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Yesterday 94
Last Night 59
d cooler tonight and

ROSEBURG NEWS-REVIEW

DOUGLAS COUNTY

ALL THE NEWS TODAY BY ASSOCIATED PRESS LEASED WIRE SERVICE

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OREGON HISTORICAL SOCIETY Public Auditorium

VES OF SLAYERS IN HANDS OF JUDGE

ATE'S ATTORNEY SCORED FOR CRITICISM OF COURT

TAKE TIME DECIDE CASE

g Closes With Re- of Judge—State marks Struck Off.

ENCE SET. SEPT. 10

to Decide Penalty for —Court Room Is t, Crowe Blanches Under Fire.

(Associated Press Leased Wire.)

AGO, Aug. 28.—After of the closing argument rt E. Crowe, state's at- had been stricken from d by Judge John R. Cav- "cowardly, dastardly at- n the integrity of this and "an attempt to in- g," the court took under today the penalty must decide for Nathan Jr., and Richard Loeb, kidnappers and mur- Robert Franks.

remarks of the court the crowded court room hocked silence.

Crowe's jaw dropped and hed visibly under the ju- unshild:.

honor, I had," he began, judge interrupted him.

state's attorney knew full t his remarks would be far and wide," said the le knew, too, the court ave no opportunity to re- defend himself from crit- cept by the action he has

udge then read a prepar- ment and at its conclu- nounced he would give his September 10, at 9:30 unless illness prevents."

the defendants, the at- for both sides, court at- and newspaper men will ted to the final scene in ous case.

court did not state specific- at portions of Mr. Crowe's caused his ire. It was however, that the state's had referred to possible s if the death penalty imposed and had em- the possible power of the courts and the of the defendants.

before the argument clos- Crowe also made a de- the testimony by James one of his staff detec- Leopold had expressed to escape the death pen- pleading guilty "before a court." This had been ed by Mr. Darrow as and when Mr. Crowe de- the court asked the bers to give him a spec- of that statement.

of the attorneys in the uld comment after the ings were over. Clarence row, Benjamin Bachrach After Bachrach, the defense said it would be improper marked merely that he had talking three days."

stratifiant report on the ner were was as follows: Crowe: "The state rests." court: "Before the state the other case, the court ar stricken from the rec- closing remarks of the attorney as being a cow- and dastardly assault upon nity of this court."

Crowe: "It was not so in- your honor."

court: "And it could not d for any other purpose to incite a mob and to tre- nidate this court. It will ken from the record."

Crowe: "If your honor the state's attorney had intention."

court "We will go on."

Crowe: "I merely want to personal feelings plainly the court. It was not the of the state's attorney."

court: "The state's attorney- that it would be herald- through this country and the world and he knows the court hasn't an opportunity except to do what he did. It was not the proper thing to do."

Mr. Crowe: "It was not the intention—"

The court: "This court will not be intimidated by anybody at any time or place as long as he occupies this position."

"Now in order to fix the date that I will settle this case, gentlemen, I want to say there has been a great deal of criticism about the conduct of this case; some of it from well-mean'ng people who knew no better.

"We have been criticized about delays of justice. The court has been criticized because after a plea of guilty he permitted evidence to be heard and we have been criticized because of the length of time it takes for an execution after the court passes judgment.

"Permit me to say with reference to the delays of justice, that this trial is one of the speediest trials of a criminal case ever heard in Cook county in which the state has asked the death penalty.

"And this could not have been done if it had not been for the able manner in which the state's attorney of this county investigated and prepared his case and was ready to go to trial when called.

"The defense are to be commended because they made no attempt to delay the trial.

"The murder was committed on May 21st, exactly two months before the trial started. The defendants were arrested on May 31st, ten days after the murder. Indicted within a short time thereafter, and within six weeks of the day of the indictment this case was on trial.

"So that it cannot be truthfully said that their wealth or property had anything to do with the delay in this case, because there was no delay.

"There were 34 murder indictments returned for murders committed in 1923, between January 1st and May 21st that have not yet been tried; and twenty of them are held without bail in the county jail of Cook county.

"To those who criticize the court for listening to testimony after the defendants pleaded guilty, permit me to call their attention to a section of the statutes and to the ruling of the supreme court thereon. The supreme court has said: "That part of section four of division thirteen of the criminal code making it the duty of court to examine witnesses as to the aggravation and mitigation of the offense in cases where the party pleads guilty is mandatory and not discretionary, and it is necessary for the court to make such examination when requested or desired, either on the part of the people or the defendant. It would be a reversible error not to do so."

"As to those who criticize our courts for the delay in execution after judgment, this is because they have been reciting here that in England or some other

(Continued on page eight)

Chronological Developments In Bobby Franks Murder Case

(Associated Press Leased Wire.)

CHICAGO, Aug. 28.—The kidnapping and murder of Robert Franks, 14, came to light May 22, when his body was found under a railroad culvert on the southern limits of Chicago. The corpse was nude and bore marks of violent blows on the head and strangulation.

Franks disappeared May 21. He was a student at a private school and the son of Jacob Franks, millionaire president of a watch company.

Subsequent confirmation of the crime revealed that chance made him the victim, the perpetrators having planned to kidnap a different boy. Not being particular as to who the youth might be, provided his parents were wealthy, the assailants selected Franks and enticed him into an automobile when their original choice slipped by them.

May 25 Nathan Leopold, Jr., son of a wealthy paper box manufacturer whose home was only a few clocks from the Franks residence, was questioned by the police because of his known frequent trips to the place where the body was found. He explained that his interest in the locality was based upon its bird life, of which subject he was a recognized expert, and he was released.

May 29, Leopold and Richard Loeb, son of Albert Loeb, vice-president of Sears-Roebuck and company, were arrested, a pair of spectacles found near the body of young Franks having been identified as Leopold's.

May 31, Leopold and Loeb startled the country by confessing the crime in all its details, checking up and correcting each other's accounts.

June 6, the grand jury of Cook county indicted the two on charges of murder and kidnaping for ransom, both offenses being punishable by death in Illinois.

June 11, they appeared before John R. Caverly, chief justice of the criminal court of Cook county, pleaded "not guilty," and were held without bail for trial August 4.

July 21, the pleas were changed to "guilty" and the court consented to hear evidence as to the nature of the crime from the state and testimony in mitigation of punishment offered by the defense.

July 23, the formal hearing started before Judge Caverly.

DYNAMITE RIVER TO LOCATE TWO BODIES

(Associated Press Leased Wire.)

THE DALLES, Or., Aug. 28.—The Columbia river three miles west of here was dynamited this morning in an effort to locate the bodies of Mr. and Mrs. Victor Buntzel, aged 31 and 29, who were drowned along with Mrs. Ersel B. Greiner, 23, last evening. Ersel B. Greiner, sole survivor of a party which went swimming at Dutton's beach, recovered his wife's body.

The triple drowning occurred when Mr. and Mrs. Buntzel went to the assistance of Mrs. Greiner who had gone into deep water to aid her husband.

SOLOMON'S WISDOM IS APPLIED IN SUIT

(Associated Press Leased Wire.)

NORTH BERGEN, N. J., Aug. 28.—"Ophelia May", a hen belonging to Lorenzo Naino, was the final arbiter in settlement of a case at law, where Naino had caused the arrest of Mrs. Tessie Allocco, charging her with unlawful possession of property belonging to him—to-wit, a brood of young chicks. Naino alleged "Ophelia May," had hatched the brood.

Recorder Miles adjourned court to Mrs. Allocco's chicken yard where Mrs. Allocco's title to the brood was established when the hen and chicks showed no interest in each other.

BIDS ARE OPENED COOS BAY ROADS

(Associated Press Leased Wire.)

PORTLAND, Ore., Aug. 28.—Bids were opened here today by the state highway commission for the following grading and surfacing jobs:

Myrtle Point, north section of the Coos Bay-Roseburg highway in Coos county, 1.2 miles. The awarding of the contract depends on whether the proposed Coos county road bond issue carries, so the county can pay its share of the expense.

Gardiner section of Roosevelt highway in Douglas county, .93 mile in a very heavy section.

Weiser and Payette spur sections of Old Oregon Trail in Sublimer county, the two jobs totalling 2.56 miles. Bids on this work were rejected at the July meeting of the state highway commission on the grounds of being too high.

CITIZENS OUST CITY ATTORNEY

Lawyer Who Supported Los Angeles in Owens Deal Kidnapped.

POWER FEUD IS CAUSE

Trouble Over Water Supply Which Caused Outbreak in May Is Given as Reason for Act.

(Associated Press Leased Wire.)

BISHOP, Calif., Aug. 28.—Seven men seized L. C. Hall, local attorney, who had been employed by the city of Los Angeles in a water rights case and after struggle disarmed him, bundled him into an automobile last night and in the presence of some forty or fifty men took him out of Bishop and ordered him never to be seen in Inyo county again.

The kidnapping or spiriting out of town of Attorney Hall is believed to be another development in the feud of Owens valley people against the city of Los Angeles, one of the outbreaks of which last May resulted in the dynamiting of a spillway in the open canal line of the Los Angeles acqueduct.

The new outbreak in the feud between Owens Valley people and the city of Los Angeles aqueduct officials occurred in the main street of Bishop, the largest town in the valley and center of the fight against Los Angeles. A fist fight on the main street followed the kidnapping of the attorney. A supporter of the attorney was beaten.

The kidnapping of the attorney is the first outbreak since the dynamiting of an aqueduct canal near Lone Pine last May by a party of 55 Bishop people as a protest against the city of Los Angeles policy in land purchases in the valley.

As in the case of the dynamiting where the sheriff was sent out on a call across the desert for a missing miner, while the party in eleven machines went down to dynamite the canal, Bishop last night was without its peace officer, the town marshal. He had been sent out to visit a friend some distance from the town.

INDEPENDENCE, Calif., Aug. 28.—H. C. Hall, Bishop attorney reported kidnapped and spirited out of Bishop, north of here last night, was in Independence this morning conferring with city officials.

LOS ANGELES, Aug. 28.—The three men who have been ordered out of Bishop on charges of being friendly to the city of Los Angeles are H. C. Hall, Bishop attorney; George Watterson, Bishop business man and Wm. Symons, Bishop property holder, according to representatives of the municipal bureau of power and light here.

Following the dynamiting of the aqueduct canal and the investigation into it which revealed that a band of 50 or more Bishop men had accomplished the dynamiting, these three men were warned to leave Bishop and a month or so ago conditions became such that they left the Owens valley town.

Two days ago, they returned and, according to officials of the bureau of power and light, further threats were made against them.

There have been intermittent flare-ups in the feud between Owens valley people and the city of Los Angeles for nearly 20 years. Including threatened lynchings, mass gatherings, shotgun parties, driving city engineers from ranch property and the dynamiting of the aqueduct canal.

The feud grew out of the city acquiring water rights from the Owens valley and building an aqueduct system there to convey this water to Los Angeles county for domestic and irrigation use with a result of drying up improved property which the city purchased in the Owens valley.

BISHOP, Calif., Aug. 28.—H. Hall as attorney of this city and one of the three Bishop men, were ordered to leave the community because of their activity in promoting the interests of the city of Los Angeles in the fight for Owens valley water rights was taken from a restaurant here late last night by a band of men, according to a report made to the city marshall here. They put him in an automobile and started south.

BLAST KILLS CHILD

(Associated Press Leased Wire.)

