

DOUBT AS TO WHETHER TESTIMONY OF BUNKO MAN

Question as to Whether Macphee and Taylor Were Railroaded to Jail Raised by Conflicting Statements of District Attorney Regarding "Chito" Rovigo

ONE PHASE OF THE MUNDELL QUARREL

Superintendent of Agency Accuses Fickert of Dereliction in Duties—Latter Says Detective Sought to Influence the Witness to Swear Falsely, but Failed

Were Arthur F. Macphee and Charles H. Taylor railroaded to jail on the perjured testimony of convicted bunco men who were lying to save themselves from further punishment?

Is the evidence against the two convicted detectives worthless, and are they merely victims of the "system" that it is admitted has corroded the police department?

Or is one of the bunco men lying again for further advantage to himself? Or again, has District Attorney Fickert fallen a victim to credulity, a desire for revenge and the falsehoods of Loviano Rovigo, the young lieutenant of the \$20,000 Italian bunco ring?

These serious questions are raised by three statements issued yesterday by District Attorney Fickert.

TWO STATEMENTS OPPOSED

Two of the statements are diametrically opposed and the third is an apparent attempt to reconcile the other two, or, at least, to explain them.

The net residue left after the explanations, if they are taken at face value, is that Fickert has taken advantage of an opportunity to make a vigorous attack upon W. A. Mundell, superintendent of the Burns Detective agency.

Incidentally, Mr. Mundell "comes back" with an even fiercer attack upon the honesty, integrity and good faith of Mr. Fickert.

The situation is complicated and puzzling. Summed up, it is briefly this: Yesterday morning District Attorney Fickert issued a public statement in which he said that on Sunday afternoon he had an interview with "Chito" Rovigo, the bunco man upon whose testimony, largely, Taylor and Macphee were convicted, in which Rovigo declared that he had lied on the witness stand and that the story he told, implicating Taylor and Macphee in the police bunco graft was related at the instance of W. A. Mundell, superintendent of the Burns Detective agency, who had threatened him in St. Louis that unless he did tell that story, he would be sent to New York to stand trial for murder.

This statement was given by Fickert early in the morning to newspaper men.

LATER CONTRADICTS HIMSELF

An hour or so later, after the sentencing of Taylor and Macphee had been postponed to Wednesday, Mr. Fickert told a story diametrically opposed to that given earlier in the day. He said that Rovigo claimed that the testimony given by him on the witness stand in the Taylor-Macphee trial was the absolute truth and that the two defendants did take dishonest money as he said they did.

Mr. Fickert still stuck to his story that Mundell had tried to suborn perjury, but he said that the Burns man had failed, Rovigo having told the truth when placed on the witness stand.

Meantime Assistant District Attorney James Brennan, who was not present when the two men were first interviewed and who knew nothing about it until he was told after the sentencing of Taylor and Macphee, had been postponed on motion of Attorney O'Grady, had seen Mr. Fickert privately, then had seen Rovigo privately and had again seen Mr. Fickert privately.

EXPLAINS LATER

Still later in the morning Mr. Fickert was confronted with his two opposing statements, and he gave an explanation. He said that when he made the first statement, to the effect that Rovigo had perjured himself on the witness stand, he believed such to be the case, but he had since learned that Rovigo took that back and declared that while Mundell had tried to get him to commit perjury, he had really told the truth on the stand.

Mr. Mundell, when told of Fickert's accusations against him, retorted with a statement in which he accused Fickert of trying to "cover up" and of failing to prosecute crimes, and he declared that if anybody were guilty of subornation of perjury it was the district attorney or somebody in his office.

Mr. Mundell, by statements carefully noncommittal, gave the inference that Mr. Fickert was protecting white slavers, refraining from prosecuting men against whom he had obtained indictments, and suppressing important evidence.

Mr. Mundell, in his signed statement, made the remark: "My office has not buried anything at Fresno."

PHASE OF BITTER QUARREL

Reduced to simplest terms, the conflicting statements resolve themselves into another phase of the bitter quarrel between Fickert and Mundell.

