

FRIENDS FEAR FOR SAFETY OF TWO YOUNG MEN.

Eugene Brunel and Jean Lemebeve Go Hunting and Are Missing



Eugene Brunel, son of Mr. and Mrs. Brunel, who keep a French laundry at 135 Fifth street, and Jean Lemebeve, an employe at the laundry, left the city early Sunday morning to go hunting, and promised to return in the afternoon. Neither had been seen nor heard of up to a late hour last night, and the parents of Eugene and the young wife of Jean were almost beside themselves, despairing of ever seeing their loved ones again.

Three weeks ago they purchased a row-boat, and having painted and made her look trim went Sunday to Hunters Point, hoping to enjoy a few hours' sport. They took Mrs. Lemebeve's dog and some meager refreshments—enough to tide them over until the time they had set to return.

When evening came and there was no sign of them there was much uneasiness. They were awaited the whole of the night, and when morning came with no tidings the relatives hastened to Hunters Point, but learned only that the missing ones had been seen about 2 o'clock Sunday afternoon in the vicinity of the point. After that nothing was known of their movements.

The Brunel family and the distracted wife of Lemebeve then made a search of the country round and remained out investigating until darkness overtook them and made further endeavor at search well nigh impracticable. They had also reported their loss to the police.

Last night Mrs. Brunel and Mrs. Lemebeve determined that early this morning



JEAN LEMEBEVE

HUNTERS WHOSE FAILURE TO RETURN IS CAUSE OF GRAVE ANXIETY.

they would hire a launch and pursue a further search.

Eugene Brunel is 17 years of age and Jean Lemebeve is 20.

PERSONAL.

Judge C. S. Hardy of San Diego is at the Palace.

H. Adams and wife of New York are at the Palace.

L. L. Patriek and wife of Goldfield are at the Palace.

A. H. Fleming and family of Pasadena are at the Palace.

J. M. Eagle and family, of Ashland, Ore., are at the Palace.

Thomas B. MacMahon and wife of Seattle are at the Palace.

H. S. Huson, a prominent contractor of Portland, is at the Palace.

John M. Sherrerd of Highbridge, New Jersey, is registered at the Palace.

Edward M. Greenway returned yesterday from a trip to Phoenix, Ariz.

T. S. McRath, representing Girvin & Eyre in Portland, Ore., is at the St. Francis.

E. R. Dodge, a prominent attorney of Reno, is at the Palace, accompanied by his wife.

Charles Blasdel and Otto Piehl left on Sunday for Eureka on a ten days' hunting trip.

Charles E. Ladd, a banker of Portland, Ore., is at the Cosmos Club. Mr. Ladd is looking into the cement industry in this State.

A. K. Detwiler of Toledo and F. W. Wichter and Thomas W. Phelps of Los Angeles, connected with the Home Telephone Company, are at the St. Francis.

Californians in New York.

NEW YORK, Oct. 30.—The following Californians have arrived in New York:

From San Francisco—F. J. Baler, at the Hotel Astor; Miss C. Frick, Mrs. N. W. Meyer, at the Grenobles; J. Arthur, at the Grand Union; H. N. Black, at the Marlborough; Miss M. Carroll, Mrs. C. Carroll, at the New Amsterdam; W. W. Catlin, at the Broadway Central; C. F. Fisher and wife, at the Herald Square; M. D. Greenwood and wife, R. T. Harding, at the Hotel Astor; I. Klau, at the Hoffman House; Dr. F. L. Mean, at the Imperial; I. B. Meyers, at the Grand Union; A. Porter, at the Hotel Imperial; A. Saller, at the Hotel Astor; H. M. Suermondt, at the Churchill; J. W. Treadwell, at the Hotel Breslin.

From Los Angeles—L. Booth, at the Broadway Central; E. Jones, at the St. Denis Hotel; Mrs. S. A. McCready, at the Grand; Professor J. A. Sadony, at the Bartholdi; G. D. B. Turner, at the Grand Hotel; Miss Comer, at the Spaulding.

From Santa Ana—M. L. McDonald Jr., E. C. Merritt, at the Hotel Imperial.

ARMY AND NAVY ORDERS.