DES MOINES, Iowa, Aug. 28.—One child was killed and 12 persons were injured, several perhaps fatally when an ammonia tank exploded in a south side grocery here today.

The child killed was Angela Schaff, 9 years old.

The injured were hurt when they were precipitated to the basement as the explosion ripped out the first floor of the building. Some also suffered from ammonia fumes.

The ammonia tank was located in the basement under the sidewalk. The explosion ripped up the walk and the first floor of the store building precipitating the persons inside to the basement.

SAILOR IS HELD FOR GIRL'S DEATH

(Associated Press Leased Wire.)

TACOMA, Wash., Aug. 28.—D. W. Nichols, 23, sailor on the battleship Arizona is facing a charge of murder as the result of the death of Minnie Flim, 19, early this morning. G. W. Brown, 21, another sailor and Ruby Hodges 19, a friend of the dead girl, are being held in the city jail.

Thomas Ray, deputy prosecutor said at noon that the death of Miss Flim was a plain case of murder. Coroner F. J. Stewart found her back dislocated and marks on her body that indicated that she had been strangled to death. Mr. Ray said that both Brown and Miss Hodges declared that Nichols had attacked the girl, and that Miss Flim had put up a terrific battle to save her life and honor. Nichols, according to the police, has numerous scratches, as from finger nails, on his face.

James Wilson, a taxi driver, answering a call shortly after four o'clock this morning, found the two sailors bearing the limp form of Miss Flim from a copse of brush. They asked that she be taken to a doctor but he drove to the police station instead. Miss Flim was dead when he arrived there.

Dr. Marson and Chaplain Peterson of the Arizona called at the police station to see Nichols, but they were refused permission to talk with him. Dr. Marson said that Nichols had borne an excellent reputation and that he was one of the star athletes with the Pacific fleet. The doctor said that he had been injured at a track meet in Seattle last Saturday, falling heavily on the back of his head when his pole broke in the pole vault. Brown, who is a member of the crew of the destroyer Yarborough and Miss Hodges are being held without bail until formal charges are filed.

COOLIDGE RAPPED BY CHAS. BRYAN

(Associated Press Leased Wire.)

LINCOLN, Nebr., Aug. 28.—Despite President Coolidge's interpretation of plans for observance of Defense Day, September 12, as a purely voluntary proposition Governor Bryan, democratic vice-presidential candidate declared today that the war department is proceeding with it "militaristic program," for the day.

"The war department's plan," Governor Bryan said, "is conflicting and out of harmony with the civil head of the government, which is supreme. It is attempting to go ahead with its military program regardless of the fact that the president has said there was no such intention."

The vice-presidential nominee made this statement in commenting on the adoption by the state convention of the American legion at Grand Island, Nebr., of a resolution approving plans for defense day.

"Notwithstanding the president's statement that plans did not call for a mobilization of civilian forces," Governor Bryan asserted, "the regular army officers of Nebraska have sent a letter to the draft boards that were used during the war, asking them to cooperate in calling on the able-bodied men from 18 to 45 to take part in the mobilization test on September 12."

GIANT LINERS BATTLE STORM

Five Liners Return After Terrific Hurricane Showing Effects.

CAPTAIN LOSES LIFE

Skipper on Arabic Swept Overboard by Waves —150 on Casualty List.

(Associated Press Leased Wire.)

NEW YORK, Aug. 28.—Five liners, bearing evidence of a winning struggle against a hurricane which on Tuesday last had the western Atlantic, steamed into harbor yesterday, several hours late, their palatial fittings smashed and battered by the force of the waves.

Only one life was lost, the steamer Elisha Walker reporting that Captain J. Madson had been swept overboard from the bridge of the Danish steamer Nordfarer while south of Cape Hatteras.

Captain Hickson of the Arabic whose vessel and passengers were the major victims, said the wind at times attained an intensity of 120 miles an hour.

The Arabic on numerous occasions landed dangerously close to the 45 degree angle.

