

**GUSHER WIPES
DRAINS CHARGES**
Dudley Brothers and Martin
Delighted by Devils Den
Strike
Accusations of "Salting" Are
Disproved by Big Flow
From Well

B. B. Dudley, who is staying at the Stanford hotel, was made joyful yesterday by the news that an oil gusher, shooting higher than a derrick, had broken out in the Devil's Den well in the Lost Hills district, near Wasco, which it was claimed that Dudley and his partners, E. R. Dudley and J. D. Martin, had "salted" and fraudulently exploited by declaring it to be a good oil-bearing country.

PROMOTERS RIDICULED

The promoters of the new oil district incorporated the Lake Shore oil company and started the first well, Lake Shore No. 1. From this time on the Dudleys and Martin and their project were severely attacked, it being claimed that if any oil at all would be secured it would at best be but the poorest quality shale oil.

Oil was struck in the Lake Shore No. 1 last August, but in order to buy up the surrounding territory, the well was apparently closed down and all in all it was found that oil had been reached were removed.

Lake Shore well No. 2 was next struck about a mile north of No. 1 in section 18, township 26, range 21. This well is more promising than No. 1, which is producing 500 barrels a day, as it is producing 400 feet deep and already only 400 feet from the surface is producing oil from 100 feet of the best of oil sands.

Fifteen other wells are now being struck on their properties by the Dudleys and Martin.

The Devil's Den gusher on section 30, township 26, range 21, is located about 500 feet easterly of Superior No. 1. Bakewell is again in the throes of the greatest excitement because of this new gusher in the oil producing country.

Dudley says the town of Wasco, which is the nearest on the railroad line to the Lost Hills district, is thriving on the stir and the new town of Lost Hills, which is 24 miles due west of Wasco, is making a great boom.

The greatest vindication of their judgment, thing the three oilmen who are now in a fair way to become millionaires in the remarkable oil sands in the Lost Hills district, where the knowing ones told them they would find nothing but "shale oil at best."

Following the knowledge last summer of the oil sands in the Lost Hills district, millions of dollars of corporations rushed in and bought large tracts. The Associated oil company now owns 20,000 acres in the district and is seeking more.

SEATTLE, Dec. 30.—Mrs. Mary Ann Denny, widow of the founder of Seattle and the first white woman to set foot in the settlement, died at her home here today.

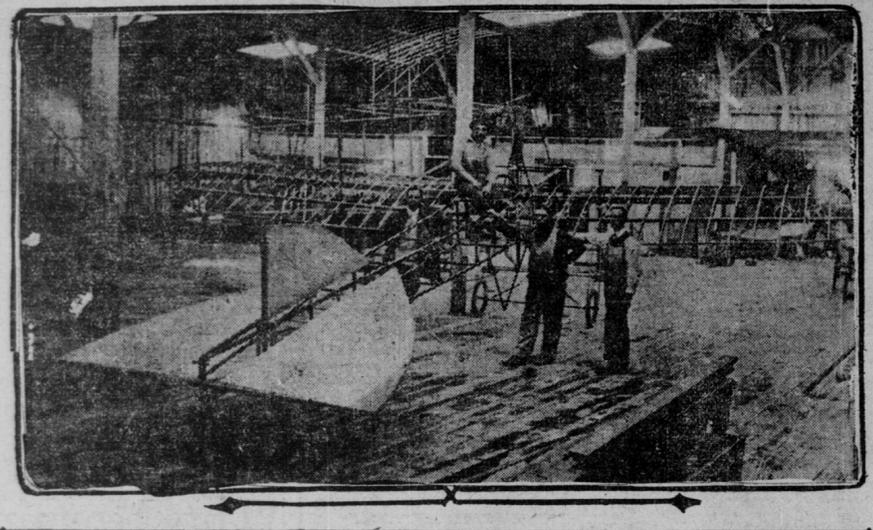
Mrs. Denny was born in Nashville, Tenn., and at the age of 20 was married to Arthur A. Denny, a young civil engineer. A few years later they crossed the plains to the Puget sound, and settled in Portland. In 1850 Arthur A. Denny, his brother and a few others made a journey to Puget sound, and chose Elliott bay as the site of the city which they intended to found.

The settlers received kind treatment at the hands of Seattle, chief of the Duwamish Indians, and Denny named the city in honor of his Indian friend.

SEATTLE, Dec. 30.—Thirty members of the Alumni association of the normal school at San Jose met in the Shattuck hotel Wednesday, and discussed plans for the 1911 teachers' convention. It was suggested a fund be started to erect a dormitory, to be known as Allen hall.

