

FLANNERY'S DEFENSE BEGUN

Four Lawyers, Led by George A. Knight, Attend His Arraignment

GIVEN UNTIL FRIDAY TO MAKE HIS PLEA

Grand Jury Transcript Gives the Details of Abbott's Confession

MacSHERRY BEGINS TERM IN SAN QUENTIN

HARRY P. FLANNERY, late president of the San Francisco police commission, was arraigned yesterday before Judge Thomas J. Lennon in the superior court of Marin county, in San Rafael, on the charge of grand larceny brought against him in the indictment returned last week by the grand jury.

Represented by an imposing array of counsel, including Attorneys George A. Knight, Charles J. Heggerty and Frank Gould of this city and State Senator E. B. Martinelli of San Rafael, Flannery appeared in the transbay court at 10:30 o'clock. The formalities of the arraignment were concluded within 10 minutes and a continuance was taken until 2 o'clock Friday afternoon, when the defendant's plea will be entered or preliminary motions will be filed by his attorneys.

MacSherry Begins Term

William MacSherry, the member of the Sausalito fake poolroom gang who pleaded guilty to a charge of grand larceny Monday and was sentenced to a year in the penitentiary, was taken out of the county jail at San Rafael yesterday and driven to San Quentin to begin his servitude. This was after a long conference in the morning between himself and his wife, Joe Abbott and his wife and Mr. and Mrs. Roland Hazelton over private money matters. Abbott, who, since his release on bail following his confession involving Flannery in the poolroom scandal, has been at the Mark West springs in company with Mrs. Abbott and two bodyguards, came to Sausalito on an early morning train from the springs, but returned last night. The conference with MacSherry was held at the home of Sheriff Taylor in San Rafael, and the meeting of the two men was in Taylor's presence.

The arraignment of Flannery was the only formal action taken yesterday in connection with any of the cases, as the grand jury has adjourned to the call of its chairman and will not be reconvened before next week. Flannery went to San Rafael early yesterday morning, reaching the courtroom half an hour before the time set for the calling of the case. He remained in consultation with his attorneys until Judge Lennon took the bench, but would not discuss the charge pending against him or any of the allegations and accusations contained in Abbott's confession.

Knights Takes Lead

George A. Knight announced the personnel of the defendant's counsel and raised no objection to immediate arraignment. Flannery stood while the clerk read the indictment, and the motion was then made by Knight for a continuance until Friday. Following adjournment of the court, Knight said that a speedy trial was desired and that no dilatory tactics would be employed to prevent an immediate hearing of the case on its merits before a jury.

"The motion for a continuance was simply in line with the customary proceeding in such cases," he said. "I do not know that we will want to demur, examine any of the grand jurors or make any motions, but that can only be decided after we have examined the indictment and the transcript of the testimony given before the grand jury. Unless there should be some really essential error or omission, I do not think there need be any delay in pleading and going to trial. In any event, we will not raise any objections or technical points simply for delay, as we are anxious to get this over with as soon as possible."

Expects Vindication

Flannery's only reference to the case following his arraignment was a repetition of his declaration that all the charges against him were absurd and that he expected complete vindication when brought to trial.

It was while the court proceedings were under way that MacSherry was taken from his cell to Sheriff Taylor's home, where the meeting with Abbott occurred. A decided coldness has sprung up between the two men since Abbott made his confession, and no further attempt was made by Abbott to persuade his former "pal" to follow his own example and "come through." Mrs. MacSherry, who accompanied her husband, had no words for Abbott or any of the women of the party. Ab-

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CHARGE AGAINST MORAN IS FOUND DEFECTIVE

Owen Moran, James Carroll, Geoffrey Perry, Bernard Tainter, Harry Foley, James J. Griffin, James Curtin, Charles Harvey, Tiv Krelling, John McCarthy and William McCarthy appeared in Police Judge Conlan's court yesterday morning for arraignment on a charge of manslaughter in connection with the death of Tommy McCarthy after a glove contest at the Dreamland rink Friday night. The complaint had been sworn to by Lieutenant D. W. Boyd, but it was found to be defective and a continuance was ordered until Friday afternoon at 2 o'clock for the arraignment.

CALHOUN MAY QUIT SERVICE OF RAILROADS

Continued Absence in East Leads to Rumors of His Retirement as President

"It Has Been a Long Time Between Dividends," Declares New York Stock Holder

Patrick Calhoun went east on March 1 and is still in New York city. His continued absence from San Francisco has given rise to considerable speculation as to his future relations with the United Railroads, and there are many who believe that he is preparing to retire as president of the corporation. The Call's correspondent in New York yesterday interviewed the officials of the banking houses of Ladenburg, Thallman & Co., which is the general office of the United Railway investment company, but they professed to have heard nothing of the report that Calhoun was about to retire from the management of the San Francisco streetcar corporation.

