SKETCHES OF ARTISTIC HOMES OF SAN FRANCISCO BY LEONORE KOTHE WILL APPEAR IN COLOR IN THE SUNDAY CALL

THE CALL

THE WEATHER
YESTERDAY—Highest temperature, 56; lowest Monday night, 44.
FORECAST FOR TODAY—Fair; light frost in morning; light east wind.

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GHOSTS FLIT IN BURKE TRIAL

Two More Family Skeletons Step Forth and Join in Mad Revel

DILLARD'S EVIDENCE IS DAMAGING FOR DOCTOR

Former Clerk Says He Saw Accused Lurking Near Lu Etta Smith's Tent

AFRAID TO GO TO THE SCENE OF THE EXPLOSION

By HARRY DAVIDS

[Special Dispatch to The Call]

SANTA ROSA, Dec. 28.—Two more family skeletons popped out from their cupboards today and joined in the mad revel of the dance of private skeletons which is accompanying the hearing of the trial of Willard P. Burke. They danced long enough to give the crowded courtroom a glimpse of their peculiar characteristics, and to make extremely uncomfortable D. W. Dillard, former clerk at the sanatorium, a witness through whose medium they were conjured up from closed graves. They dealt with the legitimacy of Earl Edmunds, his nephew, and one of the probable witnesses for the state, and also with Dillard's relations with certain unnamed women, relations which the defense holds led to his resignation from Doctor Burke's employ.

No sooner did the skeletons escape than there followed a stern chase on the part of District Attorney Lea to recapture them and shove them back into their dusty resting places. In the scramble respective lawyers paid each other compliments emphatically not respectable. The court rapped for order. The auditors waited and watched with their excitement at fever pitch. And when the storm was over the skeletons had been laid down and summarily kicked back to oblivion.

Saw Burke Near Tent

Dillard gave the most damaging testimony the prosecution has introduced against Burke. He said he saw Burke lurking near the tent of Lu Etta Smith on the night of the explosion, and proved himself to be the last and strongest link connecting the aged doctor with the crime. At the conclusion of his testimony the state had shown that Dr. Burke obtained the dynamite from his mine at Oroville, took it down to Fulton, carried it to his resort, and, a short time before the explosion, was near the scene of the alleged crime. Apart from this there has been evidence to show that he mentioned repeatedly his fear of Lu Etta Smith blowing herself up with dynamite and also that because of his alleged paternity of her child, he had a motive in trying to rid himself of her and the babe.

Dillard testified that he was supervising manager of the resort, and spoke of conversations with Burke in which the latter had expressed his fears of Lu Etta Smith committing suicide.

"On the night of the explosion," he said, "I left the office at the sanatorium about 7:45 o'clock, and started to go to my cottage. On my way I stopped near another cottage for a short time, and heard some one approaching from the sanatorium. At first I thought it was Earl Edmunds, my nephew, going on duty and I waited, but later as the figure passed a patch of light I recognized Doctor Burke. He passed me and went in the direction of the tent of Lu Etta Smith. He walked rapidly and I lost sight of him, but I believe that later on he retraced his steps and came walking back."

"Pettifogging, Sir"

On cross examination he was taken to task immediately on his family affairs.

"You referred to Earl Edmunds as your nephew. Is he not the illegitimate child of your wife's sister?"

Dillard's eyes nearly popped out of his head. Lea was on his feet in an instant.

"That is mere pettifogging, sir," he said warmly, "nothing but pettifogging."

"What do you mean by that, sir?" said Attorney Leppo for the defense, and he thereupon proceeded to say things for five minutes.

Judge Seawell calmed the attorneys, but aided the district attorney in apprehending the escaped skeleton.

Bones Again Rattle

A moment later the second skeleton escaped. Dillard had testified about his services with Doctor Burke, and on this the defense based its attack.

"Is it not true that while you were engaged in Doctor Burke's employ that you were forced to resign because of your gross immoralities there?"

