

TRIAL OF THE McNAMARA BROTHERS, ACCUSED DYNAMITE CONSPIRATORS, BEGINS TODAY IN LOS ANGELES.



JOHN J. McNAMARA.

Los Angeles, Cal., Oct. 10.—A clock key turned one time too many, a mainspring wound too tight, according to the contention of the prosecution, the trifles responsible for the fact that John J. McNamara and his brother James are about to be tried here on the charge of having murdered nineteen men. Tomorrow eleven days more than a year after the disaster in which a score of victims were slain, these two men must appear in Department 9 of the County Superior Court to defend themselves against the accusation that they caused the destruction of the Los Angeles Times Building, an hour after midnight on the morning of October 1, 1910.

A web of what the prosecution regards as evidence has been spun around the two brothers, one a national labor leader and the other a worker in the ranks, and will be presented to the jury. Clarence S. Darrow and the other attorneys engaged in the defense of the McNamaras, however, are confident that they will be able to rend asunder the case of the prosecution and that their clients will walk forth free men.

Found beside the house of Felix Zeehandelaar, and office of the Los Angeles Merchants and Manufacturers' Association, a bomb that did not explode has supplied the clue that has solved, at least to the satisfaction of the prosecution, the mystery of how the building of the Los Angeles Times was destroyed. The case of the State, however, has been described by one of the attorneys for the defense as "a flimsy fabric of circumstances," and nothing so far has developed to show that the prosecution has any direct evidence to prove that James B. McNamara set the bombs at the Times building and at the homes of General Harrison Grey Otis, the proprietor of the Times, and Mr. Zeehandelaar. Nothing on this point appears in the transcript of evidence taken before the grand jury.

Accused by Fellow Worker. The "workings" of an alleged conspiracy, born of hate engendered by the industrial strife between union workers and employers in the structural steel trade, are said to have been laid bare by the State. Detectives working on the case went first to San Francisco and thence east to Indianapolis and into the offices of the International Association of Bridge and Structural Iron Workers, of which John J. McNamara was, and still is, secretary-treasurer. As the cap sheaf of the case came the confession of Ortiz E. McManigal, an Italian who says McNamara is brought to bar tomorrow they will find him their chief accused.

But on the other side—the side of the defense—will be McManigal's wife, Mrs. Emma McManigal, who once at least caused her husband to flee and over whom for several weeks both defense and prosecution struggled for the benefit of her favor and whatever testimony she might have to render. She defied the grand jury, won in contempt proceedings

brought against her because she had refused to answer questions in the inquisitorial chamber, and incidentally, through the attorneys for the McNamaras, made public the confession in which her husband accused John J. McNamara of being the master conspirator and his brother James his chief instrument.

Nevertheless, while sanguine of the final outcome of the trial, the attorneys for the McNamaras and the prisoners themselves expect a long, hard battle before they are freed of the charge of having destroyed the Times building and slain nineteen men. John J. McNamara says there is not the slightest vestige of fear of the outcome in his mind, and the attorneys representing him and his brother James assert that when the prisoners catch the first free glimpse of the sky they have had for months they will be only a freetaste of the liberty to come after weeks of fierce legal strife which admittedly has not been a presumption in their favor, and they are supremely confident that the jury yet to be chosen will vindicate the presumption by declaring them innocent.

The ruins of the Times building were seen on the morning of Oct. 1, 1910, when the throngs of spectators were additionally frightened by news that an infernal machine had been found under a dormer window at the home of Felix Zeehandelaar, who, as secretary of the Merchants and Manufacturers' Association, had been active in an open shop campaign in this city. Flight became a panic a few minutes later when word was sent to police headquarters that another bomb had been found at the residence of Gen. Harrison Grey Otis, proprietor of the Times.

The latter bomb exploded in a suit case, exploded, leaving nothing but a pile of iron shavings and a hole in the Otis place where it had been flung by its flingers. But the Zeehandelaar bomb, with its clock spring wound and its infernal mechanism, remained intact. A policeman cut the battery wires connecting the clock

work and the fuming cap, and refused to answer questions in the inquisitorial chamber, and incidentally, through the attorneys for the McNamaras, made public the confession in which her husband accused John J. McNamara of being the master conspirator and his brother James his chief instrument.

High Explosive Used. In it was a heavy charge of eighty per cent. gelatin, an explosive of twice the destructive power of ordinary dynamite and seldom used. This gelatin bore the label of a San Francisco powder company. Detectives hurried forthwith to the north with the tightly wound clock mechanism remained at headquarters to reveal, according to the authorities, a colossal criminal conspiracy ramifying throughout the country.

The burden of proof against the McNamara brothers lies on the state, and as far as the case has developed, the prosecution apparently must rely, aside from expert testimony, upon four main points of fact to prove that James B. McNamara as the instrument, and John J. McNamara as directing head of a conspiracy, were responsible for the destruction of the Times building and the deaths of the victims. These points are:

The alleged fact that James B. McNamara was in San Francisco at the time 1000 pounds of high power explosives were purchased from a powder company in that city. The alleged fact that he was in Los Angeles a few hours before the blowing up of the Times. That he actually set the bomb which caused the disaster, and likewise planted the bombs at the homes of Gen. Otis and Felix Zeehandelaar. And that he committed the crime at the behest and under the direction of John J. McNamara.

