

WEATHER FORECAST

Nebraska: Showers and thunderstorms Friday; Saturday probably unsettled. Iowa: Unsettled Friday and Saturday, probably showers and showers; warmer Friday and extreme east portion; cooler Saturday.

HOME EDITION

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OMAHA, FRIDAY, MAY 23, 1924. *** TWO CENTS

THOUGHT FOR THE DAY

The Almighty God has given you the sense to understand the difference between the things you can get, and He leaves it to you to use your sense. —St. John Evrins.

THE OMAHA MORNING BEE

FRANK SIMMONS' DEATH

Kidnapers Brutally Slay Boy

Chicago Lad Murdered Before Father Has Opportunity of Paying \$10,000 Ransom Demanded.

5,000 Police in Manhunt

Chicago, May 22.—Kidnaped and held for a \$10,000 ransom, and murdered when the kidnapers believed their plans were about to miscarry, the nude body of Robert Franks, 14-year-old son of Jacob Franks, millionaire Chicago manufacturer, was found in a swamp on the South Side today with the head crushed and the body stripped of all means of identification.

At the time the body was found, the parents, unaware of the fate of their son, were awaiting a visit from the kidnapers in order to turn over the money to them, having followed the instructions of the abductors to the letter, even refraining from notifying the police.

Tonight one of the greatest man-hunts in Chicago's history was under way, with more than 5,000 policemen and detectives scouring the city for the slim clues. It was reported that arrests were imminent.

Slayers Show Cunning

A certain cunning was shown by the slayers, for after divesting the body of clothing they adjusted a pair of spectacles which were found in place when the body was discovered. This fact disarmed any suspicion of the Franks family that the body of the youth found crammed into a culvert in a swamp was that of their son until hours after the body had been recovered, when an uncle of the youth went to a morgue and made the identification. The father, still waiting for the abductors, refused to believe the slain boy was his son until he had made a personal identification.

Young Franks was last seen alive yesterday afternoon about 2:30, when he left several companions after turning a ball game at the Harvard school, a private institution in an exclusive South Side residential district, where he was a pupil. He told companions that he was going home.

The parents, alarmed over failure of Robert to arrive home, communicated with the school authorities and an unsuccessful search was started, but at 10:30 the first inkling of the boy's fate reached them.

\$10,000 Demanded

This came in the form of a telephone call to the Franks' home from a man who said his name was Johnson.

"Your boy has been kidnaped," the man told Franks without hesitation. "He is here with me and is all right. I will call you later and let you know what you must do."

Before the informer could be questioned, the receiver clicked. At 8:30 this morning, Mr. Franks received a special delivery letter from the kidnapers which had been mailed in the downtown section at midnight.

"Your boy is safe," the letter said, "and you need not worry. But if you let the police know, we will kill him. If you have already informed the police, do not go any further."

"We want \$10,000 ransom. We will telephone you today at 1 o'clock. Then we will give you all necessary information as to how you are to put the money in our possession."

Seeks to Trace Calls

The letter asked that Franks have in readiness \$8,000 in \$20 bills and \$2,000 in \$10 bills in a plain white wrapper. Following receipt of this letter, the father made arrangements to have the telephone calls traced, when the abductors called to give him further information, although Mr. Franks insisted on going ahead with plans to turn over the money. This order to the telephone company was cancelled, however, when a friend of the Franks informed them he had overheard operators talking about the

(Turn to Page Two, Column One.)

We Have With Us Today

S. Duffield Mitchell, Assistant Revenue Solicitor, Washington, D. C.

It is part of Mr. Mitchell's business to see to it that all corporations pay their just taxes to the internal revenue bureau.

He is one of the few solicitors employed in this bureau to do this kind of work.

Mr. Mitchell is specially assigned to an important tax case in Omaha today which involves a half million dollars.

His work is entirely different from that of the ordinary assistants to the United States attorney general.

Robert Mantell Refuses to Open His Show Here; Balks at Non-Union Labor at Brandeis Theater

American Wife Obeys Husband Before King

By Universal Service. Madrid, May 22.—For the first time a royal command has been disobeyed, and by an American woman.

Through the agency of Ambassador Alexander P. Moore, Mrs. Arthur J. Willson of Philadelphia, a society woman who is a noted amateur singer of Spanish and Russian songs, received a command to sing before the king and queen of Spain.

Simultaneously, however, Mrs. Willson received a cable from her husband in Philadelphia, saying in substance, "Come home, I am lonely."