Again started the chase for the skel-

Continued on Page 2, Column 6

REAL ESTATE TITLES NEED OF PROTECTION

In view of the fact that the period under which titles to real estate in San Francisco may be registered under the provisions of the McEnerney act expires at midnight December 31, and as many property owners have not registered their holdings under the terms of that act pending the decision of the United States supreme court, some persons have proposed to bring before the legislature the question of re-enacting the McEnerney law.

It has also been suggested that the state might enact legislation along the lines of the Torrens land act to protect titles. Many lawyers advocate a re-enactment of the McEnerney act so that property owners may avail themselves of its provisions.

In consideration of the points at issue, Garret W. McEnerney, author of the act known by his name, has written his views on the question for The Call. They follow:

By GARRET W. McENERNEY

Personally I should be pleased to see the operation of the socalled McEnerney act continued for another limited period. Very many people have failed to have the titles to their property established under this act for various causes, the chief one being that the view was held by a number of persons that the act would be declared invalid by the United States supreme court.

A test case involving the validity of the act was argued and submitted for decision in the United States supreme court in October last, and it is reasonable to expect that a decision in that case will come down before the close of the next session of the legislature. If the act is declared valid by the United States supreme court the reason by which many people were actuated in avoiding the expense and trouble of establishing their titles under the act will be gone.

I am informed that a very large number of parcels of the real property in San Francisco have not been subjected to proceedings under the act and there will be no record title to these properties which can be chained down by public record. It is, of course, to the interest of the people of the state and to the people of the city and county of San Francisco, that the records should show the owner of every piece of property in the state or city and county as the case may be. There are many public duties cast upon owners of real property and the public authorities should be able to very quickly know all persons who owe these duties. Therefore, independent of the importance to the property owner himself that his title should be deducible of record, it is important to the public authorities that they should be able to deduce his title of record.

I am not in favor of making this act permanent. It was passed to meet a particular condition and was made as simple and drastic as the circumstances of the case and the condition of the people required. We have upon the statutes of this state what is known as the Torrens land law. This provides a cumbersome and expensive proceeding to register titles. The socalled McEnerney act is a mere adaptation of the Torrens land system, and if that system is to have practical vogue in this state and is to be resorted to generally by our people, legislation of a permanent nature should be adopted with provisions which might be said to be a happy medium between the Torrens system and the socalled McEnerney act. In this way we would avoid at once what might be said to be the advanced radicalism of the one and the ultra conservatism of the other.

These are my views about the matter generally, and I hope that the legislature and the governor will believe it to be to the public interest to re-enact the measure, but for a limited period only.

December 28, 1910.

NO WONDER STANFORD IS SICK! POISON SQUAD PARTIES ARE ALL THE RAGE

[Special Dispatch to The Call]

STANFORD UNIVERSITY, Dec. 28.—If Doctor Wiley is right in his theories on the injurious effects of sulphured fruits, Stanford will soon be a much sicker university, for Prof. R. E. Swain's "poison squad" has become a social factor on the campus and is sharing its "poison" with specially invited dinner guests. A number of young women students, including the daughter of Prof. C. D. Marx of Stanford university, were guests last evening a dinner given by the "doomed dieters."

Professor Swain of Stanford university has been conducting experiments to determine whether dried sulphured fruits are injurious as a diet, and he has assembled a number of students who practically live on fruits treated by the sulphur process.

