

The Daily Capital Journal

VOL. XXI.

SALEM, OREGON, MONDAY, APRIL 24, 1911.

NO. 97.

RAILROAD LAND GRANT DECLARED FORFEITED

ARREST M'NAMARA AND M'MANIGAL ON CHARGE OF DYNAMITING TIMES

ACCORDING TO DETECTIVES WERE "CAUGHT WITH GOODS" ARREST MADE IN DETROIT

Detectives Claim That When Arrested James McNamara and Ortie McManigal Had in Their Possession Electric Batteries, Nitro-Glycerine, Automatic Pistols Clock Work for Firing Bombs and General Outfit of Anarchistic Weapons and Supplies.

[UNITED PRESS LEASED WIRE.] Chicago, April 24.—The arrest of James W. McNamara and Ortie McManigal occurred in Detroit several days ago but was kept secret until the arrest of John J. McNamara in Indianapolis, the police here admit. The arrest was made by Raymond J. Burns, son of William J. Burns, and representatives of the Chicago detective bureau. The men were arrested as they left a Detroit hotel where the detectives assert they had just checked a suit case containing explosives intended to be used in a "job" in Detroit. Since the arrest of the men, however, they have not been allowed to talk with newspaper men or to outsiders, and the details of the arrest are only those given out by the police.

Say McManigal Talked. McManigal is said to have proved talkative from the time of his arrest. He was told by the police that he and McNamara were wanted for a safe robbery and that it was said to have occurred on a night when McManigal visited a shoe store with his wife. He is said to have laughed heartily at the "iron bound alibi" he could present and agreed readily to go to Chicago. McNamara is said to have been very quiet and apparently was somewhat worried. He consented to go to Chicago but is said to have repeatedly asked the officers about the specific charges against him. The detectives assert that the men went to Chicago more freely because they knew that the explosive alleged to have been found in their baggage at the hotel, would have made their situation in Detroit extremely awkward if they had protested against extradition. The men themselves have not been inter-

SHACKLED TO THE TWO BURNS MEN

ALLEGED DYNAMITERS ARE ON THEIR WAY TO LOS ANGELES—IN THEIR PRESENT CONDITION THEY ARE CERTAINLY IN BAD COMPANY.

Topeka, Kan., April 24.—James and John McNamara and McManigal, the alleged dynamiters, passed through here on Santa Fe train No. 3 at 11 o'clock today. The two men were shackled to two detectives of the Burns agency, and were locked in a compartment of the Pullman car Carrizo.

Every one was excluded from the compartment. The train men said the detectives refused to discuss the case and the prisoners were not given an opportunity to do so.

Detective Beddinger rode in the baggage car, guarding cases believed to contain the explosives and mechanical devices which are alleged to have been used by McNamara and McManigal.

viewed on this subject, having been held under close surveillance in Chicago since their arrest in Detroit April 12.

A Detective Case Only, So Far. "Burns has been working on this case for five months," said Captain of Detectives Stephen Wood today. "Two men have been working for two months. The reports of their investigation came to me and there is no question in my mind but that the evidence is conclusive. The men were professional dynamiters with ample funds and employed by men of considerable influence. They received aid from many persons in all parts of the country. The inference is clear.

"I had a long talk with McNamara and I am sure he is nothing more or less than an anarchist. He talks anarchistic ideas and principles, and believes in 'sabotage,' which is being used by the anarchistic laborites of Europe in the fight against their employers. 'Sabotage' is McNamara's constant expression. As you know, the wooden shoe of the French peasant is called a sabot and they make a terrible weapon in a fight. That is the origin of 'sabotage.' The Los Angeles authorities have all our information on the case and I am convinced they will have no difficulty in convicting their men."

Lawyer Rogers in It. Earl Rogers, the "lawyer-detective" who worked on the case directly after the Los Angeles catastrophe, left today for Los Angeles. Rogers has been for three weeks in Chicago and Indianapolis. It is not known here whether he was in touch with Burns and his operatives, but it is believed by the police here that he was.

Rogers was connected with the case after General Otis and some of the members of the Los Angeles "M. & M." objected to the employment of Burns. Rogers is said to have had the sum of \$500 per day at his disposal when the hunt was on.

It developed here today that after the Times explosion a \$10,000 reward was offered for information and secrecy was promised. It is reported that the arrests of the McNamaras and McManigal were caused through someone connected with the trio turning traitor.

Detective Woods Talks. Chief Detective Wood, elaborating more fully on the case, went on to say:

"Half a dozen times in the last two months McManigal might have been arrested, but the detectives wanted to get him with McNamara, when they had 'the goods.' Finally they succeeded. When McManigal and James W. McNamara were arrested in Detroit they had with them clock-work for firing the bombs, electric batteries fuses, automatic pistols, rifles equipped with Maxim silencers and the 'soup' (nitroglycerine) with which the devastation was wrought."

