



FLANNERY'S EVIDENCE ALL IN

Arguments Will Begin This Morning and Jury Should Get Case Today

DEFENDANT DENIES JOE ABBOTT'S TALE

Declares Telegraphic Promise Was Only to Help Him Get Poker Club

CONSPIRACY CHARGE EASILY PUNCTURED

THE case of Harry P. Flannery, charged with grand larceny, will be in the hands of the jury sworn to determine his guilt or innocence before tonight. The taking of testimony was completed yesterday afternoon and the closing arguments to the jury will begin at 10 o'clock this morning in Judge Lennon's court in San Rafael.

Yesterday was a day of interesting developments. The defendant himself took the witness stand in the morning to testify in his own behalf, and after one and a half hours' examination by his own attorneys was subjected to a grilling cross examination by District Attorney Boyd, that continued well along into the afternoon.

Version of Telegram For the first time under oath Flannery gave his version of the meaning of his famous telegram to Joseph Abbott at Seattle on November 3 of last year, in which occurred the significant phrase, "Joe, my promise is right." His explanation, involving an account of an alleged promise to Abbott to help him in opening a saloon or incorporated poker club in San Francisco, was directly contradictory of his former statements concerning the meaning of the message.

Conspiracy Refuted In rebuttal, Boyd practically shattered the announced theory of the defense that Flannery had been made the victim of a conspiracy on the part of Fremont Older and Sheriff Taylor of Marin county to "railroad" him to the penitentiary, and thoroughly discredited the testimony of William MacSherry, the convict burkman, who swore Tuesday that such a conspiracy actually existed. Both Taylor and Older were called to the stand, and the latter made the startling statement that Flannery had sent emissaries to him personally with offers to divide the spoils of illicit dealings. This declaration was not attacked by the defense, and was left in the record as an undisputed bit of testimony.

For the first time since the beginning of the Flannery trial, general public interest in the proceedings became manifest in the size of the crowd that packed itself into Judge Lennon's courtroom. On previous days the court has been well filled, but yesterday standing room in the aisles was at a premium, and in the throng were many well known society women of San Rafael. Several times the sallies of the attorneys conducting the cross examinations and the answers of witnesses under fire sent a thrill of laughter through the courtroom, but there was no serious demonstration.

Arguments This Morning District Attorney Boyd will begin his opening argument to the jury at 10 o'clock this morning and will also make the rebuttal. State Senator E. B. Martinelli will make the first address for the defense and will be followed by Attorney George A. Knight, chief counsel for Flannery. While no definite limitations has been set upon the time to be allowed for argument, each side has stated that the speeches will be comparatively brief, and there is little doubt that the case will go to the jury before night.

Coincident with the resumption of court this morning, the Marin county grand jury will meet to begin its investigations into the incidents of alleged jury tampering that have been brought to light since the beginning of the trial. District Attorney Boyd himself will not be in attendance and the witnesses called before the inquisitorial body will be examined by the grand jurors themselves. Among the witnesses under subpoena are Jerome Basely, whose name has been brought into the case through testimony taken at the trial to the effect that he was in conference with Flannery and Attorney J. W. Cochrane; William Genazzi;

Continued on Page 5, Column 1

INDEX OF THE SAN FRANCISCO CALL'S NEWS TODAY

TELEPHONE KEARNY 86 THURSDAY, MAY 19, 1910

EDITORIAL Some novel aspects of economy. Page 8 Drawing the teeth of a good bill. Page 8 Dr. Hadley's plan of government. Page 8 When Bullinger would not answer. Page 8 Interior cities oppressed by fish trust. Page 8 A municipal censorship of the drama. Page 8

POLITICAL Works may be asked to withdraw from senatorial fight. Page 6

CITY Doctor McEnery, Burlingame clubman, sued for livery bill. Page 4 Box office receipts of theaters fall off with comet's arrival. Page 4 Subscriptions in small sums pour into exposition committee. Page 5

RECEIVER Symmes to pay 10 per cent dividend to bank depositors. Page 9

GIRL wife demands divorce instantly, but can't be bothered by suit. Page 5

JOSEPH Griffin, Ontario millionaire, killed in Palace hotel elevator. Page 9

CALIFORNIA pharmaceutical association hears papers on drug business. Page 18

FISH trust reduces prices to the wholesale trade and retailers follow. Page 3

H. M. Wright will take office as United States master in chambers July 1. Page 18

UNIVERSITY student of '78 given degree with members of class of 1910. Page 18

CORONADO band at Idora park gives special program from Italian composers. Page 8

UNIVERSITY of California graduates receive degrees at ceremonies in Greek theater. Page 18