Those who spoke were: M. E. Bailey, president of the San Jose state normal school; H. E. Thompson, president of the Alumni association; H. E. Thompson, president of the Alumni association; H. E. Thompson, president of the Alumni association.

**Monoplane Constructed in Oakland
Type of One That Crossed Channel**



William C. Wheeler's monoplane when nearly completed, and four men who will be prominent in the aviation meet, reading from left to right, F. A. Miller, R. Schwartz, William C. Wheeler, E. P. de Barry.

**HOME PRODUCTS TO
BE TRIED AT MEET**

Novices in Machines Built by Themselves to Compete With Experts

For no other aviation meet, it is said, have so many novices entered as have been enrolled in the lists of the South San Francisco aviation meet, to be held here, beginning January 7, a week from today. Not only are men who for the first time will operate aeroplanes built along the standard models, but also there will essay to fly men who have embodied new and sometimes startling ideas in the construction of their flying machines.

Among those who will appear with new models is William C. Wheeler, secretary of the Pacific Aero club, who has applied radically new methods of control to the Blériot type of monoplane, and C. E. Lambuth, consulting engineer of the Pacific construction company, who has devised a novel machine, which is a monoplane with a multiplane tail attachment.

Wheeler's machine is of the Blériot cross channel type of monoplane. It is an exact counterpart in design and size of the machine in which Blériot flew the English channel. The control is constructed along original lines.

Wheeler's engine is a four cylinder, four cycle automobile engine, 35 horsepower, water cooled. The monoplane is 35 feet long and 25 feet from tip to tip. Wheeler constructed it himself.

Lambuth's aeroplane is a radical departure from any known type, and has been pronounced by experts, among them probably the best known authority on aerodynamics, Prof. R. J. Montgomery, to be the probably successful aeroplane from all standpoints.

It is so constructed that whether in climbing or descending, the engine remains at all times in a horizontal position. This is brought about by means of stabilizers, of which there are eight. It also has a plane inventor to overcome the tendency to fall rapidly in case of an accident.

The total surface area of the machine is 492 square feet, with approximately 300 feet on the planes and the balance on the stabilizers.

The stabilizers play an important part in the flying qualities of the invention, according to Lambuth, and are so situated as to render the engine able to literally compress the air, instead of sucking out the air in order to secure propelling power. This feature alone, it is said, will give the machine at least twice the buoyancy of any known aeroplane.

His engine is of 65 horsepower, with four cylinders and water cooled. The control is very similar to the Curtiss body control, except that new devices are used on the engine to permit of controlling it with the least amount of trouble. The engine, once started, can not stop, unless entirely stopped by the aviator, while it can also be shut down until the propeller simply revolves at slow speed without imparting headway to the aeroplane.

The headquarters of the aviation committee were full of rejoicing yesterday over the news that Hubert Latham had consented to fly at the coming Panama meet. After long negotiations the aviation board closed the contract yesterday, with the result that Latham and his Antoinette will arrive from Los Angeles January 5.

Latham is the man who achieved fame by crossing the English channel, and his daring and dash as an aviator, despite rain or weather, has won him a foremost rank in the aviators of the world. He is also noted as the man who, in 1907, mended it and had it thoroughly running order in less than 24 hours.

**Tabuteau Wins Prize
For Distance Flight**

BIJON, France, Dec. 30.—Maurice Tabuteau, contestant for the Michelin cup, today broke the world's aviation record for distance, covering 302.66 miles in a continuous flight of 7 hours 45 minutes.

Tabuteau had before made the best mark for the Michelin cup, having flown 288 miles October 17.

The cup is awarded annually, along with a cash premium of \$4,000 to the aviator making the longest sustained flight within the 12 months.

Heard Farman won the trophy in 1909, making 150 miles in 4 hours 17 minutes.

landing on the deck of a roving vessel, which will be captained by Eugene R. Ely the fifth day of the meet. Ely is the aviator who tried the experiment of flying inland November 14 from the deck of the United States cruiser Birmingham anchored off Hampton roads.

The main interest today is centering in the auction sale of box and grandstand seats which is to take place in the lobby of the St. Francis hotel at 1:30 o'clock, with Larry Harris as auctioneer. Competitions for the best seats is keen and every one is anxious to be the purchaser of the first one sold. It is expected that society will turn out in force.

George Harrison, one of the pioneer aviators of the state, has accepted the position as personal superintendent to Lieutenant Paul W. Beck. The fact that these two will control the fliers is in itself a guarantee of the successful outcome of the meet.

**WORKS BOARD FAVORS
NEW SAFETY STATION**
Appropriation Asked for Work at Gough Street

The board of public works has recommended an appropriation of \$2,200 for construction of a safety station at the junction of Market, Gough and Haight streets.

As the opening of the Gough street road increased the necessity for a safety station, the Central Mission and Hayes Valley improvement clubs petitioned the board to take immediate action.

A resolution by the board of works requested that \$1,900 be made available to pay half the cost of paving the south side of Precinct avenue, facing Bernal park.

RENT CLAIM ALLOWED
The finance committee of the supervisors at its meeting yesterday allowed a claim against the city for \$234 for rent of the Miller building, occupied by Mayor P. H. McCarthy during March, 1910. City Attorney Long advised the supervisors that formal notice of the termination of the lease had been given.

PAVING CONTRACT AWARDED
The board of public works has awarded a \$12,000 contract to the City street improvement company for repaving O'Farrell street from Powell to Jones. Asphalt pavement will be substituted for the basalt blocks. The contract includes paving along both sides of the street and at the intersecting points.

**HOXSEY KEEPS ON
BREAKING RECORDS**

Californian Fails at Trial for Height, but Establishes Endurance Mark

AVIATION FIELD, LOS ANGELES, Dec. 30.—Fearing that through some technical error or oversight the height record of 11,474 feet, which he made last Monday, might not stand, Arch Hoxsey, the California aviator, soared into the air today and broke all the world's altitude records but his own.

The two barographs he carried with him registered a height of 10,575 feet. This is nearly 1,000 feet under the world's mark he established Monday, but it is only 75 feet above the record of Le Gagneux, made at Pau, France, a short time ago.

A new record must, however, exceed the former mark by at least 300 feet. Therefore, if the International federation of aero clubs refuses to accept Hoxsey's feat of Monday as official, Le Gagneux will remain the record holder and the Californian will lose, besides the glory, prizes which aggregate nearly \$5,000.

Nevertheless, through today's performance he will have the satisfaction of knowing that he holds the American endurance record. He was in the air today three hours and 17 minutes, or eight minutes longer than A. L. Welch.

An effort was made after Hoxsey landed to induce him to ascend tomorrow morning and try to surpass the endurance record made today by Tabuteau in France, but he said he was disgusted at his failure to do more than 10,575 in height today and remarked:

"I'd have to be in the air more than 10 hours and travel at least 450 miles to beat the Frenchman, and I don't feel like trying."

"I must be a poor hand at reading figures or I would have gone higher, much higher, today. I had an aneroid barometer strapped to my wrist. Besides, I had a barometer in my pocket, and I read both the barometer and barograph figures at 12,575 before I started down."

Hoxsey traveled a distance estimated at nearly 85 miles, and repeated his feat of yesterday, flying over and about the summit of Mount Wilson. While hovering over the peak he darted and dipped and did the spiral glide, flitting with and finally spurning the forbidding crags of the mountain as he sped away.

For more than two hours he sailed above the altitude which marks the eagle's line, and descending over the field soared serenely for an hour and a half. He wound up his performance by a series of "dutch rolls," spiral glides and dips that thrilled the onlooking throng.

Hoxsey has established a record for an entire week of altitude flying. Following are his daily records for the first seven days of the meet, which opened last Saturday:

Saturday, 9,288 feet; Sunday, 7,299; Monday, 11,474; Tuesday, 6,500; Wednesday, 5,500; Thursday, 10,005; Friday, 10,575.

Lincoln Beachey, whose Curtiss biplane was smashed yesterday, miscalculated a landing to the west of the grandstand at the close of the day's events, and his machine was reduced to junk. Beachey was unhurt.

Glenn Curtiss beat Eugene Ely of his own team in an 8 1/2 mile race. Glenn Curtiss, of Santa Ana, Cal., completed his novitiate today by making his third lap of the course, thus winning a license as an aviator.

**WEALTHY HOTELMAN
AND WIFE SHOT**

Albert Boiques Believed to Have Been Killed by Spouse, Who Is Found Dying

At 11:30 o'clock this morning Oscar Poulson, the cook, made a second trip to the bedchamber of Mr. and Mrs. Boiques to wake them. He had rapped at the door as usual at 5 o'clock this morning and had received no response. He thought they wished to sleep and did not attempt to disturb them further. At 11:30 o'clock, when neither appeared, he went to the bedroom and rapped loudly. He received no response. He feared that something might be wrong, he burst in the door. Boiques lay on the bed dead. On the floor lay Mrs. Boiques, a next door neighbor to the hotel, heard the shots fired. He thought nothing of the reports and returned to sleep.

