

## STEVEDORE ADMITS PART IN SMUGGLING CHINESE SLAVES

### LOVE STILL SURVIVES, SAYS LU ET TA SMITH

#### DOCTOR'S WIFE IS AMAZED BY DECLARATION

Mrs. Burke Exhibits First Emotion Since Trial Started as Words Are Uttered  
New Cult Lecturer Is Named as Possible Father of Child

By HARRY DAVIDS

**S**ANTA ROSA, Dec. 9.—The taint of things evil hung over the testimony given today in the trial of Dr. Willard P. Burke, there being developed views, thoughts and beliefs held by the central figures in the case contrary to all accepted ideas of morality, of an abandonment of love opposed to all standards of convention, of a condition of affairs at the sanatorium where the laws of right and wrong seemed to have been jugged and perverted to meet the passionate desires of the moment. And in the midst of this mass of theories for making immortality by the mentioning of the name of Wilson Fritsch, a new cult lecturer, whose last known residence was in San Francisco as a possible father of the child of Lu Etta Smith. Lu Etta Smith on the stand declared that if she could be convinced that Doctor Burke had not been responsible for the dynamiting of her tent her love for him would revive with vigor equal to the days of his wooing and winning.

Could See No Evil

She also indicated in no uncertain way that she could not consider her relations with him immoral. The declaration was in keeping with the rest of the views of sex problems as outlined in the testimony of the day. Marriage and family ties seemed to be the least of the objects to be considered in the mating. Platitudinous arguments against church, society and convention were hurled forth time and again. The subject developed through the introduction of a thesis said by the prosecution to have been written by Doctor Burke and given by him to Miss Smith in order to make her views coincide with his own. The thesis was a lengthy one and replete with aphorisms on true love, nobility, purity and the like. A crowd which banked the doors and which flooded the courtroom the moment the doors were opened listened in dead silence to the reading. The following excerpts indicate the nature of the reasoning:

"When the mind is contrary to feeling, which is right? I leave the answer with you."

"The recording angel issues no marriage certificates."

"Affinity one for another is too big to be cowed by opinion or cramped by custom."

"You and I are the absolute abandonment of love if we would allow it so."

"The unit is not the family, but the individual."

"The perpetuation of the race can only be done by affinity."

"Religion is a device for shutting out life."

"Passion born of affinity is divine."

**Defense Names Another Father**

To refute the claims of the prosecution that such matter influenced the mind of Lu Etta Smith, the defense questioned her as to the visit to the sanatorium of Wilson Fritsch, a lecturer.

"We intend to prove," said Attorney Leppo, "that the views advanced by Doctor Burke in his thesis were held in even more extreme way by Wilson Fritsch, a lecturer of San Francisco. We will show that though Fritsch was a married man with a family, he was in constant association with the witness at the time of her relations with Doctor Burke, and this fact, together with the view he held and lectured upon at the sanatorium we hold is competent testimony to prove the possibility of him being the father of her child."

The court took the matter under advisement and asked that it be brought up at a later time of the cross examination. In response to the questioning of the attorneys for the defense Miss Smith said that Fritsch's room was next to hers when he was at the sanatorium, but denied that they were intimate.

**She Holds Different View**  
"When did your improper relations with Doctor Burke begin?" asked Leppo.  
"I don't know what you mean by

#### Death Calls Widow Of Man Identified As Rockefeller Sr.

[Special Dispatch to The Call]

FREEPORT, Ill., Dec. 9.—Mrs. Margaret L. Livingston died here today aged 76. She was the widow of Dr. William W. Livingston, commonly believed here to have been William A. Rockefeller, father of John D. Rockefeller. Every person who has investigated the matter and nearly every person who knew Doctor Livingston holds this belief.

The supposed discovery of the identity of Livingston and Rockefeller senior was made in 1905, when Miss Ida Tarbell published in McClure's Magazine an article on the father of the famous Rockefeller brothers. The article described his physical appearance and traits of character, and said that some time in the fifties he left his wife and disappeared from view, and was then living somewhere in the west, at a great age.

The article was illustrated with a portrait of William A. Rockefeller, which was an exact photograph of Doctor Livingston, even to the cravatless collar and diamond shirt stud that he habitually wore. The resemblances of Doctor Livingston and Rockefeller as described by Miss Tarbell were almost innumerable, and were minute.

#### FATHER STABSON, THEN DROPS DEAD

San Jose Man, Aged 75, Is Overcome With Horror After Family Quarrel

[Special Dispatch to The Call]

SAN JOSE, Dec. 9.—J. M. Horwarth, aged 75 years, during a quarrel in his household today stabbed his son, Charles G. Horwarth, with a butcher knife. As the son sank fainting the horror of the situation broke upon his father. He walked a few paces and fell dead.