SUBURBAN Lumberton to be given in honor of Miss Edith Emigh. Page 10

EAST Fruitvale residents demand better fire protection. Page 11

CAT killed and served as hare cited as evidence of insanity. Page 11

CENTERVILLE school children to dance and drill at May festival. Page 11

BERKELEY debater wins official appointment in city of Spokane. Page 10

TRAGEDY reading inspires holdup who gets San Quentin sentence. Page 10

ALAMEDA butcher places his head on rail and is killed by train. Page 11

JAMES H. MacLafferty, businessman and poet, leaves family home. Page 1

DELTA Delta Delta sorority will give an informal dance tonight. Page 11

CLEVER amateurs added to cast of "As You Like It" in Claremont hills. Page 10

STREET paving firm asks that plan of Broadway work be changed. Page 19

SECOND Bach festival to be given in Greek theater Saturday afternoon. Page 10

CHILD'S welfare league suggests uniform coffee law for Alameda county. Page 10

COAST Colonel Robert F. Ames faces court martial in connection with Lieutenant C. M. James's suicide. Page 3

EASTERN Bullinger case report may be ready before congress adjourns. Page 5

FOREIGN President Taft to welcome delegates to world's Sunday school convention. Page 5

SPORTS Johnson boxes nine fast rounds after a hard grind on road. Page 13

RATLEIGH turns the tables on Chester Krum in handicap feature. Page 12

TEX Rickard officially announces that his fight will be held here. Page 13

WOLVERTON's buckles Oaks lose tough game but file a protest. Page 12

CRACK athletes are entered in Knights of the Red Branch games. Page 12

JIMMY Lewis' sensational base running wins hard game for Seals. Page 12

TEST case will decide whether better may record his own wager. Page 13

TOUR pitches fine game and Los Angeles defeats Hogan's villagers. Page 13

SACRED Heart looms up as possible Academic league pennant winners. Page 13

JEFF and Gray in consultation; Jeff goes fishing at Monterey bay. Page 13

WALSH wheelman granted a permit to hold 10 round boxing contest. Page 13

ATHLETES win thirteenth successive victory; Vernon gets Pitcher Carson. Page 12

YACHTSMEN disappointed by selection of the Ruby to defend challenge cup. Page 12

WRESTLING promoters propose to hold Gotsch-Zybski match despite mayor. Page 12

MARINE New tanker J. A. Chanslor encounters mysterious derelict in North Atlantic. Page 17

LABOR Harry L. White elected president of typographical union, defeating Tracy. Page 9

HOE ESTATE RESISTS MARGARET JOHNS' CLAIM

Surrogate Dismisses Petition for Payment

[Special Dispatch to The Call]

NEW YORK, May 18.—The petition in the surrogate's court of Margaret Johnson Johns, who says that she has a claim of about \$145,500 against the estate of Robert Hoe, was denied today by Surrogate Thomas. Mrs. Johns declared that the printing press manufacturer bound his estate July 9, 1908, to pay her \$150,000 in exchange for Metropolitan trust company stocks which she owned and which, she says, she turned over to Hoe. She asked the court to order Frederick W. Crane and Phineas P. Chew to appear and show cause why they should not pay the amount of her claim.

Surrogate Thomas dismissed the petition without prejudice to any action which may be brought to recover the claim or for an accounting.

Edward J. Pringle, counsel for the Hoe estate, told the surrogate when the motion for the granting of the order was argued that there was no fund provided with which to meet the claim even if declared valid.

MINES IN EUROPE TO BE INVESTIGATED Californian to Study Safety Appliances Used

[Special Dispatch to The Call]

LOS ANGELES, May 18.—Dr. John R. Haynes of Los Angeles departed for Europe today to search for the reason why the United States has four mine accidents for every one in England and five for every one in France.

He goes under special appointment from Governor Gillett, and will spend six months at his task.

Doctor Haynes will learn what the foreign mining commissions are doing; what powers they have and what safety devices and life saving methods they have introduced in the mines.