It was in the night that the couple were shot, as H. J. Laverty of Blue Lake, a next door neighbor to the hotel, heard the shots fired. He thought nothing of the reports and returned to sleep.

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The census of opinion is that Mrs. Boiques shot and killed her husband and then killed herself. A revolver was found in the room, probably the one from which the fatal shots were fired.

**SAN RAFAEL PREPARES
FOR NEW YEAR CARNIVAL**

Promotion League of Marin County Assists Eagles

SAN RAFAEL, Dec. 30.—Under the auspices of the local branch of the Marin county promotion league and the local aerie of Eagles, a New Year carnival will be held here tomorrow evening. The event will begin with a band concert and will be followed by a masquerade ball.

Shortly before midnight the merry makers will march to the city hall, where a huge bonfire will be started. The "big bonfire" will be burned at this time, and from the Miss Prosperity will rise and greet the populace.

The honor of being queen at the carnival will be awarded at the ball, where the young woman wearing the most unique and beautiful costume will be selected as Miss Prosperity.

The committee in charge of the celebration will include Under Sheriff Charles Redding, Joseph Martinez, Jules Levy and Joseph Taylor.

**GOSHEN JUNCTION TO
ENJOY A NEW BOOM**

Owners of Townsite Encouraged by Railroad Depot

VISALIA, Dec. 30.—Goshen Junction, for nearly a third of a century a standing joke with traveling salesmen, some of whom have figured that they have spent several years there waiting for trains, is to be boomed as a city again.

About 2,300 lots, comprising a townsite, located 30 years ago, are to be placed on the market, with a proposal to sell most of them in Los Angeles and San Francisco. The owners are C. A. Yellette of Hanford, and J. D. Momson, a Goshen store keeper.

The recent action of the Southern Pacific in moving its depot half a mile north, and the townsite, is said to be responsible for the proposed boom.

**GOLD PRODUCTION IN
ALASKA FALLS \$4,000,000**

Placer Mines at Nome, Seward and Fairbanks Worked Out

WASHINGTON, Dec. 30.—A marked falling off in the production of gold in Alaska, due to the failure of placer mines in the Nome, Seward and Seward peninsula districts, is reported in the preliminary statement of the geological survey upon Alaska mining conditions for 1910.

**Justice Kerrigan,
Who Is Critically
Ill at His Home**



**APPELLATE JUDGE
AT DOOR OF DEATH**

Stricken With Cerebral Congestion, Jurist Has Even Chance to Recover

Judge Frank H. Kerrigan, associate justice of the state court of appeals, was stricken with cerebral congestion at his home at 2511 Baker street early yesterday morning, and at a late hour last night the attending physicians held out but an even chance for his ultimate recovery.

For several weeks past his duties at the appellate court have kept Judge Kerrigan constantly at work and his labors required his presence at his desk day and night, with a minimum of rest. Two days ago Judge Kerrigan complained of severe headaches and announced his intention of taking a vacation immediately after the first of the year. Early yesterday morning the brain congestion took place and Judge Kerrigan was immediately rendered unconscious. He was discovered in a comatose condition by his wife, and Dr. Frank R. Dray, an old time friend, was summoned to attend him. After a hasty examination Doctor Dray learned that with the cerebral congestion was associated signs of meningitis, and a consultation of half a dozen of the leading physicians of the city was called.

Just before midnight last night Doctor Dray gave out the following statement: "Judge Kerrigan is in a very serious condition, but we consider that he has an even chance for recovery. Following the first congestion, Judge Kerrigan became unconscious and remained in that condition until late in the afternoon, when he regained consciousness. The judge is now resting easily and unless unforeseen complications arise he should recover in due time. The seriousness of his condition is enhanced by the presence of meningitis, but we hope to check this before it gains too great a foothold. The illness of Judge Kerrigan may be briefly summed up as a severe breakdown brought on by excessive overwork. He needs a long rest from his labors and properly restore his nervous system to a normal condition."