Backed by Company

A stock holder of the investment company was found, however, who was more inclined to talk, provided his name was not used. He said: "As far as I knew, the United Railways investment company has no fault to find with Mr. Calhoun's administration of the San Francisco street railroads. The officials of the holding company have backed him up through thick and thin during his troubles in San Francisco, and even gave him encouragement at times when they thought he might offer to relinquish his post on account of the difficulties that beset him.

"But now that they have seen him safely through the dangers that have threatened him, the stockholders are beginning to think more about the earnings of the company. For five years they have received no cash dividend on their investment. They do not hold President Calhoun responsible, realizing that interest on the bonded indebtedness, money expended for repairs and improvements, and large amounts paid to defend Calhoun and other officials of the subsidiary company have eaten up all the profits, leaving nothing for dividends.

"Yet there are some stock holders, of course, who will grumble. The last cash dividend on the preferred stock of the investment company was paid prior to the great fire. Thereafter it was deemed prudent to pay the dividends in scrip or notes and devote the cash to improvements, legal defense, etc. Three scrip dividends were paid, amounting in all to \$1,462,000, and then dividends were suspended altogether.

Wait for Dividends

"For three years the stock holders have been expecting that the dividend notes or scrip would be redeemed, for until it is retired the payment of cash dividends can not be resumed. I, for one, must confess that it has been a long time between dividends and I would like to know how much longer we shall have to wait."

From another and entirely different source The Call's New York correspondent learned that Calhoun's family is anxious for him again to establish his permanent residence in New York, where the Calhouns are socially prominent.

UNDERTAKERS SUED BY WOMAN STOCK HOLDER

Voted Themselves Fat Salaries, Says Minority Owner

[Special Dispatch to The Call] SAN JOSE, May 3.—Mrs. Catherine McNally, owner of more than one-third of the stock in the San Jose undertaking company, started an action in the superior court today against the directors, E. E. Gummer, M. A. Boulware, M. E. Gummer, Mrs. I. L. Dunbar and Frank Gummer, to bring about an accounting of the books of the corporation.

A conspiracy, she charges, has been on foot for the last two or three years, participated in by the directors, to keep her from obtaining her share of the profits of the concern. She swears that in October, 1908, when there was on hand something like \$9,000, which should have been divided among the stock holders, a motion was passed by the board of directors to double the salaries of the officers. She considered that the \$250 a month each these men was receiving when the raise was ordered was sufficient compensation for their services.

CONTRACTOR'S BID IS UNDER APPROPRIATION

Contract Awarded for Los Angeles Exposition Building

SACRAMENTO, May 3.—The F. O. Engstrom company, of Los Angeles, was awarded the contract this afternoon to build the exposition building in Los Angeles for \$174,259, being the lowest of four bids. The last legislature voted \$250,000 for the building. Bids were also opened today by State Engineer Ellery for sheet metal work to be done at San Quentin penitentiary. The offers were as follows: L. B. Hooker, \$7,998; Rufus metal window works, \$8,280; Conlin & Roberts, \$10,256; Ideal cornice works, \$10,792, and Geidy cornice works, \$11,000. Several segregated bids were also offered.

TAFT TO SHEAR BALLINGER OF MUCH POWER

President Wants Army Engineer to Control Work of Irrigation and Reclamation

Chief Executive Hopes by Move to Stop Criticism of Interior Department

By IRA E. BENNETT [Special Dispatch to The Call]

WASHINGTON, May 3.—To put an end to the criticisms that have been directed against Secretary Ballinger of the interior department President Taft proposes to place the great work of reclamation and irrigation under the supervision of an army engineer. Secretary Ballinger will continue as head of the interior department, only the reclamation and the irrigation work being delegated to the army officer. Providing the necessary authority be granted by congress, the president will detail the army engineer to the work that is being carried on by Director F. H. Newell of the reclamation service.

Newell and Ballinger have been at odds over authority. The radical departure in the supervision of the construction of government irrigation projects in the west will furnish the paradox of supporting Ballinger and yet removing work from his jurisdiction.

The plan has been under consideration for several weeks. The first definite step in the matter was taken two days ago, when the house of representatives passed a bill containing a provision whereby the president at his discretion may detail any engineer of the army to supervise any engineering project of the government.

It is not admitted that this piece of legislation is directly intended to open the way for a change in the administration of the reclamation service. While this move of the administration may have the effect of counteracting much of the criticism leveled against the interior department and Secretary Ballinger, it may likewise mean the precipitation of the long impending battle between the supporters of the reclamation service under its present regime and those who are demanding a thorough reorganization and general overhauling of that branch of the interior department.

