

STATE LOSES EVIDENCE IN SWOPE CASE

Investigation Ordered Into Disappearance of Documents in Hands of Defense

Miss Pearl Keller Recites Death of Girl and Is Not Shaken by Dr. Hyde's Attorney

KANSAS CITY, Mo., April 21.—Rigorous investigation of the disappearance of the state's documentary evidence in the Hyde murder case, which fell into the hands of the defense's counsel, was ordered by Prosecutor Virgil Conkling today.

New developments in the case, the most important of which was the statement of Rubin B. Garrett, the man who lost the papers, that he did not drop them at the point where they are said to have been found, moved the prosecutor to renewed action.

"I am far from satisfied these papers were lost," said Conkling tonight. "Neither do I want to say they were stolen. But I have several men investigating the matter and sensational developments are likely to follow."

Miss Pearl Keller, a nurse, was the only witness at the trial today. She completed her direct testimony at the end of the morning session. Attorney Frank P. Walsh, counsel for Doctor Hyde, cross examined her in the afternoon. Attorney Walsh was unable to shake her testimony except on a few minor details. She was calm throughout the time she was in the witness chair.

The most important feature of her testimony was that Miss Margaret Swope's symptoms, on the morning Doctor Hyde is said to have poisoned her, were similar to those of Colonel Swope just before he died.

On cross examination Walsh proved that shortly before the typhoid epidemic in the Swope residence the plumbing which was supposed to carry away the waste was torn out because it did not work.

Doctor Hyde's attorneys today made another unsuccessful attempt to secure the letters and documents that passed between John G. Paxton and the chemist who made the Swope analyses. Walsh said these papers would prove his contention that no poison was found in the ejecta of Margaret Swope or in the capsule which Doctor Hyde threw away when he left the Swope residence December 21.

"PINK BOX" INTRODUCED Reading from the grand jury notes which recently fell into his hands, Walsh asked Miss Keller if she made the statement that "Huntun had a violent twitching and jerking."

The witness testified that she did not recall her testimony, but that she did not say, substantially, that Huntun was suffering from a convulsion.

Keller said she did not know of her own knowledge the Doctor Hyde visited the room of Margaret Swope on the morning she is alleged to have been poisoned.

The mysterious "pink box" that has figured so prominently in the mystery of the death of Colonel Swope was recalled by Attorney Reed, when Miss Keller took the stand this morning.

Miss Keller said that Doctor Hyde had a pink box in his hand when he gave the capsules to Swope.

Miss Keller closed her testimony for the state by telling briefly about Miss Lee Swope being attacked by typhoid fever after her return from New York in the company of Doctor Hyde.

ALL MEDICINE DESTROYED Other nurses, said Miss Keller, asked her to take charge of a portion of the contents of the stomach of Miss Swope. She put the ejecta in a bottle and gave it to Thomas Swope Jr., she said. Miss Keller related how, at the behest of Doctor Twyman, all of the medicine in the house was destroyed immediately after Margaret Swope suffered a convulsion.

This was the day the nurses struck in the Swope residence, and the state made it a point to inject the story of the uprising of the nurses against Doctor Hyde.

Amid a storm of objection from the defendant's counsel, the witness managed to tell that she held a private meeting in Colonel Swope's room. For what purpose this meeting was held she was not permitted to say.

The state managed to show, however, that Doctor Hyde's wife left the house on December 18.

WILL USE DOGS AND FROGS Dogs and frogs are expected to play an important part in convicting or clearing Dr. B. C. Hyde on the charge of murder.

The state has announced its intention of demonstrating the action of strychnine by poisoning a live frog with the drug before the eyes of the jury.

Toxicologists employed by Doctor Hyde are maintaining a "poison squad" of six dogs for the purpose of studying the effects of strychnine upon them. Some of the canines are being given one-fiftieth of a grain of strychnine four times a day. Others receive a smaller amount of poison.

Some of the dogs will be permitted to die from the effects of the drug. Others will be killed. The digestive organs of the animals will be used by the defense in presenting its case to the jury.

BLATHWAYT SELECTED NAME OF "PENNSYLVANIA" Old Letters Show Real God-father of Commonwealth

In connection with a recent sale in England of the letters of William Blathwayt, a correspondent of the London Daily News, makes the interesting assertion that Blathwayt, and not William Penn, selected the name for the commonwealth which he founded in the new world.

According to this authority, when William Penn applied to Charles II for permission to name his new colony after the king, Blathwayt, who was in attendance on his majesty, being a staunch Tory and high churchman, vigorously objected. "No, your majesty," said he, "let the Quaker call it after himself," and Pennsylvania accordingly was named.