Describes the Men. Wood also furnished descriptions of Matt Schmidt and David Caplan, the other two men wanted in the Los Angeles explosion. He said Schmidt was a German-American, five feet 10 inches tall and weighing 190 pounds.

The police here blame McNamara for the disappearance of 200 pounds

(Continued from Page 4.)

Burns Grabs Grip.

Toledo, O., April 24.—Detective William J. Burns, at noon today, seized a grip at the union depot here, which, he declares, belongs to one of the three union men arrested in connection with the Los Angeles Times explosion. The grip was at once taken to the central police station, where its contents were examined.

SMALL DOG LED THEM TO PLACE

Fox Terrier Belonging to C. W. Baker, Who Is Believed to Have Been Murdered, Acts Queerly, and Is Followed.

HE LEADS PARTY 20 MILES

But Goes Directly to Spot Where There Is Blood, Strands of Hair and Evidence of a Fearful Struggle—Officers Think Baker Was Murdered, Here and His Body Hauled to the River in a Wagon—Dog's Testimony Deemed Conclusive.

[UNITED PRESS LEASED WIRE.]

Chico, Cal., April 24.—Led 20 miles across the valley to Middle Glenn county plains by a fox terrier dog belonging to G. W. Baker, who is believed to have been murdered and thrown into the Sacramento river near here, detectives in an automobile today found the spot where the Redding mountaineer is believed to have been slain. Investigation disclosed strands of hair, clots of blood, and the ground have evidence of a fearful struggle. The police now believe that Baker was murdered at this spot and his body in his own wagon driven 20 miles to the river, where it was made way with.

Marion D. Baker, a brother of the mountaineer, yesterday asked if the fox terrier had found near Baker's wagon. Finally a bridgester was found who said that he had seen a little dog run across the bridge several times from the spot where Baker's body is supposed to have been thrown into the water. Yesterday the dog returned to the river bank and whined. Officers watching the dog, saw it run to the river's edge, sniff the bank and run away across the bridge. The officers followed the fox terrier and after an all night ride they were led to the lonely spot in the Middle Glenn county plains.

YALE'S SPRING MEET OPENS THE SEASON

[UNITED PRESS LEASED WIRE.] New Haven, Conn., April 24.—Yale's annual spring track meet opened the outdoor athletic season here today. Later the athletes will go to Philadelphia to compete in the Pennsylvania relay games. Dual meets will be held at Princeton May 6 and with Harvard here May 13.

CONVICTED FOR VIOLATING 10-HOUR LAW

Labor Commissioner Hoff is just back from Portland where he was successful in bringing about a conviction for violation of the 10-hour law relating to the employment of women and also in an arbitration case with regard to the installation of blowers in all planing mills in the state.

The labor commissioner some time ago made an order directing the mills

SOUTHERN PACIFIC LOSES LANDS DECISION AGAINST IT ON ALL POINTS

Papers Issued a Week Ago.

Sacramento, Cal., April 24.—The requisition papers for the alleged extradition of the Los Angeles dynamiters were signed by Governor Johnson a week ago today.

They were made out on the strength of the indictments brought by the Los Angeles grand jury, just as requisitions for any other law-breakers would have been.

Alexander McCabe, private secretary to the governor, said that Governor Johnson had made a practice of issuing such instruments whenever a grand jury indictment could be shown.

[UNITED PRESS LEASED WIRE.] Portland, Ore., April 24.—In its suit for the recovery of 2,500,000 acres of land, valued at \$75,000,000, from the Southern Pacific railroad, Judge Wolverton, in the United States circuit court, today rendered a decision finding for the government in every contention.

The land is located in Western and Southern Oregon, and follows the line of the railroad through the southern part of the state. The decision, to all intents and purposes, throws out of court both the cross complaints and interveners in the suit, which include 65 settlers who claimed rights to portions of the land involved in the action.

REWARDS ARE BADLY SHRUNKEN

ANNOUNCEMENT THAT THE REWARDS WILL NOT BE PAID MAY CAUSE SO-CALLED DETECTIVES TO GET CASE OF COLD FEET.

[UNITED PRESS LEASED WIRE.]

Los Angeles, Cal., April 24.—With the announcement of the arrest of the trio of Times dynamite suspects in Indianapolis, the rewards said to have been offered locally for the capture and conviction of the guilty parties have shrunk considerably.

Investigation today shows that Detective Burns and his assistants stand a chance of receiving \$500 or possibly \$15,000 in the case the men under arrest at present are convicted. Following the explosion it was widely published that \$100,000 would be paid for the capture of the dynamiters. The Merchants and Manufacturers' Association offered \$50,000 alone. The association will not pay this, according to F. J. Zeelandelaar, association secretary.

