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AND THE COQUILLE HERALD

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35 ARE DROWNED

Only Three Saved When The Tanker J. A. Chanslor Goes on Rocks

The worst marine disaster that has happened on this portion of the Oregon coast in many years occurred Thursday night of last week at 6:15, when the oil tanker, J. A. Chanslor, went on the rocks near Cape Blanco and was wrecked; only three of the 38 people on board surviving. The stern of the vessel went down so quickly that the portion of the crew there had no chance to get out. Of those forward thirteen, including Captain A. A. Sawyer, got into a life boat, two more being picked off a plank afterward. They kept afloat in the fog all that night and all the next day, but when it got near night on Friday it was apparent that they could not survive until another day in an open boat with no drinking water, the plug having been accidentally knocked out of the cask, and all being near the point of exhaustion after struggling against a stormy sea for almost 24 hours.

So the boat was headed for the smooth beach near the lagoons four miles north of Bandon and an attempt made to run through the breakers. They were running too high, however, and the boat was thrown end over end as if it had been a coked shell and only three of those on board reached the beach alive. Besides Captain Sawyer, these were E. W. Dooley, steward, and William Merkle, quartermaster. Four bodies were found of those who were in the boat when it was upset in the surf.

On Sunday a large portion of the shell of the forward part of the tanker worked off the rocks and came ashore. A portion of this shell was floated on that day over a mile north of Cape Blanco. Some people thought they saw evidence of life on this part of the ship Sunday, but Capt. Johnson of the Bandon Coast Guard Station, says it was only the flapping of the searchlight canvas.

Captain Johnson also said that the Chanslor had struck on the extreme north point of Cape Blanco. The after part lay in about 45 feet of water and 400 feet from the beach. It was apparent, he said, that the bottom had fallen out of the after part when the ship struck, and that the machinery had gone to the bottom, where it was doubtless still lying, notwithstanding that a portion of the shell of that section had floated Sunday. Captain Johnson thought the prospect for salvage work there was fair, and that some of the bodies of the men who were in that portion of the ship might yet be found.

The hero of this wreck was Adolph Hohne, of San Francisco. His body was found alongside the life boat with the jaw broken.

Certificates of merit as a lifesaver attested his performance in that service of which formerly he was a member. On his person also were found his naturalization papers, able seaman's card and nearly \$200 in money.

Hohne easily could have saved himself, but time and again assisted others in the water, when the lifeboat with its freight of 15 was sent flying end over end by the breakers, when an attempt was made to land on the beach four miles north of Bandon about 5 o'clock Friday night, according to Merkle, who is supported by Captain Sawyer.

Captain Sawyer said that Hohne was a wonderful man, both physically and in courage, and died a hero. Both Captain Sawyer and Quartermaster Merkle said that Hohne was in by far the best physical condition of the ship's crew in the lifeboat, and they were surprised when informed Hohne had not made shore in safety, until they learned he had sustained a broken jaw.

Describing the last struggle in the surf when the first big

breaker sent the lifeboat rolling and spilled all its occupants into the water, Merkle said that the first time the boat went over he saw Hohne swimming alongside the boat. Back and forth he went, helping his comrades who were exhausted from their 24-hour vigil and battle with the heavy seas while in the small craft.

Able himself to swim to safety, Hohne stayed with the men, and one by one got them back to the boat, only to have it overturn again in the breakers. The men were sent flying, the beating surf scattering them all about. While again trying to assist his comrades to the boat a wave dashed him against it with terrific force.

Merkle believes that Hohne's jaw was broken at this time, and that conscious that he was weakening he struggled ashore, only to die a few minutes after reaching land.

Merkle says he saw another sailor swim back and forth in the breakers, apparently unable to make shore on account of the strong undertow. "Everything seemed to be against us," he said, "It was impossible for us to stand in a foot of water, as the sand would be washed out underneath almost immediately."

"The only reason I am here now is that it just wasn't my time to die," Merkle added.

Quartermaster Merkle believes it barely possible that any bodies will be found in the stern of the Chanslor. As the lifeboat cleared the wreck, he said, men on the stern of the ship were heard to yell, and he believes they had time to gain the deck.

Besides Hohne the bodies identified were as follows: W. H. Reese, first officer; E. Rose, third officer; Carl Foutch, boatswain.

Among those lost in the after part of the vessel was Francis Jackson, son of C. S. Jackson, of the Portland Journal, who occupied the position of second assistant engineer. James Robb and Jacob G. Kamm, of Portland, friends of the family of C. S. Jackson, passed through here Sunday afternoon on their way to Bandon to assist in the search for the body of the young man.

Will Give New Year's Dance

Next Wednesday evening, New Year's Eve, the local branch of the American Legion are going to give another of their very popular Masque Balls in Goulds' Hall. Suitable prizes will be given for the best costume for both lady and gentleman, for the most comic character portrayal and for the best sustained character. Good music is one of the strong features of these dances and the spirit of good fellowship shown by the Legion and the desire to make everyone enjoy themselves is another quality that draws the crowd to these affairs. And they are well conducted.

The Christmas dance given by the Legion last night was largely patronized by a pleasure seeking crowd who found what they were looking for. The hall was beautifully decorated, the outstanding embellishment being an electrically lighted Christmas tree in the center of the hall. It was a holiday scene and an occasion not to be forgotten.

List Will Be Revised

Next week we shall remove from the Sentinel's subscription list a bunch of names of people whose subscriptions have expired and no doubt some of them will wish to receive next week's issue. We have, however, given them all notice of expiration and find it impossible to keep repeating this notice. After one notice that your subscription has expired, please renew if you want the Sentinel continued to your address. It will save us time and you delay in receiving the paper. If you do not want it you will be glad to have your name dropped.

The meeting to criticize the county budget which we have published in the last two issues will be held at the court house Tuesday of next week, Dec. 30, at 10 o'clock.

STANDS FOUR TO EIGHT AGAIN

After Spending Eight Days in the Second Trial of Harold Howell for Murder The Jury Cannot Agree.

The second trial of Harold Howell resulted the same as the first—a hung jury; and strange to say this jury stood exactly like the first when it was discharged, eight for conviction to four for acquittal. The case was given to the jury at 8 o'clock Tuesday evening and they were not discharged until 9:30 Thursday morning. After having had it under consideration for almost forty hours Judge Coke felt assured that all possibility of an agreement was gone.

At two o'clock Wednesday afternoon the jury came into court for additional instruction. The foreman started to state the point on which they were seeking light but stopped almost as soon as he had begun and said: "Let the man who wants to know ask the question."

What was asked whether the jury could render a verdict of manslaughter in this case.

Judge Coke had only to refer them to his written instructions in which he had plainly told them they had a right to bring in such a verdict.

An hour later they came in again and asked to be discharged, saying it was impossible for them to agree. Judge Coke refused the request and told them he would keep them until the next day.

As to what is to be done with this case after two trials, and two failures to secure a verdict, nothing seems possible except to try it again. To turn loose a boy whom a two-thirds majority of two juries, after hearing all the evidence in the case, declare has committed so hideous and fiendish a crime is not for a moment to be thought of. And yet we feel safe in saying that a jury, who would acquit the accused on the evidence so far given in this case, could never be found.

If the boy had been a few years older—even two—there would probably have been no doubt of his conviction at one of the two trials he has had. The natural disinclination to send a boy only a little over 15 years to the penitentiary for life, has perhaps been the reason why some jurors have stood out for acquittal.

It is hardly necessary for the Sentinel to say what it thinks about sympathy for one who could or would commit such a crime as was the murder of Lillian Leuthold. Had a wild beast from the forest torn that girl in pieces we certainly should have no sympathy for it, and we couldn't have a particle more for the man or boy who would commit such an act. Indeed, we should consider the human being who would be guilty of such a crime infinitely more dangerous than any wild beast.

The verdict shouldn't hinge on the youth of the defendant; the only question to be considered is, "Is he guilty?"

The closing arguments made by the attorneys in the Howell trial here Monday and Tuesday were listened to with intense interest by an audience that filled the room and many of whom were at times compelled to stand. From an oratorical standpoint those of the defendant's attorneys were certainly creditable, though their purpose and object was surely to confuse the jury and obelud the issues. Judge Hall made the first talk for the state, presenting the case briefly in less than half an hour and holding the attention of the jury very closely as he made a summary of the evidence.