Secretary of state though he was, Blathwayt must have been an odd character, for he contrived to obtain the good opinion of both Pepps and Evelyn at one and the same time, but he played no part in the Stuart cause. "He crossed, I believe with James to Dublin, and probably joined in the Irish flag with O'Flynn and the Lady Bennetts at Dublin castle, and then apparently he went straight back and espoused the cause of William."

The density of population is greater in Europe than in any other continent.

Three Thousand Knights Templar Visit City for Fifty-second Grand Conclave

Delegates Parade From Hotel Amid Cheers of Multitude

Orator Describes Object of Body as Seeking Truth's Light

Resplendent in their regalia of sword, plume and uniform, 3,000 Knights Templar of the state assembled in San Francisco yesterday prepared for the opening of the fifty-second conclave this morning.

They began arriving with the morning trains. As each body appeared local knights, mounted and on foot, escorted it to the Palace hotel, which will be the headquarters of the organization during the conclave.

The spectacular features of the day were the parade and the ball at the Fairmont hotel, both events being made occasions for a full display of the trappings of white and gold, and both were marked by the dignity that characterizes the Knights Templar.

THOUSANDS WITNESS PARADE The parade started from the Palace hotel at 2 o'clock, marched up Market street to Van Ness avenue and thence along Golden Gate avenue to the Golden Gate commandery hall at Sutter and Steiner streets. At the head rode the regulation platoon of police, under the command of Captain Kelly. It was followed by a troop of mounted knights, composed of aids and escorts to the grand officers. Heading them was Rodolph W. Meek, grand captain general of California.

The grand officers rode in automobiles and their rear was brought up by knights on foot, representing delegates and visitors from every commandery in the state.

Four brass bands were in the parade. Their music emptied the stores and often led to the death of such was witnessed by thousands of persons.

CHEERS FOR FANCY DRILL At times the spectators burst into handclapping, special favor being shown to San Jose commandery No. 10, which kept up a continued series of fancy drills and company movements. The greatest applause came when the company formed a cross while marching.

The oration was delivered by Edward Henry Hart of Oakland, who spoke on the efforts of the Knights Templar in seeking the truth.

"The greatest men of every nation," he said, "are frequently those whom the nation has treated with contempt and often put to death. Such were the cases of Socrates and Christ, but their deaths gave an added impetus to the truths which they voiced during their lives."

SWORD A SYMBOL OF LIGHT "In the old days the Knight Templar drew his sword to take life; but today the sword of the knight is but a symbol of the light he seeks, of the truth which he would acquire. It is drawn, not to take life but to protect the light; the sword of the orphan; to defend right and virtue."

"Only twice has it become necessary to defend the Christian religion with the sword. The crusades were the outcome of the religious fanaticism of the ages. The religion of blood which has been shed in religious warfare have not been due to the Christian religion but to men's perverted ideas of it. The true knight must be the true man and the true man just the gentleman."

"The great institute of free masonry is a search for the light of truth. Knights Templar will endure because their doctrines call for an untrammeled freedom of the soul and because their vows contain the noblest ethics enunciated since the dawn of time."

PARTICIPANTS IN CONCLAVE Those who will take part in the conclave include the following: The grand officers of the grand commandery of California: Harvey Davis Loveland, grand commander; Louis Bruner, deputy grand commander; Sacramento, Charles A. Carlson and Howard R. Johnson.

PAST GRAND COMMANDERS Frederick F. Merrill, William A. Davis, George B. McKee, Henry S. Orms, Frederick W. Hedges, Charles F. Lott, William M. Petrie, Samuel S. Wagner, Frank S. Sumner, Edward S. Lippitt, William D. Stephens.

DELEGATES California commandery No. 1—Samuel A. Clark; Henry Mandrell and Daniel E. F. Easton. Sacramento commandery No. 2—James E. Thompson, Charles A. Carlson and Howard R. Johnson.

San Jose commandery No. 10—Frederick Doerr, Charles F. Crothers and Jacob M. Cox. Oakland commandery No. 11—Richard Matz, Frank B. Ogden and Frederick H. Hershey. Chico commandery No. 12—A. W. Stamper, C. C. Gifford and T. J. Nottingham.

San Diego commandery No. 25—William S. Jordan. San Bernardino commandery No. 17—Frank Hendricks, Henry G. Swaine and William H. Fish. Ventura commandery No. 18—George Cook, George Alford and John Nottingham.

San Bernardino commandery No. 19—Dempsey F. Dufour, Lawrence L. Kaarsberg and William Gee. Monterey commandery No. 24—Urbain W. Brown, William C. Bieas and Burr H. Mitchell.

San Bernardino commandery No. 30—Harry W. Beaty, Frank Kables and Frank A. Conant. Pasadena commandery No. 31—E. D. Tyler, John S. Nichols and Edward O. Nay. Bob-ble commandery No. 32—Harry L. Walker, Clifford E. Butler and Lewis F. Colburn.