Trace Gelatin Purchase. A day or two after the disaster the detectives working in San Francisco were told that three men, who gave the names of Bryson, Morris and Leonard had purchased on Sept. 28, 1910, 1000 pounds of eighty per cent. gelatin from the company whose label was on the dynamite in the Zeehandelaar bomb. Two women were then brought into the case, Mrs. Belle Lavin and Mrs. D. H. Ingelsoll, to whom the men were known as J. B. Brice, Milton A. Schmidt and David Caplan.

Experts Make Report. An investigating committee under General O. J. Sweet, a retired army officer, reported to Mayor Alexander that the explosion had been caused by nitroglycerin or similar high explosives. But a committee named by the State Building Trades Council, Permit in session in Los Angeles reported that the Times Building had been blown up by gas. John Harri-

man an attorney now associated with Mr. Darrow in the McNamara defense, questioned before the coroner's jury two operators who were in the Times telegraph room at the time of the explosion and they testified that a strong odor of gas filled them to believe that gas had wrecked the building. Afterward Harriman declared that the counter theory of a gas explosion would be used by the defense to combat the dynamite theory of the prosecution.

Judge Walter Bordwell, of the Superior court, had by this time empaneled a special Grand Jury. After 100 days of investigation, during which 174 witnesses mostly from San Francisco, were examined, the inquirers reported it as their conclusion that dynamites had blown up the Times building and included Brice, Schmidt and Caplan for the alleged crime. This was on January 8.

Second Plant Wrecked. On Christmas Day Los Angeles received another shock. The Llewellyn Iron Works, one of a number of concerns involved in controversy with its striking iron employees, was partly wrecked by an explosion. Telling of the explosion, Burns said that a man followed a man named J. W. McGraw to his home in Chicago, and there learned that the name was McManigal. McManigal confessed later that it was he who had blown up the Llewellyn plant.

One day McManigal went to Kenosha, Wis., and the detectives constantly following saw him meet a man who resembled the description of J. B. Brice, accused of causing the Times explosion. This man proved to be James B. McNamara, brother of the secretary-treasurer of the International Association of Bridge and Structural Iron Workers. McManigal and McNamara met again in Toledo on April 1, and on April 12 they were arrested in Detroit.

The two prisoners were hurried from the Michigan city to a hiding place in Chicago, and upon telegraphic advices from Burns, the Grand Jury in Los Angeles returned secret indictments against McManigal and the McNamara brothers. Requisition and extradition papers were obtained with the utmost secrecy from Governor Hiram Johnson at Sacramento and Assistant District Attorney W. Joseph Ford, of Los Angeles, with Detective James Hoack, hurried to Indianapolis. Meeting Burns and his men there on April 22, they went straight to the office of the Bridge and Structural Iron Workers' Association and arrested John J. McNamara.

The severe work on Dock street, and that he authorized to charge any extra expenses to the water reserve fund, caused some discussion. Ald. Vignone said an engineer now estimated that the whole work authorized the issue of \$3,400 of bonds against the work. He thought the balance of the cost should be met out of the water reserve fund. It was the custom to charge renewals to the water service. A part of the work in Dock street was renewal.

Ald. Hayes moved that the matter be referred back to the water and sewerage board, and this was adopted. Recommend Civic Slaughter House. The committee appointed to consult with the board of health for the purpose of remedying the deplorable conditions in connection with the slaughter houses, submitted a report. It recommended the construction of a public abattoir, referred to meetings with the health officials, and approved the by-laws drawn up by Dr. Melvin.

Ald. Hayes moved that a copy of the report be furnished to the aldermen and consideration of the matter be deferred. Ald. McGoldrick said he did not see the necessity of the report. An act of the legislature already authorized the council by a two-thirds vote to establish a slaughter house. The mayor said the slaughter house agitation came up in St. John every five years. An act was passed in 1900 authorizing the slaughter house commissioners to issue \$25,000 of debentures to build a slaughter house. It was time the council stopped trifling with the matter. They should go ahead and build a slaughter house, or let the matter rest.

Ald. Potts said there were reports in the papers that the condition under which cattle was slaughtered was a disaster. He moved that the council call themselves of the act of 1900 and that a committee of three with the mayor be instructed to have plans prepared for a slaughter house. Ald. Hayes said he was not opposed to building slaughter houses, but Continued on page four.

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MARRIED.

McAVITY-McLAREN—At St. Stephen Church, St. John, New Brunswick, on Tuesday, October 10th, by the Rev. Gordon Dickie, M.A., Ronald Armstrong, son of George McAvity, Esq., to Ena Frances, daughter of John S. McLaren, Esq., Inspector of Customs.

GOOSENS-WILMOT—At St. John's Church, Oranmore, on the 9th inst., by the Rev. C. K. Whalley, rector of Barton, Frank W. Goosens of Winnipeg to Edith, daughter of Henry Wilmot of the Bluff, Lincoln, Sunbury Co., N. B.

DIED.

