmen.