

Mooney Is Given Full Pardon By Governor Olson Following 22-Year Battle for Freedom

Courtroom crowded to hear his final appeal.

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Billings, convicted with Mooney, was innocent. However, since Billings is a two-time offender he cannot be released by the Governor without the approval of the State Supreme Court.

Arrives With Warden

Mooney arrived in a prison automobile with Warden Court Smith of San Quentin. A large crowd cheered as he alighted from the car.

Policemen were everywhere. Unlike the usual procedure when a prisoner makes a public appearance, they were not there to prevent an escape but to protect the prisoner from attentions of hysterical well-wishers.

The staid Assembly Chamber had been transformed into something closely resembling a movie set.

All night workmen were busy, erecting a special platform for newsreel cameras, laying wires for sound equipment, placing spotlights to illuminate the rostrum.

Prepares for Speeches

Mooney emerged from prison shortly before 10 a.m. (*Indianapolis Times*). He had checked out officially, taken his belongings, said good-bye to guards and fellow prisoners, exchanged prison number 31-221 for his name and scheduled a series of speeches and public appearances for the next few days.

Mooney had spent his last day in prison according to those who had been his companions. He had breakfast with Matt Schmidt, who arrived in 1917 for dynamiting the Los Angeles Times Building. Later he called on each member of the prison staff. He had a pass enabling him to go about the prison as he pleased. He gathered up what possessions remained, having previously sent out 15 bags of letters and documents, and changed his prisoner's garb for a gray, pin-striped suit that had been tailored for him. He retired at 8 o'clock last night and was up before 5 a.m. today.

Prison Is 'Excited'

There was an undercurrent of excitement in the prison over Mooney's departure, although the hum of the jute mills and the tramp of men marching between their cells and tasks went on as usual.

The first person in line outside to greet Mooney was Mrs. Rena Mooney, who had worked unfalteringly in his defense while his case was argued in the courts and legislative halls of the State and Nation and carried successfully and in vain before five California Governors and three times to the United States Supreme Court. She had lived frugally in San Francisco, earning her way as a music teacher and using all the money she could save for her husband's comfort in prison and for his lawyers.

With Mooney exonerated, the bombing became officially unsolved. Prominent among Mooney's defenders have been the late Clarence Darrow, the late Dr. David Starr Jordan of Stanford University; Rabbi Stephen Wise of New York; the Rt. Rev. Edward J. Hanna, former Catholic Archbishop of San Francisco, and the Rt. Rev. Edward L. Parsons, Episcopal Bishop of California.

Holds Union Card

Mooney retains his membership in the Molders' Union of the American Federation of Labor, but the A. F. of L. and the Congress for Industrial Organizations forgot their differences in celebrating his release. They planned a tremendous celebration starting immediately after Governor Olson's inaugural barbecue this afternoon, which Mooney will attend after his return from Folsom.

Mooney said he would devote the rest of his life to the labor movement and to fighting for Billings' release. He calls Billings the "forgotten man" in the case.

Plans call for a parade in San Francisco Sunday down Market Street and Stewart Street intersection where the bomb exploded. Mooney has rejected offers of automobiles and will walk in the parade.

There will be parades and celebrations tomorrow and Tuesday night Mooney will speak on a national radio network.

The circumstances which led to his imprisonment, together with Billings, form a long story.

The two were convicted of participation in a parcel bombing that took the lives of 10 persons and injured a score or more.

Mooney and Billings contend they were acting under pressure, that the pawns in San Francisco forced the prosecutor to find a "goat" for the affair, and they became the victims.

Billings in Folsom

Billings, whose previous record carried conviction, was sent to Folsom Prison. Less aggressive than Mooney, the younger man has been content in recent years to make periodic applications for parole and voice his protestations of innocence.

But Mooney has never stopped fighting. He has declared that only an unconditional pardon will satisfy him.

Aided by a defense committee, Mooney has carried his battle for freedom to the world. He has made personal appeals before the State Supreme Court and California Legislature. His attorneys have appeared before the U. S. Supreme Court, which has declined to pass on the case.

Mooney has publicly stated he is pinning his faith in Gov. Olson's belief in his innocence. The new Governor, as a State Senator, argued for a legislative pardon for the prisoner, stating his opinion that the evidence in the case was perjured.

Talked for Four Hours

In his appearance before the Legislature last March, the little gray-haired prisoner stood for four hours and recited his story of what he alleges was the "frame-up" which sent him to San Quentin.