The family is prominent in this city in a social and business way, and different members have been active in church work. The tragedy occurred in the old homestead on the northern road southwest of San Jose. The old man was subject to frequent fits of ungovernable anger.

Today he asked his wife for some tools which he had been using in the yard. She was unable to find them. He hung to tremble, the color left his face and he abused her. She called her son Charles from the orchard. He reprimanded his angry parent. The latter struck at the boy. Charles warded off the blows and pushed the old man aside. He then left the house.

The father ran out and drove the blade of a long butcher knife into the youth's left lung. The old man then picked up a picket. Suddenly he stopped, a look of horror replaced the convulsive anger, he dropped the picket and walked behind a pile of fruit trays.

The aged mother aided her son into the son into the house, summoned a physician and then searched for her husband. She found his body lying behind the trays.

It is believed that young Horwarth will die.

#### AUTO USED IN RAID ON CATTLE RUSTLERS

Range Broncos Supplanted by Modern Motor Car

DOUGLAS, Ariz., Dec. 9.—The romance of the Arizona cattle rustler was revived today with the automobile taking the place of the range broncho. A machine bearing Deputy Sheriff Bob Hiburn, County Ranger O. F. Hicks and Attorney John C. Gungl, left last night for the Chiricahua mountains, where it is alleged three men had been killing cattle of the San Simon cattle company. Two of them were arrested. The third escaped.

The men caught are John Keith and Thomas Maybury. It is charged that the hides were buried and the beef disposed of in this city. The prisoners were given a hearing tonight and held for trial.

#### WIFE SLAYER HELD TO ANSWER—Andrew J. Brown, accused of slaying his wife, Constance M. Gibson Brown, the night of November 3, was held for trial in the superior court by Police Judge Bernard Flood yesterday.

**GRADUATING EXERCISES**—Graduating exercises are to be held next Monday morning in the Franklin school, Mrs. Annette N. Wood principal, in Eighth street near Harrison. The board of education has been invited to be present.

#### CITY SCORES IN CONTEST OVER BIG EXPOSITION

California Headquarters in Capital Becomes Show Place for Pictures of State

Census Figures Prove One of Hardest Blows Received by New Orleans

By IRA E. BENNETT

**W**ASHINGTON, Dec. 9.—In one respect at least San Francisco has the advantage over New Orleans in the struggle here. The California headquarters in the New Willard has become a show place of Washington and a stream of visitors has been proceeding through the corridor and rooms today.

Some magnificent views of San Francisco, both before and after the fire of 1906, and a rack of selected California views, showing most of the great scenic possessions of the Golden state, have been installed.

A large section of the third floor has been hung with American flags and adorned with framed photographs and two drawings of the proposed exposition grounds, one along the bay front and one adjoining the Golden Gate park having been given prominent places in headquarters.

Visitors revel in the wealth of photographic art and California has been paid many compliments during the last two days. A bountiful supply

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#### TWO HORSE THIEVES LANDED IN PRISON

Pair of Pintos Recovered, but Bay Mare and Third Member of Gang Missing

Two men who tried to revive the ancient western craft of horse thieves are at the city prison, and probably will be charged today with the crime of stealing three horses, two pintos and a bay mare, from the Ben Hur stables, 1649 Pacific street. The prisoners are Charles Montague alias Charles English and Roy Gattie. The two pintos have been recovered. One of them has had an extensive histrionic career, having appeared at the Alcazar theatre in the productions of "The Squaw Man" and "The Rose of the Rancho."

A third man and the third horse are missing.

Two men, one of whom is now under arrest, went to the Ben Hur stables Tuesday morning and engaged the three horses of D. E. Jaques, the proprietor. They did not return with the animals at the appointed time and the police were notified.

Two men were arrested in San Jose Thursday. They had sold the two pintos to H. D. Farr, a San Jose horse dealer, for \$10 each, though Jaques valued them at \$250 each. Detective Ed O'Day brought the men back from San Jose yesterday. Montague said that he knew where the third horse was and would tell if the third man of the gang was arrested.

#### HUGE OCTOPUS SEIZES A WOMAN ON BEACH

Fisherman Has to Cut Tentacles to Release Victim

[Special Dispatch to The Call]

LOS ANGELES, Dec. 9.—Attacked by a huge octopus while angling for surf fish at Long Beach today, Mrs. Jessie McDonald could not be extricated from the grasp of the sea monster until fishermen rushed to her rescue and cut away the tentacles that encircled her.

Mrs. McDonald suffered severely from fright and shock, but otherwise escaped severe injury. She did not observe the danger from the octopus until it had seized her by the ankle. She screamed and fainted, whereupon the octopus began to encircle her body. Other anglers attempted to drag the octopus away, but, finding this impossible, cut away its tentacles.