WASHINGTON, Oct. 30.—Army orders:

First Lieutenant Andrew C. Wright, Twelfth Infantry, Manila, will report to the commanding general of the Department of California for duty, pending the arrival of the Twelfth Infantry. Captain George A. Nugent, quartermaster, is relieved from duty in the Philippines and will proceed to San Francisco.

Captain John H. Lynch, paymaster, is relieved from duty at Omaha, Neb., and will proceed to his station at San Francisco about January 1 and report to the commanding general of the Department of California.

Major H. Cook, Tenth Infantry, will report to Major Rudolph G. Ebert, president of the examining board at Vancouver Barracks, for examination to determine his fitness for promotion.

Post Quartermaster Sergeant Marcus A. Lewis, now in the Philippines, will report to the commanding general of the Philippines division for duty.

Navy orders—Chief Carpenter F. Johnson is ordered to the Union Iron Works at San Francisco.

LATHERS ENJOY A BALL.—The second presentation ball was given last night at Lyric Hall by the Wood, Wice and Metal Lathers' International Union, Local No. 65. A handsome silver cup was presented to the union for having the best display in the last labor parade.

DO NOT TRUST HEALTH BOARD

Supervisors Name University Food Experts to Make Inquiry Into the Milk Supply

ALLAY PUBLIC FEARS

People Show Lack of Confidence in Department Handling Dairy Inspection

That the people of San Francisco have no confidence in the Board of Health was demonstrated yesterday at the meeting of the Supervisors when that body ordered an independent investigation of the milk supply of the city to be made by professors of the University of California. Further evidence of the lack of esteem in which the Health Department is held was manifested from the fact that not a single physician in San Francisco responded to the board's invitation to help along its appeal for more money from the Supervisors.

To allay public fear and alarm over the conditions around the dairies and the milk supply the Supervisors have appropriated \$25,000 from the urgent necessity fund to meet the expense of an inquiry by scientists, which will be conducted by Professor A. R. Ward, director of the State Hygienic Laboratory at Berkeley, and Professor M. E. Jaffa, one of the leading food experts in the United States. These gentlemen will make their expert investigation with their own assistants, who will be selected by themselves. No Health Department official or employe will have anything to do with the choice of the men. They will be free from bias, prejudice or personal sentiment that might be detrimental to the proper prosecution of the work.

FOOD EXPERTS NAMED.

The resolution appointing these men was fathered by Supervisor d'Ancona, who made it broad enough. It recites they are to inspect the dairies and to investigate the milk industry of the city. Provision is made for the inspections and for chemical and bacteriological examinations of milk.

And that was the Board of Supervisors' response to Health Officer D. P. Ragan's plea for \$3000 with which to continue its milk "crusade."

When the Board of Health's petition for a vote with which to boost its already heavy list of employes was taken up yesterday afternoon by the Supervisors, d'Ancona, a member of the Health Committee, directed his colleagues' attention to the absence of the medical men and many others who had been invited to attend and lend their "moral support."

Health Officer Ragan admitted that the Board of Supervisors had allowed \$12,000 for laboratory work in connection with milk.

"There seems to be a public demand for an extension of the milk inspection and analyses," said Ragan, "and the additional sum is necessary in order to allay the uneasiness of the people. We cannot afford to cripple the inspection of other milk. There is no eligible list of milk inspectors, but we will take two eligibles from the food inspectors' list, at \$100 per month each. We will select two assistant chemists from the Berkeley University, who are well versed in the analysis of milk, at \$55 per month each. This will require \$2900 in the next eight months. We do not want to abandon dairy inspection, but will have to do so if we continue the analyses of milk samples as we have done in the past two weeks."

PUBLIC ALARM OVER MILK.

"There is unquestionably great public alarm about the milk supply in this city," said Supervisor d'Ancona, "and this board stands ready to aid in allaying the fear that may be entertained by the people. It seems to me that no matter how large an appropriation we may make there will still be a fear in the popular mind that the employes of the Health Department are not making as systematic an inspection of the milk supply as it is possible to make."

d'Ancona, protesting he meant no reflection on the Health Department, read his resolution, which so drastically takes the work out of Health Department hands.

Ragan, replying to Supervisor Gallagher's question, said he objected to the plan because they are free from political and other influences which might militate against their report.