Attorney John C. Kendall followed for the prosecution. He first characterized the crime as the most cold-blooded and dastardly ever committed in Coos county. He then went on to

say that the indictment charged "deliberation and premeditation." Whereupon Mr. Sherwood cut short anything further he had to say along that line by citing the document itself, which recited that the act had been done purposely and maliciously. Then the plea was made that where the evidence was entirely circumstantial there must be reasonable doubt as to the guilt of the accused.

The testimony just given by Mr. and Mrs. Griffin that they had seen Harold Howell at seven o'clock Sunday evening, July 27, playing with other boys at the home of Rolla Lewis, while the evidence previously given as to his being there at that time had been contradictory, was entirely unexpected by the defense. It was testimony to sustain their theory of the case that they had nothing to do with introducing. Suppose that in two years or five years unexpected evidence should develop—some confession should be made that would absolutely prove the defendant's innocence, what would be the feelings of the jurors then if they should send him to the penitentiary now.

"I believe," said Mr. Kendall "that John Hall has great doubt in this case, and I know that you men have."

The testimony of the Nagels that Harold had come to their place on the evening of the murder very pale and so greatly agitated that they asked what he had been doing, was made light of. The boy said he had been chasing a wounded rabbit at the time and that was enough of an explanation for the attorney. Because the Nagels had not appeared before the grand jury or at the first trial their testimony was made light of by the attorney who had just talked so eloquently about finding new evidence on the other side of the case.

He even asserted that the state's case wasn't any stronger because the boy was pale.

After belittling the state's evidence as to shells and bullets, Mr. Kendall, seeming to think that these matters had been sufficiently obscured, made this remarkable declaration: "If you can say conclusively from looking at the bullets fired from the four guns in this case that the bullet that killed Lillian Leuthold was fired from the Howell gun it's your duty to convict him."

When Mr. Kendall concluded it was nearly six and the question was whether to go on with the arguments that evening or adjourn until morning. Mr. McKnight, who was to come next expressed himself as perfectly willing to make his talk that evening if Mr. Sherwood was to make the concluding argument immediately, but not if Sherwood was to make his speech in the morning. The court wisely concluded not to crowd things.

Tuesday morning Mr. McKnight spoke from nine o'clock until after 11 and made as good a case as it was possible to make for his client. There wasn't a straw that he didn't grasp, and he talked well. The Christmas plea Kendall had made, the plea to the jury to make Mr. and Mrs. Howell a present of their boy freed from the charge of murder, was re-echoed. It would have been more impressive if one could have forgotten for a moment how impossible it was for any jury or any power on earth to restore Lillian Leuthold to her parents' arms.

It was McKnight's cue to make the state's case look as small and contemptible and ridiculous as he could, and he didn't miss any opportunity along that line.

(Continued on eighth page.)

The Nestor of Them All

Next Wednesday R. S. Knowlton will have completed 30-years of business life in Coquille, all of that time being located on his present site except for three weeks following the fire which burned him out just a month after his marriage.

His business is the only one in Coquille which has operated continuously under the same management in all that time and is the only drug store in the county which is now in operation under the same management as then. C. Y. Lowe, of Bandon, started in business the same day that Mr. Knowlton did, but he had R. H. Rosa for a partner at that time.

In speaking of this year's business Mr. Knowlton says that last Monday's was the largest he ever enjoyed in the sale of holiday goods in forty years' experience, and practically all Coquille's merchants have the same story to tell for that day—it was the biggest of the year.

Holiday Rush at Postoffice

At the postoffice here 400 packages were mailed out last Tuesday and almost as many went the previous Friday, Saturday and Monday. Twenty-five or thirty sacks of parcels post were received every day for a week before Christmas and three or four more went out each day. It was a remarkable sight there to see the packages piled not only on the racks but the whole length of the office when the delivery began. It required work until eleven o'clock at night those days to get the outgoing mail ready.

Boy Can Carry a Man

Mr. Sherwood tells of an experiment in his office yesterday to indicate whether it would be possible for a boy like Harold Howell to carry a body weighing 115 pounds. Lawrence Leuthold, a thirteen-year-old boy picked up his father who weighs 137 pounds and carried him across the room holding his head as high as it is claimed the ferns were bloodied along the trial at the scene of the tragedy.

