

# WAR DEPARTMENT TRAPS BRYAN

## Leopold and Loeb Show First Shame

Boys Hang Heads as Confessions, Blaming Each Other for Crime, Read in Court.

State's Case Near Close

By JAMES WHITTAKER, Universal Service Staff Correspondent. Chicago, July 29.—The state of Illinois, but for the brief testimony of one witness, rested its case today against Nathan Leopold, Jr., and Richard Loeb, murderers of little Robert Frank.

State's Attorney Crowe was content to rest on the impressions of deceit and horror left by the readings of the first cold denial and the final cold confessions of the crime made by the pair and read in court in the order of their making.

The last witness for Crowe will be his assistant, McMillan, who will contest the defense theory of "abnormal emotions" by his story of a very human breakdown of the boys in a washroom of the state's attorney's office just before they confessed.

Clarence Darrow of defense counsel, will proceed a few minutes after court opens tomorrow morning by calling as first defense witness Dr. William A. White, alienist of Washington, D. C.

First Gestures of Shame. The reading of the confessions in open court forced their first public gestures of shame from the two defendants, who hung their heads while the damning words of a court stenographer brought out from shorthand record the details of their unheroic efforts to fasten the crime on each other when caught.

The clerk read Leopold's accusations of Loeb: "Loeb tells downright lies." He read Loeb's counter accusation: "He hit him with the chisel—Nathan Leopold, Jr. I've been made a fish right along here."

When the damning word had gone on for many minutes, away from this unpretty passage, when the eyes of the mob had shifted again from their two drooping heads—then only did Loeb hesitatingly seek the eye of neighbor Leopold and smile a tentative smile of reconciliation.

Angered Dispute. They have parried all blows to their safety. It was finally a blow to pride that brought down their guard. Characteristic of this unique legal proceedings in which both defense and prosecution have eagerly collaborated to establish guilt, was the reading of the confessions made by the boy criminals after their arrest.

At one time Attorney Bachrach of defense counsel relieved State's Attorney Crowe at the long job of reading the confessions and the statements which led up to the confessions.

The readings were expected. But none expected the angered dispute which broke out between opposing counsel at the outset of the day's proceedings, when Crowe demanded the court's attention for a formal criticism of defense tactics in allowing publication Sunday of alienist's reports on the two immature slayers.

Deliberate Propaganda. "This is deliberate propaganda," asserted Crowe. "It is known that this elaborate apology for murder cannot be introduced as evidence. Publication should not have been used as a device to bring such matter to the attention of the court."

Clarence Darrow, arranging a solemn face and motioning his assistant counsel, the brothers Bachrach, to stand importantly with him, assured the court that none of the counsel had knowledge of how the extraordinary documents were released to newspapers.

Justice Caverly listened, polite and bored, to this furious fusage of lawyers and then stated: "Neither side need fear. Threats and intimidation will not affect me. I am entirely unaffected by the publication of the reports. The case will be decided on courtroom evidence."

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## Aviator and Three Others Die in Crash



Burgess Creeth

Failure of a new type monoplane to function properly caused the death at Los Angeles Monday of Burgess Creeth, son of Mrs. M. Creeth of Hastings, Neb.; Ormond Belcher, designer of the ship, and the wife and 8-year-old son of the latter.

Creeth was a commercial aviator, taking up this line of work after his return from overseas, where he served in the air corps.

## State Injunction Suit "Scandalous," Oil Firms Charge

Say "Characters Bismirched" by Attorney General—Judge Hastings Continues Hearings.

The companies selling gasoline in Nebraska object to having their corporate "characters" bismirched by an injunction to "prevent them from doing what they claim they are not doing," they told District Judge Hastings Tuesday morning at the hearing of one phase of the state's suit to enjoin them from fixing prices and doing other things.

The state was represented by Attorney General Spillman, John P. Breen, T. J. McGuire and Bernard McNeney of Red Cloud; the 14 defendants by nearly that many lawyers.

