

## BOY TESTIFIES AT FIGUEROA'S TRIAL

Fourteen-Year-Old Youth Gives Startling Testimony Against Alleged Slayer

EXPLAINS MEANING OF DEATH

Lad's Simple and Clear Statements Make Him Star Witness for Prosecution

"I don't see what object George had in shooting Sarah."

That George S. Figueroa, accused of the murder of Mrs. Sarah Pugsley Figueroa, his bride of twenty-four days, at Ocean Park on the night of May 22, made that remark while apparently talking about himself, formed part of the startling testimony offered in Judge Willis' court yesterday by Paul Taylor, 14 years old, of Ocean Park, who proved a star witness for the prosecution.

Simply and quite like a boy Paul took the witness stand following the oath, prepared to tell what he knew of the occurrences of the night of the tragedy.

Before he could begin his recital in response to questions from Arthur Keetch, deputy district attorney, who is conducting the prosecution, Fred W. Morrison, associated with Joseph Seymour Jr., attorney for the defense, objected to the boy being used as a witness on the ground that he was not qualified.

Judge Willis offered Mr. Morrison the privilege of examining the youth if he chose. The attorney asked Paul if he had understood the nature of the oath which was administered to him with accustomed slur of words that is quite comprehensible to the one administering it, but sounds like a brackman calling stations to the uninitiated.

UNDERSTANDS OATH

Paul admitted that he had not caught all of the words, but said he thought he understood its meaning.

"What does it mean?" asked the attorney.

"That I must tell the truth," answered the boy.

"Where will you go if you don't tell the truth?" was the next question.

"To the penitentiary in this case, I presume," was Paul's response, which seemed to satisfy Mr. Morrison about the boy's qualifications as a witness.

Paul said he was 14 years old and is employed at a dance hall at Ocean Park. He finished his work the night of May 22 and went home. Shortly after his arrival there was a knock at the door and he opened it.

"George Figueroa was outside," the witness continued, "and when he saw me he said 'Come here.' I said 'No.' Again and again he asked me to go outside and I continued to refuse. He looked strange and wild, with a flushed face and excited eyes.

"When he found I would not go outside he came inside. He asked, 'Is Sarah dead?' and I assured him she was not. At that time I did not know what had happened. Then he said 'Sarah shot herself.' I said she had not. He repeated his remark, and in the next few minutes said it many times—'Sarah shot herself, Sarah shot herself'—over and over.

He asked to see my aunt, Mrs. Mansfield, but when he could not do so, as she had retired, he asked me to walk back to his house with him. I went with him, and on the way he said to me: 'Paul, remember, I did not shoot Sarah. Sarah shot herself, Sarah shot herself.'

TALKS ABOUT SELF

"He began talking about as if about himself. 'I don't see what object George had in shooting Sarah,' he said. Once he said to me, 'If I had any money I would go to Los Angeles.'

"When we approached the house where Mrs. Sammann lives George said, 'You go on and see what is doing, and tell me if anybody saw you and asks you who was with you, say it was a friend you met at the dance hall.'

"At the gate, however, we met Dr. Frank Taylor, my uncle. George said to him, 'Is George here?' My uncle looked closely at him and said, 'What is the matter with you?' Then we turned in through the gate.

The first work I did on the stand yesterday was Oliver Bateman, a house painter who resides at 149 1/2 Pler avenue, Ocean Park. He said he had known Figueroa about two months before the tragedy. The night before the shooting he walked past the Sammann house and then remembered when he saw the light in the summer house where the Figueros were living that he had not seen the young man after his marriage, and he decided to go in and congratulate him.

"The door was open," said Mr. Bateman, "and even before I entered I could see George moving about with a quilt in his hand, making the bed, while his wife was sitting down.

"I went in and congratulated him, and he thanked me. Mrs. Figueroa came and shook hands with me and also thanked me.

"I thought nothing of it at the time, but I distinctly remember that George was in his shirt sleeves and wore a pair of light trousers. From his right hip pocket protruded the nickel-plated handle of a revolver."

IDENTIFIES REVOLVER

Mr. Bateman identified the handle of the revolver with which Mrs. Figueroa is alleged to have been shot, and which was introduced as evidence by the prosecution as being seemingly the one that he saw in the accused man's pocket. On cross-examination he did not change his statements.

S. C. Taylor, grandfather to Paul, also was placed on the stand. He is about 65 years old. He told of Figueroa's going to their home the night of the shooting and asking to see Mrs. Mansfield. To him also, he declared, Figueroa said "Sarah shot herself," and later, just before starting back to the summer house, he said to Mrs. Mansfield, "I'll go back and take my medicine."

Mrs. Fisher, who conducts a store near Echo park in Los Angeles, testified that she heard Figueroa quarreling with his wife the night of May 21.

Officer Benton of the Ocean Park police force said he was the first policeman to reach the summer house. At the gate, he said, he found Mrs. Sammann and Dr. Taylor. He passed back to the scene of the shooting and found the injured woman lying upon her back on the floor, with her arms across her breast. He reached down to lift her, and placing his hands under her head, felt blood. Then he flashed his pocket light upon her and saw her serious condition. He also noted the crookedness of the bedstead, alleged to have been pushed by Mrs. Figueroa being knocked against it by her husband.

He called an ambulance, he testified, and sent the woman to a hospital.