Supervisor d'Ancona concluded: "We intend to appoint Professors Ward and Jaffa, because they are free from political and other influences which might militate against their report."

WATCH FOR IMPURE MILK.

Authorities Continue Efforts to Prevent Unscrupulous Dairymen From Poisoning Babies.

OAKLAND, Oct. 30.—While Dr. R. A. Archibald, the city veterinarian of Oakland, declares that the dairies supplying milk to the consumers of this city are in a better sanitary condition than those of other and larger cities, he says that the vigilance of the Health Department will not be relaxed. In fact, so aroused have the authorities become over the revelations in San Francisco and the developments on this side of the bay, that the additional sanitary inspector provided by a new city ordinance will be detailed to devote his entire time to watching dairies and the methods of the dairymen.

The infant child of Attorney and Mrs. J. A. Taylor, who was poisoned by drinking impure milk and whose case drew much attention to the authorities, is still in a critical condition.

Dr. E. J. Boyes, who is attending the little one, said to-night that there had been a slight change for the better in the child's condition, but he still had

WICHY CELESTINS

THE GENUINE

Natural Alkaline Water

Avoid Imitations!

Analysis made by Fraser & Co. 5th Ave., N.Y., shows Syphon Vichy to be only Croton water charged with gas.

Impaired Digestion, Dyspepsia, Gout, Rheumatism

The genuine is never sold in syphons

Ask Your Physician

SUTRO HEIRS SUE OVER LANDS

Great Domain of City Holdings Ordered to Be Distributed to the Children of the Pioneer Millionaire

DECISION UPHOLDS TRUST ANNULLMENT

Probate Judge Coffey Gives Opinion That Opens a Way for Improvement of More Than One Thousand Acres

The Adolph Sutro trust, by which 1150 acres of the heart of San Francisco were withheld from sale or improvement for an indefinite period, has been annulled by Probate Judge James V. Coffey on a decision handed down yesterday. The judge grants the heirs' petition for distribution of that portion of the great estate which was tied in the trust.

Lands valued at more than \$2,000,000 and involved in area they represent in round numbers one-tenth of all of the land areas of San Francisco, exclusive of parks and military reservation. Every foot of this great tract is unimproved and lies in remarkable wildness, stretching from Golden Gate Park southward to the old industrial school and the Almshouse, lying west from Twin Peaks and running oceanward by the Dewey boulevard.

Besides this tract the Sutro Heights home site at the Ocean Beach, including forty acres of land, is affected by the decision, for it was covered by the trust clause. The larger piece is a part of the Southern San Miguel rancho, and was bought many years ago by Adolph Sutro when the "Sunset" District was naught but a dreary waste of sand dunes. Sutro held to this princely domain, and during his lifetime little of it was sold. It is practically intact and is readily partitioned into Sutro's six children, who will share in equal portions the enormous holdings if the decision of Judge Coffey be sustained. The heirs who attacked the trust are the late Mrs. Susan, Mrs. Rosa Victoria Sutro Morvjo, Edgar E. Sutro and Clara Sutro English. The trust was defended by Dr. Emma Sutro Merritt, a daughter of Adolph, who is now exactly under his will, and also a trustee of the trust, W. R. H. Adamson, an executor, is dead. Charles W. Sutro, a son, took no part in the litigation.

HOLDS TRUST TO BE VOID.

Judge Coffey's decision yesterday in the case of this remarkable trust sustains a decision rendered in 1899 by Superior Judge Trout when he held the trust void. In coming to a suit brought by four of the Sutro children against Dr. Merritt as executor of the estate. At that time Garret McEnerny and Charles S. Wheeler, attorneys for the contesting heirs, filed a suit against Dr. Merritt to quiet title to the property that had been set aside in the trust. It was at this trial that Judge Trout held the trust to be void. No appeal was ever taken from that decision.

The history of the contest over the trust dates back to the filing of Sutro's will for probate. When the wealthy land-owner's last testament was opened it was found that he had tied up his interests in the San Miguel rancho in a remarkable way. Sutro had in mind the establishing of a fund that should be used for charities, institutions of learning, fine arts and sciences, to four children, and in the quiet title to the property that had been set aside in the trust. It was at this trial that Judge Trout held the trust to be void. No appeal was ever taken from that decision.

