

Read the Story of  
Corbett's Defeat by Fitzsimmons  
WHICH WILL APPEAR IN  
The Sunday Call Next Sunday

# THE



# CALL

**CALIFORNIA STATE WEATHER**  
 Yesterday—Clear; west wind; maximum temperature, 58; minimum, 50.  
**FORECAST FOR TODAY**—Fair; somewhat warmer; moderate west winds.

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## AGREEMENT ON RAILROAD BILL BEFORE SENATE

### Long and Short Haul Clause Prepared by House May Cause Objection

### Conferees Agree to Suspension of Increased Rates for Ten Months

### Securities Section of Administration Measure Abandoned for an Investigation

WASHINGTON, June 14.—The conference report of the administration railroad bill was presented to the senate at 1:20 o'clock today by Chairman Elkins of the committee on interstate commerce. It was laid before the house later, but under the rules can not be acted upon until disposed of by the senate.

The report went over until tomorrow, when an effort will be made to secure its adoption. The two democratic conferees did not sign the report and Senator Newlands gave notice that he would present a minority report.

So far as has been indicated, the only objection to the report that may be raised in the senate refers to the "hoops" provision on long and short hauls. Some western senators favored the retention of the senate provision because the amendment might be declared unconstitutional.

### Competition by Water

To the house provision which is designed to prohibit railroads from charging a higher rate for a short than for a long distance was added the following: "Whenever a carrier by railroad shall in competition with a water route or routes reduce the rates on the carriage of any species of freight to or from competitive points, it shall not be permitted to increase such rates unless after hearing by the interstate commerce commission it shall be found that such proposed increase rests upon changed conditions other than the elimination of water competition."

### Suspension of Tariffs

In retaining the senate provisions authorizing the suspension of an increased rate for 10 months and putting the burden of proof upon the railroad as to the reasonableness of such increase the conferees added a provision: "The commission shall give to the hearing and decision of such question preference over all other questions pending before it and decide the same as speedily as possible."

As perfected by the conferees the bill carries most of the features of the original administration measure, except the sections to permit railroads to make pooling agreements, to authorize the government to regulate the issuance of stocks and bonds and to permit a railroad to purchase the remaining stock of another road in which it already controls 50 per cent of the stock. So much opposition developed in both house against these provisions that all except the securities section were abandoned outright. The house bill retained the section providing for federal regulation of securities.

### Investigation of Stocks

In place of the house provision the conferees incorporated a clause authorizing the president to appoint a commission to investigate the issue of railway stocks and bonds. Expenditures by the commission were limited to \$25,000, and it was not given authority to summon witnesses or compel the production of books and papers.

The bill, as perfected, creates a commerce court composed of five judges, to be selected at first by the president and thereafter by the chief justice of the supreme court. This court will have jurisdiction over all suits brought to enforce or set aside orders of the interstate commerce commission.

Both the house and senate provided that the new law shall take effect 60 days after passage. The conferees, however, inserted a provision that section 12, including the right of the commission to suspend proposed rate increases, and section 16, which authorizes the commission to appoint a committee to study stocks and bonds, shall take effect immediately.

## OLD AGE PENSION TO COST FRANCE \$25,000,000

### Government Unable to Pay Amount Until 1911

PARIS, June 14.—The government has decided that it will be impossible to apply the workmen's old age pension law, which will cost the treasury more than \$25,000,000 annually, until the last quarter of 1911.

## FRENCH TROOPS KILL 120 ARABS IN FIGHT

PARIS, June 14.—The governor of French west Africa reports a fight between French troops and Arabs at Ngulmi, on May 31, when the Arabs lost 120 killed and the French 6 killed and 20 wounded.

**TWO DIE IN FIRE**—Cornell, N. Y., June 14.—Clarence Buck and his son Bernard were burned to death in a fire which destroyed the powder factory at Coudersport, Pa., late yesterday afternoon. The elder Buck was the inventor of a so-called "safety" powder which was manufactured by a secret process.

## Increased Cost of Living Decreases Size of Families

[Special Dispatch to The Call]

SACRAMENTO, June 14.—The increased cost of living is diminishing the size of the American family, according to the statement made today by Joseph Wood Jr., statistician in the office of the state superintendent of public instruction, in pointing out the decrease in the number of children compared with the increase in the number of families as shown in the school census returns now coming into the office.

The full returns this year will show a marked falling off in the number of children, says Wood, showing that it costs too much to rear youngsters nowadays. He points, for example, to the returns received today for Sacramento county.

It is shown that in this city in the last year that the increase in census children was \$1, yet the families increased 249. The total number of families last year in this city was 4,871. The school children numbered 6,523 in this city and 11,177 for the county, which has 7,617 families.

The number of families does not include the thousands of households in which there are no children at all. The school census marshals counted only the families having children from 5 to 17 years of age.

## GOVERNOR'S WIFE IS INJURED IN RUNAWAY

### Mrs. Gillett and Mrs. Cutler Are Hurlled From Carriage

[Special Dispatch to The Call] SACRAMENTO, June 14.—Mrs. J. N. Gillett, wife of the governor, and Mrs. Fletcher A. Cutler, wife of Gillett's law partner, had a narrow escape from serious injury in a runaway near Brighton station this evening.

The harness broke as they lurched passing train, got beyond control of the coachman and ran away.

The harness broke as they lurched forward and the carriage was turned completely over, hurling Mrs. Gillett and Mrs. Cutler to the road.

Both were stunned and badly bruised in the fall and were removed to a nearby house, where they were revived and later taken to the governor's home.

## INDEX OF THE SAN FRANCISCO CALL'S NEWS TODAY

TELEPHONE KEARNY 86

WEDNESDAY, JUNE 15, 1910

### EDITORIAL

Patchwork on the railroad bill. Page 4  
Excision of tuberculous meats. Page 4  
Discontinuance of a mean old man. Page 4  
Hindu immigration and conspiracy. Page 4  
Water ordinance just and reasonable. Page 4

### OIL

Colonel Spillay discusses the advantages of the gusher era. Page 13  
Great rush of prospectors to Elk Hills oil district takes place. Page 11  
San Juan oil fields in southeastern Utah yield high grade oil. Page 12  
California, with ever active market, leads the world as oil producer. Page 12  
Kern county oil fields give greatest output of any oil region in world. Page 11  
Mrs. C. T. Kicketts prefers sale of oil to outside of domestic life. Page 14  
Jump in price of high gravity oils causes increased activity in Ventura county. Page 12

### CITY

Militiamen at big guns riddle moving target tower far out at sea. Page 16  
Cost of teaching 2,062 girls domestic sciences during year was \$860. Page 15  
Arguments in Spreckels petition ended and case is submitted on merits. Page 20

### SUBURBAN

Flag day observed by many societies in cities across the bay. Page 7  
Wife of fuel dealer seeks divorce for attack on religion. Page 7  
Nurses serenaded by band at request of patient who died. Page 6  
Sacramento girl will attend Chi Omega convention as delegate. Page 15  
Emeryville thief, arrested in Sacramento, confesses many crimes. Page 7  
Reduction made in cost of Oakland street lighting by new bid. Page 6

### COAST

Eastern nephew reaches Colusa to fight for share of Packer estate. Page 1  
Army, navy and civilians join in dedication of Sloat monument at Monterey. Page 15  
Conceded man killed by jeweler whom he wounded after slaying divorced wife. Page 5

### EASTERN

San Francisco mint to make all gold coin in future for economy. Page 1

### FOREIGN

Vatican withdraws encyclical which offended German Protestants. Page 1

### SPORTS

Seals play in hard luck in eleventh inning of series' opener. Page 9  
Wonderful change in Jeff's condition is almost beyond human belief. Page 8  
Oaks hit Baum and reach top notch in Coast league percentage list. Page 9  
Jack Johnson sells out his rights in the moving pictures for \$30,000. Page 8  
Jeffries puts in strenuous day on road and in gym and emerges fresh. Page 8  
Ralph de Palma wins feature event of Wilkes-Barre automobile hill climb. Page 9  
American horses owned by New Yorker declared best in hunters class. Page 9

### MARINE

Sierra makes quick run from Honolulu and brings many passengers. Page 19

### LABOR

Barbers' union fixes wage schedule to be observed by its members. Page 10

## PACKER ESTATE FACES ANOTHER COURT CONTEST

### Pennsylvania Nephew Arrives at Colusa to Claim Share of Big Fortune

### Relies on Uncle's Promise That He Would Bequeath Him \$100,000

[Special Dispatch to The Call]

