

FIVE JURORS ACCEPTED; BURNS to Get Iron Workers' JUDGES EXCUSES TWO Union's Documents.

F. D. Green, Robert Bain and Byron Lisk Remain as Permanent Jurors.

Los Angeles, Cal., Nov. 8.—Five permanent jurors have now been accepted by both sides in the McNamara trial.

After the defense had peremptorily challenged five men in the box and the state two, Attorney Darrow for the defense announced today that the defense was satisfied with the five men remaining. This closed the use of peremptory challenges for the present and the examination of the remaining members of the fourth panel was resumed.

The fifth man accepted by both sides was Santuel Mendenhall, whose case was being discussed by counsel for the defense when court adjourned last night.

A sensation was created when Jurors Clark, Mendenhall and Lisk at first refused to be sworn. They consented to do so only when Judge Bordwell told them he would take up their excuses immediately.

However, Judge Bordwell reduced the number to three by excusing Jurors Samuel Mendenhall and William F. Clark.

Mendenhall was excused from service because his mother is dying, and Clark because he is suffering from heart trouble.

Judge Bordwell refused to excuse Juror Byron Lisk at this time in spite of Lisk's demands:

Los Angeles, Cal., Nov. 8.—The records and documents of the Iron Workers' union, seized in a raid at Indianapolis at the time John J. McNamara was arrested last spring, will be brought to Los Angeles for use in the Jas. McNamara trial, as soon as the federal grand jury at Indianapolis has completed its inquiry into the McNamara dynamiting charges.

This was the word received today direct from Detective William J. Burns, who is in Indianapolis for the federal grand jury probe. He declared the Indianapolis evidence will be turned over to him, and that he will bring it here in person.

Attorneys Darrow and Davis, of the McNamara defense, are bitterly disappointed and announce their intention of fighting any attempt by the state to introduce the Indianapolis evidence at the present trial. They add that, if the use of this evidence is allowed, it will be because Judge Bordwell "remains consistently unfair."

District Attorney Fredricks asserts that the Indianapolis evidence will bear out Ortie McManigal's testimony at every point.

Champ Clark wouldn't use the official automobile, and now he says he'll be dinged if he will eat in the speaker's private dining room they have fixed up at the capitol. Champ is missing a lot of comfort.