SOLANO COUNTY TO PAY FERRY SUBSIDY

Supervisors Accept Plans for \$250,000 Courthouse

[Special Dispatch to The Call]

VALLEJO, May 3.—The Solano county board of supervisors has unanimously decided to give the proposed Benicia-Martinez ferry company a bonus of \$150 a month for a period of two years. The subsidy is conditioned upon Contra Costa county giving an equal amount, and also with the understanding that the system be operated at least 25 days every month.

The original plan was for the ferry to be owned jointly by the two counties, each to contribute \$20,000, but this fell through. The supervisors formally accepted the plans for Solano county's new courthouse and called for bids, which will be opened June 6. Of the \$250,000 bond issue it has been decided to use \$225,000 for the building and \$25,000 for furniture.

BAR ASSOCIATION ATTENDS FUNERAL

Services Held Over Remains of Capitalist and Lawyer

[Special Dispatch to The Call]

STOCKTON, May 3.—The funeral of August Muentzer, the late capitalist and attorney, took place at 1 o'clock this afternoon from the Congregational church. Rev. R. H. Sink officiated, and the members of the Bar association attended in a body.

A quartet composed of Mrs. Robert Fyfe, Mrs. R. B. Gullahan, Roy Moore and Robert Fyfe sang.

The remains were shipped on the 4 o'clock train to the I. O. O. F. crematory in San Francisco, where they will be incinerated tomorrow afternoon at 2 o'clock.

The honorary pallbearers: Judge W. B. Nutter and E. P. Foltz, representing the Bar association; A. W. Simpson and R. E. Wilhoit, representing the Stockton savings and loan society bank; George Gray and Charles Hans, a local active pallbearers; George W. Crump, M. H. Orr, George E. Wilhoit, Albert Minnaugh, W. B. Mathews and Alex Rothenbush.

YOUTH IS BEATEN TO DEATH; SIX ARRESTED

Found in Bunkhouse With Head Crushed to Jelly

ASHLAND, Ore., May 3.—Jesse Thrasher, a young man halting from Grants Pass, and employed in a box factory six miles south of this city, was found dead in his bunkhouse today with his head beaten to a jelly. Six former employes of the factory were arrested and landed in jail here, charged with responsibility for young Thrasher's death.

NO CLEW TO MURDERER—Denver, May 3.—No clew has been found to the murderer of Jesse W. Love, a gardener who was mysteriously shot to death last night near his home, a few miles from this city. Love left a large family.

Accused Briber Returns Faces 13 Indictments



ABRAM K. DETWILER, the indicted Home telephone magnate.

SON OF COUNTESS WORKS ON FARM

Frail Scion of Von Breitenbachs Discovered Incog on Col lege Ranch

[Special Dispatch to The Call]

MOUNTAIN VIEW, May 3.—With the royal blood of the proud Teutonic house Von Breitenbach of Gultsburg in his veins, the son of countess von Breitenbach, daughter of Count Adolph von Breitenbach, has been discovered working on the Santa Clara college farm here, concealing his identity under the guise of a laborer and using the name of Bob Howarth. He has made a full statement to Brother O'Shaughnessy, overseer of the farm laborers, and declares he has been wandering across the face of the globe in an effort to get away from the domestic strife which beset the unhappy fortunes of his mother, once divorced and now a widow, who resides in Paris, France.

According to the boy's story he is about 18 years of age. His early life was spent at Eaton and Muir college, England. His mother first married in 1890. He was born in Paris in 1892. At 4 years of age he was sent to Mercer hall in London, and remained away from his mother until he entered Muir.

An altercation on his account between his parents ultimately led to a separation and a divorce at Bremen, Germany, in 1898. Subsequently, after much European travel, the countess again espoused a matrimonial venture with Isaac Guggenheim, the ceremony taking place at St. Paul's cathedral, London. The ill starred record continued. Guggenheim and the countess were on the verge of a divorce when he died. The countess then joined her son and wandered over Europe in an effort to forget the past.

With his mother, the boy, six months ago, arrived in New York, and when she returned to Paris he started west. He says he has been in Denver, Colorado Springs, Los Angeles and San Francisco. Two weeks ago he came to Mountain View, without money and without pride. He asked for and was given work as a laborer under the name of Bob Howarth. His inaptitude and delicacy attracted the attention of Brother O'Shaughnessy, with the result that today he pushed aside his disguise and announced himself the only son and heir of the countess von Breitenbach.

He refuses to announce his future intentions. The brothers have offered him more congenial work and it is expected he will stay until his fortunes are mended sufficiently to allow a change.

HARSH CRITICISM OFFENDS EDWARD

Magazine Which Publishes Rebuke on King Is Withdrawn From Circulation

[Special Cable to The Call]

LONDON, May 4.—A sensation has been caused by the announcement that the publishers of the Contemporary Review have decided to withdraw the May number in consequence of criticism excited by its references to the king's position in the present constitutional struggle. The article under criticism is given a leading place in the magazine.