COLUSA, June 14.—Further complications have arisen in the contest for the estate of the late George F. Packer, valued at upward of \$1,000,000, by the arrival from Pennsylvania of Byron J. McPherson, a blood nephew of the late Mrs. Packer, who today filed with the county recorder a petition for letters of administration upon the estate of his aunt, said to be valued at upward of \$10,000 and also filed a claim against the estate of Packer for \$100,000, which amount he avers was promised to him by his uncle while he was on a visit to the aged couple about two years ago. McPherson, late of Oil City, Pa., but at the present time a resident of Colusa, also represents a number of other eastern relatives of Packer who are desirous of getting a slice.

### Would Set Aside Deeds

On the face of things and according to the will of Packer, the estate at his death was appraised at but \$507. Nevertheless, the eastern expectants have hopes that they may be able to set aside some of the deeds by which Packer, previous to his death, transferred the bulk of his property to Albert Packer, a nephew, and Edward M. Gordon, a young man who was reared by the elder Packers.

This is the second contest for the large fortune, the former having been brought by S. M. Packer of Pasadena, who entered a contest of the will and asked that a number of the deeds be set aside. This suit was subsequently dropped. It is rumored that the Pasadena relative did not consider the time yet ripe to prosecute his claim, and can and will renew the contest within a year from the date he retired from the lists.

George F. Packer died last fall at the age of 88 or 89 years, his wife having preceded him to the grave by about a year and a half, she dying intestate, and the husband, after the death of his wife, transferring the larger part of his property to the nephew and adopted boy.

Packer came to California in the early fifties, leaving his wife in western Pennsylvania.

### Wife Had Money

She followed her husband in 1856 or 1857 and brought with her, according to the claims of the eastern claimants, money which they aver was invested in community property, making for the couple the nucleus of their large fortune. To a portion of this his relatives lay claim.

The easterners, through McPherson, are represented in their claims by Attorneys George W. Averill of San Francisco and U. W. Brown of Colusa. In a long statement filed with the claim for the \$100,000, McPherson recites the vicissitudes of his uncle on first reaching California, maintaining that it was recited to him while on a visit several years ago. In this statement he quotes Packer as saying: "Your aunt Hannah was a grand woman and helped me very much in making our fortune."

"As you are the only nephew that ever came to see us, I want you to see that our lot in the cemetery is taken care of, and as we hold a mortgage on the Clarion ranch for \$100,000, at my death this sum shall be paid to you in gold coin."

### Depends on Statement

It is on the foregoing clause of the statement that McPherson hopes to be able to set aside the deeds by which the present holders claim the valuable properties. The contention will probably be made that the old man was of unsound mind when the transfers were made and that he was unduly influenced by these now in possession.

## MCCARTHY STARTS FOR SAN FRANCISCO TODAY

### Mayor Will Be Forced to Use Crutches for Some Time

[Special Dispatch to The Call]

INDIANAPOLIS, June 14.—Mayor P. H. McCarthy will leave St. Vincent's hospital here tomorrow and start for San Francisco. Dr. Herbert Wagner made another X ray examination of the injured ankle today and the photograph shown off had been reset perfectly and was healing splendidly.

This means that McCarthy will not be permanently crippled nor even lame. However, he will have to be careful about using the member for some time until the fragments of bone have united firmly and the ligaments regain their usual strength. McCarthy will use crutches for some time.

Doctor Wagner called at the hospital and took McCarthy in his auto for a 10 mile ride about the city. McCarthy is due in San Francisco next Saturday at 8 p. m.

## NATION NEEDS LEADERS, SAYS W. F. HERRIN

### Railroad Lawyer Breaks Long Silence by Giving Advice to Graduates of College

### Public Opinion Must Not Be Confused With Public Clamor, He Declares

[Special Dispatch to The Call]

At last, after all these years, William F. Herrin speaks. The vice regent of the Harriman interests on the Pacific coast, director of the affairs of the great railway system in the west, unbosoms himself as to the duties of the citizen and the just aspirations of the young manhood of his time and place. William the Silent breaks into speech and print with good advice to the young, telling them how they shall think and cast their influence.

