

POLICE JUDGE CASE INVOLVING RUBBER SUSPECT

Former Police Commissioner, "Red" Kelly, "Kid" Sullivan and Others Involved

After Prisoner Is Identified Fully He Gets Liberty Without Bond

According to information given to District Attorney Fickert and Assistant District Attorney Maxwell McNutt, who is handling the investigation, Kelly was standing in front of his resort in Pacific street when a man passed whom the caller recognized as one of the robbers.

Folkmen Henry C. Kalmach, Joseph L. Drolette and Louis Boletto were standing a short distance away from the entrance to the Midway cafe when Kelly called to them, asking the trio of bluecoats to arrest the stranger.

At the time, according to McNutt's statement last night, Kelly positively identified the man, who gave the name of Harry Stone, as being one of the two men who robbed him and his wife in their home in Ellis street.

Boletto and Kalmach talked the matter over with their superior officer, Corporal Smith. One of the policemen wanted to charge Stone with vagrancy on a 10 day complaint, which would have made it possible for him to gain his release on \$500 bail.

Instead of charging Stone with robbery, in view of the positive identification made by Kelly, Smith ordered Stone placed in detinue. The detective department was not informed of the arrest of Stone at that time and did not learn of it until later.

McNutt says that when Stone was taken to the city prison, Boletto and Kalmach were heard to make the following remark to Boletto: "You don't look to be a bad fellow. Now, I want you to tell Billy Peru to tell Kid Sullivan that I have been arrested."

The arrest of Stone took place on the morning of October 3, a little after 3 o'clock. That morning Detective Boletto and McNutt, "Kid" Sullivan, were seen hurrying about the tenderloin and late in the afternoon he was seen in consultation with Joseph Sullivan, a former police commissioner, in Arthur Macphee, who was detailed on the case, being on duty when the report of the robbery was received at the central station, and the woman picked Stone out as one of the robbers from several men who were standing in a line.

MRS. KELLY IDENTIFIES STONE The private investigators employed by the district attorney's office witnessed the meeting between Kid Sullivan and Joe Sullivan. Later on Joe Sullivan was seen to beckon to Sammy Reid, his confidential man, and the two held a long whispered conversation, and Brooks left his employer and went to Kelly's place in Pacific street.

McNutt asserts that the information gained by the district attorney's office is to the effect that Kelly was promised the return of his jewelry if he would fall to identify Stone. At the time Kelly refused to make an agreement. Later on, after talking the matter over with his wife, he gave his tentative approval of the plan. In the meantime Mrs. Kelly was taken to the city prison by Detective Arthur Macphee, who was detailed on the case, being on duty when the report of the robbery was received at the central station, and the woman picked Stone out as one of the robbers from several men who were standing in a line.

KELLY'S RECENT IDENTIFICATION Despite this second positive identification, Stone was not charged with robbery. That morning the detective arrested Walter Foster, roommate and companion of Stone, and placed him in detinue also. McNutt charges that an effort was made to transfer Macphee to another case and take the Kelly robbery from him. His knowledge of the internal workings of the detective office under the regime of Captain Macphee is well known. Captain Jack O'Meara, secretary to Chief White, is said by McNutt to have prompted Macphee to rebel against such procedure, and he was allowed to remain on the case, although he was not allowed to charge either Stone or Foster, but was told to wait and try to "finch" them more firmly.

McNutt says that as the days went on Kelly and his wife grew less positive in their identification of Stone, and as for Foster they disclaimed all knowledge of ever having seen him before. Finally Kelly and Mrs. Kelly said that Stone was not the man.

STONE FINALLY RELEASED This was Wednesday, October 9. At 8:20 o'clock that night Stone was charged with vagrancy and the next morning he came up before Police Judge Weller on a charge of vagrancy. Detective Macphee attempted to have Stone held under heavy bail, and was asking the judge to order when he was interrupted by a messenger from some unknown person and was called from the courtroom. During his absence Attorney Lippincott, a well known police court practitioner, asked that Stone be released on his own recognizance. Judge Weller released Stone and ordered him to be in court today. Assistant District Attorney McNutt explains that he did not want to interfere with the workings of the alleged schemers, because to do so would warn them that his office was following their movements.