Mr. Fickert accuses Mundell of attempted subornation of perjury and Mundell accuses Fickert of the same crime.

Meantime, Arthur F. Macphee and Charles H. Taylor were not sentenced by Judge Lawlor. They both appeared in court as per schedule, but their attorney, Alexander O'Grady, interposed a motion for a new trial and asked that the hearing on the motion go over until tomorrow morning at 10 o'clock. He gave no reason for his motion for a continuance, other than that Assistant District Attorney Brennan, to whom he had been whispering for several minutes, agreed to it.

Judge Lawlor allowed the motion. But it was not until after the motion had been granted that O'Grady heard of the reported confession made by Rovigo. Neither had Taylor or Macphee heard of it.

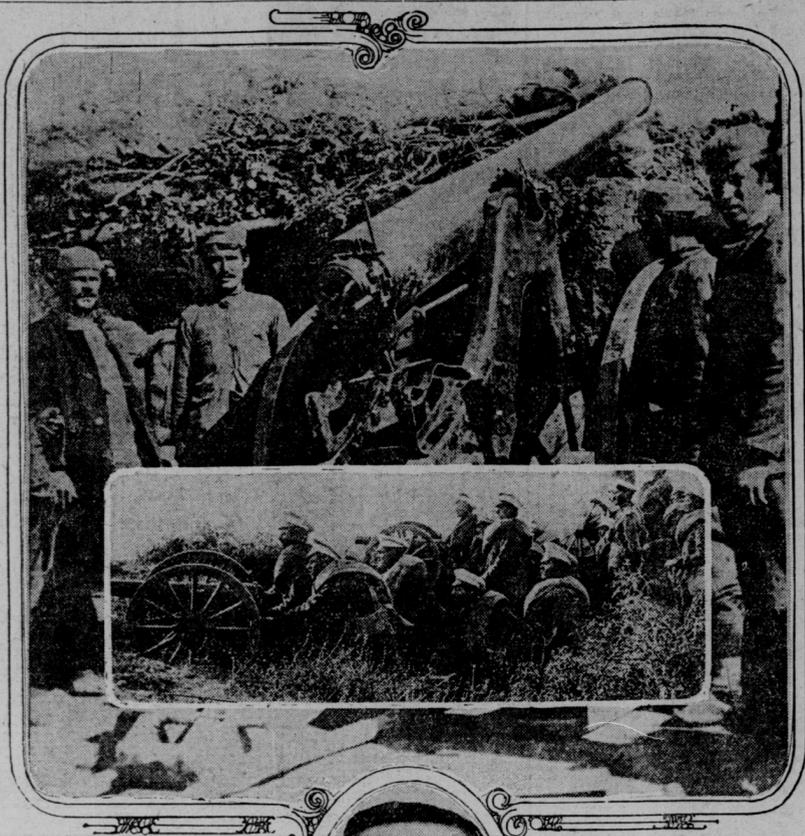
PRISONERS APPEAR RELIEVED

When they were told, after they had left the courtroom, that Rovigo had made the statements credited to him by Fickert, they appeared immensely relieved, and Macphee made the remark that "at last the truth is beginning to come out."

Attorney Alexander O'Grady, when informed of Rovigo's reported confession, said: "I am not at all surprised, for I

Servia Appeals for Aid for Thousands Wounded Timok Division of 11,000 Reported Wiped Out

Balkan troops in the field. (Top) Montenegrin battery taken under fire. The lower field picture shows the Bulgarian artillery in action. The portrait is of General Ivanoff, who led the Bulgarians in battle in which Greek army, led by King Constantine, met early reverses.



was convinced while the trial was in progress that the witnesses for the defense had perjured themselves. I expect further developments." On top of the Rovigo story comes another startling development. Louis La Place, formerly a detective, now a patrolman, the man who brought Rovigo back from St. Louis, stated yesterday morning that he was riding on the streetcar that brought Rovigo and Dubois in from the county jail, and overheard a conversation in French between Dubois and another man, in which Dubois said that Macphee, by arresting him and putting two charges against him at the city jail, had prevented him and his partner from bunking two Frenchmen out of \$20,000, and that for that reason he was glad to see Macphee in trouble and to testify against him.