It is the first public speech by Mr. Herrin of which The Call has knowledge, and this fact is so notable in the career of this silent man who has ruled California from behind closed doors that The Call thinks it worth while to print in full herewith the text of his remarks to the students of the Oregon university. It is generally understood throughout California how The Call stands toward Mr. Herrin as a factor in the politics of this state. Hereafter this paper will discuss his advice to the Oregon students with his performance.

[Special Dispatch to The Call] CORVALLIS, Ore., June 14.—With a banquet given by the faculty to a number of the more prominent guests of the institution the quarter century celebration of the Oregon agricultural college, which was the most brilliant and successful in the history of the college, came to a close tonight.

Several members of the board of regents have been present to take part in the festivities, the last one to arrive being W. W. Cotton of Portland, who is counsel for the Harriman interests in Oregon.

W. F. Herrin of the class of 1873 delivered the jubilee oration. Herrin's speech dealt with the sociological tendencies of the times, and among other things he explained that misdirected public opinion was often one of the more serious factors in hindering national progress. Herrin's address follows in full:

Thirty-seven years ago this month I received my degree from Corvallis college. Many since then are the changes that have come over the passing years. Nor have the passing years left untouched or unchanged our alma mater. Then she was encountering the struggles incident to the founding of a college in a pioneer country; now, though still young, and with the promise of the years far before her, she has won a recognized and enviable place among the colleges of the west. Thirty-seven years is no great stretch of time in the history of an institution, though in the measure and significance of man's life it may count for the greater part. As I stand here today the air seems vibrant with the echoes of half forgotten yesterdays, and the memories of my student life, with its hopes, its trials and its joys. There comes, too, recollection of the sustained effort required to unlock the treasures of learning, and, when these had been in some part gained, the buoyant hope inspired by real conquest.

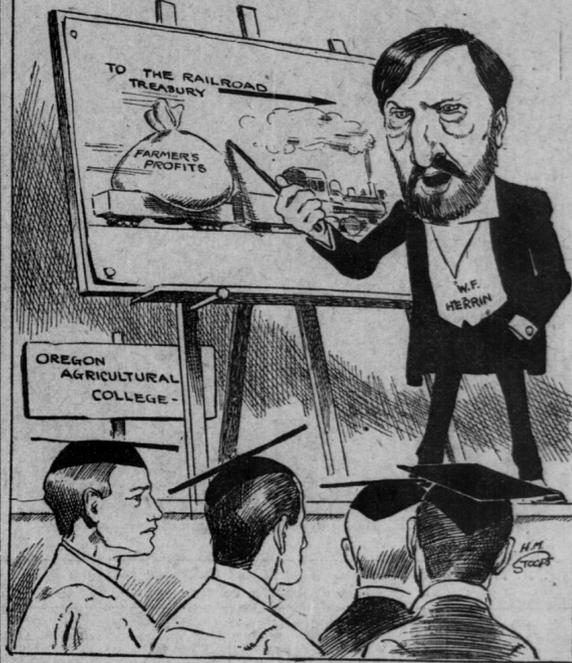
Now, from the vantage ground of added years and an ampler experience, perhaps I am in a better position than those of you who are just on the threshold of life, to judge of the relative values of the things for which men strive. And it seems to me that the rewards of the scholar are more fruitful of real happiness, and make more for permanent satisfaction, than the rewards gained in ordinary business or professional pursuits, for the scholar deals with that learning which is the finer essence of our intellectual life, which "has been purified and sifted in quiet rooms, to which passing fashions of thought do not penetrate."

The pursuit of truth for truth's sake brings us to know the human spirit in its unchanged and unchanging nature, to know the things which abide with us, and to reject that which is ephemeral and of only passing interest. In the words of President Wilson of Princeton university:

"The fountains of learning become the fountains of perpetual youth. At them are our minds renewed; at them do we drink of the pure waters undimmed, whose sources lie below all circumstance, all accident, all surface temperature or season. After we have tasted of them, much of the talk of the day seems like the mere lees of yesterday. We are renewed by learning, in the

Continued on Page 2, Column 1

## "All the Traffic Will Bear" Getting Them Used to It While They're Young



## VATICAN REGRETS GERMAN OFFENSE

### Encyclical Reference to Martin Luther Withdrawn so Far as Concerns Empire

BERLIN, June 14.—The Vatican has replied to the protest of the Prussian government against the encyclical issued by the pope on the occasion of the tercentennial of the canonization of St. Charles Borromeo. The reply disavows any intention of offending German Protestants, and says the encyclical is withdrawn so far as Germany is concerned.

