

WITNESS TELLS OF FREY'S DEATH

PROSECUTION WOULD PROVE MALICE

Officer Charged With Murdering Man in Cockpit Believes That He Will Be Declared Guiltless

A determined effort is being made by the prosecution in the trial of C. M. Carpenter, a humane officer, who is charged with the murder of Christian David Frey, to prove that the officer shot Frey through the back when the man was driving away from the scene of the cocking main at Hunter's ranch on May 1, and that there was no excuse for the action.

On the other hand the attorneys for Carpenter will use every means within their power to disprove the contention made by the prosecution, and as their defense they will set up the ground of accidental killing.

Yesterday morning Dr. George W. Campbell, who performed the autopsy on the body of Frey, took the stand and testified in regard to the location of the wound.

M. B. Worley, who is employed in Paul's undertaking establishment as an embalmer, testified that he was present when the body was received at the undertaker's and while it was yet in the buggy.

He examined the vehicle and found a bullet hole in the back of the buggy, and also a pool of blood on the seat.

Thomas Radican, a peddler, testified that on the day in question he was walking on the cross road from the San Fernando road about a quarter of a mile from where the cock fight took place.

He was accompanied by two friends, and the witness said he heard two shots fired, and shortly afterward met Frey in his buggy coming toward them from the direction of the Hunter ranch.

"I suggested that he had a hemorrhage," said Radican, "and then Frey said he had been shot. Hunter and I got into Frey's buggy and drove to town. Hunter drove and I stood up and held Frey," said the witness.

He never spoke again and died just as they crossed the bridge over the Los Angeles river.

Eugene A. Phipps, a teamster, was one of the strongest witnesses called yesterday by the prosecution.

He testified that he was about forty feet from the cockpit when the shots were fired, and that he saw Frey leap into his buggy.

He testified that the men interested in the cock fight took to flight when Carpenter and the officers arrived upon the scene.

"When Frey got into his buggy and started off I saw Mr. Carpenter draw his revolver," said Phipps.

He testified that no trouble occurred at the cockpit when the officers arrived, as the men made a hasty retreat. George Frank, a lamp trimmer, testified that Carpenter came up to him and placed him under arrest.

"I was just unitching my horse and he said, 'There is no use. You are up against it,'" declared the witness.

He further testified that Carpenter went over to where Frey was standing and engaged him in conversation.

"I then saw Frey throw the lines in the buggy and heard him say 'I am off for Los Angeles; good-by,'" testified Frank.

Frank asserted that Frey reached over and grabbed his whip just as Carpenter fired the fatal shot, whereupon Frey raised up and struck his horse with a whip.

When Attorney Earl Rogers took the witness in hand on cross-examination, he brought to light several variances between the testimony adduced yesterday and that brought out at the coroner's inquest.

The widow and daughter of the dead man yesterday occupied seats inside the court railing.

"I am confident of an acquittal, as the affair was wholly accidental," said Carpenter last night.

HARRIMAN MANAGERS MEET

Bancroft and Kruttschnitt to Inspect California Lines

Acting Manager Bancroft of the Southern Pacific railroad arrived in Los Angeles from San Francisco yesterday noon and will here meet Julius Kruttschnitt, director of maintenance and operation of the Harriman lines, who is expected to arrive in Los Angeles Saturday morning.

Mr. Bancroft said last night Mr. Kruttschnitt had left Chicago for the west on a tour of inspection and their meeting in Los Angeles had no other significance than that he had come as far south as Los Angeles to meet Mr. Kruttschnitt and accompany him to San Francisco.

Mr. Kruttschnitt was at Guayamas last night and yesterday afternoon, and Friday night will be at Yuma, where he will be met by Division Superintendent R. H. Ingram, who left Los Angeles yesterday afternoon in his private car for that city.

Y. M. C. A. Election

The last meeting of the present board of directors of the Young Men's Christian association will be held Saturday evening, when the business of the year will be settled. The annual meeting of the association will be held Tuesday evening, when the board of directors for the ensuing year will be elected. The following committee on nominations has been appointed and will make its report at the meeting: Messrs. E. A. Forrester, chairman; O. T. Johnson, W. C. Patterson, E. T. Earl, C. A. Baskerville, L. M. Anderson and C. E. Richards.

JOCKEY EUGENE HILDEBRAND, WHO MAY LEAVE LOS ANGELES



RULING STIRS UP A SCANDAL

RACE TRACK OFFICIALS TAKE IMPORTANT ACTION

SUSPEND JOCKEY LAWRENCE

Eugene Hildebrand May Never Ride Here Again—Judge Hamilton Wields Official Ax on Two Trainers' Heads

By Forest Lowry

When as many things of weight and importance to the racing game come off at a track as transpired at Ascot yesterday the oldest turf patron in the bunch is bound to sit up and take notice. Things have been going from bad to worse at the local race course until a crisis was bound to occur and the result of official rulings yesterday affected many persons well known in the game.

The sum total of the doings is that Jockey Lawrence has been suspended indefinitely, Trainer F. Tomlinson is ruled off for life and another trainer, W. St. Vincent, is suspended until further notice.

Harry Stover, owner of Kenilworth, was also among those called to the stand, but his explanation as to the reversal of form shown by his horse was entirely satisfactory to the judges.