The Munargo of the Munson line and the Orizaba of the Ward line suffered less than the other two vessels.

The Arabic had an estimated casualty list of more than 150 with 52 persons who requested treatment. Of these 33 were under the care of surgeons when the vessel docked.

SYDNEY, N. S., Aug. 28.—Captain Devon and three members of the crew of the schooner julia F. C. are missing since the craft was hit by the hurricane off the Bird Islands on Tuesday night. The schooner with her jib torn away, her mainsail gone at the heads and her cabin smashed was last reported dragging her anchor thirteen miles from Bird Island.

DOCTOR IS KILLED IN AUTO SMASHUP

(Associated Press Leased Wire.)

THE DALLES, Or., Aug. 28.—Dr. M. F. Froyd and Dr. Walter Hart of The Dalles, were seriously injured in an auto accident near this city last night. Dr. Froyd's condition was so serious today that there was some doubt of recovery. Dr. Hart suffered broken ribs and other injuries.

M'COY OVERRULED.

(Associated Press Leased Wire.)

LOS ANGELES, Calif., Aug. 28.—Motion of attorneys of "Kid" McCoy to quash the indictments against him charging murder, robbery and assault with intent to commit murder in connection with the shooting of Mrs. Theresa Mors, August 12, were denied in the superior court today. The motions were based on irregularities of the indictment and failure to include the name of Mrs. Jennie Thomas, "Kid" McCoy's sister, as a witness.

Further arguments on the legality of the indictments were heard.

SINCLAIR APPEALS

(Associated Press Leased Wire.)

WASHINGTON, Aug. 28.—The District of Columbia Supreme Court today allowed a motion by attorneys for Harry F. Sinclair for a special appeal from an order by the District Court of appeals, overruling Sinclair's demurrer to indictment charging contempt of the senate by his refusal to answer questions of the senate committee.

BEND FOREST FIRE GAINING HEADWAY

(Associated Press Leased Wire.)

BEND, Or., Aug. 28.—A forest fire which broke out late yesterday in a timber stand south of Crescent, in northern Klamath county, had burned over an area of 640 acres early today, according to a report received by forestry officials here. Two gangs from the Eugene-Klamath Falls cut-off railway construction crew are fighting in the blaze. Forest officials fear the fire may prove the worst occurring in the Deschutes National forest this season.

Campers, tourists and inn keepers in the vicinity of Wasco Lake turned out yesterday with fire fighters combatting a blaze which had been burning for more than ten days near Wasco Lake. A fire pump and hose line leading from Lake Odell finally brought the blaze under control.

HUGE SHOPS BURN

(Associated Press Leased Wire.)

AGUAS Calientes, Mexico, Aug. 28.—The railway shops and warehouses here, considered the most important in Mexico were destroyed by fire last night. Many box cars were burned. The loss is estimated at one billion pesos.

DISEASE DEADLY

(Associated Press Leased Wire.)

TOKIO, Aug. 28.—An epidemic of meningitis, which has already claimed 900 victims, has spread to Tottori pefecture, where 231 cases have been reported with 102 deaths resulting.

Prince of Wales Outwits Flapper Admirers Aboard Liner; Heir Good Sport

(Associated Press Leased Wire.)

ON BOARD S. S. BERENGARIA. (By Wireless to the Associated Press)—The Prince of Wales was up early today working out strenuously in the Berengaria's well equipped gymnasium and showing that he had not been fattened by his long round of activities yesterday which began with participation in various athletic competitions, continued with several appearances on the dance floor and terminated with a plunge in the swimming pool.

The heir to the British throne was in particularly gay spirits last evening. He attended a concert and joined heartily in the singing of Ivor Novello's song, conducted by the actor's mother, Clara Novello Davies, "The Land That Might Have Been." Wales was enthusiastic over the singing of Grace Larue, the actress, and asked her to sing "The Mountain."