The writer, whose name has not been made public, plainly tells the king he has failed in his duty in having allowed the struggle between the lords and the commons to reach the present position of apparent impasse, and warns him of the consequences to monarchy unless he insures a peaceful settlement.

Following are some of the most striking passages in the article: "We respect our kings because we have found them useful. The moment we can not exploit them for our purposes we get rid of them. The divinity that doth hedge a king wears somewhat thin in an atmosphere of dinner parties and race courses.

A wise king, judicious, far seeing, resolute and energetic, might easily, without violating any constitutional limitations, be the most powerful man in the realm, but a king indolent, indifferent and given to self-indulgence would soon be a mere cipher in the state. It is not merely the house of lords that is at stake, the monarchy itself is on trial.

The Contemporary has the reputation of being one of the staidest and soberest of the reviews, and the appearance of such opinions in its pages created widespread astonishment. Their publication is understood to have given deep offense to the king, and most probably the withdrawal of the May number is due to a personal protest from him.

YOUTH SLAYS CHORUS GIRL AND ENDS LIFE

Fires Two Bullets Into Her Heart as She Slept

BISBEE, Ariz., May 3.—Harvie Hughes, aged 20, son of a prominent family here, shot and killed Marguerite Matheson, a chorus girl, today and then sent a bullet into his own head. The tragedy occurred in the girl's room.

Hughes is said to have broken in and shot her as she slept. Two bullets pierced her heart. Hughes then turned the weapon upon himself and fell dead at the foot of the bed. Jealousy is said to have been the cause.

CHECK PASSER HELD—John R. Walker, former convict, was held for trial before the superior court yesterday on two charges of passing a fictitious check.

DETWILER COMES BACK

Telephone Magnate, After Three Years in Europe, Is Ready to Be Tried

SAYS ILL HEALTH WAS CAUSE OF HIS FLIGHT

Furnishes \$130,000 Bail and Makes Formal Statement Denying Guilt

SILENT ON METHODS OF DODGING SLEUTHS

Three Years' Travels Of Telephone Magnate

APRIL 23, 1906—Detwiler obtains franchise for the Home telephone company from the supervisors.

OCTOBER, 1906—Investigation into graft began. Detwiler leaves San Francisco for Toledo.

MARCH, 1907—Supervisors confess that they were bribed in the interest of the Home telephone company.

MARCH 23, 1907—Thirteen indictments returned against Detwiler for bribery.

MARCH 30, 1907—Detwiler goes to Europe.

1907, 1908, 1909—Detwiler travels through Europe.

MAY 3, 1910—Detwiler comes to San Francisco and surrenders to the court.

ABRAM K. DETWILER, drifting from the pages of the past, came blithely into town yesterday and made a bee line for the court which he had evaded successfully for three years. The interim had been spent leisurely in the fashionable watering places of Europe. The long period of foreign travel, of hasty departures and backtracking had terminated suddenly, however, and in its place had come a consuming desire for "vindication." This it is, says Detwiler, that has brought him to San Francisco. He was given his liberty on bail, and 10 minutes later began his career as a professional defendant by issuing statements to the public.

It was a debonair and somewhat gay Detwiler that flung his pronouncement in the face of a suspicious populace.

Anxious to Return

"I have returned voluntarily to San Francisco," says his message, "so that I can free my reputation from the odium of the indictments that were returned against me a little over three years ago. Ever since the action of the grand jury I have been anxious to return and meet the charges, and physical inability is the one and only reason why I have not been here before. I have longed for this day to come, and now that it is here I rejoice in the fact that I am at last able to present myself at the bar of justice, where I am certain to be purged of the accusations against me."

Through the long history of the graft cases the name of Detwiler has run, mysterious and intangible. The grand jury had charged that he had arranged the wholesale bribery by which the Home telephone company had obtained its franchise in April, 1906. Detwiler was elusive from the first. Few knew him and none saw him. Counted as merely a memory, he walked in upon the city yesterday, cheerful, suave and very confident.

But if he was eloquent of his integrity, he was reticent of his absence. It was enough that he had been ill, that he had been abroad. The vulgar details of hide and seek with detectives his attorneys forbade him to disclose.

Otherwise Communicative

Of the growth of the city, the coming exposition, the high cost of living, or the retirement of Senator Aldrich, the millionaire telephone man was willing to talk.

"Yes," he said, "the city was made wonderful strides while I was away. And I tell you San Francisco is going to get that exposition. The way the people of this city raised that \$4,000,000—

"But if you were so eager for vindication, why didn't you come back before?" interrupted one of the newspaper men.

"I'd tell you everything, but my attorney—" and he motioned to W. W. Kaufman, who had put the muzzle on his client.

Although Detwiler insists that the return of his health has prompted him to face his indictment, there is very little doubt that the situation now existing, Gallagher in Europe and mo-