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SWITCHMEN ARE HURT IN COLLISION

R. E. Cook and H. E. Sullivan, local switchmen were quite badly injured yesterday afternoon, when they were crushed between the switch engine and an automobile driven by M. A. Marmion, which was struck at the Mosher street crossing.

According to railroad officials who investigated the accident, the switch engine was engaged in moving cars in the yard and had just stopped on the Mosher street crossing. As it started up again, Mr. Marmion attempted to go around the locomotive. He was too late, however, and tried to avoid a collision by swinging as far across the intersection as possible.

The two switchmen were on the foot board of the engine and when they saw the collision coming Sullivan grabbed the emergency valve and applied the air or the accident would probably have been fatal. As it was the two men were caught between the locomotive and the fender of the auto, and their legs badly bruised and lacerated. They were taken to the office of Dr. Hoover, the company physician, where their injuries were treated, and were then removed to their homes. Mr. Marmion's car was quite badly damaged.

HEAT IN EUGENE TOUCHES 98 MARK

EUGENE, July 23.—This city was sweltering under heat waves in the shade, yesterday, when the thermometer at two o'clock this afternoon the mercury is continually rising. Yesterday's maximum was 80.

Forest officials are deeply concerned over the relative humidity which today hovers at 55 degrees, with prospects of dropping.

B. P. O. E. NOTICE.

Dance at Elks Island next Thursday evening, July 25. All Elks and their families urged to be present. This will be the opening dance at the island. Music by the famous Blue Devils.

Flood Will Lecture on Latin Races.



Prof. J. C. Flood.

Prof. J. C. Flood, of the University of California, has returned from Europe, where he will lecture on the Latin races.

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"THERE'S MILLIONS IN IT."

MORE ABOUT FRANKS

(continued from page 1)

sation by pleading guilty to it. That was concluded by the fact that the two former students were brought from the county jail through a corridor connecting the jail and court building. Thence, by an elevator to the "bull pen" where they were kept until the court was ready to open.

The outside crowd, therefore, had to be satisfied with watching for other characters in the drama. They looked for Mr. and Mrs. Jacob Franks, parents of the 14 year old youth whom Leopold and Loeb slew; for Clarence S. Darrow and Benjamin Bachrach, counsel for the defendants; for Robert E. Crowe, state's attorney and his four assistants.

They looked, too, for Nathan Leopold, Sr., father of the youth whose attainments have earned the title "master mind criminal." They sought a glimpse of Jacob Loeb, uncle of the other defendant and former president of Chicago's board of education. And above all, they sought to identify Judge Caverly, on whose shoulders has been thrust the burden of determining whether the two young men shall die for a horrible crime or expiate their sins to society by passing their mortal future behind prison bars.

Up on the sixth floor of the court building where Judge Caverly holds court there was an almost startling quiet.

Those privileged to enter the room passed quickly and quietly beyond the outer guards to places within a big sunlit room whose windows, facing south and west, were flung wide to admit what summer breeze was stirring.

There was a subdued hum in the room which rose to a murmur and then to an open clatter of tongues as the room filled. A half hour before the time set for opening the trial not half the seats reserved for spectators were occupied and only state's attorney Crowe, of all the chief figures, had appeared in court.

But there were newspaper men of every degree in plenty. Telegraph operators, writers and camera men, male and female, hurried into their reserved places and started the accounts of scenes and developments designed to tell the world of the progress of the case.

A steel safe containing the exhibits which the state will offer for the information of the court was wheeled into the room. Atop it was a bunch of boards, the bloodstained flooring of the automobile in which young Franks was done to death, what remained of the boy's clothing, a belt and a few other bits of equally gruesome evidence in the case, as well as all the other material secured by the police was in the metal container. Attorneys Darrow and Bachrach came into the room. The state's attorneys were also on hand and Mr. Crowe let it be known that he would conclude his opening statement with a demand for the death penalty. The state's attorneys were on hand and with the experts retained by the defense sat where they could observe the actions of the defendants.

With Mr. Darrow came Jacob Loeb, uncle of "Dickie," Allan Loeb, a brother, and Nathan Leopold, Sr.

Crowe and Darrow shook hands exchanging "Hello, Bob," for "Hello, Clarence." Promptly at 10 a. m., the clerk's gavel fell and the proceedings were on. The defendants were summoned and came in to an accompaniment of craning necks and a stir that made the court repeat the clerk's first warning to "find seats."

Judge Caverly announced that proper legal formality had not been complied with Monday when the boys changed their pleas to "guilty." He summoned them to the bar and in long, legal phraseology asked them again separately if they realized the consequences of their action.

"I do, your honor," said Leopold, and Loeb replied in like manner.