Without hesitating, Mrs. Willson chose hubby before royalty.

Secretary Mellon Urges Coolidge to Veto Tax Measure

President in Dilemma of Disregarding Secretary's Plea or Facing Rejection of Demands by Congress

By Universal Service. Washington, May 22.—Secretary of the Treasury Mellon went to the White House this afternoon and urged President Coolidge to veto the tax bill when it reaches him next week.

Sentiment among administration leaders at the capital was that the president should sign it, notwithstanding the secretary's objections. Predictions were freely made that Mr. Coolidge should veto the measure, both houses would vote to override by large majorities.

The president thus finds himself placed in the dilemma of having to disregard the recommendation of his fiscal officer or face another rejection of his measure by congress.

The confident belief in the senate and house is that he will reluctantly and regretfully act contrary to Mellon's advice.

The futility of attempting to kill the legislation by veto seemed quite obvious to all factions in congress, and with one another in approving the bill and claiming credit for it.

Little Opposition

All indications were that there would be virtually no opposition to adoption of the conference report in either branch.

Senator Smoot, in charge of the legislation in the upper house, said he would submit the conference report tomorrow. It then must lie over a day, under the rules. He will call it up Saturday with the confident expectation of obtaining final approval before adjournment Saturday evening.

Only a few hours are expected to be consumed in putting the report through the house. Representative Green of Iowa, in charge, said the vote would be overwhelming.

In any event, the bill will be before President Coolidge by Wednesday. He will refer it to Secretary Mellon for an opinion, but under the circumstances this will be a mere formality and should take little time. The president's decision may be known by the end of the week.

Outlines Views

Secretary Mellon's strong views in opposition to the bill were outlined at the treasury early in the day. Later he went to the White House and was closeted with the president for half an hour. When he came out he told newspaper correspondents that he had repeated to the executive what he had said to the correspondents this morning.

The secretary regards the bill as a "most unfortunate piece of legislation."

The secretary is vigorously opposed to the proposal that the names and addresses of taxpayers, with the amounts of their taxes, be available to public inspection.

As to the revenue producing phase of the question, Secretary Mellon believes it will bring a serious deficit that will compel an entire reorganization of the treasury's fiscal program, involving new financing and new issues of securities, with consequent disturbing effect upon the financial market.

London Police Will Test Broadcasting Automobile

By Universal Service. London, May 22.—London police today put into commission a broadcasting automobile from which officers may broadcast descriptions of wanted persons while moving at top speed.

The forepart of the car is open, accommodating police officers, while the rear is enclosed and contains powerful wireless apparatus which will enable two operators to reach any Atlantic liner as well as communicate with Scotland Yard.

American to Take Part in Salzburg Music Festival

Vienna, May 22.—Ashley Burnett Pettit, American pianist of San Francisco, has been elected to interpret American music in the big music festival at Salzburg scheduled for August.

Famous Shakespearian Actor Piqued at Strike Here—Cancels Four Engagements.

By Universal Service. Berlin, May 22.—Franklin Leutheuser, one of the many German soldiers who have been wandering through Russia since the war because they lacked funds to get home, created a sensation in the village of Schalkau today by reappearing, in the manner of Enoch Arden, after he had been thought dead.

Leutheuser was legally declared dead a year ago. Believing herself a widow, his wife announced her marriage to another man and the ceremony and celebration were set for this week.

Sutphen to Bring Suit

Robert B. Mantell, the Shakespearian actor, refused to open at the Brandeis theater Thursday night because the stage hands at the theater were out on strike.

The actor's cancellation of his three-day engagement was followed by an announcement from Joy Sutphen, manager of the theater, that he would bring suit against the Brandeis company for the theater's share of the receipts for the four performances advertised.

While playing in Lincoln Wednesday Mantell was advised by the business agent of the Omaha stage hands union that the Brandeis theater stage crew was out on strike and that the union men with the company would not be permitted to work with the men who had replaced the union crew at the theater.

Sutphen advised Mantell that his crew had staged the performances of Ethel Barrymore, "The Old Soak" and "The Bat" since the union crew had gone on strike, and he also said that his theater crew would unload and load the company's baggage cars, work usually performed by the road crews.

Mantell, however, said that because his company stage hands would not be permitted to work he would not give the four performances scheduled for Omaha.