In the encyclical the pope extolled Borromeo as the champion of Catholicism against Protestant reformation, said he established at the time of the Prussian diet, Chancellor von Bethmann-Hellweg said that the matter had been taken up with the Vatican. Today the government published an abstract of the correspondence with Rome. The results are set forth as follows:

"First—The curia expresses regret over the whole affair.

"Second—It repeats the assurance that the encyclical was not intended to insult either the German people or German Protestants.

"Third—The bishops not alone of Prussia, but of all Germany, have been in reply to the pope not to make the encyclical known in the diocese.

"Fourth—The curia authorizes the publication of the correspondence."

## TWO LEFT LEGS ARE BROKEN BY AUTOS

### Accidents at Different Points Result in Identical Injuries

By a curious play of chance two automobile accidents that occurred last night within a few minutes of each other at widely separated points resulted in the victims receiving identical injuries.

The first was reported from Golden Gate avenue and Webster street at 7:45 o'clock, when L. E. Berry, a lather living at 2454 1/2 Bush street, was run down and his left leg fractured below the knee. The machine was driven by A. Hanelman, manager of the Cleveland faucet company. Berry was lifted into the machine and taken to the central emergency hospital.

A few minutes later J. Boyer, an apprentice seaman stationed at Yerba Buena island and bound for home to spend his shore leave, was struck by an auto truck, when crossing Bush street at Market. Harry Kelsey, chauffeur of the Pioneer garage company, took the injured man to the hospital. Kelsey's left leg was fractured below the knee.

## TEAMSTER SHOWS WOUND INFLICTED BY WOMAN

### Story of Attack in Healdsburg Believed by Police

Charles Burnham, a San Jose teamster, when called upon last night to explain a gunshot wound in his arm, stated to Captain of Detectives Thomas Ryan that it was inflicted by Mrs. Belle Byrum at Healdsburg Saturday afternoon.

The teamster walked into the harbor emergency hospital to have the wound in his arm dressed, but the surgeon had him held for the police.

## CITY MINT TO COIN ALL FEDERAL GOLD

### Secretary of Treasury Takes Work From Philadelphia on Ground of Economy

[Special Dispatch to The Call] WASHINGTON, June 14.—Secretary McVeagh of the treasury department, carrying out the policy of economy, has decided that henceforth all coining of gold shall be in the San Francisco mint and that all coining of silver is to be done in the Denver mint.

This order takes away from the Philadelphia mint all the coining of gold and silver. The Philadelphia mint will hereafter be confined to 1 and 5 cent pieces. When sufficient of these are on hand it is feared that the Quaker City institution will have to go out of business.

Secretary McVeagh says that he has found that the coining of gold can be done more economically if confined to the San Francisco mint, and in line with this all the work will be done there.

This undoubtedly will mean that the San Francisco mint will be able to keep a full force of employes at work constantly. Incidentally it will mean increased revenues to the railroads. Bankers in Philadelphia are compelled to pay \$7.50 freight charges for each \$1,000 worth of gold shipped to the east.

## BANKRUPTCY TRUSTEE CHARGED WITH FRAUD

### Sale of S. H. Harmon Lumber Company Attacked

That fraud characterized the sale of the S. H. Harmon lumber company in the bankruptcy court for \$10,000 June 4 was alleged by the Hooper lumber company in a petition filed yesterday in the United States district court, in which it was asked that the bids be reopened. The Hooper lumber company alleged that C. U. Mandis, trustee of the S. H. Harmon lumber company, was a brother in law of L. A. Ganahl of Ganahl & Co., the purchaser, and that Mandis was to share in the profits of the sale.

The appraised value of the property is \$24,000, and with the charges made by the Hooper company was filed a bid of \$11,500, accompanied by a check for one-tenth of the amount.

Mandis is charged with having deceived a number of the creditors as to when the sale was to take place and kept intending bidders away by false statements. Among the creditors not notified of the sale, according to the Hooper company, were White Brothers, Conens & Wuesthoff, J. Brunig of the Brunig machine company, Allen & Higgins lumber company and the Tacoma mill company. The charges will be heard before Referee Green tomorrow morning at 10 o'clock.