Kelly was not in the mood of deep despair that characterized his mind during the days he was in custody. To inquiring persons who asked him how he recovered his jeweled Eagle's pin he replied that he found it in a pawnshop. He would volunteer no other information concerning the return of his jewelry.

CORPORAL SMITH PERSPIRES Alarmed at the trend of affairs and because of knowledge coming to him that trouble was on foot in the shape of an assistant district attorney who was quietly investigating conditions in the police department, Corporal of Police Smith went to Maxwell McNutt on Sunday day that Stone was released from custody in Judge Weller's court, and held a long and interesting conversation with the assistant district attorney.

McNutt says that Corporal Smith perspired freely during the interview and that Smith said several times in a nervous manner: "My God, I'm sorry I am mixed up in this."

McNutt says that Smith denied know-

Death Comes to Rider Trying New Motorcycle

[Special Dispatch to This Call] SANTA ROSA, Oct. 13.—Ettore Ottoloni, aged 36, who comes from a family prominent in the Italian colony here, was yesterday killed this afternoon while experimenting with a newly purchased motorcycle.

He was riding on the county road when, at a point a mile and a half east of Santa Rosa, he attempted to make a sharp turn. The machine was traveling too fast to make the curve.

The rider collided with a telegraph pole with such force that his head was caved in from temple to chin.

Nothing of the affair one minute and the next expressed his regret for being concerned in the affair.

LAYNE ADVISES ACTION In speaking of the interview with Smith, McNutt says: "I have long known Corporal Smith. I knew him and his general record while he was a patrolman at the central station in Eddy street. Smith told me that he was in consultation with a superior officer in reference to the booking of Stone and of the identification of 'Red' Kelly. This superior officer, Smith told me, was Sergeant Arthur Layne. Layne's reputation in the police department is enviable. He is a sharp turn of mind, an absolute honesty and one who can not be diverted from prosecuting evil doers. Smith told me that Layne advised him to get the book on Stone and Kelly, and then to charge him with robbery."

"I told Smith that he need not worry. I provided he was innocent of any wrong doing. I asked him to get the book on Stone charged with robbery, but to this question he made no answer.

POLICE COMMISSION ADVISED "The Thursday that Stone was dismissed in Judge Weller's court I called on Police Commissioner Theodore Roche, whom I have known for 15 years, and to him I told the history of the Kelly robbery as it has come to me. Roche said that he would call the attention of the police department to the matter. That night the commission did meet and the matter was talked over for a considerable time. Roche came to me and asked me not to take the matter from the commission. I told him the commission could have an opportunity of clearing up the tangle in the affairs of the police department and to remove and punish any evil doer. I told him the commission would be permitted to conduct its own investigation, and that I gladly would co-operate with the commission.

WHITE MAY LOSE JOB. "I do not propose to allow police officers to set the example of going through with this affair. Roche told me that the police commission would take up the matter with Mayor Rolph, and that I should conditions as I had described to him were found to exist in the police department there would be more than one removal, and that Chief White's head might be among those to be decapitated. I know White has many powerful friends, and that they have come to his support many times. I do not charge White with dishonesty.

"On the contrary, I believe he is honest enough, but I do not believe he chooses the right friends. Former Police Commissioner Joseph Sullivan is allowed too many favors in the police department. I am sure, also, that the real imminent danger to the morals of the police department exists in the presence of a trusted man in Chief White's office.

WILL BREAK UP GRAFT "I don't care who the guilty ones are. You may believe me when I say I will take this straight up to the grand jury. As a matter of fact, already I have prepared a long list, yes, a list of names as long as my arm of men who will be up before the grand jury Tuesday night and at the meetings that may follow. I do not propose that this investigation shall conclude with the mere transfer of a few policemen to the fog belt and the removal of a few detectives from the upper office. I am not after the small fry, but I intend to break up this ring of grafters that I believe exists in the police department. District Attorney Fickert has instructed me to proceed ahead with the investigation and to punish every one concerned.

"It was called to my attention some time ago that Kid Sullivan was in financial straits. I saw him the other day and I noticed that the former king pickpockets and brother owners had his shirt bosom luminated with a many carat diamond, and that he has a few more about his hands and on a watch fob.