**GRIEF OVER DEATH OF
FIANCE CAUSES SUICIDE**

Girl Goes to Meet Sweetheart in Spirit Land

Grieving over the death of a former sweetheart and believing that he had summoned her to meet him in the spirit land, Miss Wiljo Newport, a stenographer, 23 years old, committed suicide by taking poison yesterday afternoon in the home of Mrs. E. A. Cutler, 1153 Vallejo street, with whom she had lived for some time. Friends of the young woman believe that she had become temporarily deranged while brooding over her troubles.

Several months ago the young woman's fiancé was afflicted with sickness that speedily brought about his death. Since the day of the funeral Miss Newport had been morose and nervous, and had become a devoted student of spiritualism. She left the house yesterday morning after saying that she was going to visit a medium. Instead she went to a drugstore and purchased a patent rodent exterminator composed of deadly poison, and returned to the Cutler home. Her nervousness was betrayed as she sat at lunch and Mrs. Cutler proposed an outing for the afternoon, the invitation being accepted.

Shortly after luncheon Miss Newport appeared in the hallway and calmly announced that she had swallowed poison. Dr. G. W. Goodale was called, but when he arrived the girl was dead.

**OIL PROSPECTOR TO
WORK NEAR VISALIA**

Land Leased for Well on Royalty Basis

VISALIA, Dec. 30.—C. H. Tibbitts of Los Angeles has contracted to bore for oil near the Red Banks orchard, 13 miles north of this city, work to be commenced within six months. Tibbitts will lease a part of two sections from his wife, Mrs. Lillian Tibbitts, the latter to receive a fourth of the royalty.

Several other projects for the foothills north and east of this city are under consideration, oil croppings leading to the belief that petroleum may be found.

FREE

20 year guaranteed Waltham Watch See Page 8

**FOREST CURES RUE
TO LACK OF CARE**

Annual Report of Chief Forester Urges Use of Oil Fuel on Railroads

WASHINGTON, Dec. 30.—Forest fires, their destructiveness, cause and prevention, were discussed in the annual report of Henry S. Graves, chief forester, made public today. He said that in the organization and administration of the national forests the most important consideration was their protection from fire.

"In a forest fully organized with adequate means of transportation and communication and a sufficient force of rangers and guards the risk from fire is small," he said. "In foreign countries in which forests are so organized the risk is so small that the forests are insured at a moderate rate."

Graves estimated that 84 per cent of the fires in 1909 were due to the lack of preventive care on the part of the users of the forests and of the railroads traversing them. He suggested that the railroads be required to use efficient spark arresters or to burn off Four per cent of the fires for 1909 were from incendiaries and 12 per cent from lightning.

The approximate total stand of timber in national forests, exclusive of Alaska, according to the report, is 520,000,000,000 feet. Though the stand of the forests and of the railroads in Alaska is believed to be very large, not even a rough estimate can be made.

About 62 per cent of the total estimated stand on the national forests exclusive of Alaska is in the three Pacific coast states, 21 per cent in Idaho and Montana and 12 per cent in Arizona, Colorado and New Mexico. The report also states that only 5 per cent elsewhere. In the order of their importance the five states containing the bulk of national forest timber are Oregon, California, Washington, Idaho and Montana.

The quantity of timber sold in the fiscal year 1910 was 574,555,000 feet, valued at \$1,400,992.

**CAUSES 95 PER CENT
OF DISEASES**

Advice Concerning Stomach Troubles and How to Remedy Them

Do not neglect indigestion, which leads to all sorts of ills and complications. An eminent doctor once said that 95 per cent of all the ills of the human body have their origin in a disordered stomach.

A physician who made a specialty of stomach troubles, particularly dyspepsia, after years of study perfected the formula from which Rexall Dyspepsia Tablets are made.

Our experience with Rexall Dyspepsia Tablets leads us to believe them to be the greatest remedy known for the relief of acute indigestion and chronic dyspepsia. Their ingredients are soothing and healing to the inflamed membranes of the stomach. They are rich in pepsin, one of the greatest digestive aids known to medicine. Their use affords relief almost immediate. Their use with persistency and regularity for a short time brings about a cessation of the pains caused by stomach disorders.

Rexall Dyspepsia Tablets will insure healthy appetite, aid digestion and promote nutrition. As evidence of our sincere faith in Rexall Dyspepsia Tablets, we ask you to try them at our risk. If they do not give you entire satisfaction we will return you the money you paid us for them, without question or formality. They come in three sizes, prices 25 cents, 50 cents and \$1.00. Remember you can obtain them only at The Owl Drug Co., Inc., 719 Market street, 778 Market street, Post street and Grant avenue, Sixteenth and Mission streets, Fillmore and Geary streets.