Judge Hastings voiced serious objections to granting even a temporary order, "unless on a finding of violation of the law established with reasonable certainty."

"Injunction Won't Hurt." Mr. Breen and Mr. Spillman pointed out that a temporary injunction "wouldn't hurt the defendants."

"We are merely asking an injunction to keep them from violating the law and if they are not violating it, as they say they are not, the temporary injunction wouldn't hurt them."

This brought W. H. Herdman, defense attorney, to his feet. "Suppose," he said, pointing his finger at Breen, "suppose someone asked the court for an injunction to keep you from annoying your wife when, in fact, you were not annoying her."

"Oh, that would be scandalous—if I had a wife," said Breen.

"So is the charge against these companies scandalous," chorused the defense attorneys. "It infers we have been and are violating the law when we are not."

New Affidavit Filed. The case was finally continued until Wednesday at 2, when it will be decided whether to proceed with hearing of oral testimony or appoint a referee to proceed on the affidavits.

The state was allowed the rest of Tuesday to file additional affidavits. A large sheaf of new affidavits was filed by the state Tuesday morning. One was by Howard Frye, Mitchell garage man, who says pressure was brought to bear on him when he started selling \$10 gasoline books for \$9; that District Superintendent Ellis ordered him to sell them at \$10; that they had cards printed reading "1924 cents" and threatened to sell at this price at all Mitchell Standard stations, the price being 2 cents lower than his. He submitted, he says.

Luther League Convention to Be Held at Vermillion. Wynot, Neb., July 29.—Members of the Lutheran churches of northeast Nebraska, including those of Oberlin, Maskell, Hartington and Wynot, are planning to charge a big Luther league convention to be held at Vermillion, S. D., July 31 to August 3. Rev. S. T. Sorenson of Moorhead, Minn., will deliver the opening address Thursday evening, and Rev. N. M. Glivisaker, executive secretary of the International Luther league, who recently returned from a year's travel and study in Europe, will give the principal address Sunday evening. A sacred concert by the choir of all the churches present will be given Sunday afternoon.

Following a picnic supper in the city park there the Vermillion city band will give a concert Friday evening.

## Man Held for Torture of Baby Girl

Police Find Child Strung Up by Wrists—Tempting Food Placed in Front of Her.

Just Discipline, He Says

Versions of medieval torture by which Roy Hill, painter, 2026 St. Mary avenue, is alleged to have vented his temper on 3-year-old Margaret Wisner and her sister, Dorothy, 6, were disclosed by police Tuesday morning. Hill is held at central station on a charge of disorderly conduct while police heads and the city prosecutor search for a specific charge, carrying a heavier penalty, to file against him.

Hill admitted tying the baby, Margaret, by her wrists to a bed or wall and placing food or any article which she wanted on a table a few inches from her hand. It is also charged that he placed the baby on a bed and sprinkled her chest with sugared water to attract flies which would torment her. The man denied that he attracted flies with sugared water, but admits dripping water on the little girl's chest. Such attempts at torture, say neighbors, augmented whippings to which she subjected the two girls for minor offenses.

Parents Are Separated. The two Wisner girls are being boarded and roomed at the Hill home by William Wisner, their father, who is separated from the mother, who lives at Twenty-second and Corby streets. Wisner is a fruit peddler. The mother girls have been in the Hill home since June 21.

Sergt. Frank Murphy and Officer Ernest Krueger were dispatched to the Hill home Tuesday morning, when Capt. William Russell was informed by neighbors that a little girl was suspended by the thumbs from the wall.

The police found the tiny girl with her arms strung above her head, a bowl of grapes on the table close to her face. The baby was tied with neckties by the wrists. The ties were tied to a wire coat hanger suspended from the wall by a nail.