Last evening these young students, who are known as the "poison squad," entertained at a dinner in which their special articles of diet figured frequently on the bill of fare the following young women students of the university, under the chaperonage of Prof. and Mrs. R. E. Swain and Mr. and Mrs. Stewart of Palo Alto:

Miss Dorothy Marx	Miss Elizabeth McKee
Miss E. Will	Miss Childs
Miss Barbara Stevens	Miss Steel
Miss Florence Ober	Miss Mills
Miss Lenora Lee	Miss Keller
Miss Mabel Grove	

ONTARIO MAN IS MARBLE, BUT HE WILL HAVE TO LOOK UP TO HIS WIFE

[Special Dispatch to The Call]

LOS ANGELES, Dec. 28.—Lewis A. Marble of Ontario will have to look up to his wife in more than one sense of the word. Marble obtained a license to marry today and his bride elect accompanied him to the county clerk's office. Marble is just five feet tall and his wife confesses to six feet four inches. Delilah Norman is the name of the bride, and neither she nor her intended husband could understand why they were stared at by all the clerks in the courthouse. After obtaining the address of a minister the couple left the county clerk's office, walking side by side, Marble's head barely being on a level with his wife's shoulder.

MASONS REGISTER VOW AT MIDNIGHT NEVER TO USE PROFANE LANGUAGE

[Special Dispatch to The Call]

CEDAR RAPIDS, Ia., Dec. 28.—Three hundred Masons as the clock struck the midnight hour last night, registered a vow in honor of St. John's day never again to use profane language.

The vow was taken at the banquet table in the new consistory temple in this city at the suggestion of Grand Master Frederick Craig of Des Moines, who was the guest of honor and principal speaker of the evening.

The banquet last night was the first meeting held by members of the order in the new consistory temple, just completed at a cost of $50,000.

MRS. JULIA WARD HOWE'S PORTRAIT DENIED A PLACE IN FANEUIL HALL

BOSTON, Dec. 28.—The municipal arts commission has refused to permit a portrait of the late Mrs. Julia Ward Howe to be placed in Faneuil hall. Shortly after the death of the author of "The Battle Hymn of the Republic," a memorial committee made propositions to have a portrait of her painted and placed in Faneuil hall. Secretary J. Templeton Coldge Jr. of the municipal arts committee said that the committee had decided to refuse to sanction this and that a more appropriate memorial to Mrs. Howe would be a bust in the Boston public library. Portraits of Washington, Lincoln and other famous Americans hang in Faneuil hall, the cradle of liberty.

PROFESSOR BOLTON WILL TRAVEL IN THE "FOOTSTEPS OF THE PADRES"

[Special Dispatch to The Call]

STANFORD UNIVERSITY, Dec. 28.—Prof. Henry E. Bolton of the history department of Stanford university will travel in the "footsteps of the padres." Professor Bolton will spend his Christmas vacation in following through Arizona, Lower California and Mexico the route of Father Eustro Francisco Kino, one of the pioneer missionary priests who labored in California in the eighteenth century. Professor Bolton will travel over the route on horseback. He is preparing a history of early California life and has taken this means of familiarizing himself with the background of the early history of the state.