Protect Yourself!
Get the Original and Genuine
HORLICK'S
MALTED MILK

The Food-drink for All Ages. For Infants, Invalids, and Growing Children. Pure Nutrition, up building the whole body. Invigorates the nursing mother and the aged. Rich milk, malted grain, in powder form. A quick lunch prepared in a minute. Take no substitute. Ask for HORLICK'S. In No Combine or Trust

Men and Women

Women as well as men are made miserable by kidney and bladder trouble. Dr. Kilmer's Swamp-Root, the great kidney remedy, promptly relieves. Swamp-Root stands the highest for the reason that it has proved to be just the remedy needed in thousands upon thousands of cases of the most distressing cases.

At druglets in 50c and \$1.00 sizes. You may have a sample bottle by mail free, also a pamphlet telling you all about it. Address Dr. Kilmer & Co., Binghamton, N. Y.

**MAJESTY TO RECEIVE
NEW MISSION CHURCH**

Recently Formed Congregation to Join Denomination

A council consisting of the pastors, ministers and other delegates from all Baptist churches in the San Francisco association has been called to meet at the Bartlett street Baptist mission, 131 Bartlett street, on Monday, January 2, 1911, at 8 p. m., to consider receiving the Mission Baptist church, organized December 4 as an independent church, into the Baptist denomination.

**T. D. MINTO, GEYSERVILLE
MERCHANT, IS BANKRUPT**

T. D. Minto, a merchant of Geyserville, Sonoma county, has failed, owing \$3,655 and with assets amounting to \$2,000. He petitioned the United States district court yesterday to declare him a bankrupt. John Kessel, a Sacramento blacksmith, filed a petition in bankruptcy yesterday. His liabilities total \$730 and his assets \$150.

NAVAL EXPERIMENTS
Vast interest is centering in the proposed flight from and subsequent

**GRAY BROTHERS FILE
AMENDED COMPLAINT**

Contractors Claim \$25,000 for Alleged Malicious Libel

An amended complaint was filed yesterday by Gray Brothers, the contractors and rock crushers, in the suit for \$25,000 damages begun against the Daily News December 31, 1906, a demurrer to the first complaint having been sustained by Judge Graham. The article complained of, which was published December 13, 1906, contained the following: "It is claimed that Herbert Schmitz has been able to secure from the administration certain privileges of exceptional value to the firm of Gray Brothers, in which he is said to possess large interest. Due to the influence of Herbert Schmitz, it is alleged, previous to the fire Gray Brothers secured nearly all the rich plums in relation to the street work of the city."

**Southern Pacific New Year's Train
Service**

For the accommodation of suburban residents participating in New Year's festivities in San Francisco, the Southern Pacific will operate suburban train service on all its lines from Oakland pier, connecting with boat leaving San Francisco at 2:15 p. m. January 1, 1911. Also special train will leave 11:40 a. m. and Townsend street depot at 1:30 a. m. January 1, 1911, for San Jose, making all intermediate stops. For details see agents. Ticket offices: Flood building, Palace hotel, Market street ferry depot, Third and Townsend streets depot, and Broadway and Thirteenth street, Oakland.

Fall Is Fatal
VERSAILLES, France, Dec. 30.—Lieutenant Caumont of the army aviation corps, while testing a new monoplane today, fell from a height of 60 feet.

**INTERNATIONAL RAILWAY
COMMISSION IS ASSURED**

Agreement Reached Between United States and Canada

WASHINGTON, Dec. 30.—An international railway commission with supervisory authority over railroads operating between the United States and Canada practically is assured. After long negotiations, a conclusion was reached that, in the course of a few months, a regulatory authority would be extended over railway operations between the two countries.

**KOWALSKY GETS DELAY
IN McLAUGHLIN CASE**

SANTA CRUZ, Dec. 30.—The trial of the suit of the Bank of Santa Cruz county against Samuel Rucker, administrator of the estate of Major Frank McLaughlin, was suspended temporarily today when Judge Smith granted Rucker 10 days in which to file an amended answer to the complaint of the intervenor, Henry Kowalsky. The plaintiffs will also be allowed 10 days in which to file a demurrer.

UKORICIDE KILLS STEPAUGHNER—Baltimore, Dec. 30.—William C. Stricker shot and killed his wife and old stepdaughter, Leah Kile, in their home today. Stricker then fired a bullet into his own body.