Mrs. McDonald was taken to the residence of friends where she is visiting. Her home is in Tucson, Ariz.

Paul Schultz, wounded stevedore, who admits he was in the boat in which Chinese attempted to leave the Manchuria.



Inspector Charles Freund, whose dismissal is recommended.



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#### MRS. EDDY'S IDEAS TO BE FOLLOWED BY DIRECTORS

Loyalty to Late Leader's Policy Is Contained in Hundreds Of Telegrams From Churches Over the Country

BOSTON, Dec. 9.—A declaration that under Mrs. Eddy's direction," the government of the Christian Science

under the board of directors will continue according to the ideas of Mrs. Mary Baker G. Eddy was made public today by the five directors, following the first meeting of the board since Mrs. Eddy's death. This statement was signed by Stephen A. Chase, Archibald McLeellan, Allison V. Stewart, John V. Dittmore and Adam H. Dickey, who constitute the board of directors.

"The authority given to the board of directors by the church manual remains intact and is fully adequate for the government of the organization in all its affairs."

"The policy will be the same as when

#### ROOSEVELT LOSES 1,000 ACRES TIMBER LAND WHEN MAN CHANGES HIS MIND

SOUTH BEND, Ind., Dec. 9.—Theodore Roosevelt was presented 1,000 acres of valuable timber land in Scott county, Tenn., by a former admiral, whose will was probated in South Bend today, but this man, just before his death, changed his mind, and in a codicil he bequeaths the entire property to his brother, Charles W. Hall, who died in Benton

#### NEGLIGENT EMPLOYEES OF IMMIGRATION STAFF SUSPENDED FROM DUTY

Acting Surveyor Blinn Accused by Freund of Complicity in Slave Smuggling

Five More Chinese Found Hidden in Japanese Liner—Frightened Girl Dragged From Pile of Clothes in Closet

**S**TARTLING, sensational and inswift succession were the developments yesterday in the investigation that is being pressed in many different directions into the yellow slave traffic which was uncovered Sunday night, when the plot to land 15 contraband Chinese from the liner Manchuria failed. The identity of at least one of the white men involved in the transaction was established when Paul Schultz, a stevedore, formerly employed by the Pacific Mail company, confessed that he was in charge of one of the boats in which the Chinese left the Manchuria.

Schultz was taken to the Hahnemann hospital Sunday night, suffering from a severe gunshot wound, of the origin of which he told conflicting tales. The police detectives who investigated the case reported that Schultz had accidentally shot himself. The custom inspectors, who had fired many shots at the small boat in the darkness, recognized in Schultz a man who had long been under suspicion as an opium smuggler. He finally admitted his share in Sunday night's transaction, and acknowledged that it was a bullet from a federal inspector's pistol that had laid him low. He has been under arrest ever since.

Collector Stratton suspended from duty three of the night inspectors who were on duty the night the Chinese were taken from the Manchuria. Chester M. Gibbens and William Rohrbacher are suspended for 30 days without pay. Charles Freund, who should have been on guard within 20 feet of the porthole through which the Chinese escaped, will be dismissed from the service if the department follows Stratton's recommendation.

#### More Chinese Found

As a climax to the day's work came the discovery of five more contraband Chinese, four men and a woman, on the Japanese liner Chiyu Maru, which arrived early yesterday morning from the orient.

There will be more and startling revelations in a few days. The customs and immigration officials who have been working night and day on the case have a number of white men and several local Chinese under constant surveillance and wholesale arrests may be made at any moment.

The operation of a complete Chinese smuggling ring, supported by moneyed persons and aided by corrupt customs inspectors, was uncovered yesterday following the partial confession of Paul Schultz, who has been in the Hahnemann hospital suffering from a mysterious gunshot wound in the groin, and who admitted to the detectives that he was shot Sunday night when rowing a boatload of contraband Chinese from the Manchuria.

#### Inspectors Dismissed

Night Inspectors Charles Freund, Chester M. Gibbens and William H. Rohrbacher, who were on duty on the Manchuria near the point from which the stowaway Chinese escaped, were suspended from the service yesterday following a conference between Collector of Customs Frederick Stratton and Acting Surveyor Charles Blinn, for the customs service, and Harry Edsell, assistant commissioner of immigration. The board of inquiry recommended the dismissal from the service of Freund on the grounds that he was guilty of gross negligence.

With an absolute denial of all the charges made against him, Freund yesterday engaged Attorney George McDonough to bring counter charges against acting Surveyor Blinn, alleging a plot to oust him because he refused to be a party to a widespread plan to smuggle contrabands from the incoming liners. Freund will take steps this morning through his attorney to cause the arrest of Captain Andrew Dixon of the Manchuria on the charge of abetting the smuggling. Among the sensational charges made