

## Further Details Of Plot To Influence McNamara Jury

**District Attorney Said to Hold Signed Statement by Wife of First Sworn Juror That Money Was Paid Her by Defense's Agent.**

**McNamaras to Be Sentenced To-morrow but Investigation of Bribery Charges Will be Pursued--Franklin's Preliminary Hearing Postponed.**

By Associated Press.  
Los Angeles, Cal., Dec. 4.—Further details were learned today of the alleged plot to influence the McNamara jury, the supposed frustration of which by the arrest of Bert H. Franklin, a detective of the McNamara defense, is said to have been an important factor in forcing a confession of guilt from the McNamara brothers.

A signed statement was declared to be in the hands of District Attorney John D. Fredericks, made by Mrs. Robert F. Bain, wife of the first sworn juror in the case, charging that \$500 was paid to her by an agent of the

McNamara defense to influence her husband to secure a discharge, if not an acquittal by the jury of James McNamara, then on trial for the fatal explosion growing out of the Los Angeles Times building.

"Yes, it is true," Bain himself is quoted as saying, "and the money given to my wife has been given to the district attorney."

A statement by the agent in the transaction also is said to be in the possession of the court.

The district attorney produced a sworn copy of testimony given by Mrs. Robert F. Bain, wife of the juror last Friday. Mrs. Bain not only told of the first meeting but recalled in detail how Franklin came to her house October 6, a few days before her husband was summoned to serve on the jury.

The district attorney declared that only one more case of bribery so far as he knew had not yet been uncovered and that the amounts in it had been similar to the Lockwood and Bain cases, so that in all about \$12,000 was promised by the defense to influence jurymen.

He said that examination of witnesses in the Franklin case would reveal the details of the alleged bribery in which Franklin took part. He said that at present no more arrests were intended but that court revelations might make it necessary to arrest persons upon whose orders Franklin is supposed to have acted.

### WEATHER FORECAST

Forecast for North Carolina:  
Fair tonight, freezing temperature in east portion; Tuesday, fair, slightly warmer in west portion.

If he would serve it would be made "worth his while."

Franklin told Mrs. Bain "they (the prosecution) were spending all kinds of money to buy witnesses and jurors, and we may as well do it, too."

Franklin is quoted as having offered to give Bain \$500 if he would qualify as a juror and \$3,500 more if he would vote for acquittal.

Mrs. Bain's statement about the Bains' relations with Franklin was made a few hours before the McNamara jury was discharged.

It is said the district attorney has promised the Bains they will not be arrested or involved beyond testifying in proceedings against Franklin.

Bain is a veteran of the civil war. He was the first juror sworn in the McNamara case.

District Attorney Fredericks says his information concerning the bribing of another juror is as well established as that in the Bain case.

Los Angeles, Cal., Dec. 4.—District Attorney John D. Fredericks today informed The Associated Press that Beert H. Franklin, a detective employ-

ed by the McNamara defense and now under arrest on a charge of attempting to bribe George N. Lockwood, a venireman, with \$4,000 actually paid to Robert F. Bain, the first sworn juror in the case \$400 and promised \$3,000 more at the end of the trial if he would vote for acquittal or cause a disagreement of the jury.

Cleveland, O., Dec. 4.—Detective Burns is somewhere in Ohio today seeking especially for information, it is believed, regarding a fund of \$1,000 alleged to have been set aside for J. J. McNamara monthly by the executive committee of the International Association of Bridge and Structural Iron Workers for organization purposes but for which he was not compelled to account.

A preliminary examination of Franklin for the alleged attempt to bribe George N. Lockwood, a venireman, by the use of \$4,000, was scheduled to take place today but a continuance for a week was expected to be asked for and granted.

The two indictments of alleged bribery—that of Bain and Lockwood—are believed not to include all the attempts to affect the verdict of the jury which has come to the attention of the prosecution and District Attorney Fredericks is given as authority for the statement that still another sworn juror had been tampered with.

When the court proceedings in the trial of James B. McNamara suddenly were halted last Friday, it was persistently remembered that tampering with the jury would result in the re-opening of examination of the men in the box and members of the prosecution admitted that such a plan was under consideration. It was not believed that the defense would surrender but the obtaining of evidence in connection with the alleged plot is said to have precipitated the confession that very day.

**McNamaras' Sentences Tomorrow.**  
The McNamaras are to be sentenced tomorrow but the work of the prosecution here to apprehend other persons involved will go on as a corollary to (Continued on Page Two.)

**CRANE DENIES HE OFFERED TO SUPPORT ROOSEVELT.**  
By Associated Press.  
Washington, Dec. 4.—Senator Murray Crane, of Massachusetts, a white house caller, today denied that he had written a letter to Col. Roosevelt offering his support against President Taft for the republican presidential nomination next year.

## JOHN D. RESIGNS AS TRUST HEAD

By Associated Press.  
New York, Dec. 4.—John D. Rockefeller resigned today as president and director of the Standard Oil Company of New Jersey.

John D. Archibald was elected president in Mr. Rockefeller's place. A majority of officers and directors who for years have been associated with Mr. Rockefeller control the Standard Oil Company of New Jersey, also handed in their resignations.

These included: William Rockefeller, vice-president and director; C. M. Pratt, vice-president; William G. Rockefeller, assistant treasurer; H. C. Folger, Jr., secretary; assistant treasurer and directors H. M. Flager, L. J. Drake and E. T. Bedford.

Mr. Archibald, the new president, also resigned as vice-president. The board of directors is reduced from 14 to 9 members.

## Counsel for Beef Trust in Washington

By Associated Press.  
Washington, Dec. 4.—The supreme court of the United States today took under consideration the application of counsel for the Chicago beef packers for a stay of their trial on charges of criminally violating the Sherman anti-trust law.

A stay and bail was asked until the court could pass on the constitutionality of the Sherman anti-trust law as a criminal statute.

Washington, Dec. 4.—Counsel for the Chicago beef packers arrived in Washington today to play their last card in the fight to obtain a stay in the trial of the packers on charges of having criminally violated the Sherman anti-trust law.

The packers' lawyers will go before the supreme court with their petition late this afternoon.

The packers seek a stay of trial until the criminal provision of the Sherman act has been passed upon.

Attorney General Wickham prepared a brief in opposition to the motion of the packers. He said a stay should not be granted where it was sought merely for the purpose of delaying the trial.

## HALF-MILLION FIRE LOSS IN JERSEY CITY

By Associated Press.  
Jersey City, N. J., Dec. 4.—Fire early today swept the plant of the United States Express Company here. Stables and other buildings occupying nearly a full city block were burned, two hundred wagons and automobiles destroyed and 300 horses perished. Two firemen were seriously injured before the blaze was under control at 4:45 o'clock. The loss probably will reach \$400,000.

## United States Troops Massed at Manila

By Associated Press.  
Manila, Dec. 4.—The United States transport Thomas arrived here yesterday and hurriedly disembarked details of various corps. The 15th infantry was kept on board awaiting orders from army headquarters at Washington to go to China. None, however, has yet been received.

Volunteers from other regiments to reinforce the 15th infantry and details of auxiliary troops are held in readiness for immediate embarkation on board the Thomas in case they are required.

## TENNESSEE SUPREME COURT CONVENES.

By Associated Press.  
Nashville, Tenn., Dec. 4.—The Tennessee supreme court convened here this morning for the middle Tennessee term. Two phases of the law prohibiting the manufacture of liquor in the state are before the court. One of the questions is the right of a distiller to manufacture for sale but not for sale in violation of the Tennessee law. The other is the right to manufacture for sale but not for sale as a beverage. In both cases LeM Motlow of a distillery at Lynchburg is defendant.