## SCIENTISTS GO FAR TO SEE COMET; IT RAINS

### Storm Obstructs View on Bleak Peak in Hawaii

Prof. E. F. Coddington and H. C. Lord of the Ohio State university are disappointed astronomers. Through the generosity of a Columbus merchant they were provided with funds with which to finance a trip to Hawaii for the purpose of observing Halley's comet when it made its transit of the sun.

They installed their instruments on a bleak peak far from the comforts of Honolulu's famous hotels and when the comet made its transit found themselves buried in a mass of rain charged clouds. That was bad enough, but nothing to the gloom that fell upon them when they returned to Honolulu and found that there the sky had been without a cloud.

## JAPAN CALLS FOR A NEW TREATY

### Agreement With United States May Establish Status Quo in Far East

### GRESHAM PACT TO BE ABROGATED

### Ambassador Uchida Confirms Call's Story Published Last March

### TEXT MAY BE MADE KNOWN IN A MONTH

[Special Dispatch to The Call]

WASHINGTON, June 14.—The Japanese embassy, through Baron Uchida, the ambassador, said to The Call's correspondent today that the termination of the "Gresham treaty," the only existing treaty between Japan and the United States, has been requested by the empire in carrying out its policy of terminating all existing treaties. Either these will undergo very considerable modifications or will be supplemented by new ones because of the changed conditions in Japan since they were drawn 10 years ago.

Baron Uchida brought the matter of treaty revision to the attention of the United States, but it has been confidentially handled by Secretary Knox, Assistant Secretary Wilson and the ambassador.

### Confirms Call's Story

The confirmation by Baron Uchida that Japan is abrogating all her old treaties stamps The Call's story of last March as correct, thus disposing of the "official denials."

The official text of the new treaty may be made known by Japan next month, although the treaty just cancelled was made operative until next year. For this reason it is probable that the text of the new Japanese-American treaty will be withheld until a later date. The new treaty will contain some additional articles of a commercial or industrial nature. These will not affect the political and diplomatic matters, which will be most comprehensively outlined.

The treaty will be most far reaching in scope and tends to establish a permanent status quo in the far east. The contents of the Root-Takahira treaty, which for a time was considered as a supplement to the Gresham treaty, will be incorporated in the latest document.

### Situation Centralized

The far eastern situation, as a result of the new agreements, will be centralized within American jurisdiction. The Russian-Japanese treaty, agreed to last week, was the first to be announced, and will substitute practically and technically the Portsmouth treaty of 1906.

## WIFE'S NOSE PULLED WHILE RIDING IN CAR

### Ella Louise Blaser Seeks Divorce From Cruel Man

A complaint for divorce was filed yesterday by Ella Louise Blaser, in which she charged Sidney I. Blaser with dragging the bedclothes away while she was sleeping and pouring a glass of cold water over her. While they were "enjoying" a Sunday afternoon car ride Blaser is accused of having pulled the nose of his wife in the presence of a large number of persons. It is complained of as another act of cruelty that Blaser called his wife a "crenegade" and told her to jump into the bay. Mrs. Blaser asks for \$100 a month alimony.

Lloyd H. Patterson of Vincent & Patterson, real estate dealers, was sued for divorce yesterday by Marie Lawson Patterson on the ground of cruelty.

Divorcees were granted yesterday as follows:

By Judge Van Nostrand—Pauline Jerome from Samuel O. Jerome, desertion; Thomas D. Niven from Bridget Niven, desertion; Jessie Mackintosh from John F. Mackintosh, cruelty.

By Judge Cabaniss—E. J. Conway from Ethel Conway, desertion; Helen Hutchinson from John A. Hutchinson, desertion; Eva Friedhofer from Paul Friedhofer, cruelty.

Suits for divorce were begun yesterday by:

Gussie Schaefer against Harry Schaefer, willful neglect.

Iva Amulsen against Nicholas Amulsen, willful neglect.

Anna M. Grossman against Edward L. Grossman, cruelty.

### AEROPLANE MAIL IS NOW UP TO CONGRESS

Texan Offers Resolution Calling for Investigation

[Special Dispatch to The Call]

WASHINGTON, June 14.—Representative Sheppard of Texas introduced a resolution today calling upon the postmaster general to make an investigation and report to congress on the feasibility of establishing aeroplane mail routes. "Bill" Sulzer of New York is kicking himself all around the house because he did not think of it first.