BANDITS BIND BUTLER AND ROB SOCIETY WOMAN

Two Desperadoes Threaten to Shoot Mrs. George Gale, but Are Frightened Away

Fashionable District Is Terrorized by Thieves, Who Run Gauntlet of Detectives

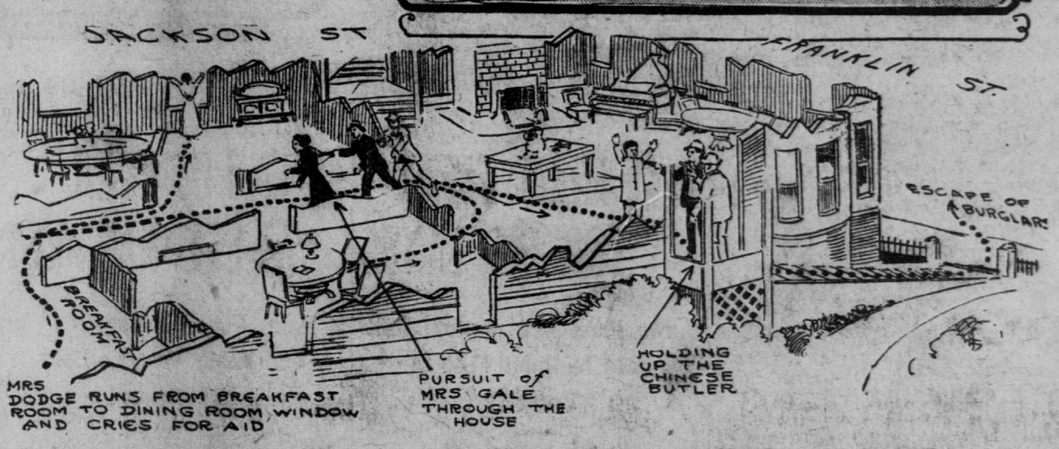
One of the boldest daylight robberies of the year took place at 1:20 o'clock yesterday afternoon when two armed desperadoes entered the home of Mrs. Henry L. Dodge at Jackson and Franklin streets. The bandits, after binding and robbing the butler, held up Mrs. George Gale, who makes her home with Mrs. Dodge, but the woman's screams frightened the thugs and they fled through the front door.

Mrs. Dodge and her sister, Mrs. Gale, were at luncheon in the nearby breakfast room and John Hang, the Chinese butler who has been with the family for 20 years, Annie Carroll, the cook;

Continued on Page 2, Column 2

Bold Daylight Holdup Armed Men Enter Home

The Dodge home and sketch showing how robbery took place.



"KINGS' CHILDREN" SUCCEED TO STAGE

German Composer's New Opera Gives Promise of Long American Reign

NEW YORK, Dec. 28.—Another of the world's greatest opera composers—this time a German, Professor Humperdinck—following the westward trail of the Italian composer Giacomo Puccini,, has come with his latest creation in operatic art, "Koenigs Kinder," or the "Children of Kings," seeking American approval.

Humperdinck's three act opera, taken from a German folk tale, was given its premier performance at the Metropolitan opera house, and a large audience applauded composer and artists.

Emperor William wanted "Koenigs Kinder" for Berlin, but New York had spoked first, and as Humperdinck tonight remarked, "you were the first to ask for the 'Children of Kings' and that is all there is to it."

The tender story of the "Koenigs Kinder," with its shades of happiness and pathos, found a strong response in the musical creativeness of Humperdinck, who, throughout the opera, has laid a strong ground work of convincing harmonies that follow in their pulsations every sentiment of the story.

The American singers, Miss Geraldine Farrar, soprano, and Mme. Louise Homer, contralto, shared the honors with Herman Jadlowker, the Russian tenor, and Otto Geritz, barytone, in the four leading roles of the opera, which was conducted by Alfred Hertz.

TWO KILLED, NUMBER BURIED BY EXPLOSION

Imprisoned Men Beg Rescuers to Save Them

EL PASO, Dec. 28.—Two men are known to be dead, four others are believed to have perished, at least 50 men, women and children were injured, and a number of small houses were wrecked by an explosion of nearly 4,000 pounds of powder in a huge slag pile at the El Paso plant of the American smelting and refining company today. Three men are still imprisoned.

Three tunnels had been bored in the slag pile by the El Paso and Southeastern railroad. A premature explosion of powder in one of the tunnels buried four men.

The shock of the explosion caused the slag to slip, blocking the entrance to the other two tunnels. Just how many men were working in these tunnels is not known, but six were rescued alive and two dead bodies were recovered. Three men are imprisoned, but alive, and are pleading with rescuers to save them.

INTERNATIONAL RAILWAY COMMISSION PLANNED

WASHINGTON, Dec. 28.—As a result of conferences between Judge Martin A. Knapp, chairman of the interstate commerce commission, and J. P. Mable, chief of the railway commission of Canada, an agreement has been reached to recommend to the respective governments the creation of an international railroad commission which shall have supervisory authority over rates between the two countries.