The will undertakes to create a trust for charitable purposes by setting apart a large tract of land not to be disposed of until such time after the death of the last survivor of testator's six children as may be deemed by the board of trustees, not now in existence, to be for the best interests of the trust. The position of the petitioner, primarily, is that the devise is contrary to public policy as declared by the constitution which provides against the holding of large tracts of land unimproved and unimproved.

The testator may have had a general charitable design, but it is not shown by the language of the will that the trust is not by paragraph twenty-nine, which excludes from the scope of the corporation enumerated classes whose work is mainly that of beneficence and charity. No matter how meritorious may have been his motive, the testator has failed to express his purpose so that it may be capable of legal enforcement. The application of the petitioners for partial distribution is therefore granted.

WOMAN SWALLOWS POISON.—Minnie Adams, living 1418 Hyde street, swallowed eleven capsules of bichloride of mercury with suicidal intent about 6 o'clock yesterday morning. She immediately took a male companion of her rash act and he brought her to the Central Emergency Hospital, where Dr. Glover relieved her of the poison.

ENORMOUS AREA INVOLVED.

They laid the case before their attorneys, and were assured that excellent ground existed for doubting the validity of the trust. The more the trust provisions were examined the weaker they appeared. One of the remarkable provisions was that the executors and trustees for the ten-year term were to designate how the trust money should be spent, thus arranging years in advance for the death of the last surviving child and the sale of the property. This was the way four of the six children felt toward the case and they then decided to leave no stone unturned to break the trust, chiefly, on the ground that it was against public policy to prevent the development and improvement of such an enormous area of unutilized land in the municipality.

Dr. Merritt, who was trustee as well as executor, would not join with her brothers and sisters in the effort to have the trust declared void. She resisted at all times. As pointed out, Judge Trout took the position that the trust was not in the line of public policy and that it sought to withdraw lands for purposes other than charitable.

At the time the will was filed for probate the youngest of the Sutro children was 20 years old. He had a prospective life of fifty years more and was prospectively the child who should be the last survivor. Hence until his death not a foot of the trust lands could be sold.

It was this clause in the trust that appealed so strongly to the contestants as being in their favor, giving them the opportunity to put forward the plea that the trust was against policy. They thought that the law would not sustain a position of that character, even if an

doubts about his patient's recovery. "I have not changed the views I expressed in The Call this morning about the milk question," said Dr. Boyes. "I insist that the intelligent public share the original carelessness of the dairymen. The public demand for cheap milk is in a large measure responsible for the many cases of infantile." Dr. C. H. Rows has examined numerous samples of milk within the last few days, but found no traces of formaldehyde or other adulterants.

Halfmoon Bay Lots THE BEAUTIFUL Miramar Tract

Offers the most profitable opportunities to investors. Offers the choicest site to home builders.

The Miramar Tract is delightfully situated on the sheltered bend of Halfmoon Bay, close to the finest bathing beach on the Pacific, commanding a sweeping marine view and adjoining the Ocean Shore Railroad Depot. The vast improvements projected by the Ocean Shore Railroad at the townsite of Balboa, which the Miramar Tract adjoins, make investment there safe, and profits certain.

Remember, that the opportunity to buy town lots at a moderate price in a city that certainly will rival Berkeley or Oakland in population in the very near future is an opportunity of a lifetime.

BUY NOW—Invest your dollars where millions are being expended—the future seaside resort and suburban home of San Francisco. The Miramar Tract lots will double in value almost at once.

These are double lots, 50x150 feet.

The initial prices, \$150 to \$500 per lot. We reserve the right to raise prices at any time. Number of lots limited. No Ferries, no Fogs to cause Delay!

During the last week a large number of these lots have been sold, but there are still many choice \$200 and \$300 lots left.

Halfmoon Bay Development Co. 211 Montgomery St., S. F. Call on Us Now! Buy Now!

TEACHERS OF SHASTA HOLDING INSTITUTE

Town Makes Elaborate Preparations to Greet Governor Pardee.

Special Dispatch to The Call.