"The reward reported to have been offered by our association never was made officially," said Zeelandelaar. "Then the association has no reward outstanding for their capture?" Zeelandelaar was asked.

"Not a cent," he replied.

The city council of Los Angeles offered \$10,000 reward, but the city attorney has ruled that the action was illegal.

The State Building Trades Council offered \$7500. It is not known what stand the council officials will take.

Los Angeles county offered \$5000 each for the capture of Bryce, Schmidt and Caplan. If McNamara proves to be Bryce, as Burns says he is, the sheriff said today that \$5000 will be turned over to him.

STEAMSHIP ASIA ASHORE AND WRECKED

[UNITED PRESS LEASED WIRE.]

Shanghai, April 24.—The Pacific Mail company's steamer Asia is ashore today, a wreck, 200 miles south of here. All the passengers and crew were saved. The United States gunboat Helena has been sent to the scene of the wreck.

AN AREA OF 2,500,000 ACRES AND VALUED AT \$75,000,000 RETURNS TO GOVERNMENT

Judge Wolverton, of the United States Circuit Court Sustains Every Contention of the Government—Railroad's Contention Is That Government Had No Right of Fix the Price at Which the Lands Should Be Sold, But Neither the Law Nor Judge Was With Them.

[UNITED PRESS LEASED WIRE.]

Portland, Ore., April 24.—In its suit for the recovery of 2,500,000 acres of land, valued at \$75,000,000, from the Southern Pacific railroad, Judge Wolverton, in the United States circuit court, today rendered a decision finding for the government in every contention.

The land is located in Western and Southern Oregon, and follows the line of the railroad through the southern part of the state. The decision, to all intents and purposes, throws out of court both the cross complaints and interveners in the suit, which include 65 settlers who claimed rights to portions of the land involved in the action.

Railroad attorneys declared that, in any event, the case would be carried to the supreme court of the United States. Judge Wolverton began reading his decision shortly after 10 o'clock. The decision comprised 25,000 words.

Congress Fixed Terms.

When congress gave the land grant to the Oregon & California railroad, since absorbed by the Southern Pacific, it provided in the grant that the company should sell it to actual settlers in tracts not to exceed 160 acres to each settler and at a price of not more than \$2.50 an acre. This was done with a view of bringing about a rapid settlement of Oregon.

Railroad Violated Them.

The government alleged, however, that as much as 1000 acres of land was sold to single individuals, in direct violation of the contract, and the government in September, 1903, took action, asking for cancellation of the patent of the tract.

Previously A. W. Laferty, now a congressman, had filed suit against the company asking that title be given to 65 persons, who asserted they had settled on the tract, and had been refused title. In its action the government included these people in its suit for recovery.

Railroad Ignored the Law.

The suit is based upon two grants to the Oregon & California railroad.

prised 25,000 words, and it required three hours to render it.

A Long Decision.

Portland, Ore., April 24.—As the result of Federal Judge Wolverton's decision in the famous Southern Pacific land grant case involving 2,500,000 acres of land in Southern and Western Oregon, valued at \$75,000,000, proceeded in court this forenoon indications were that his decision would be against the railroad company and the 65 settlers who claimed right to the land from the railroad company.

Railroad attorneys declared that, in any event, the case would be carried to the supreme court of the United States. Judge Wolverton began reading his decision shortly after 10 o'clock. The decision comprised 25,000 words.

Congress Fixed Terms.

When congress gave the land grant to the Oregon & California railroad, since absorbed by the Southern Pacific, it provided in the grant that the company should sell it to actual settlers in tracts not to exceed 160 acres to each settler and at a price of not more than \$2.50 an acre. This was done with a view of bringing about a rapid settlement of Oregon.

Railroad Violated Them.

The government alleged, however, that as much as 1000 acres of land was sold to single individuals, in direct violation of the contract, and the government in September, 1903, took action, asking for cancellation of the patent of the tract.

Previously A. W. Laferty, now a congressman, had filed suit against the company asking that title be given to 65 persons, who asserted they had settled on the tract, and had been refused title. In its action the government included these people in its suit for recovery.

Railroad Ignored the Law.

The suit is based upon two grants to the Oregon & California railroad.

(Continued on page eight.)

IF we can prove to you that our clothes are the best clothes---shouldn't you take the trouble to put us to the test?

We believe truly that if every man in this town wore BISHOP'S READY TAILORED CLOTHES, they would be more pleased with themselves.

COME in and look over the new season styles---let us explain to you why these are really good clothes.

Prices \$10 to \$35
Salem Woolen Mill Store