Sutphen said he would bring suit for the theater's share of the receipts on the grounds that the theater had complied with every term embodied in the contract, but that the Mantell company had refused to carry out its part.

"The suit," said Mr. Sutphen, "probably will attract wide attention between here and Sioux City for the reason it would give a road company the right to cancel an engagement at a theater on a few hours' notice simply because the employees of the theater do not belong to the same union as employees of the company. If carried to extremes it would result in a condition where road companies in the theater did not belong to the same union as the song book boys with the company."

BANDITS STAGE DARING HOLDUP

Ash Creek, Minn., May 22.—Three men, garbed and accoutered as telephone linemen, were sought today here and Sioux City for the daring daylight holdup of the State bank of Ash Creek, which netted them \$500 in cash.

The bandits drove up to the bank in a travel-stained touring car while passersby on the street were in view; two entered into the bank in leisurely fashion, while the third remained in the car. Later they came out and drove quietly away.

Half an hour later it was found that the cashier, George Ladue, who was alone in the bank when the bandits entered, had been forced into the vault at the point of a pistol.

All available cash was taken from the bank and Ladue was left locked in the vault for half an hour before his cries were heard by customers arriving at the bank.

MOROSCO DENIES HE COPIED PLAY

New York, May 22.—Oliver Morosco, theatrical producer and playwright, denied on the witness stand today that he had used any part of Mrs. Grace Fendler's manuscript of "In Hawaii" in Richard W. Tully's play, "The Bird of Paradise."

Morosco is suing Mr. Morosco and Mr. Tully for an accounting and injunction, charging plagiarism from her manuscript.

Frederick Russell Burgham, an African explorer, testified to furnishing Tully with descriptions of Hawaiian life as material for his play, but said that he did not recognize any of this material in the play.

Posse Captures Jail Breakers

Grand Island, Neb., May 22.—Following up a report that two strange men had been seen making for the Martin ranch in the Platte valley, near Chapman, Sheriff Palmer and Police Chief Campbell of Grand Island tonight captured Harry Brannon and Floyd Rains, escaped convicts. Brannon and Rains obtained their liberty from the Hall county jail Wednesday night by attacking and overpowering the jailer.

As the officers approached the farm house in their automobile, their lights went out. They drove on in darkness and went to a window and looked in. The two fugitives were eating supper, their guns beside them. The officers "covered them and handcuffed them, returning the pair to the county jail late tonight.

Mexican Officials Deny Report 50 Chinese Slain

Nogales, Sonora, Mexico, May 22.—Mexican officials here tonight discounted unverified reports to the effect that 50 Chinese had been slain in clashes with bandits declared in advance to be menacing ranch owners south of the international boundary. Minor attacks occurred in the vicinity of Cananea, according to officials, but they placed no credence in the report received at police headquarters that there had been bloodshed.

Theatrical Producer's Wife to Sue for Decree

Paris, May 22.—Exclusive theatrical circles here are stirred by the report that Mrs. Charles B. Dillingham, wife of the New York producer, will shortly apply to the Paris courts for a divorce on the technical grounds of desertion.

According to experts here, this year's crop of American divorces is likely to be the biggest on record.

Modern Enoch Arden Back in Nick of Time

Berlin, May 22.—Franklin Leutheuser, one of the many German soldiers who have been wandering through Russia since the war because they lacked funds to get home, created a sensation in the village of Schalkau today by reappearing, in the manner of Enoch Arden, after he had been thought dead.

Leutheuser was legally declared dead a year ago. Believing herself a widow, his wife announced her marriage to another man and the ceremony and celebration were set for this week.

Aged Couple Are Arrested Again for Bootlegging

Charles Westergaard, 73, and his wife, Mary, 79, 1036 South Twenty-third street, who declared when arraigned before Federal Judge Woodrough on a charge of bootlegging April 12 of last year, that they were "reformed," were arrested Thursday afternoon by Robert Samardick. They were released on \$2,000 bond after being charged with illegal possession and sale.

When the pair appeared before the federal judge the woman took all the blame on herself, declaring that her husband had been ill for years and that bootlegging was the only means they could employ to pay the taxes on their little home.

Charles Westergaard, 73, and Wife, 79, Charged With Illegal Sale for Second Time

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Fined \$26 First Time

Judge Woodrough was touched by the pathetic story and fined the little old woman \$25 and her law breaking spouse \$1.

"Why don't you quit it when they see it's no use trying to get away with it?" asked Samardick after the raid last night.