KID REVISES 'CALLING LIST' "Another peculiar thing about the present reign of Kid Sullivan is that his old time associates, the pickpockets and buncombe, are no longer on his calling list. He has stricken them dead. Now he will have nothing to do with them, but he is out for bigger game and has taken over the championing of burglars and highwaymen.

"A well known dive keeper and confederate of criminals has told me that Kid Sullivan has split \$40,000 with his 'friends' for protection and expert advice since September 1. I also notice that there have been very few arrests on these charges during the time mentioned.

"I don't want to give out all of the details of the reports brought to me by the private detectives, but I will say that I think we have sufficient evidence to convict several well known police officials, policemen and others well known in the tenderloin of this city of crimes that may result in their being sent to the penitentiary."

PRESIDENT COOK SILENT President of the police commission Jesse Cook last night refused to discuss the proposed action of the board of which he is president in reference to the action that may be taken.

The district attorney's office has long suspected that certain officials in the police department were protecting highwaymen and burglars in return for a division of the spoils. Since the 1st of September the police have made but few arrests in felony cases of this nature, and it was because of this that District Attorney Fickert has been quietly investigating the workings of the police department.

HENEY NOT LEADER IN DISORDER AT MEETING LOS ANGELES, Oct. 13.—The statement that "Francis J. Heney of San Francisco led in the efforts to discomfort the speakers" at the turbulent political meeting in Los Angeles September 11 appears to be unwarranted and unjust to Heney. While John M. Harlan was speaking, there were constant interruptions and much confusion in which adherents of all three of the leading presidential candidates appear to have participated. Heney was present, and followed Meyer Lissner forward when the latter went on the stage on the invitation of Harlan, but he should not be charged with leading an attempt to disrupt the meeting.

Quick Lunch on El Capitan. The Southern Pacific has installed lunch counter service on the steamer El Capitan, flying between Vallejo Junction and North Vallejo. Passengers via this route can now obtain luncheon while crossing the bay.

TO SULTAN'S PORTE Balkan States Reject Powers' Mediation and Warn Turkey of Hostile Coalition

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night or Monday appear to be due to uncertainty of telegraphic connections. It is explained that the notes were handed to the respective legations last night and will be delivered Monday.

The combined movement of the Balkan allies along the northern and northeastern frontiers of Turkey began today, while a full occurred in the fighting around Scutari.

General Yukovitch, commanding the northern army, carried off by Belyopolie by assault and has proclaimed Montenegro authority in Novi-Bazar or old Servia.

Christians are fleeing from the Turkish interior to the invading armies. Hundreds of soldiers in the uniform of the moslem empire marched through Sofia under escort today.

In the Balkans, the military commander tortured and mutilated such a soldier as he was accused of praying for the success of the allies. The girls managed to escape through the connivance of a Christian soldier in the Turkish force. Their story, told to one of the officers on the staff, General Martinovitch, has inflamed the Montenegrians to fierce indignation. The officers are urged to proclaim "no quarter."

Greece has mobilized a force of 125,000, which will be on the march across the frontier tomorrow, and a reserve corps of 20,000 will follow as soon as the mobilization is complete. According to a dispatch from Athens, there is no lack of volunteer material from which to expand the trained corps to full war proportions.

General war in the Balkans is now only a matter of a few days. The republics of the Balkan states to the powers note, virtually rejecting intervention, will be delivered at the various capitals tomorrow and at the same time notes practically in the shape of an ultimatum will be sent to Greece, demanding autonomy of the Macedonian province.

According to a reliable dispatch from Rome, the Balkan coalition will make a demand that it will be impossible for the ports to be delivered at the various European powers and the Balkan states, and, as a pledge, that the port be sent to the immediate demobilization of the Macedonian province.

It is understood the port will be given until Tuesday to reply, therefore there is every probability that the general hostilities will begin before the week ends.

A Sofia dispatch reports that the movement of the Bulgarian army has already begun. The Montenegrians, continuing their advance, have captured Belyopolie, an important strategic point northwest of Berana, after desperate fighting. They now are on their way to Skopje, 30 miles northeast of Belyopolie and close to the Serbian frontier, against which they will direct an attack. It is in this direction that the Montenegrians expect to join hands with the Serbian army when it advances from the north.