Tied for 30 Minutes. Hill admitted to officers that the child had been tied with her arms above her head for 30 minutes when they arrived. He denied that Margie's feet were off the floor. Sergeant Murphy said that when he entered the room the baby was exhausted and dangling by her wrists. She bears dark red welts about her baby wrists.

"I wasn't trying to hurt her. I was just disciplining her," Hill told police. "They are both mean and stubborn. That is the way to handle them."

Neighbors are aroused and will appear against Hill in court. They said they notified the welfare board of the cruelty practiced in the Hill home, but no action was taken.

"I was afraid to interfere when my husband got mad," declared Mrs. Hill. "He has an awful temper."

Has Two Children. The Hills have two children, Bernice, 14, and Jesse, 12. Neighbors told officers that Hill became angered at the Wisner children if they cried. Little Margie, crying in Sergeant Murphy's arms Tuesday morning, told him that Jesse Hill had pinched her. When she ran into the house crying, Hill strung her up, she said.

Mrs. Mona Hallgren, 2019 St. Mary avenue, said that her child told her how Hill refused to give the Wisner girls anything to eat when they were hungry. When they started to cry, Mrs. Hallgren said, Hill is alleged to have placed food within their reach and dared them to eat it under penalty of being slapped. Then Hill laughed at the frightened babies. She said she had seen one of the girls tied to a chair as she passed the house recently.

Smeared Faces With Glue. Mrs. Anne Lewis, a roomer in the Hill home, told of Hill putting sugared water on the baby's chest. She also charged that Hill smeared Margie's and Dorothy's faces with glue. "I want my mamma and papa," the two little girls sobbed Tuesday morning. They followed the officers and Hill to the patrol wagon, tugging at the policemen's pant legs and crying to be taken away.

Police announced that they would be taken care of by the juvenile authorities. The father, William Wisner, hurried to the police station when notified. He said he would place the children in a good home if allowed.

"I'll do something with that fellow," he said of Hill, his features tense with anger.

Grain Exchange Gets 143 Cars of Wheat. Wheat receipts were 143 cars and corn 18 cars at the Omaha Grain exchange Tuesday, compared to 76 cars of wheat and 30 cars of corn on the corresponding day of 1923.

No. 2 hard wheat sold for from \$22.12 to \$13.25 and No. 2 yellow corn at from \$1.05 to \$1.06, compared to \$1.12 to \$1.13 for wheat and \$0.14 cents for the same grade of corn on the corresponding Tuesday of a year ago.

## Engagement of "Yeast King's" Ex-Wife Announced as Decree Is Granted

By C. F. BERTELLI, Universal Service Staff Correspondent. Paris, July 29.—A few minutes after receiving the formal notification that her divorce had been granted, Mrs. Julius Fleischmann, former wife of the American "yeast king" and former mayor of Cincinnati, announced to her friends that she is engaged to marry Jay O'Brien, the polo player.

The announcement, she said, was "strictly confidential." Ever since the report became public that Fleischmanns were to be divorced, it has been rumored that Mrs. Fleischmann would wed the dancing polo player, who already has had two wives. They have been seen dancing together frequently of late.

The date and place of the wedding has not been set, but it will occur probably either in Paris or Deauville next month.

Mrs. Fleischmann's beauty has attracted a great deal of attention in fashionable resorts here where she is rapidly achieving a reputation as one of the best dressed women in Europe. Following her remarriage, she expects to return to the United States, home in Paris.

Counsel for Julius Fleischmann had denied that Mrs. Fleischmann was wed O'Brien or that the polo player had anything to do with their separation. He also denied that Fleischmann had settled \$5,000,000 on his wife.

The Fleischmann parted on the most friendly basis. Mrs. Fleischmann was the "yeast king's" second wife. She was previously divorced from Louis Hemiway and is said to be wealthy in her own name. O'Brien's former wives are May Murray, the movie star, and Irene Fenwick, actress.