Ukiah commandery No. 33—L. W. Grover, Robert L. Hutchinson and George W. Stout. Ukiah commandery No. 34—Frank E. Shafer, James Mason and John A. Pedersen. Ukiah commandery No. 35—Joseph J. Weiss, George A. Conner and Edward O. Nay. Ukiah commandery No. 36—A. Visel, Emanuel H. Luxton and Howard A. Wassum.

Ukiah commandery No. 37—Thomas B. Fredenthal, Henry P. Wilkinson and Fred C. Walther. Ukiah commandery No. 38—Matthew Stewart, O. H. Allison and William E. Lawrence. Ukiah commandery No. 39—Joseph L. Evans, Hugh A. Blodgett and Thomas B. Handy. Ukiah commandery No. 40—Charles Malcolm, Arthur M. Abbott and Harry C. Stuart.

Ukiah commandery No. 41—Frank E. Shafer, P. C. Huntington and Thomas Meyer. Ukiah commandery No. 42—Melville C. Trekkeld, John W. Atkins and Ernest L. Lorin. Ukiah commandery No. 43—William E. Hartung, J. Jeffery and W. S. Abbott. Ukiah commandery No. 44—T. W. Dufflard, John P. Twigs and Benjamin A. Plant.

Mounted escort of Knights Templar, followed by the San Jose commandery on foot, and (below in an auto) H. D. Loveland, grand commander (on the left), and C. Frank Pierce, past grand commander.



SALOON BANDITS LANDED IN JAIL CENSUS DEPUTIES HAVE HARD TASK

[Special Dispatch to The Call] SACRAMENTO, April 21.—Ernest White and A. R. Podder, two young Sacramentans who have been holding up saloons in this city and suburbs for the last week or so, were caught late last night by Chief of Police Ahern and Detectives Ryan and Naghel while preparing to hold up another saloon. They were arrested only because of their suspicious actions, but when arrested they confessed to having committed five different holdups. Raymond France, the third member of the gang was caught tonight. Chief Ahern and his detectives were touring the city in an auto looking for suspicious characters when they saw White and Podder standing on a corner. The pair took flight. Ahern gave chase and caught White single handed. Podd got away, but was caught this morning at his home in bed. He has a wife and baby.

OAKLAND, April 21.—Supervisor James M. Burke of the census bureau announced today that great difficulty had been experienced by the enumerators in getting the inmates of lodging houses properly to fill out the blanks. Some places have been visited as many as five times by a deputy, who has been received with anything but courteous treatment. Next Monday five new agents will be appointed for lodging houses alone. Unless the tactics of lodgers and owners undergo a change a number of arrests will be made. Burke today said that every man who failed to do what was required of him would be prosecuted to the fullest. As a warning and important notice to aid in taking the census, Supervisor Burke has issued the following proclamation: To the People of Oakland: The United States census in Oakland is in progress. If you know that the census enumerator has been at your house or on your block and that you or any one living in your house has not been enumerated you are asked to immediately notify the United States census bureau, Oakland, either by telephone or letter. The enumerators have left census slips to be filled out at many places where lodgers or other persons are not at home during the day. Many people pay no attention to these slips. Commencing Monday, April 25, a force of special agents will be employed to collect these slips and to enumerate all the people where the regular enumerators have had difficulty. We hope these special agents will meet with success, but this is a warning notice that the law compels all persons to furnish the census information when it is requested of them. I am glad to state that the response of the general residents of Oakland to the census has been good, but I have to warn, and I do hereby warn all people who are asked to fill out slips at the lodgers' or homes and leave them for the census men, that failure or negligence on their part in doing so will be met by prompt action through the law. There were 478 persons killed and 1,404 injured on Canadian railways in 1909.

WISE CHILD KNOWS FUNCTION OF CORSETS Miss Mary Garden, at a tea in Philadelphia, praised the skill of the modern corset maker, says the Philadelphia Record.

"It is really wonderful," said Miss Garden, "what this artist can do. I have seen fat old women who, from certain aspects, looked like supple girls. It was the corset maker."

"And that reminds me of an answer that I heard in Sunday school when I was a little child. 'What is it,' our superintendent asked, 'that binds us together and makes us better than we are by nature?' 'Our corsets, sir,' piped a wise little girl of 8."

Preparations are being made at Harpers Ferry to move the old John Brown monument from the Murphy farm, a mile or two from town, to the campus at Storer college.

None of the railroad companies which have adopted electricity in the regular service of moving trains seems disposed to give out any figures showing the cost of operation.

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The artistic nature of good taste demands quality. Knox Hats are sold on reputation and bought on faith.