**Fire in Penitentiary.**  
By Associated Press.  
Houston, Texas, Dec. 4.—A dispatch from Huntsville, Texas, says that the state penitentiary building there caught fire today and that the flames spread with such rapidity that the business section of the town was threatened. At 1 p. m. preparations were making to dynamite the prison walls and buildings. Two hundred prisoners occupied cells, the remainder being at work on the state farm. No loss of life has been reported. Huntsville has about two thousand population.

## REP. LITTLETON DENOUNCES ANTI-TRUST LEAGUE

By Associated Press.  
Washington, Dec. 4.—A scathing denunciation of the so-called American Anti-Trust League by Representative Littleton, of New York, a democrat, was followed this afternoon by the presentation of a resolution by republican leader Mann to appoint a committee of seven members to investigate the attack on Mr. Littleton.

Mr. Mann's resolution referred to the respect in which Mr. Littleton was held as a representative and to the efforts to blacken his character. The resolution was referred to the rules committee.

A sensational development of the day was a petition by Henry B. Martin, of the Anti-trust league, for Mr. Littleton's impeachment.

**Littleton's Address.**  
Washington, Dec. 4.—Representative Martin W. Littleton of New York, stirred the house of representatives today with a diatribe against those whom he alleged maliciously defamed him because of his independent attitude as a member of the house committee of inquiry into the United States Steel Corporation. He charged that Henry B. Martin, secretary of the Anti-trust league had circulated false accusations against him, and he accused Martin of conspiring with David Lamar, a bear operator in Wall Street, to aid in the depression of Steel stock. He charged that William Jennings Bryan had "gone off half-cocked" in the commoner in his comment upon the Steel investigation.

Mr. Littleton did not demand that the house investigate his charges, announcing that he would content himself with the statement of his position and denial of the allegations against him.

Most of Mr. Littleton's speech was devoted to a defense of his position on the committee and to complete denial of the accusation that he was allied with the "trust interest." His references to Mr. Bryan were based upon the Nebraska editorial declaring that Mr. Littleton was a "thoroughgoing reactionary" and "will be retired from the committee if the house democrats really desire that democratic profession on the trust question be accepted seriously."

"The source of this article," declared Mr. Littleton, "was the lying scandal of this man Martin. I have always esteemed Mr. Bryan highly, personally, and I believe in turn he has held me in goodly respect. We have visited together often, and while there have been differences of opinion, they have not been differences of opinion which created the slightest bitterness. But even he, on the circulated falsehoods of this man Martin goes off 'half-cocked' in the commoner and assumes, first, that the chairman or any member of the committee had dared to demand my retirement from the committee; second, that the question of my retirement from the committee was before the house; and third, and most astonishing, that the question of my retirement from this committee could be settled because I dared to have any convictions of my own, to exercise any judgment, appeal to any canon of justice, or vote in accordance with any opinion of my own."

"Let me say here and now that if in my service upon a committee loyalty to my party requires me to do as I am bid, either by the corrupt alliance of Henry B. Martin or the intolerant outside influences represented by William J. Bryan, or the combined influence of both, I shall refuse to obey the mandate of my party and shall prefer to subscribe myself to the obligations of my oath."

"I have never yet come to the position internally where I shall (Continued on Page Two.)

## Charged With Murder of Five Persons

By Associated Press.  
Houston, Texas, Dec. 4.—Charged with the murder of five persons, A. H. Sheffield was brought before the criminal district court for trial today. Gus Schultz, his wife Alice, their two infant children and Walter E. Eichman, who lived at the Schultz home, were killed about March 10, 1910. The bodies were found several days later piled between two beds in a narrow room, the walls of which were bloodstained.

A window weight is said to have been used as the slayers weapon.

## TURKEY PREPARES TO SHARE IN PERSIA'S PARTITION

By Associated Press.  
Berlin, Dec. 4.—Turkey is preparing to send the sixth army corps toward the Persian frontier in response to Russia's action.

This information comes today from Constantinople. It is said the Turkish move is prompted by her desire to share in what she considers the eventual partition of Persia.