According to a Constantinople dispatch, Essad Pasha arrived in Scutari today, with reinforcements, and the garrison from 12,000 to 20,000 men. If this news is true the Montenegrians will have a difficult task in capturing Scutari.

Porte Provokes Hostilities CONSTANTINOPLE, Oct. 13.—Whether for the purpose of furnishing Turkey with a pretext for war or to show the Balkan allies that Turkey can not be intimidated, the government is acting with an aggressiveness calculated to bring on hostilities. The embargo on Greek ships, the detention of Serbian ammunition and the seizure of Bulgarian railway cars, all constitute belligerent acts.

Bulgarian nationals in Constantinople, numbering 1,000 or more, have been subjected to treatment designed to irritate those two nations. Several Turkish women are going to the front to attend the wounded. This will mark the beginning of a new era for the sex.

MASSACRES IN MACEDONIA A consular telegram reports the killing of 12 Bulgarians in Kuprili, Macedonia, by Turkish soldiers. Massacres in Macedonia will be an inevitable feature of the war, but it is asserted here the Turks will not begin them.

Last advices say fighting continues around Berana. The Montenegrians advancing toward Gusnje, Plava and Arona, on the southeastern frontier, are encountering much resistance and losing heavily.

Severe fighting has occurred in Tushi, where the Turks are displaying great bravery. It is reported that the Turkish forces in the vicinity between Law Scutari and the sea have stopped the advance of the Montenegrians.

It is announced that the port will be purchased the foreign cargoes aboard the detained Greek steamers.

SPRICKELS FOR WILSON Johnson Machine Is Denounced

SAN DIEGO, Oct. 13.—John D. Sprickels, former republican national committeeman for California and proprietor of The San Francisco Call and the San Diego Union, says that he will support Wilson for president and Kettner, democratic candidate in this district for congress. In an authorized interview, Sprickels says:

The Johnson-Lissner progressive party has killed the republican party in our state for their own political advancement and selfish ends. The republican party could have adopted every essential reform within itself, but that did not suit the Johnson crowd, which wanted all public offices for itself. The so called progressive party promised the people freedom from boss control, but the state has never in all its history been so completely under boss control as it is today, and our state administration is the most lavish and costly we have ever known.

Being disfranchised as a republican and unable to vote for my own party, I see no other alternative but to support the democratic ticket as a protest against bossism, extravagance and political chicanery. The republican party will be reorganized and will profit by its mistakes and give us the best government we ever had or will have.

I shall support Kettner, because he can accomplish more in a democratic congress, which I believe the next one surely will be, than any congressman of any other party.

CALIFORNIA SENATOR GRILLS PROGRESSIVES

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unless he could vote for progressive candidates. Therefore in order to make this stupendous system of fraud effective, progressive candidates must make affidavit after he has placed on the republican ballot so that progressive candidates for them. This necessitated additional corrupt and fraudulent practices.

The law of California requires that a candidate for nomination as a republican must make affidavit showing the party to which he belongs; that he intends to affiliate with that party, and that he will vote for a majority of its candidates.

A supporter of Roosevelt is tending to support him and affiliate with the progressive party made such an affidavit, and he made a false affidavit, and if he made it knowingly and willfully he was guilty of perjury.

Under the peculiar law of California, the candidates for the legislature, nominated at the primary election, are made a convention to nominate candidates for presidential electors at the coming election.

By voting as republicans, the progressives also secured a seat on the state central committee, not of their own party, but of the republican party, and the candidates of which they are using every effort, fair or foul, to defeat.

The senator quotes from the resolutions of the state central committee declaring the nominations of Taft and Sherman fraudulent, and endorsing the candidacy of Roosevelt, and declares that "no kind of sophistry or evasion can conceal the fact that this whole proceeding is fraudulent. It is pitiful that a great movement for reform in politics in California that had achieved so much and promised to do so much more should have been brought to this sorry pass."