DEHAM—At his residence, 196 St. James St., on October 9th, Thomas D. Deham, aged 61 years. Funeral from his late residence on Wednesday afternoon at 2.30. Service at German St. Baptist Church at 2 o'clock.

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Clan MacKenzie Anniversary. A meeting of the ladies' auxiliary of Clan MacKenzie, was held in the Odafellows' hall, Charlotte street last night. Arrangements were discussed for holding the 21st anniversary of the clan and auxiliary during the first part of November in the Semmen's Mission.

Daily Hint from Paris.



Straw color mousseline de sole gown with heavy silk embroidery.

CITY COUNCIL TALKED MUCH BUT DID LITTLE BUSINESS

Numerous Matters Discussed at Yesterday's Session—Ald. Kierstead Prefers Boxing School to Conservative Club as a City Tenant—Matter of Civic Slaughter House Considered and Referred Back.

There was a meeting of the Board of Works yesterday afternoon, followed by a long meeting of the Council, but very little was done except talk about what the city fathers would like to do if they only had the money. As no information was before the members regarding the extent and nature of the enterprise which it is said Franklin Baker of Philadelphia proposes to establish at the foot of Broad street, action on the application for lots in that locality was postponed. A report of a special committee on slaughter houses recommended the establishment of a civic slaughter house, but the matter was referred back. It was decided to grant the St. John Conservative Club a lease of a room in the Market Building, though Ald. Kierstead who opposed the leasing of the room at the last meeting to John T. Power to run a boxing school, delivered a lecture on the need of giving the young men of the city a chance to learn boxing and moved that the room be rented to Mr. Power.

A committee consisting of Ald. Kierstead and Hayes was appointed to co-operate with the citizens committee in the matters of establishing playgrounds. Ald. Potts was elected to represent the city at the convention of the N. B. Union of Municipalities. Some other matters were dealt with. Besides the Mayor there were present, Ald. McGoldrick, J. B. Jones, Cod-

might arise in connection with the streets. Ald. C. T. Jones moved in amendment that the matter be referred to a committee. Ald. Potts said there was no excuse for holding up the matter. "If somebody from the outside was asking for a site for an industry we'd be tumbling over ourselves to give it to them," he said. "One industry has already left the West Side, complaining of ill-treatment by the city." Ald. Elliot moved that a lease be granted at a rental of \$20 per lot, with \$9,000 as a limit for improvements, with the city might be required to pay. Both amendments were voted down and the original motion was adopted. Ald. Elkin wanted to know when the engineer would get to work with the piling in the Dunn slip. The Engineer—"Right off."

The Council Meeting. When the Council was called together, the report of the Board of Works was taken up. The recommendation to pay the bill of A. R. C. Clarke was adopted and so was that in regard to the leasing of the lots, asked for by the Union Foundry Co. The Mayor appointed J. B. Jones, Smith, and Elkin to act with the recorder in drawing up the conditions and terms of the lease. The matter of leasing lots 6, 7, and 8, Block L, Broad street, to Franklin Baker of Philadelphia, for a site for a cocoon and fruit canning factory, was then considered. May Established Industry. Ald. Kierstead said the city should have some industry that a value industry would be established, before trying out a valuable piece of property. He understood Mr. Baker was not willing to venture much, but intended to put up a temporary structure, and might employ a few girls and children. He thought the lease should not be for more than 3 years. He added that Mr. Troop, the owner of a vinegar factory in the neighborhood, had told him he had opened negotiations with Mr. Baker to sell out his property. This man resented the interference of the Board of Trade.

Ald. J. B. Jones said applications for land should not come through the Board of Trade. Ald. Potts said, they had no information about the financial standing of the company. That should be at hand before calling a meeting of the Council. "We've wasted enough time making agreements with men like Mr. Durant," he added. Ald. J. B. Jones—"The financial standing of the Baker Company is A. 1." Ald. Potts—"Have you seen their annual statements?" Ald. Jones—"No, but I know they are all right." Ald. Potts—"So was Mr. Durant." Ald. McGoldrick thought they should proceed carefully. Ald. Potts moved that the matter be deferred till the Common Clerk secured information as to the standing of the Baker Company and the nature and extent of the enterprise they intended to establish here. This was adopted. The Mayor called attention to the fact that the New Brunswick Union of Municipalities, was holding its annual convention at Newmarket. Ald. Hayes moved that Ald. Potts be a delegate to the convention, as he had taken an active interest in the land tax. Ald. McGoldrick thought they should send the Mayor and some of the new members. He moved that Ald. C. T. Jones be elected to represent the city. Personally, he did not want to accept a fiddler's invitation, but Ald. C. T. Jones was young and enthusiastic. His eloquence had frequently electrified the council. Ald. C. T. Jones declined the honor. He could not conscientiously accept money from the city for the trip, and he could not afford to pay his own way. He had heard some delegates from St. John attending such affairs, had disgraced the city, and brought in extravagant bills of expenses. He did not believe in that sort of thing. Finally Ald. Potts was elected to represent St. John.

Water and Sewerage Board. A report of the Water and Sewerage Board was then taken up. The recommendation of the city engineer that an additional \$2,000 be voted for

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