MRS. GEO. O. HAYNE

Mrs. George Osborne Hayne, wife of a former New York banker, a handsome young woman who claims to be the daughter of the long missing Archduke Johann Orth of Austria who recently appeared in a New York Police Court as a complainant against a hotel keeper whom she said had insulted her by claiming a large hotel bill. Her cause was championed by Baron Maxime de Sneyder Shottland, who brought the police court proceedings for Mrs. Hayne. Mrs. Hayne is also known as Princess Alma Vecera, and calls herself the grandniece of the Emperor Francis Joseph of Austria. The case against the hotel proprietor was dismissed in court.

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## Opening Exercises Of 62nd Congress At Noon To-day

**Practically Every Member of Both Houses in His Seat When Gavel Fell--Galleries Crowded and Hundreds Turned Away.**

By Associated Press.

Washington, Dec. 4.—Both houses of the Sixty-second congress convened at noon today. Practically every member of each house was in his seat. The galleries were crowded and hundreds of people were unable to gain admission.

The expected speech of Representative Littleton of New York regarding the Steel Trust question was the sensational incident featuring the opening day of congress.

**In The House.**  
Washington, Dec. 4.—Biggest interest in the house of representatives today centered in an address on a question of personal privilege by Representative Martin W. Littleton, of New York.

Mr. Littleton arrived at the capital early, determined to declare himself against Henry B. Martin, secretary of the anti-trust league, who he charges has circulated falsehoods concerning his attitude on the Steel trust committee. Last night in Washington Martin attacked Littleton in a public speech, reiterating his charge that the congressman was a "trust ally."

Republican members this morning declared Representative Young of Michigan, another member of the steel committee, also would demand the floor, since the secretary of the anti-trust league included him in his attack last night.

That Mr. Littleton's address would refer not only to the assaults upon him and this "trust ally" but would also ring with some ideas about "progressives" and "reactionaries" in politics, was early rumor about the capital.

William J. Bryan recently called Mr. Littleton a "thorough going reactionary" and the representative from New York is known to have been considerably perturbed over that statement.

The capital was the mecca of thousands early in the day. The house, owing to political excitement among the democrats over the steel committee controversy, was the center of attraction.

There was a flurry in the house just before it was called to order, caused by the distribution of copies of a local newspaper which featured news of a mass meeting at which Representatives Littleton and Young were attacked by Henry B. Martin, of the American Anti-Trust League.

A copy was laid on the desk of each member of the House. Instantly Mr. Littleton indignantly rushed to the speaker's office and demanded to know by what right these copies had been allowed distribution in the house chamber. The copies were ordered immediately gathered up and taken from the chamber.

Speaker Clark looked over the crowd before he took his place. "I wonder where he is?" he murmured, gazing intently at the big clock opposite the speaker's table.

"Who?" asked a clerk. "An old regular," answered the speaker. "He's a colored man. He has sat next to the clock at the opening of congress for every session in the last sixteen years. He must be dead."

The senate was in session only 17 minutes. A committee was appointed to notify the president that the senate was in session.

Hoke Smith and Obediah Gardner, the new senators from Georgia and Maine, respectively, were sworn into office and Charles Curtis, of Kansas, was unanimously elected to serve as president pro tempore until next Tuesday, December 12, to permit Vice President Sherman to attend the funeral of Mrs. Sherman's mother in Utica, N. Y.

On motion of Senator Bailey the daily hour of meeting was fixed at 2 o'clock and the senate adjourned until that time tomorrow.

Representative Sulzer introduced a

**Sensation of Opening Day Speech by Martin Littleton in Reply to Criticism of His Position on Stanley Committee.**

**SENATE.**

Convened at noon. Committee appointed to notify President that Congress was in session.

Senator Smith, Georgia, and Gardner, Maine, sworn in. Senator Curtis elected to serve as president pro tempore till December 12.

Meeting hour fixed for two p. m. daily. Adjourned at 12:17 p. m. until Tuesday at 2 p. m.

**HOUSE.**  
Committee to notify President that Congress was in session appointed. Representative Littleton, on point of personal privilege, answered attacks upon him charging him with being a "steel trust ally."

