

TITLE
 Title, who's got the Title?
 To today's Booklovers' Contest
 picture.

THE CALL



CALIFORNIA
 STATE
 LIBRARY

THE WEATHER
 YESTERDAY—Highest temperature, 58;
 lowest Monday night, 50.
 FORECAST FOR TODAY—Rain; brisk
 south wind.
 For Details of the Weather see page 17

VOLUME CXI.—NO. 6.

SAN FRANCISCO, WEDNESDAY, DECEMBER 6, 1911.

PRICE FIVE CENTS.

McNAMARAS QUIVER IN TAKING SENTENCES Darrow, Stung by Criticism of Course, Reveals Odds He Faced

**ALWAYS SAW
 DEFEAT, IS
 LAWYER'S
 PLEA**

Chief Counsel Admits That He
 Knew From Start That
 His Case Was
 Hopeless

FORTY HOTEL REGISTERS
 IN PROSECUTION'S HANDS

Movements of McNamaras to
 Last Detail Known to the
 Forces Arrayed in
 Opposition

ALL HOPES OF ALIBI
 WERE SHATTERED EARLY

J. J. McNamara, secretary-treasurer of the Iron workers, who received a 15 year sentence, is shown on the left. James B. McNamara, sentenced to life imprisonment, is on the right, and Judge Walter Bordwell is shown in the center.



**LIFE AND 15
 YEARS ARE
 COURT'S
 WORDS**

Face of James B. Takes on
 Ashen Hue as Judge Says
 Death Should Be His
 Decree

JOHN J. CRIES OVER
 PERIL OF HIS BROTHER

Victims' Widows Think Denial
 of Murderous Intent Is
 Mockery, Says
 Bordwell

CRIMINAL AT HEART, IS
 ADDITIONAL STATEMENT

LOS ANGELES, Dec. 5.—"Nothing but the gallows at the end," is the outcome predicted tonight by Attorney Clarence S. Darrow, as chief of counsel, if the trial had run to a jury verdict and to subsequent appeals. For the first time Darrow cited specific instances of evidence which he said it would be impossible to refute. Even to have put James B. McNamara on the stand in his own behalf would have been hopeless, he declares.

Judge Bordwell's statement says that it was proposed by the defense that James B. McNamara should plead guilty and even take a death sentence, if his brother could be free. "Darrow was told."

"Well, replied Darrow, 'I've denied that charge so often that I'm going to do it over again now.'"

Darrow's statement is as follows:

Entered Reluctantly

"I entered this case with the greatest reluctance, and only after the most earnest persuasion. I did it unselfishly. I have for many years given my time and best ability and my life to the cause of labor and the poor."

"I have been here six months and spent many troubled days and sleepless nights trying to run down every clew and make every possible investigation, and trying to do the best I could for my clients and the cause that I served. I had able associates who gave me their best efforts and their best service through it all."

"From the first there was never the slightest chance to win. To those who say it would have been better to have gone to trial and suffer complete defeat, I would call attention to the fact that there were 30 or 40 hotel registers, three in Los Angeles, many in San Francisco and others in different parts of the country. There were scores of witnesses to identify James B. McNamara as being present practically on the very day, and one, at least, in the building. There was overwhelming evidence of all kinds, which no one could have surmounted if they would."

Could Not Prove Alibi

"If the state had put on its case, we would not even put the defendant on the stand to deny the facts. We could not prove an alibi. We could not prove he was not here. The failure to do so would have been as much of an admission as it was today. We were confronted with the situation of dragging our case, perhaps for years, with nothing but the gallows at the end, and no chance to raise any doubt in a thinking mind, and in the meantime, collecting money from thousands of persons who could not know the facts. To go on under such circumstances would have been madness and only postponed an evil until it would have been a still greater evil, and the consequences graver than they are now."

"All of this was thoroughly understood by my associates, and no one hesitated about accepting it. We acted as we thought right and best, and will take the consequences of the act. I can conceive of no way in which we could justify ourselves and not save the lives of our clients, and in disposing of this case at this time. Our first duty as lawyers and men was to the lives in our charge, and our duty to the cause called for the same action as for theirs."

Always His Aim

"From the beginning I have been watching and working to this end. We have accomplished it. I am reconciled to the result. For myself, personally, I have spent many years in this cause. If I had not believed in it I would have abandoned it when I was young and ambitious. In some form I shall continue in it to the end. I have fought this and all my fights without hatred or malice to any one, recognizing that in this great drama and all that is connected with the case, that all men of both sides are helpless as to themselves and are acting a part that is forced upon them by a bitter conflict, which only right feeling between capital and labor can ever end."

"If people misjudge my motive I can only say for myself that I have acted unselfishly and from devotion alone, and I have always been ready and fairly able to take upon myself all the responsibilities for my actions."

Continued on Page 2, Column 4

RED BANNER SWEEPED FROM LOS ANGELES

Job Harriman Leads Socialists
 to Utter Defeat, Then
 Says "Fraud"

LOS ANGELES, Dec. 5.—Socialism clenched in a final struggle with its foes under the "Good Government" banner at the ballot box today and was beaten. The red emblem, which waved victoriously over Job Harriman, the socialist candidate in the municipal primary a little more than a month ago, sank with him under an avalanche of votes cast for Mayor George Alexander. The only question remaining a few hours after the polls had closed was the size of the majority.

Prohibition, the other big issue in the campaign, received scant attention from the vote counters tonight, and the fate of the drastic dry ordinance remains uncertain, though the probabilities are that it has been defeated. Forced to yield first place in the nominating ballot October 31, when the vote cast totaled 45,000, Mayor Alexander polled today apparently more than a two to one majority in a vote which partial returns from 292 precincts out of 317 indicated would total more than 125,000. When Harriman gained a plurality of 3,000 over the mayor in the October primary the registration was approximately 75,000. Today 187,000 persons, including 85,000 women, were entitled to vote.

Women's Vote No Factor
 Ninety per cent of the registration on the west side, where the vote was light in the primary, was voted today, while on the east side, Harriman's conceded stronghold, the balloting was light in comparison. The women of the west side outvoted the men. The reverse was the case seemingly in the precincts where Harriman was the stronger in the primary. But the balance of power, which the women were credited with having prior to the astonishing finale of the McNamara case last Friday, did not figure in the result.

How much the astounding end of the dynamite trial affected the result, however, can not be estimated because of the tremendous increase, not only in the registration since the primary, but the record vote cast today. Some estimates were that nearly half the city's population of more than 320,000 had voted in the election.

Harriman Says "Fraud"

Harriman was in conference with his campaign manager, Alexander Irvine of New York, early in the evening. He declared that gross frauds had been perpetrated by the opposition, but refused to concede his defeat.

"I will not make a statement until about midnight," he said.

The victorious ticket consists of Mayor Alexander, who has held office for many years, and nine councilmen, made up of bankers, lawyers, store keepers and realty brokers.

COURT HITS STEFFENS Bordwell Speaks Mind

LOS ANGELES, Dec. 5.—Judge Walter Bordwell late today issued a formal statement giving his views as to the trial and especially what brought about its termination. The statement is as follows:

"In a spirit of indifference to everything in the McNamara cases, save the facts and the law applicable thereto, I deem it due to the court and to this community that I should make a brief public statement regarding the circumstances attending the abrupt close of these cases, together with sufficient comment to indicate my views as to such circumstances. This is done in the hope of correcting, if possible, some misconception due to erroneous publications and particularly to an article which appeared in a local newspaper on the 2nd inst., over the signature of Lincoln Steffens.

"In the first place the claim or suggestion that the termination of the cases was due to the efforts of himself and other outsiders who undertook to influence the officers of the court—other than the judge—is without justification in fact.