The right and honorable thing for the progressives to have done, he says, was to place their candidates on the ticket as progressives, by petition, so that every voter could vote intelligently for whom he pleased, knowing

WORK IS BEGUN ON DEEP WATER CANAL Project Will Give Sacramento Extensive Frontage [Special Dispatch to This Call] SACRAMENTO, Oct. 13.—Work began yesterday on the construction of the deep water canal which will eventually give the city of Sacramento two miles more of water front than at present.

The canal, although being constructed by private enterprise, will be of great benefit to the city because sections of the land along the proposed canal are owned by a score or more individual firms of the city. The plan is to construct a canal 2,950 feet in length with a depth of 24 feet and a width of 300 to 400 feet. A big section of the frontage on the proposed canal is owned by the Sacramento-Sierra railroad, a Smith Lumber company project.

The Pacific Gas and Electric company and several other large corporations own sections of the frontage. The work will be completed in two years. It will cost approximately \$300,000.

BOURBONS PLAN CAMPAIGN IN SANTA CLARA COUNTY SAN JOSE, Oct. 13.—The democratic county central committee has arranged a three day campaign in this valley commencing Thursday at noon at Palo Alto, California, and returning to San Jose at the Garden theater in this city Saturday night. W. R. Jacobs, James D. Phelan and Mrs. V. de Witt Warr of San Francisco will make the campaign with the local candidates, and will speak at Palo Alto, Mayfield, Mountain View, Santa Clara, Milpitas, Sunnyvale, Campbell and San Jose.

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ABBAS TURNS DEAF EAR TO CHARGES

Leader of Bahai Religion Declines to Heed Accusations of Nephew

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man. Many of them have been Bahais for a dozen years or more. Others have adopted the belief since the teaching came to San Francisco two weeks ago.

"A beautiful soul came into our faith yesterday or last week, or last month," is the way they describe the conversion of a new "friend."

The Bahais in San Francisco hold with Abdul Baha Abbas in his opinion of the nephew, Shua Ullah Bahai. The latter, however, has proclaimed a serious division among the followers of the movement unless Abdul Baha explains certain of his teachings which are not, in his opinion, in accordance with the word of Baha Ullah, the founder of the faith.

Abdul Baha is accused of suppressing a part of the "Book of My Covenant," which is the holy book of the Bahais, written by the founder. He also is charged with departing from the letter and spirit of the teachings of Baha Ullah and with usurping powers not conferred upon him. In connection with one of the questions, which asks why the Persian teacher usurps this authority, the nephew quotes from the founder as follows:

"Whoever claimeth a mission before the completion of 1,000 years from his manifestation is a lying impostor." Baha Ullah, the founder, according to the literature of the movement, was the manifestation of God to the peoples of all the earth, regardless of race and creed.

It is recorded that "each of the prophetic teachers taught of the coming of one great teacher, and of the establishment of the universal religion. The Jews await the coming of the Messiah, the Christians the second coming of Christ, the Moslems the coming of the Mahdi, the Buddhists the coming of the fifth Buddha, the Zoroastrians the coming of Shah Bahram, and the Hindus the return of Krishna."

The present teacher, Abdul Baha Abbas, is the eldest son of Baha Ullah, who died in 1892. For 40 years prior to 1908 Abdul Baha was held a prisoner in the Turkish penal colony of Akko, just north of Mt. Carmel in Syria. By command of his father he is the spiritual guide of the Bahais.

Since coming to San Francisco he has addressed many large gatherings, and it is reported that there are many new believers. He will leave here today for the southern part of the state, but expects to return to San Francisco later in the year.

W. C. T. U. ADDRESSED BY JUVENILE COURT JUDGE SACRAMENTO, Oct. 13.—Rev. Edward C. Phillips of Santa Cruz preached the annual sermon at the state convention of the Women's Christian Temperance union here this afternoon. Judge Ruess of the juvenile court of Oakland delivered an address in the morning.

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WANTED. An honest, sober and experienced optical mechanic; must be thorough in every detail; salary \$50 per week. All correspondence strictly confidential. Box 755, Call office.

ATTENTION. Don't take life's elevator when it is going down. Don't forget that the elevators run both ways. Don't forget that there is always a crowd that is going up as well as one that is coming down. Push the top button. Signal the car that is coming up and try to get to the top.

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