Estimates amounting to \$745,334.53 for the fiscal year were submitted for appropriation legislation.

joint resolution providing for the abrogation of the 1832 treaty with Russia. Five new members, including McKellar of Tennessee, were sworn in.

Scores of bills and resolutions were introduced, including proposed repeal of the anti-trust and Canadian reciprocity laws.

A resolution of Republican Leader Mann appointing a committee to investigate the attack on Mr. Littleton, was referred to the rules committee.

A resolution of condolence on the death of Representative Madison, of Kansas, was adopted.

H. B. Martin of the American Anti-Trust league, presented a memorial asking impeachment and expulsion of Representative Littleton.

Adjourned at 2:18 p. m. until noon tomorrow.

Senator-elect Hoke Smith of Georgia and Gardner, of Maine, were ready to be sworn into office today when the senate convened. Aside from this routine there was little feature of interest in the senate's proceedings. Crowds at the capital looked to the house for excitement attending the opening of congress.

## Asks \$225,000 for Tariff Board

By Associated Press.  
Washington, Dec. 4.—In the department estimates submitted to congress today \$225,000 is asked for the maintenance of the tariff board for the coming fiscal year.

Democrats of the house who fought the creation of the board and have announced their intention to carry on tariff revision independently of its recommendation, are reported to be planning an attack upon this appropriation.

## BIG VICTORY IN COAL LAND FRAUD CASES

By Associated Press.  
Washington, Dec. 4.—The government today won a sweeping victory in its campaign against Alaska coal land frauds when the supreme court of the United States decided that a person or association is limited to one coal land entry in Alaska. Accordingly the court held valid the indictment charging Charles W. Munday and Archie W. Shields with land fraud conspiracy.



FIGURES IN THE McNAMARA CASE

From left to right are John J. McNamara, secretary treasurer of the International Association of Bridge and Structural Iron Workers, Attorney Joseph Scott, and James B. McNamara. The picture shows the two brothers, who pleaded guilty to the charges of dynamiting in consultation with their attorney just prior to their taking the plea that will send one of the brothers to prison for the rest of his life, and give the other a sentence of probably fifteen years.

McNamara defense to influence her husband to secure a discharge, if not an acquittal by the jury of James McNamara, then on trial for the fatal explosion growing out of the Los Angeles Times building.

"Yes, it is true," Bain himself is quoted as saying, "and the money given to my wife has been given to the district attorney."

A statement by the agent in the transaction also is said to be in the possession of the court.

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He said that examination of witnesses in the Franklin case would reveal the details of the alleged bribery in which Franklin took part. He said that at present no more arrests were intended but that court revelations might make it necessary to arrest persons upon whose orders Franklin is supposed to have acted.

Franklin came to her house that night but she was not there. When she came home she said she asked her husband what had happened. He replied, the report says, that he had told her but that he wished he had never gone into Franklin's proposition.

Mrs. Bain says she told her spouse he could be disqualified and be \$400 to the good; and Bain replied that such a proceeding would not give him back his honor.

Then Franklin is alleged to have asked whether he would dare "approach" Bain. Mrs. Bain says she advised him not to attempt it then, she said she was "weak enough to consent" to try to bribe her husband.

Mrs. Bain said that what passed between her and her husband, "God only knows" but that finally Bain agreed to



GOVERNORS TOURING THE EAST

From left to right are: Governor Adolph O. Eberhart of Minnesota; Gov. Edwin L. Norris of Montana; Gov. Charles S. Deneen, of Illinois; Gov. John Burke, of North Dakota; Colonel B. Brown, J. H. Hawley, Gov. Robert S. Vessey, of South Dakota; President Wheeler of the Chicago Association of Commerce; Gov. J. N. Carey of Wyoming and the Hon. Tom Richardson. The above governors of the Western states are on their way East for the purpose of brining East and West in closer contact. They occupy a unique special known as the "Governor's Train." Eight states are represented.