"I wish also to denounce the claim of that gentleman and of other persons for him, that the change of the pleas in these cases from 'Not guilty' to 'Guilty' was due to his efforts, as groundless and untrue. He is correct in the statement that the court was not a party to any negotiations for what he terms 'a compromise' of these cases; but there is no ground for any claim that he induced the prosecution to come to an agreement in the matter. The district attorney acted entirely without regard to Mr. Steffens and on lines decided upon before the latter appeared on the scene.

"As to the defense, the public can rely on it that the developments of last week as to bribery and attempted bribery of jurors in the James B. McNamara case were the efficient cause of the change of pleas which suddenly brought these cases to an end. The district attorney could have had James B. McNamara's plea of guilty long ago if he had been willing to dismiss the cases against his brother, but he refused, insisting that the latter was guilty and should suffer punishment. The first proposition from those interested in the defense was that James B. McNamara should change his plea of 'No guilty' to 'Guilty' on condition that he should not be sentenced to death, and that his brother should go free. The district attorney would not agree. Afterwards emissaries from the defense brought to the district attorney the proposition that James B. McNamara would plead guilty and be sentenced to death, if the court so ordered provided that his brother should be saved. But the district attorney still would not agree. Those interested in the defense continued to urge his acceptance of the last proposition for 10 days or more, and until the bribery developments revealed the desperation of the defense and paralyzed the effort to save John J. McNamara by sacrificing his brother. Then it was that the change of the pleas of these men was forthcoming.

"The notion broached in the Steffens article that the McNamaras, in the commission of the crimes as confessed by them, are 'two heroes' is offensive to common intelligence and repellant to the conscience of all just men—to say nothing of the abhorrence of the law for such sentiment; and I am confident that the district attorney was not influenced by any such sentiment in considering the proposal that the defendants should withdraw their pleas of 'Not guilty.'

"Upon the entry of the pleas of 'Guilty' both defendants placed themselves upon the mercy of the court and the responsibility—sole and undivided—devolved upon the court to determine the punishment. That some mitigation of the extreme penalties demandable by the outraged law might reasonably be expected in consequence of the change of the pleas in these cases is in accordance with the principle commonly accepted in the administration of criminal jurisprudence. That expectation has not been disappointed in these cases. At the same time the duty of the court in fixing the penalties in these cases would have been unperformed had it been swayed, in any degree by the hypothetical policy favored by Mr. Steffens (who, by the way, is a professed anarchist) that the judgment of the court should be directed to the promotion of compromise in the controversy between 'Capital' and 'Labor.'

"The lesson taught by these cases is that the law must be rigorously enforced against all offenders—whether they be rich or poor, high or low, capitalists or laborers—and that only by obedience to the law can society be maintained and its blessings enjoyed."

SORDID ROMANCE IS REVEALED IN GOTHAM COURT

Abused Ward Said to Be the
 Daughter of Former San
 Francisco Woman

[Special Dispatch to The Call]

NEW YORK, Dec. 5.—Mrs. Estherline Virginia Evers, the stately wife of a wealthy furniture dealer, was committed to the Tombs today after pleading guilty to horse whipping her 11 year old ward, Alice Elizabeth Randolph. Witnesses testified to her extreme cruelty, saying there was no provocation.

It had been reported that the child's father was a naval officer. In court Mrs. Evers refused to reveal the child's paternity, but afterward her lawyer, Edward Mielling, said:

"I may as well tell what I know. The child is the daughter of Miss Alice Elizabeth Wilson of San Francisco, a woman of social standing at one time in that city. The mother died a few weeks after the birth of the baby. Calling Mrs. Evers to the sickroom and urging her, for old friendship's sake to care for the little one, Miss Wilson said the father was John Edmund Randolph, absent from San Francisco at that time and never seen by my client. Mrs. Evers, in the kindness of her heart, took the child and reared it as best she could. She was then on the Pacific coast visiting relatives."

Superintendent Walsh of the Children's society said tonight:

"An investigator is now in Washington to ascertain the identity of the father of the child."

Walsh said that George W. Gaze, an attorney, had information that there had been litigation over certain valuable bonds supposed to belong to the girl.