He Stood Against a Mob

When there was danger that a mob would gather and lynch an entirely innocent young man after the murder of Lillian Leuthold, her father said he would protect that young man even if he lost his own life in doing so. Society owes John Leuthold something, and more than ever after that brave act, it is due to him that the slayer of his daughter should be made to pay the full penalty of the law for his fiendish crime.

Over 2,000 To Be Sold

There are said to be over 2000 separate lots and tracts in the Kinney properties at North Bend Sheriff Gage is advertising for sale tomorrow. It is a sale which will be largely attended and in which lots will not sell at inflated prices. The water that Major Kinney injected into prices on that tract when he platted it is pretty well wrung out of it by this time.

That Cloud Again

That question of cloud on the title of so much of the real estate in this city on account of that Cunningham quit claim deed bobs up again in our advertising columns this week, in the shape of a legal notice from Mrs. M. H. Hersey, who is seeking to remove it as far as some property of hers is concerned.

The Roll Call

The jurymen who stood for conviction in the Howell murder case were:

Grover C. Gouthier, Earl G. Golden, J. D. Magee, John Warner, Chas. Adams, E. R. Hudson, Marshall H. Nay, C. O. King.

Those who stood for acquittal were: J. E. Noah, E. C. Raymond, David Musson, Richard B. Fry.

The Sentinel wishes all its readers a Happy and Prosperous New Year. May 1920 be the best year you have ever seen.

SILENT WITNESS

Lillian Leuthold's Body Told Whether She was Carried or Dragged

When Harold Howell's attorney, C. F. McKnight, made his eloquent two hours' plea to the jury last Tuesday morning he dwelt with especial emphasis on his theory that the dead body of Lillian Leuthold must have been carried, not dragged, from the place where the pool of blood showed she had been shot down, to the place 25 feet away where her body was hidden. That was one of two principal contentions on which he claimed Harold could not have committed the crime and on which he dwelt at great length. The fact that the knees were flexed or doubled up, he said showed unquestionably that she was not dragged. Then there were blood stains on the ferns and bushes along the trail as high as three feet according to some of the testimony. That Harold could have carried the body Mr. McKnight considered a physical impossibility. The weight of Lillian Leuthold had been fixed absolutely, as we told last week, by a neighbor for whom she insisted on carrying water, at 115 pounds. McKnight did his best on somebody's opinion as to her weight to increase this to 125 until the murdered girl's mother broke her silence—the only time she did so during the day—by correcting him.

To one who had not heard what the prosecution had to say the theory that the body was carried might have seemed to be settled, and when so, it would of course create some doubt as to whether the fourteen year old defendant had committed the murder.

But when Mr. Sherwood came to reply he recalled the testimony of two or three women who had aided in preparing Lillian's body for burial while it was at the undertakers. Each and all testified as to combing her hair and how full it was of dead fern, bits of sticks, dead leaves and all the litter it had somehow accumulated after she had been shot. The conclusion that she must have been dragged, not carried, then became a certainty and the house of cards Mr. McKnight had so laboriously constructed fell in ruins at his feet.

Why the Letter "H"

Referring to the letter "H" on the shells used in firing the Howell gun, Mr. Sherwood explained what it meant—something it will interest a great many old hunters to know. There used to be a popular rifle known throughout this section as the Henry rifle, and as a trade mark all the shells made for it bore a capital "H." When the Henry company sold out to the Winchester Arms Co. that company did not change the marking on this shell but went on stamping it with an H as before. It was of no more use than a vermiform appendix, but it persisted just the same.

Price of Gas Raised

Referring to the announcement on another page of an increase in the cost of gasoline in Oregon by the Standard Oil company on December 17, we have to say that the advertisement was intended for publication not later than that date, but owing to the distance from which the advertisement was sent, we did not receive it in time to publish earlier. However, the information will reach most consumers of gasoline before they need to use their cars, as joy riding isn't a favorite pastime here during the rainy season.

Ivan Laird Recovered It

In our item last week about the finding of Marcus Brown's body near Lee on the North Fork, only a hundred yards from where he went down, we omitted to state that it was Ivan Laird who brought it to the surface, having grappled it by the leg.