After the dancing and the concert the prince got into his swimming togs and visited the pool which he founded crowded with American passengers. He dived and swam for a quarter of an hour before he was recognized and then he darted away.

According to the instructor at the pool, Wales tries to time his swims so that he will not be overwhelmed by the admiring attentions of the young lady passengers. Whenever he goes to the pool, according to the instructor he always asks when the ladies are due to arrive and as soon as they come he dashes off to his quarters. The young ladies undeterred by the retiring attitude of their fellow passenger, stand in prominent positions around the pool when they learn that he is approaching, but thus far Wales has had the better of the amusing game of hide and seek.

Many of the women passengers are still hoping that the prince will dance with some of the other American girls on board, but thus far Miss Leonora Cahill of St. Louis is the only one to have had the honor of appearing on the floor with him. Despite the demands which his athletic and social activities have made on his time, the prince has found quarter hours now and then to wander off on his own. One meets him in unexpected places, walking briskly with his hands in his trousers pockets, whistling or singing or sometimes preoccupied with his own thoughts.

MELON THIEVES TO GO TO JAIL

Thirty Day Sentences Given Three Coquille Boys Who Took Carload.

WILL START PATROL

Fields to Be Guarded and District Attorney Will Charge Thieves With Larceny.

Watermelon thieves, caught stealing melons from the Dillard patches, or elsewhere in the county, are going to feel the full weight of the law, and will be given a jail sentence for their crime, according to statements made by officers today. Aroused by the continued depredations which daily are growing more serious, officers of the law and the residents of the Dillard community are determined to end the thieving which has been going on, and the law is to be used to give the extreme punishment to those who continue their unlawful acts.

Walter Paulson, Edgar Emery, and Arthur McAdams, three Coquille high school boys, were arrested last night as they were completing the loading of their car with melons, and were this morning sentenced to thirty days in jail. They had forty melons in their auto and a dozen more were in the grass beside the road to be included in the load when they were arrested.

The boys, 17 and 18 years of age, made the trip to Dillard expressly for the purpose of obtaining the melons, although they maintain that they did not expect to sell them. They were caught by A. B. Rice, one of the owners of the Rice brothers melon patch, and were held by him until the arrival of D. M. Redding, deputy sheriff, who brought them to Roseburg.

The boys appeared this morning before Justice of the Peace George Jones, and entered a plea of guilty to a charge of larceny. They were sentenced to 30 days in jail and started serving their sentence at once.

"Many people consider the stealing of melons from the Dillard patches in the light of an adventure," District Attorney Guy Cordon stated this morning, after filing a complaint against the three young men. "Melon stealing has been looked upon lightly, until many persons have entered these patches and carried away not one or two melons but hundreds of them. These melons represent a living to these Dillard farmers. It is one of their chief means of support, and the theft of melons is no less serious than if actual cash were taken. Two or three melons represent a dollar or a dollar and a half, but people who would not thing of stealing that much money, even if it could be as easily taken as melons, will steal that much or more in a spirit of adventure.

"The theft of melons is nothing more or less than larceny and in the future will be so treated. This melon thieving has got to stop and is going to stop. These fields are to be patrolled and protected, and any person, man, woman or boy, will be arrested and will be prosecuted to the full extent of the law.

"The melon growers have full police authority to arrest any person found in their patches, and are instructed to arrest any thieves and turn them over to the officers of the law in Roseburg, and a charge of larceny will be brought against them.

Further than that if we catch anyone even trying to steal melons it is going to result in a charge of attempted larceny. These people have a right to protection and they are going to get it, and it will be the policy of this office to prosecute watermelon thieves to the fullest extent of our ability."

Justice of the Peace George Jones is as fully aroused over the situation.

"These watermelon thieves are going to jail if they come into my court," the judge said. "This proposition of people going into the melon patches and carrying off a whole carload of melons is going to stop if severe dealing can achieve such results. People are inclined to look with lenience upon watermelon thieves, but when young men of a responsible age

(Continued on page 6.)