Paul T. Carroll

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AX GETS NECKS OF THREE FIRE CHIEFS

Commission Loses No Time in Suspending Layden, Russell and Farley

President Sullivan Explains That McCarthy Had No Part in Decapitation

The restraining hand of the court removed, the fire commissioners lost no time yesterday in getting rid of the three battalion chiefs of the Shaughnessy regime who had withstood the attempts to disrate them. President Sullivan, in speaking of the board's confirmation of the suspension of Chiefs James Layden, S. D. Russell and M. J. Farley, took occasion to make it plain that Mayor McCarthy's hand was not in it. He said: "The mayor never said a word to us about removing Farley, Layden or Russell. The board acted for itself in suspending them and the chief will prefer charges against them for incompetency and insubordination. Of course, the mayor expects us to get results. He wants the department to have efficiency, and we will co-operate with him in getting it."

"I suspended Layden, Russell and Farley this morning for insubordination after each had refused to obey my order that he report for duty to the company to which he had been assigned formerly by the board," said Chief Murphy. "There was no unpleasantness about it. I simply told the men what they were expected to do and they refused to leave the posts where they had been acting as battalion chiefs."

The commission's guillotine worked smoothly at yesterday's session. The secretary read the chief's report: "Gentlemen: I respectfully desire to report that I have this day suspended from further service in this department pending further action by your honorable board the following named members thereof for insubordination and incompetency: Matthew J. Farley, S. D. Russell and James Layden. Respectfully submitted, 'THOMAS R. MURPHY, Chief of Department.'"

Commissioners Donohoe, Dillon and President Sullivan without remark approved the report and then ordered the chief to file written charges against the three.

A general rearrangement of the battalion chiefs was made yesterday by Chief Murphy. Battalion Chiefs O'Brien, Cook and Maxwell, who have been the "doubles" of the suspended chiefs, Layden, Russell and Farley, were not left at the latter commanders' stations. Battalion Chief Willis stepped into Layden's shoes, Thomas J. Murphy into Russell's and James Radford into Farley's.

HIGH SCHOOL BOYS WILL TAKE CENSUS OF OMAHA City Wants to Get Into the 200,000 Class

Ninety-three high school boys, working under Census Enumerator Charles L. Saunders of this congressional district will take a preliminary census of Omaha on April 8 and 7, before the official count begins on April 15, in the hope of finding every man, woman and child and proving Omaha's population to be nearly double what it was 10 years ago, says the Omaha correspondent of the New York Sun.

This plan was evolved by Mr. Saunders and will be paid for by the businessmen of Omaha. Official enumerators have been secured in Omaha. Feeling it necessary to have some means of checking them, Mr. Saunders proposed the boy census takers.

The government furnishes enumerators with all the preliminary blanks they need, printed on white paper, with the schedules on one side and directions for reporting on the other. These schedules will be taken out by the high school boys and one left for each family in the city.

All the report each boy will have to make is on small cards about the size of a postal card. On these he writes the number of every house in his district, together with the total number of people sleeping in that house. His schedule ends there, and he leaves the schedules to be picked up later by the official enumerators if they are filled in; if not, the enumerator must ask the questions and do the filling in.

The boys' cards will show the total number of people in each district, and working in the same districts the official enumerators will be expected to get an exact number or be sent back over their routes.

The campaign to get every one counted will be extended after the official count, the Omaha businessmen having published thousands of cards to be mailed or sent in to the Commercial club by people who did not see the censusman. The city wants to get into the 200,000 class.

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WINE GROWERS WIN IN LABEL FIGHT

Government Pure Food Board Reverses Ruling on Use of Word "Type"

California Association Declares Edict Proved Detrimental to Business

WASHINGTON, April 21.—California wine growers gained a victory before the government put food board today in the matter of the labeling of port and sherry wines. The board had previously ruled that California port and sherry wine should be labeled "California port type" and "California sherry type," and the wine growers of that state vigorously objected, declaring the ruling injured their business.

Representatives Kahn, Hayes, Needham and Knowland of California and Bert Schlesinger appeared before the board and argued against the former ruling of the board. Without leaving their seats, the board, which was presided over by Secretary Wilson, voted to reverse its former ruling and not insist on the word "Type" on the labels.

TEN HOUR LAW STANDS—Springfield, Ill., April 21.—The supreme court today declares the law prohibiting the employment of women in factories and stores more than 10 hours a day constitutional.

Advertisement for Vichy Celestins water, featuring a bottle and the text 'Natural Alkaline Water' and 'Ask your Physician'.

Advertisement for \$4 to \$6 Shoes, \$2.50 pair, with an image of a shoe.

Advertisement for Lewis Sample Shoe Parlors, featuring a shoe and the text 'Perfect Fit Guaranteed'.

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Advertisement for Pacific Bldg, Market & 4th floor, featuring a building and the text 'OPEN SATURDAY EVENINGS'.

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