District Attorney Fickert stated yesterday morning that he would have in place sworn to an affidavit in regard to the conversation he had overheard, but he said yesterday afternoon that he had not done so.

"IT IS NONE OF HIS BUSINESS"

"Let the attorney for the defense look after that if he wants to."

When asked if it were not his duty as district attorney to look after the rights of the accused man as well as those of his accusers, Fickert admitted that it was so, but still contended that it was O'Grady's business to get an affidavit from La Place.

Incidentally, O'Grady wants a chance to interview "Chito" Rovigo, but complains that he is prevented by the district attorney, who holds Rovigo incommunicado.

Certain it is that Fickert refuses to let Rovigo tell his story to anybody not connected with the district attorney's office.

There will be no more "show ups" of police officers to enable the bunco men to pick out those to whom they claim they paid graft money.

Chief Police White stated yesterday afternoon that the bunco men had assured him that they had picked out all of the dishonest policemen and that, therefore, there was no necessity of subjecting the honest men to further humiliation.

Yesterday afternoon, Chief White showed to the assembled bunco men, including La Place, De Martini, Lovigo, Cordano and Dubois a picture of about 30 of the police officers, taken about eight months ago.

The chief stated that the bunco men pointed out as a grafter a man who is dead.

"As the man is dead," said Chief White, "there is no use in going further into the matter, especially as the bunco men assure me that there is no other man on the force, aside from those they have already identified, who has taken graft money."

Development in the Macphee-Taylor case is that during six weeks of the time for which Macphee did not account at his trial he was detailed as a private guard of Mayor Ralph.

This fact is noted in his private notebook, which figured so largely in the trial, but was not brought out by either the prosecution or the defense, because each wished to keep Mayor Ralph's name out of the case.

Macphee and Taylor when they appeared in the dock yesterday morning showed very perceptibly the strain they had been under. Each was extremely sober, and as they stood up to listen to the judge's words they turned a deep red and hid their faces as much as possible from the general public.

When the prisoners were taken from the courtroom into the corridor they were both subjected to the humiliation of being handcuffed.

MUNDELL'S STATEMENT

Mundell's statement, in reply to Fickert's original story of his interview with Rovigo, is in part as follows: "Fickert bears a reputation other than the one he bears and ever thought or acted with sincerity his latest frameup might be received differently."

"If any one is guilty of subornation of perjury at the present it is Fickert. If the truth is known it probably will be found that Rovigo was told by Fickert or his right hand man that if he would implicate Mundell in some wrongdoing he would not be prosecuted in San Francisco."

More Trouble for Bulgars Over Disposition of Territory Involved in Dispute

Continued From Page 1

vision issued from the pass, but the extreme weariness of the troops made further progress toward Kalindri impossible.

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There were many officers among the dead, including six commanders of regiments.

"The losses of the enemy," continues the report, "are believed to be still greater than ours."

Servians Want Doctors

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Eleven Thousand Killed

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The division consisted of 15,000 men who were surrounded by a Bulgarian army which had outflanked them. Only 4,000 Servians survived and they were taken prisoners.

The mobilization of the Roumanian army will be completed Thursday or Friday, according to dispatches from Bucharest. The Roumanian troops are expected to cross the Danube into Bulgaria immediately and, as a result of this step, it is assumed that Bulgaria will be compelled either to agree to the Roumanian demands and permit Roumania to occupy the territory she desires or to engage in war.

Servians Deny Defeat

LONDON, July 7.—The Servian minister here denied the defeat of the Timok division of the Servian army and says that yesterday it recaptured the town of Krivolak from the Bulgarians. According to other reports, however, it is not certain that the Timok division was engaged in that operation.