He attacked the integrity and

Chronology of Famous Case

By United Press

July 22, 1916—Ten killed, 40 hurt, when bomb exploded at Stewart and Market Streets, San Francisco, during Preparedness Day parade.

July 23, 1916—Warren K. Billings, Edward Nolan and Israel Weinberg arrested, and it became known that Thomas Mooney was sought.

July 27, 1916—Tom and Rena Mooney arrested. Indictments followed against the five.

Sept. 11, 1916—Billings tried and convicted. Sentenced to life. Nolan stayed in jail nine months; released on bail; charges dismissed. He was suspected of having made the bomb. Weinberg, who was supposed to have driven Tom and Rena Mooney and Billings to the place where the bomb exploded, was acquitted.

January—February, 1917—Mooney tried; sentenced to hang May 17; appealed.

April 23, 1917—Judge Franklin Griffin, who heard the evidence in Mooney's case wrote State Attorney General U. S. Webb, asking him to petition the State Supreme Court for a new trial for Mooney. Webb did so.

May 11, 1917—President Wilson asked Governor Stephens to postpone date of execution. This was found necessary because of pending appeal action and the date was reset for Aug. 23, 1918.

June 11, 1917—Rena Mooney went on trial for murder; acquitted; held in jail for trial on second indictment; released on \$15,000 bail after 22 months in jail. Charges later dismissed.

Sept. 11, 1917—State Supreme Court denied Webb's motion for a new trial.

Sept. 21, 1917—President Wilson sent a Federal Commission, headed by Secretary of Labor William W. Wilson, to San Francisco to investigate the case.

Jan. 16, 1918—Wilson Commission report unanimously favored new trial for Mooney.

Jan. 22, 1918—President Wilson wrote Governor Stephens asking that Mooney be granted a new trial. The Governor took no action.

March 26, 1918—President Wilson again asked Governor Stephens to grant Mooney a new trial.

June 5, 1918—The President repeated his request. Nothing was done.

Aug. 23, 1918—Date set for Mooney's death, which again had been postponed and set for Dec. 13, 1918.

Nov. 1, 1918—J. B. Densmore, director-general of the Federal Employment Service, who had been directed by the Secretary of Labor to conduct another investigation of the Mooney case, made his report.

Nov. 18, 1918—U. S. Supreme Court, without comment, refused to review the Mooney case.

Nov. 28, 1918—Governor Stephens commuted Mooney's sentence to life imprisonment.

April 21, 1921—Byron Parker, an attorney, attempted to reopen the case by filing a writ of audita querela. The Superior Court refused to allow the new trial and the case was pending in the Appellate Court when Mooney asked that it be withdrawn.

Dec. 1, 1930—California Supreme Court denied Mooney's parole plea.

March 3, 1931—Mooney filed another pardon application. James J. Walker, then Mayor of New York City, entered the case.

Nov. 24, 1931—James J. Walker arrived in San Francisco to plead for Mooney and Billings.

April 21, 1932—Governor Ralph denied pardon.

May 22, 1933—Mooney went on trial on second murder indictment in Preparedness Day bombing.

May 24, 1933—Court directed jury to return verdict of guilty.

May 7, 1934—Mooney applied for writ of habeas corpus in Federal District Court of Northern California.

May 17, 1934—Judge A. F. St. Sure denied writ.

Jan. 21, 1935—U. S. Supreme Court in unanimous decision, refused to accept jurisdiction of the case.

April 12, 1935—Judge Edward J. Butler denied writ.

April 29, 1935—Writ of habeas corpus sought in District Court of Appeals.

May 14, 1935—Writ denied.

May 30, 1935—Petition for writ taken to California Supreme Court.

June 17, 1935—Petition granted.

Sept. 24, 1935—Mooney and Billings reunited for first time in 19 years at writ hearing before Supreme Court.

Oct. 14, 1935—U. S. Supreme Court declined to interfere in case.

March 10, 1937—California Assembly adopted resolution to pardon Mooney.

March 17, 1937—California Senate defeated pardon resolution.

March 19, 1938—Mooney makes unprecedented appearance before California Legislature.

March 11, 1938—Capt. Charles Goff of San Francisco Police Department offers rebuttal testimony before Legislature. Assembly approves pardon resolution.

March 12, 1938—Pardon resolution defeated in State Senate.

Oct. 10, 1938—U. S. Supreme Court denies writ of certiorari to review case.

Dec. 5, 1938—U. S. Supreme Court refuses to accept original petition of habeas corpus.

Dec. 12, 1938—U. S. Supreme Court reiterates refusal to review case.