COBURN FORCED TO FIGHT FOR HIS MILLIONS

Nephews Renew Legal Battle to Have Aged Multimillionaire Declared Incompetent

Relatives Attempt to Prove Pioneer Is Surrounded by Persons Seeking His Gold

[Special Dispatch to The Call]

REDWOOD CITY, May 18.—Once more Loren Coburn, multimillionaire pioneer, 84 years of age, who recently married the sister of his first wife, is fighting in the courts to keep the control of his vast possessions. Trial of the petition to have him declared legally incompetent, initiated by his nephews, Azro and Carl Coburn, to whom the octogenarian usually refers as "cultures," was begun today before Superior Judge Maurice T. Dooling of San Benito county, sitting in place of Judge Buck.

All his life Loren Coburn has been entangled in litigation involving possession of the immensely valuable Spanish grants, totaling about 35,000 acres and situated in San Mateo, Merced, Monterey and Fresno counties. This is the second attempt to have him declared incompetent to manage his own affairs. Two years ago Judge Buck, on the petition of Carl Coburn, pronounced him mentally unsound. For the time being control of his millions passed out of the hands of the pioneer, but the supreme court reversed the ruling and Coburn won back his estate.

Attack Is Renewed

The renewal of the attack on his capacity followed almost immediately Coburn's marriage with his sister in law, Miss Sitara S. Upton, which took place February 28 last. The petition taken up by the court today was that of Azro Coburn, who is a wealthy banker and manufacturer of Holyoke, Mass. The opening day of the litigation proved that the petition will be fought out in the most bitter manner. An array of lawyers such as is seldom seen in a case tried here faced the judge as he took his seat upon the bench. For the petitioner, Matt I. Sullivan, Theodore J. Roche of San Francisco and Ross & Ross appeared. Loren Coburn is represented by A. J. Treat, Early J. Craig and A. Kincaid.

The feature of today's proceedings was an attack made by the attorneys for the petitioners on C. L. Littlefield, who is employed by Loren Coburn as book keeper and general business assistant. Littlefield was called to the witness stand by Attorney Sullivan, and it was apparent in a few minutes that the lawyer was possessed of some information that puzzled Littlefield greatly. It was admitted subsequently that Messrs. Sullivan and Roche some time ago sent to Pescadero two investigators, H. Wilson and J. McCarthy, who had ingratiated themselves with Littlefield and gained his confidence.

Accuses Littlefield

"We charge that Littlefield is one of the designing persons by whom Loren Coburn is in danger of being deceived," stated Attorney Roche to the court in explaining why Littlefield was called as a witness.

From the questions propounded to Littlefield it developed that the "investigators" had so improved their opportunities that they entered into a contract with Littlefield whereby the King City ranch in Monterey county was to be obtained from Loren Coburn for \$250,000 and sold for not less than \$400,000, Littlefield, McCarthy and Wilson to share the profits. This, Attorney Roche contended, showed the designing nature of Littlefield and the danger to which Coburn in his incompetency is subjected.

Contract Introduced

The contract was introduced in evidence. It read: "Pescadero, April 1, 1910.—For services rendered by C. L. Littlefield we do hereby agree to divide the commission of 2 1/2 per cent, as well as all moneys realized over \$250,000, and not less than \$400,000, on the sale of King City ranch, belonging to L. Coburn, in three equal parts—i. e., of such sums—to each of the undersigned, such division to be made immediately upon delivery of the deeds. H. Wilson, J. McCarthy, C. L. Littlefield."

In the midst of his examination by Attorney Sullivan, Littlefield suddenly exclaimed:

"I know who you got your information from. You got it from those two spies you sent from your camp."

"How do you know they were spies?" asked Sullivan.

"Because Mrs. Coburn told me they were," Littlefield replied. In reply to further questions, Littlefield said he wrote certain letters to McCarthy and Wilson simply to string them along.

Wife Is Called

At this stage Sullivan temporarily withdrew Littlefield from the witness stand and called Mrs. Loren Coburn to testify. Mrs. Coburn had not heard Littlefield's testimony. She directly contradicted the assertion of Littlefield that she had told him McCarthy and Wilson were "spies."

Littlefield was replaced on the witness stand.

Continued on Page 5, Column 4

BRITONS TAKE FINAL VIEW OF THE LATE KING

Line Waiting Outside Westminster Seven Miles Long When Door Opens

Royalty Arrives to Attend the Funeral and Emperor Will Land Today

LONDON, May 18.—Thousands of persons, marching in double file on either side of the catafalque on which rests the coffin of Edward VII, passed through Westminster hall today, and when the doors closed at 10 o'clock tonight there were miles of them still in line.