REDDING, Oct. 30.—The Shasta County Teachers' Institute assembled in the high school building here today. One hundred and fourteen teachers responded to the roll-call. David Starr Jordan was the principal speaker before the institute this morning. Professor Hyatt of Riverside also lectured and Judge C. C. Bush of Redding gave an interesting history of education in Shasta County. To-night David Starr Jordan delivered a lecture in the assembly room of the high school. Tomorrow night Governor George C. Pardee will deliver a lecture to the institute. The present session is the most successful ever held in the county.

Elaborate preparations are being made to receive and entertain Governor George C. Pardee to-morrow. McCleod Parlor of Native Sons and Hawthath Parlor of Native Daughters and the Shasta County Board of Trade have the entertainment in hand.

SHIP'S PURSER TRIES TO END HIS LIFE

Debts and Love Affair Said to Be the Cause of Act.

Special Dispatch to The Call.

TACOMA, Oct. 30.—Standing before a mirror in his room at the Bohemian Club, P. C. Merrington, purser of the steamship Lyra, attempted suicide this morning by cutting his throat with a small pen knife. Merrington stabbed himself in the throat several times, and undoubtedly would have been killed had his purpose had it not been for the timely arrival of a friend.

Financial difficulties and sickness are said to be the cause which led Merrington to make the attempt. It is claimed that he is heavily in debt and that his creditors are pressing him. There is also reported that there is a woman in the case and that her refusal to marry Merrington before the sailing of the Lyra was the cause of his act.

WOMAN INJURED BY WAGON.—Mary Gordon, while crossing Fourth street at the corner of Stevenson yesterday, was run over by a wagon belonging to the W. F. Fuller Company and her left leg and foot were badly injured. She was sent to the Central Emergency Hospital for treatment.

PETITIONS IN INSOLVENCY.—Petitions in insolvency were filed yesterday in the United States District Court as follows: W. B. Marble, contractor, Eureka, liabilities \$1761, assets \$102; C. B. O'Brien, saloonkeeper, Oakland, liabilities \$360, assets \$125.

Advertisement for Sterling Furniture Company, featuring a large image of a dining table and chairs. Text includes: 'A DOLLAR A WEEK BUYS A RICHMOND.', 'A perfect baker, a fuel saver. A Richmond must do everything we claim for it, or we buy it from you at full purchase price.', 'That's a "Sterling" Guarantee', 'Big oven, small firebox—it does not take a big fire to do your baking if you have a range that controls the heat.', 'A THIRTY-YEAR-OLD RICHMOND IS STILL PERFECT.', 'STERLING FURNITURE COMPANY, 1039 MARKET STREET OPP. McALLISTER'.

DOAN'S PILLS.

A CITIZEN DISCUSSES A Vital Question Fraught With Interest to San Francisco People.

When a citizen right here at home makes a public statement like the following, all room for doubt disappears and the most skeptical must be convinced. It's pretty hard for our readers to prove a statement made by a stranger living in some far-away point of the Union, but the endorsement of neighbors, friends and citizens is the best of proof; no better evidence can be had.

J. A. Kell, retired, of 605 Broadway, says: "For a year or more my back was weak and ached continually; not severely enough to lay me up, but it certainly was very disagreeable. I knew the cause of my trouble from the action and condition of the kidney secretions, but what to do to stop it was a mystery. I came to California in 1853; the greater part of my life has been spent in mining, an occupation decidedly hard on the constitution, and when attacks of kidney complaint affect a man it is more difficult than ordinary to remove. Doan's Kidney Pills certainly stopped my backache. It is now some seven or eight months since I stopped the treatment, and at the present time I have not a sign or anything wrong with my kidneys."

For sale by all dealers. Price, 50 cents. Foster-Milburn Co., Buffalo, N. Y., sole agents for the United States. Remember the name, Doan's, and take no substitute.

TEETH OF CHILDREN

Few mothers know how vitally important is the care of a child's first teeth. The beauty of the permanent set depends almost entirely upon it.

SOZODONT TOOTH POWDER

used with SOZODONT Liquid, prevents accumulation of tartar, yet being free from grit does not scratch the enamel. Do not experiment on baby's teeth. Insist on SOZODONT.

3 FORMS: LIQUID, POWDER, PASTE.

DEWEY, STRONG & CO. PATENTS 330 MARKET ST. SF.