POLICEMEN'S MURDERERS PLOTTED KING'S DEATH

Documents Found in Bomb Factory Prove That Burglars Belong to Big Gang of Anarchists

[Special Dispatch to The Call]

LONDON, Dec. 29 (Thursday, 5 a. m.). One of the theories that is being considered by the police regarding the discovery of a bomb factory in the East end on Tuesday is that it is connected with a plot intended to develop at the time of King George's coronation.

The police attach the greatest importance to their latest discoveries in connection with the Houndsditch crime, in which three policemen were killed by burglars found trying to break into a jewelry store. In addition to a fully equipped bomb factory and all the latest appliances of expert cracksmen, they also claim to have found documents proving that the assassins belong to a desperate, highly organized gang of worldwide ramifications.

Among those documents are said to be letters revealing a senational plot and containing a great mass of other information concerning the plas of the anarchists in London and in the continental capitals. The gang is known to have had a meeting place in Paris, from which its operations probably were directed.

"Peter the Fainter," one of the criminals, visited New York some months ago. It is believed that he brought from New York the cracksmen's implements found in the raided house.

NAT GOODWIN'S MOTHER DENIES SON'S WIFE IS SUING FOR DIVORCE

[Special Dispatch to The Call]

BOSTON, Dec. 28.—Mrs. Nathaniel B. Goodwin, mother of Nat Goodwin, the actor, denied today that her son was being sued by his wife, Edna Goodrich, for divorce. She showed a telegram from him which read:

"Do not believe reports of divorce from Edna. Absolutely false."

She also showed a telegram from Edna Goodrich which reads:

"We have no intention of separating. Reports of divorce untrue."

"Both Nat and myself received a letter from his wife Monday," said Mrs. Goodwin. "That surely does not indicate that they are not perfectly happy together. Edna never cooked a meal for my son or any other man. The Toronto story of her surprising him with a Thanksgiving dinner cooked by herself is untrue. She can not cook, I know, because she tried it once and her attempt was hardly a hit."

Difficulties Settled

NEW YORK, Dec. 28.—Difficulties between Nat C. Goodwin and his wife, who was Miss Edna Goodrich, are understood to have been settled today. Goodwin called at the office of his lawyer, who also acts for Mrs. Goodwin, and entered into a agreement regarding the disposition of property, said to be valued at $15,000.

The lawyer denied that the agreement had anything to do with divorce proceedings or that a legal separation is pending.

"So far as I know," he said, "today's agreement settles everything between them. I would know if there was anything else, as I am attorney for both. No papers have been served on Mr. Goodwin and no action has been filed."

Goodwin has signed a contract for 10 weeks of vaudeville in the middle west.

JEFFERSON DAVIS' GRANDSON TAKES BRIDE AND STARTS FOR CALIFORNIA

[Special Dispatch to The Call]

COLORADO SPRINGS, Dec. 28.—Miss Doree Dewitt, daughter of Col. and Mrs. Theodore Dewitt, late of New York city, was married today in St Stephens' Episcopal church to Jefferson Hayes Davis, a son of President Joel Addison Hayes of the First national bank. Davis' mother was the late Margaret Howell Jefferson Davis Hayes, daughter of the late Jefferson Davis, the groom's name having been changed by an act of the legislature. Dean H. Martyn Hart of Denver, and Arthur N. Taft, the rector, officiated. Mrs. Lucy Hayes Young, sister of the groom, was matron of honor and Will Davis Hayes, the groom's brother, best man. Robert Trimble of Chicago was an usher. Mr. and Mrs. Davis left for California tonight. They will reside at Garfield, Utah.

PROTECTION OF STATE'S WATER POWER SOUGHT

Reversion of Sacramento Valley Sites Is Proposed by Legislation

Special Conservation Committee Would Prevent Monopoly by Syndicates

Reversion to the state of Sacramento valley water power sites with a potential development of upward of 2,000,000 horsepower, filed on by the Martin-De Sabla syndicate, would be one of the immediate results of the enactment of the measure to be proposed by the special committee on conservation appointed by the republican state central committee.