The questions were repeated for each of the crimes of which they have acknowledged, first kidnapping for ransom, and second, murder.

The boys listened to the judge's reading intently and answered in clear firm voices in reaffirming the plea of guilty.

Leopold looked about occasionally, but most of the time fastened his eyes squarely upon the judge.

Loeb stood statue-like before the bench. His eyes straight

ahead and an expression of concentrated attention on his face.

Judge Caverly's reading was not audible beyond the immediate circle in front of the bench.

After the judge's statement, the defendants returned to their seats and conferred smilingly with their attorneys.

"The bailiffs will not permit anyone else to enter," said Judge Caverly.

"The fire department says we have all present who may safely attend. You may proceed gentlemen."

"The state is ready to proceed with the murder hearing, but asks a continuance of the kidnapping case," said Mr. Crowe.

Object, said Mr. Bachrach. "This is not a real trial and there should be no separation of the two cases."

"If this is not a trial, what is it?" commented Crowe. A wrangle on procedure finally brought an agreement to proceed with the murder indictment while keeping the other charge "on call from day to day."

Mr. Crowe then started his opening statement.

The opening sentence dwelt upon the identity and upbringing of the defendants.

"They behaved in accord with standards of their social sets, except that they developed a mania for gambling for high stakes," said Mr. Crowe. "The evidence will show that from this they retrograded to the point where they could commit a cold blooded murder."

Mr. Crowe said that the crime was planned and the youths schemed for months, experimenting with means to cover their trails.

He said they threw a compact bundle of newspapers from a train to learn where it would land so they might instruct the father of their victim how to throw ransom money to them.

Mr. Crowe told of Loeb's registration at the Morrison hotel in Chicago under an assumed name and how the suitcase he left in the room contained books from the library of the University of Chicago issued to Richard Loeb.

He described how the boys rented the automobile in which the crime was committed. Leopold applied for the car as "Morton D. Ballard," the name under which Loeb registered at the hotel.

They also referred to "Lewis Mason," at a telephone number of a delicatessen store where Loeb, according to Mr. Crowe, waited to receive inquiries and endorse "Ballard's" credit.

They took the car first on May 9 and on May 21, their plans complete, again secured the car.

Mr. Crowe said Leopold had discussed the feasibility of kidnapping different boys, "among them William Deutsch, grandson of the president of Sears, Roebuck and company and the son of a prominent Chicago attorney."

He read a "model letter" which he said was drafted by Leopold and Loeb in their study of means and methods.

It was practically identical with the missive which reached Jacob Franks, the day after his son was killed. A "follow up" letter was also designed to instruct the recipient on how to throw ransom money from a train.

"After you pass a large red brick factory count five as rapidly as possible and then throw the package east of you as far as you can," said the letter addressed to Jacob Franks.

Mr. Crowe said the evidence would show that Leopold and Loeb decided to murder their victim first and demand ransom afterward.

He said they got ether from Leopold's ornithological equipment, a gag, some tape, ropes and a chisel with which to destroy their victim and acid with which to disfigure him beyond recognition.

Mr. Crowe then told how "these instruments of death" were transferred from their own car to their rented machine.

"Then they went to the school, talked with some of the boys and instructors and decided to do away with Johnny Levinson."

He said that fortunately for Levinson, he went home by an unexpected route.

To that act of providence, young Levinson owes his life," said Mr. Crowe, "but there was another boy there, a boy who only the day before had played tennis with Loeb in the latter's yard."

"Come in Bobby, we'll ride you home," said Loeb.

"No, I prefer to walk," said Bobby.

"Come on I want to talk about your tennis racket," said Loeb and Bobby went to his death.

They turned the corner and at once the poor little innocent boy was struck on the head and, while still gasping for breath Leopold reached over from the back seat, seized him by the throat and squeezed the last life from his fragile body."

Mr. Crowe then described the trip to the railroad culvert and told how the murderers removed shoes, stockings and trousers from their victim, completing the undressing after they reached the culvert. The state's attorney said.

"Leopold took the body and forced it face downward into the drain."

He said that efforts to erase the features with acid failed because of water in the culvert, the effect being only to darken the skin.

The detailed methods by which Loeb and Leopold tried to destroy all traces of the crime were described. He said the belt buckle tie clasp and shoes were substituted for the loose clothing.

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partially erased stains." He told how the ransom letter was mailed and the first telephone message sent to Mrs. Jacob Franks, reassuring her.

"Your son has been kidnapped. He is safe. Don't worry. Details later."

Mr. Crowe said Loeb started the second letter to Mr. Franks, that the latter was then told by phone to enter a taxi and to drive to a certain drug store and await instructions. "But," said Mr. Crowe, "Mr. Franks had just learned of the finding of his boy's body and he did not go. Headlines in newspapers informed also these criminal conspirators of that fact and they put two and two together and abandoned their plan to collect \$10,000 ransom."