AMERICANS RECEIVE POPE'S BENEDICTION

Cardinal Farley, After Private
 Audience, Presents Friends

ROME, Dec. 5.—The pope today received in private audience Cardinal Farley, who afterward presented his suite. Cardinal Farley also introduced several American newspaper men, altogether about 30 persons. The pope spoke in a kindly way to each, Cardinal Farley interpreting. The pontiff gave each his hand to kiss and renewed his expression of paternal affection for America and his satisfaction at the gratitude shown in the United States regarding the creation of the new American cardinals. He imparted the apostolic benediction to all those presented, extending it to their families.

LOS ANGELES, Dec. 5.—Two brothers, James Barnabas and John J. McNamara, natives of Cincinnati, O., the one a slim, drop shouldered and sallow faced individual, with small eyes, and the other a broad, robust man of ruddy countenance, today felt the strong hand of justice which they long had thought to evade, the former being sentenced to imprisonment for life and the latter to 15 years in the state penitentiary.

It was the retaliatory action of the law against those lawless methods which John J. McNamara, secretary-treasurer of the International Association of Bridge and Structural Iron Workers, thought it necessary to pursue in coping with what he regarded as the all powerful opposition of capital.

Though the younger brother, James B., in formally presenting his confession to the court today, declared that he intended no murder when he placed 16 sticks of dynamite beneath the Los Angeles Times building on October 1, 1910, 21 persons being killed by the terrific explosion, John J. McNamara, recounting tonight to his attorneys his principles, broke down as he muttered that he fought against great odds in the best way he could. It was a sequel to the courtroom scene earlier today, when he received his sentence in tears of abject surrender.

Federal Jury Calls

For the crime of the Times building explosion James B. was punished; for directing the destruction by dynamite of the Llewellyn iron works, wherein no lives were lost, John J. was sentenced, yet hardly a few hours passed when the word went forth that subpoenas would be issued for both men to appear before the federal grand jury to divulge further details of their dynamiting conspiracies.

The United States government now will demand of them information concerning interstate trafficking in dynamite, which is alleged to have resulted in more than a hundred explosions of bridges and factories where labor warfare was involved.

Sheriff Hammel tonight received word from United States Prosecutor Lawler to postpone preparations for removing the McNamara brothers to San Quentin penitentiary.

Something of the same fear of terrorism brought by the explosions flitted through a crowd of nearly 15,000 persons today as it surged back and forth around the jail, expecting to see the McNamaras taken out into the open on their way to the hall of records, where previous scenes in the trial had been enacted. But the court and counsel, taking cognizance of possible lawlessness, held the final session in a courtroom adjoining the jail, and the prisoners were brought there over an interior bridge passageway.

Suspicious Aroused

"I never carried a gun before the McNamara affair started," confided Samuel L. Browne, chief of the state's department of investigation, and his detectives reported to him that suspicious characters by the scores were scattered in the crowd.

Judge Bordwell changed his mind several times, but took final precaution and held court in a small chamber beside the jail.

Outside the crowd begged for entrance. An army of policemen fought their efforts. To the hall of records, not far distant, the mass of hu-

INVESTMENT BARGAINS

Make offer for sale:
 400 McCarthy Wireless..... 52 1/2
 100 Poulsen Wireless (\$100 par)..... 815
 200 Mascot Copper..... Make offer
 25 Eng. Marconi (div.)..... \$12.50
 100 American Telephone..... \$2.00
 500 Pyramid Oil (As. pd.)..... 37 1/2
 50 West. S. Lt. Ins. Co. bargains
 35,000 Crystal Water Power Co. . . . 34 1/2
 \$1,000 Miller & Lux 5%..... 96
 \$1,000 Alcazar Theater Imp. 8%..... 90
 \$5,000 Orpheum Theater 6%..... 101 1/2
 And hundreds of other bargains. We are also in the market to buy many active unlisted securities.

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 301-7 Market Bldg., Opposite Call Bldg.
 Largest dealers in exclusively unlisted securities on the Pacific Coast. Established 1880.