At the same time the police morals squad was busy and brought in a dismembered still from 1960 South Twelfth street on a "John Doe" warrant.

The boiler was found in a subcellar, the coil in the rafters above the cellar, the air pressure tank in a garage behind the house and other parts of the still were located about the premises, according to officers. A small quantity of liquor was retained as evidence, and the rest destroyed.

Raiders All Busy

Minnie Wright, 824 North Twenty-third street, was arrested by the morals squad and charged with illegal possession and sale. She was released on \$500 bond. Henry Haman, 1815 North Seventeenth street, shared a like fate.

The sheriff's office also secured a still, 50 gallons of liquor and arrested Otis Grady, 1125 North Twentieth street.

PRESIDENT GETS JAP BARRIER PLEA

Washington, May 22.—Japan alone is to blame for the hurt to the pride caused by enactment of the exclusion bill, President Coolidge was told today by V. S. McClatchy of California, representative in Washington of organizations which have led the fight for exclusion before congress.

McClatchy sent a letter to the president giving a number of strong reasons why the immigration bill containing the exclusion clause should be signed. He pointed out that the exclusion of aliens ineligible to citizenship has been a national policy for over 40 years, and Japan, by objecting to its application to its nationals, brought on the trouble upon itself.

The letter also set forth that adoption of any of the proposed methods of delaying the exclusion measure was unthinkable.

Five-Day Week Is Ordered for Burlington Shopmen

Aurora, Ill., May 22.—Orders were received today at the local shops of the Burlington railroad to reduce the working schedule to five days a week. Similar orders, it is understood, have been sent to all shops on the system.

Jurors Pledge Beauty Blindness

Each Talesman in Case of Pretty Woman Slayer Declares Pulehritude of Defendant Will Have No Effect on Verdict.

By Universal Service. Chicago, May 22.—Justice must be blind to beauty. And justice, personified in the jury which was assembled today to try Mrs. Beulah Annan, declared its willingness to view in the pretty woman only the slayer of Harry Kalsted.

"Would the fact that Mrs. Annan is beautiful make any difference in your verdict?" Prosecutor McLaughlin asked every talesman in the negative.

The defense, too, made the plea that only justice be done, regardless of the accused's pretty face.

"We do not want this woman freed because she is pretty," William Scott Stewart, attorney for Mrs. Annan, declared.

"We want justice done, and justice will free this woman. Kalsted is dead and this woman killed him, but she shot in self-defense. That will be our defense, not her beauty."

Several talesmen were challenged and excused from jury duty because they admitted prejudice against drinking.

Outdoors Has Inning at Capital

Coolidge Makes a Plea for Greater Enjoyment of America's Playgrounds.

Bird Protection Urged

Washington, May 22.—Beasts, birds, fish and the wide open spaces were given the position of spotlight prominence in the national capital today, other issues before the government heads being subordinated to permit the outdoor movement launched by President Coolidge to gain momentum through the national conference on outdoor recreation which opened here at his call.

The chief executive left the White House, despite advice that he should refrain from speaking until his cold is dissipated, to address the conference, and with him came cabinet officers, members of congress and other authorities discuss ways and means of protecting the nation's wild life and to encourage the people to greater enjoyment of the outdoor playground, fresh air and sunshine.

The chief executive appealed for a co-ordination of "our national resources and opportunities" in a way that would better open them to people. He drew marked emphasis when he declared, "Too much emphasis cannot be placed on the effort to get the children out of the alleys and off the streets, into spacious open places where there is good sunshine and plenty of fresh air."

Need Outdoor Life

"I am not trying to recommend one above the other," Mr. Coolidge said, describing the advantages of various forms of sport and games. He added, however, that "I am trying to point out the rational value which would accrue if there were an organized, instructed and persistent effort to bring these benefits to the people at large."

Applause greeted him again when he declared the people "in our industries need an opportunity for outdoor life and recreation no less than they need opportunity for employment."

The conference was opened by Secretary Wallace of the Agriculture department, acting as honorary chairman, but then was turned over to Assistant Secretary Roosevelt of the navy as permanent presiding officer. In attendance of the opening sessions were representatives of 115 organizations of nation-wide influence.

Secretary Roosevelt's first action was to appoint 11 committees, which he charged with determining ways (Turn to Page Two, Column Two.)

Dr. Lowe Among Four Methodist Bishops Named

Springfield, Mass., May 22.—Four bishops were elected today in the Methodist general conference. They are: Dr. George Amos Miller of Panama.