The effort of police to solve the mystery of Frank's death was accomplished by the tracing of the spectacles, found near the body back to Leopold and the damaging admissions made in the first questioning of the defendants as suspects.

He said that Leopold had given an opinion based on his visits to the vicinity of the culvert on bird trips, that one could find the culvert in the dark even by accident.

Mr. Crowe then described the "one weak alibi" upon which the murderers concerted. It included a fake trip to study a species of gull and a "joy ride," with whiskey, gin and pickup girls as accompaniments.

Next was related the tracing of the spectacles to Leopold, how he had acknowledged the close resemblance of the glasses found at the culvert to those he had worn. Finally he had anticipated their probable ownership and tried to explain their "loss."

"He purposely tripped to demonstrate that the spectacles would fall from his pocket," said Mr. Crowe, "but the glasses remained in the pocket of the coat. Finally he was asked to put the coat on the floor, pick it up by the tails and the glasses fell out."

"The evidence will show that the glasses were lost just that way," Leopold watched the blood from his hands, asked Dick Loeb to pass him his coat and in the darkness Loeb slipped it up by the tails and the glasses fell out."

Mr. Crowe's recital of the investigation went into details of the treatment of the boys, including how parents and other members of their families were allowed to talk with Leopold and Loeb, send them fresh clothing and toilet accessories and pay for meals.

"We learned from alert and intelligent reporters of the Chicago Daily News that Leopold had a portable Underwood typewriter that had been used in preparing university work with four other students," said Mr. Crowe.

He went on to describe Leopold's vain attempt to fasten ownership on Lee Mandell, II, a fellow student then in Europe.

The state's attorney told how S. V. England, Leopold's family chauffeur, showed the alibi by revealing that the auto supposed to have been used "on the joy ride" was in the Leopold garage all the time.

Then Mr. Crowe told of Dick Loeb's breakdown. "He asked me why he was being held," said Mr. Crowe, "I told him it was because of the state's attorney was fastening a web around Leopold and when that was done, Loeb would be in the case because he had said he was with Leopold throughout May 21."

Loeb was told what circumstances that were known and he exclaimed "My God, give me a glass of water." He was given the water and then said:

"Now I'll tell you the absolute truth."

Then Leopold was informed that Dick was talking. "My God, no," he ejaculated. "Dick Loeb will stick until hell freezes over, started his story."

In bitter terms the state's attorney denounced the defendant's efforts to fasten suspicion on others.

To show the abandoned and malignant heart in the body of Dick Loeb, please note your honor, that he told newspaper reporters he knew Robert Franks and added:

"If anyone was going to kidnap any one, he is just the rascally kind of a kid one would pick."

And even then the boy was still in death.

"And in the name of fatherhood and motherhood and childhood of the state, we demand the death penalty for both these cold blooded murderers."

Then Mr. Darrow arose.

"Cold blooded and vicious," are terms in the history of any state's attorney, and nothing else," he said, "the state's attorney knows that this was not the most atrocious crime ever committed in this country."

Mr. Crowe was up, objecting that it was not time to argue, but to make a statement only.

Mr. Darrow agreed with the court that she should not go beyond objections and his opening statement at this stage.

"I was outraged, your honor, that the state's attorney should have started to stir up fresh anger and hatred in this community," said Mr. Darrow.

"We object that all the evidence which the state offers is incompetent and meant only for an

appeal to passions and prejudices."

Edwin M. Gresham, uncle of Robert Franks, took the stand and told of identifying the body of his nephew. He was not cross-examined.

Jacob Franks, father of the murdered boy, controlled his emotions well as he described the last time he had seen his son leave home for school. He gulped a bit as he told of recognizing in a body at an undertaker's the corpse of his own son.

He identified a pair of brown canvas tennis slippers as worn out by the boy with tans stockings and a belt buckle. A blue neck tie with stripes was recognized as "my boy's." Also a school pin.

He identified too, the "ransom letters," sent by Loeb and Leopold and signed "George Johnson."

The letter was read into the record. It called for \$10,000 of which \$8,000 was to be in fifty dollar bills and the rest in twenties, all old bills.

"This is strictly a commercial undertaking," said the letter. "Should you carry out these instructions, we can assure you your son will be safely returned within six hours."

Court recessed at this point until 2 p. m.

The afternoon sessions started promptly at 2 o'clock with a number of vacant seats in the spectators' section.

Mr. Franks was called back to the stand when the afternoon session opened, but had not arrived and Dr. Joseph Springer, a coroner's physician was called instead.