Greek Losses Heavy

ATHENS, Greece, July 7.—The Greek casualties since the beginning of fighting against the Bulgarians total 10,000 killed and wounded, according to official reports.

After the battle for the possession of Kilkish the right wing of the Greek army forced the Bulgarians to retreat across the river Struma. The Greek left wing after severe fighting occupied the heights to the south of Lake Doiran and then pursued the retreating Bulgarian army toward Strumitza, capturing 12 field guns and inflicting severe losses.

"Agriculture," in room 113, agriculture building; "Classics," in faculty room, California hall; "English," at observatory; "Household Science and Art," in room 200, Chemistry building; "Mathematics," in room 11, north hall; "Modern Languages," in architectural building.

During the afternoon session the subjects under discussion will be: "Commercial," in room 11, north hall; "History," in room 200, Bacon building; "Manual Training," meeting place not announced. Specialists of the summer session faculty of the university will take part in the discussions.

PENSACOLA, Fla., July 7.—An unidentified negro who had attacked a young white girl in Bonifay was taken by a mob from a train on which county officers were hurrying him to Pensacola early today and was hanged to a telegraph pole and then shot.

REDIRECTION OF CURRICULA

That secondary education begins too late and for the majority of high school graduates ends too early was asserted by Doctor Lange, chairman of the committee of the council of education, to be recognized generally.

From schools of secondary education to college courses, he said that it also ends too late, if the courses are devoted to purely cultural or man-centered aims.

Doctor Lange advised the teachers as to the report that will be made by the committee, announcing that the body endorsed "the type of vocational school, called by Commissioner Smedley of Massachusetts, the 'Intermediate Industrial High School,' with a curriculum and with methods controlled by the vocational purposes of the type. Doctor Lange said, pupils would depart at 16 or 17 years of age, either directly into one of the callings for which they were fitted by their training or into special trade schools or continuation high schools.

High school fraternities were criticized by Doctor Boone, who said that while the home from a legal standpoint and ethically the state was supreme, the child was supreme from the standpoint of the teacher. A conflict of these three interests, he believed, caused the fraternities to become obnoxious in high school life.

If the three interests worked together, said the problem might be solved. Principal Biedenbach's paper, owing to his absence at the National Education association convention in Salt Lake City, was read by W. W. Treat, of the University of California.

In it Mr. Biedenbach argued against the employment as high school teachers of recent university graduates, on the ground that men and women of experience are needed.

"Teachers of experience are needed," he said, "teachers who not only know how to develop the intellect, but can also enter into close relationship with their pupils in developing those physical, moral and spiritual traits which determine efficiency in daily living."

OTHER PAPERS HEARD

This afternoon's session was presided over by Doctor Boone, when papers were presented by Principal A. C. Olney of Santa Barbara on "The Junior College"; George A. Merritt, director of the California School of Mechanical Arts, San Francisco, on "The Relation of Vocational to Cultural Work in the High School"; and by Principal W. D. Bannister of Leornore on "Unity and Variety."

Tomorrow morning the following general subjects will be discussed:

PEDAGOGUES URGE REDIRECTION OF PUBLIC SCHOOLS

Prof. A. F. Lange Tells Teachers Preparatory Curricula Lack Relation to Pupils' Needs

BERKELEY, July 7.—The annual meeting of the California High School Teachers' association in connection with the summer session of the University of California opened this morning in Bacon hall with an attendance of 200 educators. Throughout the week there will be two sessions daily.

A general session Saturday for the reading of reports on round table discussions, election of officers and submission of recommendations by the committee on reorganization of higher education in California will close the meeting.

Papers read at the opening general session today were by L. Biedenbach, principal of the Berkeley high school, on "The Intermediate School"; Professor Alexis F. Lange of the University of California, on "Reorganization of Higher Education in California"; Dr. Richard G. Boone, lecturer in education at the university, on "The Problem of Secondary Education in California"; and President Lewis B. Avery of the association, on "Why and Whither."