Jan. 7, 1939—Governor Olson grants full pardon to Mooney.

character of half a dozen trial witnesses, terming some of them "prospects, psychopathic cases and jailbirds." The prisoner recounted details of the parade and once more declared he was on the roof of the Ellers music building on Market St. in San Francisco, witnessing the parade when the explosion occurred.

He charged the late Charles M. Pickert, former San Francisco prosecutor, with responsibility for "prosecuting and framing my case."

"I want it understood," he added, "that at the time I was in dispute with major labor leaders of San Francisco, not so much because I was a Socialist, but because I was a militant, aggressive labor unionist."

Despite the prisoner's eloquence however, the Senate upset the legislative pardon resolution by rejecting the move after it had been approved by the Assembly.

Lack of Authority Cited

Opponents contended the body was without authority to pardon Mooney and that the action would be a mere political maneuver.

Mooney was born in Chicago in 1883. His father was a coal miner, born in Indiana. His mother came to the United States from Ireland.

Although few details of his early life are known, Mooney was an iron molder by trade and worked at odd jobs in various states. Police records state he at one time was a passenger on the "Red Special" train which carried labor agitators on a tour of Europe.

Billings was convicted and sentenced to life imprisonment at Folsom. Mrs. Mooney and Billings were acquitted. Nolan was released without trial.

Oxman Star Witness

Mooney was convicted after a long and bitter trial in which the testimony of McDonald and Frank Oxman, "the honest cattlemen," played an important part. McDonald repeated his story, while Oxman, who said he had been visiting Woodland, Cal., testified he was at the parade and saw Weinberg drive a " jitney" containing Mooney, Mrs. Mooney, Israel Weinberg, a taxi cab driver, and Edward Nolan, an official of the machinists' union.

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Chief Point in the Mooney defense

was a series of photographs showing the Mooneys stop the Ellers building, more than a mile from the scene of the blast. The pictures showed a clock in the background indicating the time, but the prosecution charged the photographs had been retouched.

Suddenly, there was a deafening roar. The brick wall of the saloon collapsed. Earth and paving brick hurtled into the air, falling on the Ellers building, more than a mile from the scene of the blast. The pictures showed a clock in the background indicating the time, but the prosecution charged the photographs had been retouched.

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Armory Murals Depict Major U. S. Sea Battles



Murals by Charles E. Bauerley, 4009 S. Meridian St., decorate the new Indianapolis Naval Armory. They depict the major naval battles in American history. Mr. Bauerley is shown with the mural recording the arrival of the U. S. destroyers at Queenstown in 1917.



PRESS OLD-AGE AND VOTE BILLS

Indiana Senate Will Seek Primary Extension to All State Offices.

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in labor's program, is to carry an appropriation to pay for its administration, the measure must originate in the lower chamber.

Senator White described the election bills, two of which already have been acted on favorably by committee.

There had been a "leak" from the Governor's Special Liquor Law Study Commission report to the Democratic caucus.

"There couldn't have been a leak because the (Democratic bill drafting committee) had decided on the main points of our bill Dec. 28." This was the day the Commission began its hearings.

Charges there had been a "leak" followed published reports of the Democratic caucus' action a few hours before the Study Commission made its report to Governor Townsend.

Provisions of the two were so similar that Chairman W. H. Settle of the Commission said, "you would assume the caucus had access to the Commission's report before it had been given the Governor." He termed it "a case of political maneuvering pure and simple."

Senator White said "we both evidently arrived at the same end independently."

CONTAINS 4 Main Points

The Democratic Senators' bill, Senator White said, probably will be confined to four major points:

1. Repeal of importer system.

2. Lift restrictions on number of beer wholesalers.

3. Appropriate funds to conduct an education and temperance campaign.

4. Give any qualified wholesaler permission to import beer.

Rep. Everett M. Dirksen (R. Ill.) also on the Appropriations Committee, said:

"The people are for national defense. Last session there was a disposition by some in Congress to challenge the good faith of the general and admirals. I think these experts will be treated with more deference this year, in view of developments abroad."

Rep. Charles A. Wigglesworth (Mass.), second ranking Republican on the Committee, said:

"I am hoping," the conservative leader said, "that Mr. Hopkins in his new job will make some discoveries as to commerce and industry, because he has spent his life in other matters."

Senator Bailey asserted that he would not permit his personal views upon Mr. Hopkins to influence his judgment at the Committee's hearings upon the nominee. Seeking to expedite consideration of the appointment, he summoned his Committee for a Monday meeting.

Whatever is Necessary