He told of the "posting" of the body of Robert Franks and the cause of death as revealed by the post mortem examination. He said he found acid burns on the face and two small "sharp wounds," one on each side of the forehead. "There were also bruises on each side of the back of the head, caused by some blunt instrument," he said.

Traces of strangulation was also discovered, Dr. Springer testified. He said the blows on the head and suffocation caused death.

The first approach to cross examination at the hearing came when Attorney Bachrach asked for a copy of the official report made by Dr. Springer to the coroner and it was read into the record "by consent" of both sides.

Dr. Springer added that death had come from "2 to 5 hours" before he examined the body.

Mr. Franks then resumed the stand. He told of receiving the telephone message to get into a taxi cab which the kidnappers sent for him, but said he did not do so.

"I knew my boy was dead," he said.

Objections by the defense when he told of getting \$10,000 and returning it in accordance with the instructions of the letter, Mr. Crowe explained to the court that this was intended to show the standing of the Franks in the community. Mrs. Flora Franks was then called.

A volley of camera clicks marked the mother's progress to the witness stand. She told of seeing her boy go to school for the last time, of receiving the mysterious telephone call from "Johnson" and of not being "safe," then went through her worst ordeal identifying shoes, a belt buckle and other articles.

A stocking which Mrs. Franks had said was "like those worn by my son," was known only too well by the mother.

"That was my boy's stocking," she said chokingly. Her entire figure trembled as she went over all other articles shown her, but the ordeal was not long. After less than five minutes she was excused, without a cross-examination and passed out of the courtroom, leaning heavily on the arm of the family attorney, Samuel Ettenson.

J. D. Craven, clerk in the Morrison hotel in which Loeb stopped as a step in the preparation of the pair's alibi, told of the formalities of Loeb's registration as "Morton D. Ballard," the details of the stay and of baggage found in the room in the absence of the occupant.

He identified a wicker suitcase presented in evidence by the state as that examined in the hotel room, in which was found, a book from the University of Chicago library and a library slip on which appeared the name of Richard Loeb.

Thomas Taylor, a hotel detective, re-identified the suitcase and books found in the room and pointed out the university library card in Loeb's name found in a constitutional history, by which "R. A. Loeb," by which the volume to the reference library, "before leaving the room."

Charles E. Ward, cashier of the Hyde Park State bank, identified the signature card on which "Morton D. Ballard, 302 Elm St., Peoria, Ill.," opened a checking account.

"Did you ever see this person after May 21?" asked Crowe.

"No," said the witness.

"Did you see him in the county jail?" persisted Mr. Crowe.

"No, your honor," said the witness, pointing to Leopold.

"Stand up," ordered the judge, "is that the man?" he asked as Leopold arose.

"Yes sir," said Ward.

On cross examination Mr. Bachrach brought out that Leopold was shown to the bank cashier over the prisoner's protest.

"He said in a loud voice that the officers had no right to bring him out for identification," said Ward.

Arthur J. Doherty, another employee of the bank identified Richard Loeb as having cashed a check signed by "Morton D. Ballard."

Clara M. Vinnette, statement clerk at the bank, also identified Loeb, said he was a depositor.

David L. Harris, keeper of a delicatessen store, identified Lo-

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WANTED—Lady of gentleman of good appearance and education to act as local representative for high class educational work. Call Thursday, 9 to 12 or after 6 p. m. J. W. Brady, State Distributor. 218 S. Jackson St.

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ob as having waited in his store May 9, for a telephone call, the one which State's Attorney Crowe said in his opening statement, was sent from the garage where "Morton D. Ballard" hired the death car.

Max Tuckerman, brother in law of Barish, corroborated the latter's testimony. Some trouble was experienced in keeping Tuckerman to the thread of his story.

"The only point seems to be that Tuckerman used to wear a mustache," remarked Attorney Darrow by way of cross examination. Walter L. Jacobs, head of the concern where Leopold and Loeb rented their auto on May 9, and May 21, testified to telephoning Louis Mason at Calumet 4678 the number given for reference by Morton D. Ballard.

When Jacobs was asked to point out Ballard, Leopold arose for identification without awaiting direction to do so.

Jacobs swore that Leopold took out a car at noon May 9, driving it nine miles and returning it that evening. He identified a slip showing that on May 21 Ballard got another car, driving it 118 miles.

Caverly then announced adjournment until tomorrow at the request of counsel for both sides.

SANTOS, Brazil, July 21.—The Sao Paulo revolutionists are reported on reliable authority to have failed in efforts to enter into negotiations with the Brazilian government relative to an armistice. President Bernardes having announced that the rebels must face the penalties of the Brazilian laws.

Associated Press leased wire gives the News-Review readers a regular metropolitan news service. It's all here and its all true.