Dr. Titus Lowe of Nebraska. Dr. George Richmond Grose, Greensville, Ind.

Rev. Brenton T. Badley of India. Dr. Miller, who is superintendent of the Panama mission, was elected on the fourth ballot by 570 votes.

Doctors Lowe and Grose both were elected on the fifth ballot, receiving 524 and 541 votes, respectively. Dr. Lowe, formerly of Omaha, is secretary of the board of foreign missions, while Dr. Grose is president of the DePaul university.

Rev. Mr. Badley, who is secretary of the India centenary movement, was elected on the sixth ballot and received 533 votes.

This leaves one more bishop to be elected. A ballot was taken tonight, the result to be announced in the conference tomorrow.

The bishops who have been elected will be assigned to areas in the foreign fields. This matter will not be settled until late in the session.

The conference rejected the minority report on the reorganization of the benevolence boards of the church by a vote of 465 to 292. This, in spite of the fact that Dr. George M. Fowles of New York, treasurer of the board of foreign missions, gave figures to prove that he could effect a saving of \$70,000 a year by the adoption of the "commission" plan.

Much interest awaits the report on war by the "committee of 13." It will not be a pacifist report, it is understood. It will carry war to the limit, but will recommend loyalty to the government.

A radical report on divorce was agreed to by the committee on the state of the church. When it comes to the conference it will allow ministers to use their judgment in a second marriage by divorced parties.

Restaurant Owners Chase One Suspect; Second Enters Place

While Alex Pickler and John Pintowsky, proprietors of the Uncle Sam restaurant, Thirtieth and Douglas streets, were chasing John Gates, Ninth street and Capitol avenue, whom they suspect of stealing coal, down the street, an unidentified man attempted to rifle their restaurant.

Patrolmen Hatty, who tried the door of the restaurant shortly after the proprietors started on their chase through the rain, discovered it unlocked. Going inside he heard a noise in the kitchen. He called, but got no answer.

One shot from his gun brought a scurrying of feet and a shadowy form disappeared out the back door, hurried by three more shots from Hatty's gun.

Pintowsky and Pickler captured Gates after a long chase and brought him to Central station where he was booked for petit larceny. Hatty saw no more of his man.

5th Ballot Makes Titus Lowe Bishop



Rev. Titus Lowe

Dr. Lowe Among Four Methodist Bishops Named

Dr. George Miller, Dr. George Grose and Rev. Brenton Badley Other Three Elected.

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Executive Stops Plans for Execution of Man Convicted of Murder

Reprieve Halts All Preparations for Ex-Served Man's Walk From Cell to Electric Chair—Affidavits Presented to Governor by Hugh O'Neil. Attest Innocence.

Case to Pardon Board June 10 for Reviewing

Special Dispatch to The Omaha Bee.

Lincoln, May 22.—Governor Charles Bryan late Thursday granted a reprieve until after June 10 to Walter Ray Simmons, convicted of slaying Frank Pahl, Spencer garage man, May 14, 1922, and sentenced to die in the electric chair this afternoon.

For days and weeks Simmons has waited for the action of the governor or some court of the state that would make it possible for him to slip by the grim chair that stands in the hospital ward of the prison. Ever since his conviction, and before, he has pleaded his innocence and, lately, he has pleaded for a chance for life in prison rather than the harshest sentence in the power of a Nebraska jury to impart.

"Well, you can tell the world I'm more comfortable than I was two minutes ago," said Simmons, nonchalantly. Deputy Warden Dan Kavanaugh had just told the convicted slayer of his new lease on life.

Smoothshaven, dressed in prison jeans, light shirt, with collar band turned under and smoking a cigar, Simmons smiled a smile that was clearly from the heart.

His stoicism, maintained throughout the two-year fight for his life, coupled with his remarkable faculty for hoping against hope, has gained new strength by the eleventh-hour reprieve.

"What's the use to worry," he philosophized. "I know I'll get out of this, but if not, I'll take it gracefully."

Meantime the condemned man sits calmly in his cell reading newspapers tonight, confident he will somehow win out.

Inside the prison walls all is silent tonight, save for the chug-chug-chug of the power plant engines that generate the electricity that was to have sent him into eternity on the morrow.

William S. Gilbert, professional excuioner, is speeding toward Lincoln from Trenton, N. J., not knowing of the governor's reprieve