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'HERPES ZOSTER' IS ONE CAUSE OF M'CLAUGHRYS SUIT

Alameda County Judge to Hear Other Cruelty Charges Made by Heiress

(Special Dispatch to The Call)

OAKLAND, July 7.—The divorce suit of Anita Baldwin McLaughry, daughter of the late E. J. "Lucky" Baldwin, against Hull McLaughry, was today transferred from the Los Angeles courts to this county on motion of the husband. The suit had to be brought in the south, which is Mrs. McLaughry's legal place of residence, but the law provides that a change of venue can be obtained by the defendant to the county where he legally resides. McLaughry lives at 17 Plaza drive, Berkeley.

The suit was filed in Los Angeles June 15. McLaughry made his motion for a change of venue June 18 and this was granted July 1. The papers arrived here today, without the anticipated cross complaint. McLaughry, when seen this evening, declined to say whether or not he would file a cross complaint.

Mrs. McLaughry's complaint recited the woe that she had been here since she was married in Carson City, Nev., in October, 1900. It dwells with emphasis on the recent "kidnaping" affair, when the husband, according to the allegations, stole her children away from her and caused her great mental anguish.

She asserted that since their separation in September she had not been permitted to see the children except for short periods of time and then at the will of McLaughry.

The children are a girl, Dextra, 12 years old, and a boy, Baldwin, 9 years old.

Mrs. McLaughry alleged that for two or three years prior to the separation she had been treated by her husband as a third person. She said that he was harsh and insulting to her, and that he had been in the house and mistreated her; that he found fault with her management of the home; that he accused her of not caring for the children and neglecting them; that he often humiliated her when others were present; that he made her do hard work which was too much for her strength and which he was easily able to hire done.

As a result of this alleged mistreatment Mrs. McLaughry said she became afflicted with "herpes zoster," a nervous disease, which caused an eruption of the skin in the form of blisters.

There is no mention of alimony.

LADDER TO WINDOW, WOMAN ENTERS STORE

She Isn't Burglar—Merely Finds Way to Avoid Shopping Crowd

A curious crowd gathered at Sutter and Kearny streets yesterday afternoon, attracted by the actions of a young and charmingly dressed woman, who endeavored to force her way through a crowd of shoppers gathered in front of 312 Sutter street.

Falling in her attempt, she rushed across the street and secured a ladder from a contractor, who is making some alterations on the corner building.

She carried the ladder across the way and, placing it against the building, mounted to the second floor with the agility of an acrobat.

At the top of the ladder she paused and the people waited for her next move. She disappeared inside the window, and the crowd getting larger every minute, waited expectantly for her reappearance.

In about 10 minutes she again took up her position on the top of the ladder and clambered down to the street as swiftly as she had ascended, nonchalantly picked up the ladder and returned it to the contractor. Then, with an air of conscious rectitude, she jumped into a passing taxi and was whisked away.

The contractor, when interviewed, shrugged his shoulders and said: "You can't stop a woman when she sniffs a bargain. That girl wanted one of those planners at Brovich's big wind up piano sale, and, sure enough, she got it."

TOWN CLERK ON PARTIAL VACATION; BOOKS INSPECTED

Santa Clara Official Relieved From Collection of Revenue—Expert Checks City Accounts

(Special Dispatch to The Call)

SANTA CLARA, July 7.—Despite every effort to preserve secrecy, it became known today that George W. Penton, town clerk of Santa Clara for the last 12 years, was relieved of all municipal collections since June 28 and in the meantime an inspection of his accounts is being made by Gordon Gilard, Rowe, an expert accountant of San Francisco.

Rowe has been working on the books since last Monday and will probably submit a report to the town board about July 20.

Penton refused to discuss the rumors that a shortage existed. He said that his books were checked about 13 months ago and at that time his accounts were found in good shape.

Rowe's work involves a checking of every item of four funds handled by the clerk, including sewer assessments, dog licenses, personal property assessments and water collections.

The decision of the board to employ Rowe followed a partial examination of the books some time ago. Following this examination his wife is reported to have paid in \$201.50.

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