Throughout the afternoon Victoria station was the scene of a constant stream of foreign representatives arriving for the funeral. King Albert of Belgium and King Manuel of Portugal were met by King George and his eldest son, the duke of Cornwall. Other arrivals included the duke of Aosta, representing King Victor Emmanuel; M. Pichon, the French minister of foreign affairs, representing President Fallieres and King Ferdinand of Bulgaria; the crown prince of Roumania; the crown prince of Serbia; Prince Henry of The Netherlands; Prince Charles of Sweden; two Chinese missions, headed by Prince Tsai Tao,



MISS MARY LOUISE PHILLIPS, The medalist of the class of 1909 at the University of California. Conrad and Miss Phillips are engaged to be married.

brother of the prince regent, and representatives of various German principalities.

VIEW THE REMAINS

Most of these visitors went to Westminster hall after 10 o'clock at night when the hall was closed to the public, to witness the lying in state, Queen Mary accompanying the guests.

The German imperial yacht Hohenzollern arrived at Sheerness this evening, but at the emperor's request no salutes were fired.

The emperor will land tomorrow morning and proceed to London.

The official program of Friday's ceremonial, which was issued tonight, is a lengthy document, occupying five or six columns in the newspapers.

Roosevelt, as special envoy of the United States, with M. Plechon, will ride in the eighth carriage in the procession.

The line of waiting subjects, six and eight abreast, extended nearly seven miles from the entrance of the hall at 4 o'clock this morning, and was being continually lengthened.

The sun shone brightly after a night of rain and with little air stirring the heat was excessive.

FAIN'T FROM EXHAUSTION

Many persons, men as well as women, fainted from exhaustion and ambulance attendants were busy all along the stream of humanity.

The doors of the hall were opened at 6 o'clock. Many thousands were already in line and by noon the total number who had passed the bar, including those who secured entrance yesterday, had exceeded 100,000. Some 8,000 moved silently through the hall every hour, but the waiting lines grew rapidly.

SCORE HURT IN WRECK—Dewitt, Mo., May 18.—Wabash fast train No. 12, eastbound passenger, pulled by two engines, was wrecked five miles west of here today. One man was fatally injured and three seriously hurt. A score of passengers suffered slight injuries.

EXETER, May 18.—Fire here last night destroyed several business houses and damaged the National bank building. The damage is estimated at \$20,000.

CUPID CONDUCTS PRIVATE CLASSES FOR UNIVERSITY MEDALISTS OF '09 and '10

CLINTON C. CONRAD The medalist of the class of 1910 at the University of California.



HIGH HONOR AND FIANCEE ALL WON

"Brainiest" Students of Two Years at Berkeley Engaged to Be Married

Erudite Cupid, in cap and gown, sat on the rostrum of the Gree theater during the commencement exercises of the University of California yesterday, busily interweaving romance with scholarship. And so it came to pass that shortly after the awarding of the degrees, the secret was whispered over the campus of the engagement of Clinton C. Conrad, winner of the coveted gold medal for the best student of the graduating class to Mary Louise Phillips, who last year achieved the same distinction.

No formal announcement has been made of the betrothal of the brilliant young students, who, during their terms at the university outdistanced their classmates in the spirited race for scholastic eminence, but Miss Phillips last night confirmed the report of the engagement, and the campus is a-buzz with the news, socially the most interesting of the college year.

Conrad, who yesterday secured a gold medal and a fiancée of golden worth, formerly resided in this city, but now lives in Berkeley. He received his early training at the Lowell high school.

Conrad has accomplished a remarkable feat during his four years of undergraduate work. Primarily a student in the college of mechanical engineering, he has found time to pursue the classics and receives the highest honors, therefore, not only in engineering, but in Latin and Greek, as well. It is a unique distinction and brings him at once the degrees of bachelor of science and bachelor of arts.

The successful student is somewhat younger than most of his fellows, but has displayed a maturity that gained him an assistant's position with the faculty before graduation. He has been attached to the department of physics and will continue in that capacity during the year.

In presenting the young man with the emblem, President Wheeler said: "I give you this medal. In the judgment of those who are set to judge you are the distinguished student of this year. You have based your study of an applied science—mechanics—upon the ancient classics. It is a fine combination. You assume a large burden in accepting this medal. We shall expect a great deal of you. I congratulate you and wish you well."

Miss Phillips, the daughter of Judge and Mrs. Dixon L. Phillips of Hanford, received her degree from the college of letters last year, and today was awarded the degree of master of letters in Latin. She was one of the most prominent of her class and a member of the English and Newman clubs and the Prytanean society, as well as the Phieta Kappa scholarship society.