Two days later, in company with another officer, he searched the premises, he said, for the bullet. They found a

depression in the carpet and underneath, in a dent in the floor, was the missile. He also saw blood stains on the tablecloth, he said.

"Later I questioned Figueroa about his actions that night," the officer testified. "I asked him where he was while he was away from the house. He said he went with Surber, the man who was said to have been in the summerhouse that night with Figueroa and his wife, to see him aboard a car. Later he said he went out to look for Surber and to get a drink. He said he did not get the drink, however."

Chief Barretto of the Ocean Park police force was called to the stand. He told of "breaking" the revolver found in the summerhouse and discovering that one of its five chambers was empty.

He also talked with the defendant, who declared he knew nothing about the shooting, the chief said, but admitted there was an agreement among him, his wife and John R. Surber for all three to occupy the single bed in the summerhouse that night.

Adelbert Pugsley, brother to the dead woman, was recalled to the stand. He related that the day after the shooting and in the presence of Chief Barretto he saw Figueroa and said to him: "This is bad business, George." To this he declares Figueroa responded: "Did you know Sarah had your gun?" Pugsley said his answer was: "I don't know anything about it."

MRS. PUGSLEY TESTIFIES

Pugsley testified about keeping his revolver always under his pillow and identified the one on exhibition as his. He said that for awhile Figueroa and his wife had occupied his room, but that the last time he had seen the weapon it had been in his bed.

Mrs. Glendora Pugsley, mother to the dead woman, testified that the morning of May 21 she had made the bed in her son's room which she also said was occupied by her daughter and her husband. She declared she removed the weapon from the bed and placed it in plain sight upon her son's desk. It was that night she stated that the Figueros packed up and moved to the beach.

Dr. George W. Campbell, autopsy physician, testified that the weapon must have been held more than a foot away from the head when it was discharged. He deduced this from the fact that there were unexploded powder marks on the dead woman's face and that the coloring of the hair was such that it could not have been done at closer range.

He said the discoloration noted upon the fingers were post-mortem internal effects and were not upon the outer surface of the skin.

SHOT ENTERS BRAIN

He also testified that the shot destroyed the motor center when it passed through the brain and that all power over any motion of the body ended as paralysis resulted. Therefore, he argued, it was impossible for the woman to have shot herself and to have thrown the weapon ten feet away behind a basket, where it was found.

Following the testimony given by Paul Taylor, the prosecution rested its case and the defense placed upon the stand Drs. Gilmore and Pallette. In answer to hypothetical questions the former said the tragedy might have been suicide and declared the wound would not have caused paralysis. Dr. Pallette, although he acted with Dr. Campbell at the autopsy, also differed from that physician.

The case now is practically ready to be given into the hands of a jury. The prosecution will call no more witnesses and late last night the defense declared its intention, unless something unforeseen arises this morning, of calling no more. Neither Figueroa nor Surber nor some of the character witnesses who were subpoenaed have testified.

POLICE CHIEF TO TESTIFY

James Ross, chief of police of Santa Barbara, arrived in Los Angeles yesterday and will testify in the Figueroa murder trial. Chief Ross arrested Figueroa in Santa Barbara several years ago on a charge of disturbing the peace and he will be called upon to testify to facts of the arrest.

SHERER AND COMPANY TO RUSH WORK ON RAILWAY

Contractors Will Hurry Completion of Line from Covina

Robert Sherer & Co., who have obtained a contract from the Pacific Electric to build the Covina line from Covina to San Dimas, shipped a large force of men and ample materials for the work to a camp site three miles east of Covina yesterday. Work on the new line will begin today and the extension will be rushed to completion. When finished this line will be within seven miles of the Pacific Electric city lines in Pomona.

While the Covina line is being extended east to San Dimas steel will be laid by the Ontario and San Antonio Heights line from Pomona through Claremont to Uplands and North Ontario, where it will connect with a seven-mile north and south line that at the present time runs from Ontario through Uplands to San Antonio Heights. The old line will be rehabilitated and 70-pound steel will be put in place of the present rails.

Work on the Pomona-Uplands branch of the line has already progressed to such an extent that all cutovers and bridge work is in place and the last right of way difficulty has been settled.

Plans for construction already are being made along the right of way and all material is on hand with the exception of the rail joints and tie plates. These are being rushed west at the present time and have been reported as having passed New Orleans already.

As a result of the railway building from Claremont to Uplands land has increased steadily in value, and much waste land now is being reclaimed and set to oranges and lemons.

U. S. COURTS WILL MEET IN SAN DIEGO MARCH, 1911

The United States attorney's office received word yesterday from U. S. Attorney Wickersham that the district and circuit United States courts will not have to sit in San Diego in September. By the act of the congress the courts were ordered to hold two sittings in the southern city, one in September and one in March. Attorney Wickersham gave out the information that this congressional law will not become effective until next March.

TO HEAR TESTIMONY IN DIAMOND THEFT CASE

Allan R. Fisher, who was returned to this city from Detroit two days ago, only after a long legal fight against extradition and a desperate effort to escape, will have his preliminary hearing before Police Judge Chambers this morning at 10 o'clock.

The charge on which Fisher will be tried is the larceny of a diamond ring, valued at \$350 from his roommate, Dr. H. Fishery, 124 Georgia street. Fisher was captured in Detroit, after he fled from Los Angeles.

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