Trainer St. Vincent's case is one that is more fit for officers of the Society for Prevention of Cruelty to Animals to handle than it is for the judges at a reputable race course. St. Vincent handles Tangible, a horse which started in the first race and which was heavily played as favorite in the opening event of the afternoon's sport. Some time early Wednesday morning Tangible struck himself on the side of the stall and caused an ugly gash to appear on his leg. Instead of notifying the judges that his horse would have to be scratched St. Vincent allowed Tangible to go to post with the sore leg and the poor beast was sent over the mile course on three legs, finishing resolutely in third place. A ton of public money was burned up on the race, as Tangible was heavily played at close odds. Whether any bookmakers were cognizant of the fact that Tangible was in no shape to win is mere conjecture, but the odds were posted as though the horse was fit for the race of his life.

Jockey Lawrence Suspended

The exposures which have appeared of late in The Herald did much to call the attention of the Ascot officials to some of the rides of Jockey Lawrence. The boy has been the most consistent rider performing at the local track this year, as far as getting horses in the money is concerned, but until the facts came out in cold print to the effect that the jockey had not been closer up in many of his races the judges were prone to pass the matter by without comment.

The boy has had close to 140 mounts during the meeting and of these he

were forced to get busy and do something. With the ruling off of Lawrence the matter does not necessarily end. The judges are of the opinion that Lawrence was the victim of circumstances and that he had fallen into the hands of sharp and unscrupulous turf operators.

Judge Hamilton said yesterday that he intended to go deeper into the matter. He is satisfied that some one has been tampering with Lawrence and has begun an investigation in the hope of locating the guilty parties.

"I firmly believe that Lawrence has fallen into bad hands and that his recent bad work was at the direction of a gang of shrewd operators. When matters of this kind come before me I make it a point to probe the affair to the bottom. It is not always the jockey who is at fault, as he may ride to the instructions of the unscrupulous."

When they ruled Tomlinson off for life the Ascot judges clearly demonstrated that there is to be a radical change in the conduct of the racing game in these parts. Tomlinson is the trainer of Nellie May, and his offense consisted in running the mare with shoes which were much too heavy for her to make any great speed with. Nellie May finished last in the second race yesterday and as soon as they were appraised of the way the mare was shod the judges called Tomlinson to the stand and ruled him off the turf for life.

Another sensation was sprung when it was learned that Jockey Eugene Hildebrand would not be seen in the saddle again this season at Ascot. Judge Hamilton's warning to the star rider because of his foul riding, the story of which appeared exclusively in Wednesday's Herald, caused quite a stir up. Joe Yeager's representatives have made threats to remove the entire stable from the local track and with it take Jockey Hildebrand.

This is only the beginning of what

had landed about eighty in the money. Many of his mounts well played to win have finished second and third respectively.

Lawrence's quietus came yesterday, after "Puddin' McDaniel had won an easy victory with Ben Lear in the second race. Lawrence had the mount on this same piece of horseflesh last Monday and by not winning gave to the race a screw look. Nothing was said at the time, but after the way Ben Lear romped in yesterday the judges

promises to develop into one of the most unhealthy turf scandals in the history of racing on the Pacific coast.

With the wielding of the official ax yesterday comes to life happenings at the local track that have gone unnoticed, because at the time it was presumed that everything was on the square and that the many reversals and inconsistent performances were those which legitimately occur and which are a part of the racing game in general.

ROBBED OF WATCH AND MONEY

Australian Comes to Grief at Hands of Highwaymen

C. E. Wagner, who recently came to California from Australia, fell into the hands of "strong arm" men last night while out sightseeing. His watch and \$3 in cash were appropriated by the robbers and Wagner was told to pursue the uneven tenor of his way with a double-quick Tommy Atkins stride.

The physical activity which Wagner volunteered soon landed him at the office of the city detectives' department, where he told of his experience. He said the men stopped him at the corner of San Julian and Sixth streets, and while one gave him the "strong arm" the others took his watch and money. He could not describe the men. Wagner is staying at the Parker house on Fifth street.

Will File Appeal

Attorney Walter Haas will appeal to the new police commission from a ruling made by the old commission in the case of T. C. Bowe, who applied for a change in the license of his saloon. Under the change the third parlor was to be removed from 1450 1/2 San Fernando street to 318 South Spring street. Protestants claim that Bowe has not a majority of the property owners in the new location signing the petition in favor of the change.

CHILD WANDERS FROM HOME

Little Girl Puzzles Pasadenaans With Her Stories

Nine-year-old Myrtle Simpson, daughter of Mr. and Mrs. J. A. Simpson, residing at 1511 Bridge street, ran away from home yesterday, and was found at Pasadena, where she was taken in charge.

She was found crying in the waiting room of the Southern Pacific station and when taken to the home of Mrs. F. F. Rowland, who is interested in the Child's Training School of Pasadena, said her name was Louise Van Deso and that she had come alone from Little Rock, Ark., where her father had been a motorman. The relative she had expected to meet had died while she was on the way to Pasadena. Following this she told other stories widely at variance. When taken to the police station she gave the correct residence of her parents in Los Angeles.

Honor Former Pastor

Resolutions have been passed by the Southern California Baptist conference expressing the appreciation of that body for the work done by the Rev. Frank L. Norton, who has recently resigned his position as pastor of the First Baptist church of Long Beach.

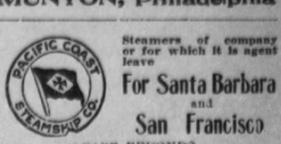
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