Supervisors to Hold Convention Members of State Organization to Meet for Three Days in Stockton

[Special Dispatch to The Call] STOCKTON, May 18.—The state convention of supervisors will convene tomorrow at the chamber of commerce in this city and will continue through Friday and Saturday.

The chamber of commerce has appointed F. B. Nims, John M. Perry and L. S. Wetmore a committee on reception. Tomorrow afternoon the delegates will be the guests on a trip up the river to Disappointment slough, the steamer Leader having been chartered from the California navigation and improvement company for the occasion. They will return to Stockton about 6 o'clock in the evening.

Friday afternoon the visitors will be given an auto run over the highways north of the city, after which a luncheon will be served by the Mokelumne club of Lodi. Saturday the delegates will be taken through the mills and manufacturing plants.

The business sessions will be held morning and evenings, and the afternoons will be devoted to pleasure.

FIRE DESTROYS BUILDINGS IN TULARE COUNTY TOWN

EXETER, May 18.—Fire here last night destroyed several business houses and damaged the National bank building. The damage is estimated at \$20,000.

EARTH GOES UNHARMED THROUGH COMET

Switched by Tail of Celestial Vagrant With the Gentlest Sort of Caress

EIGHT HOURS IN THE TENUOUS COSMIC VAPOR

Fears of the Superstitious, Who Looked for Dreadful Catastrophes, Prove Baseless

HUGE SPOTS FRECKLE THE FACE OF THE SUN

[Special Dispatch to The Call]

LICK OBSERVATORY, Mount Hamilton, May 18.—Three great telescopes have swept the heavens unceasingly all day and all night, searching among the planets, following the constellations in their journeys through space, peering with their piercing eyes through the alleyways of the universe for a trace of Halley's comet, which swept across in its path with the sweep of the sun, losing its brilliancy in the dazzle of the greater luminary. All day and night scientists followed the wheeling of the cosmic bodies, but for all their vigil nothing of the vagrant was seen.

What may be seen at 3 o'clock tomorrow morning, when the bright moon, which has drowned whatever of sweeping tail or luminous glow that might otherwise have been seen, has set, the astronomers hardly venture to surmise. There may be but a faint glow seen, or perhaps meteors and celestial pyrotechnics of a brilliant and awe inspiring kind.

Dimmed by Sun

So dazzling has been the alternate brilliance of the sun and the moon that the astronomers have not been able to point to any phenomena that showed the earth had passed through the comet's tail. This appendage is so light, so tenuous, that Observer W. W. Campbell could not satisfy himself by any means that we were actually passing through the rear guard of the speed burner. Eight hours were consumed in this passage, however, and 1,000,000 miles of the tail were encountered by the earth.

The tail is lagging behind the comet now, because of some unknown phenomena, and not following it closely as of old.

Nothing Is Seen

All day and night Dr. W. W. Campbell, director of the observatory, with Dr. H. B. Curtis, Dr. H. B. Altken and Dr. W. H. Wright, examined the skies at five minute intervals in an endeavor to discover the comet they knew was between them and the sun. But their efforts were vain, and they were not able even to see a spot on the sun made by the comet's body. Mariners everywhere on the Pacific have been on the lookout for the comet all day, however, and it is thought that some of the more learned shipmasters will bring in charts and reports of the much sought wanderer. Out on the Pacific the position for viewing the comet was much better all day than from this spot.

This morning at 3 o'clock an observation was taken, and the tail of the comet discovered to be 122 degrees, or 19,000,000 miles, in length. But, as the tail points away from the sun and so we get more nearly a lengthwise than a sidewise view of it, the appendage is undoubtedly in reality much longer than the figure given.

Better Results Today

Dr. Campbell has high hopes of witnessing some interesting phenomena, at 3 o'clock tomorrow morning, when the moon sets. At this time, shortly after midnight, the astronomers are discussing the possibility of seeing the glow of the tail, when darkness is granted by the moon's disappearance, or perhaps the fall of meteors or the sweep of shooting stars.

VAGARIES OF THE BIG COMET'S TAIL NOTED

By Director W. W. CAMPBELL of the Lick Observatory at Mount Hamilton

The tail of Halley's comet was observed Wednesday morning at the Lick observatory to a length of 122 degrees. It extended through the constellation Aquila to the edge of the milky way. The milky way at this point is 15 degrees or more wide and brilliant, and it is quite possible that the tail was long enough to extend well into or across the milky way.

Observed length corresponded to

Continued on Page 5, Column 4