The committee which is headed by former Governor George C. Pardee will return a partial report to the legislative conference today. If it does not take the form of the submission of a completed bill or bills the report will be an outline of the general provisions of the legislation to be requested and recommended by the special committee.

WOULD RESTORE SITES

Chester H. Rowell, a member of the committee and president of the Lincoln-Roosevelt league, said yesterday that the adoption of the recommendations made by the committee would result in returning to the state water power sites representing millions of horsepower held in the name of a single syndicate, the Martin-De Sabla concern.

The bill or bills to be recommended by the special committee will provide that no water filed upon for power purposes shall be granted for a period of more than 25 years. Another awkward feature will be the provision that no water filed upon for purposes other than power shall be utilized for power except by special and additional grant.

The bright particular feature of the legislation to be proposed by the special committee, and which is expected to result in great reversions to the state is that covering development of sites already appropriated. In substance those provisions will be that all water heretofore appropriated under existing laws and not already put to beneficial use or in process of development in proportion to the magnitude of the enterprise for which it was appropriated, shall be deemed unappropriated. That is to say, if a company files on sites capable of developing 500,000 horsepower, its development of 100,000 horsepower, the employment of a half dozen men and as many wheel barrows on the remainder of the sites will not suffice as evidence of its intention to put the remainder to immediate beneficial use.

SHOULDN'T WITHHOLD POWER

"The Martin-de Sabla syndicate," said Rowell, "has filed on and is holding sites representing several millions of horsepower. It has developed something like 200,000 horsepower and is developing another 200,000. Beyond that it is not prepared to use the sites it has filed on and it should not be permitted to withhold from the public and from beneficial use power that it can not employ."

Under the laws to be proposed by the special committee all rights acquired will be subject to the state's right to fix and regulate rates and to change the charges to the public from time to time. Renewal of rights for periods not to exceed 25 years are to be subject to the consent of a special commission charged with the control of the whole question of water grants. That commission i sto include the governor, state engineer and three commissioners to be appointed by the governor and to serve without compensation.

RAILROAD LEGISLATION

Legislative affirmation of the railroad commission's right to initiate rates is the keynote of the legislation sought by the special commission on railroad legislation, which includes the members elect of the railroad commission and the attorney general.

"The constitution gives the commission the right to initiate rates," said Commissioner elect John M. Eshelman yesterday. "We want the legislature to recognize that right and to get us away from the maximum rate provisions of the law enacted by the last legislature. The railroad commission is going to represent all the people for the next four years.

Attorney General U. S. Webb said last night that the special committee was working along the lines followed by the administration rate bill which was defeated in the last legislature. The radical difference between the administration bill and the Wright bill, which became law, was in the maximum and minimum rate provisions. The Wright law provides for the establishment of maximum rates above which the carriers may not charge, and leaves them free to cut those rates.

AFTER STAFFORD'S JOB

The small army of applicants for W. V. Stafford's berth as president of the harbor commission has received two notable recruits in the persons of J. H. McCallum and George Renner. Renner has been a prominent figure in the Draymen's association and was one of the generals in the opposition to the teamsters' union in the memorable strike that made itself felt throughout the United States. McCallum was chairman of the convention held by the municipal league of independent republican clubs in 1909. It is understood that he has the backing of the lumber interests, with which he is associated, and prominent Lincoln-Roosevelt leaguers, headed by Rolla V. Watt.

MAJOR DUVALL GRANTED LEAVE OF ABSENCE

Philippine Commander Will Retire January 13

WASHINGTON, Dec. 28.—Upon his own request, Major William P. Duvall, commanding the military forces in the Philippine islands, today was granted leave of absence by Secretary of War Dickinson. General Duvall will retire from active service January 13, and his leave will extend until that time. Major General J. F. Bell is on his way to the Philippines to relieve him.