## U. S. Files Suit to Cancel Oil Lease on Indian Lands

Government, If Successful, to Take Action to Invalidate 20 Other Permits on Reservation.

Washington, July 29.—The government today developed another phase of its effort to clear up the oil lease situation. Attorney General Stone issued orders for the filing of a suit to cancel an oil and gas prospecting lease applied for by a reservation created by executive order for the Navajo Indian nation in southern Utah. If the government is successful in this suit, it will take similar action to invalidate more than 20 other such permits, 18 of which were granted by former Secretary Fall of the Interior department and which apply to Indian lands in a dozen different western localities.

Other Permits Refused. The suit ordered filed is against E. M. Harrison, the Midwest Oil company, and the Southwest Oil company and is based on an opinion recently submitted by the attorney general to the president, in which he held that Mr. Fall's construction of the general leasing act of 1920 was in error when it applied the oil leasing provisions to reservations created by executive order. Mr. Fall's interpretation of the provision was given upon application for a lease by Mr. Harrison, said here by an official of the Midwest oil company, and under that construction of the law the other permits also were granted.

Since the present attorney general placed a different construction on the law, the interior department has rejected all pending applications for permits on such land, numbering some 400.

2,560 Acres Involved. Mr. Stone and Secretary Work of the interior department are in accord that no further leasing of the lands involved should be permitted until congress authorizes extraction of the oil or gas. They feel that congress should express its view as a guiding policy for the executive department to follow.

The lease sought to be canceled in the government's action covers land set aside by an executive order of President Arthur in 1884 and applies to 2,560 acres. There have been many similar executive orders concerning other parcels of Indian land since that date and Mr. Stone believes that the present suit, which will be prosecuted in Salt Lake City, will determine definitely the government's position for all future cases.

## York and Kearney Guard Units Go to Ashland Camp

York, July 29.—The local company of the 13th Infantry, Nebraska National Guard, entrained Monday for Ashland where they will spend two weeks in camp. More than 100 men are in the company which is one of the largest in camp. Inspection of equipment and personal appearance was held at the armory preceding their march to the depot. But few men were absent when the time came to go and those had legitimate excuses.

Kearney, Neb., July 29.—Forty-seven men of Wagon Co. 120, 35th Division, Nebraska National Guard, entrained Monday for Ashland for shipment to a dinner given Saturday night in honor of Congressman Barkley of Kentucky, and Tinscher of Kansas, who debated the campaign issues Saturday night, that they had already contracted for a six-day season in 1925.

They also announced that this year, with season tickets rates the lowest on the circuit, and the lowest they have been in the entire 13 years of chautauque, the nominal sum of \$1.50, they had finished with a slight profit.

Cattle Feeder Expires While Working on Farm. Loup City, Neb., July 29.—George McFadden, farmer, died suddenly Monday at his home two miles south of this city. Mr. McFadden, was preparing to take cattle to Loup City for shipment to the Omaha markets when he died. He had been in apparent good health, and the cause of his death is not known. McFadden leaves a wife and seven children. He was an early settler in this vicinity.

Married in Council Bluffs. The following couples obtained marriage licenses in Council Bluffs yesterday: Name and Address. Age. Homer Rieks, Omaha, 31. Marie Rieks, Omaha, 28. Hazel Miller, Omaha, 35. J. C. Minnar, Hominy, Okla., 44. Paul Kravak, Omaha, 35. Marie Novak, Omaha, 32.

## Policeman Identified in Bank Holdup

Held as Suspect in Irvington Robbery—Boys Declare He Drove Bandit Car.

'Frameup,' Officers Say

A motorcycle officer of the Omaha police force may have been one of a quartet of bandits who held up the Irvington State bank April 29 and escaped with \$2,000 after locking the cashier and a patron in the vault. This was disclosed yesterday by the arrest of Clifford Baldwin, who is now in county jail, held for investigation after two Irvington boys picked him out of a group of 10 at central station as one of the bandit quartet.

A "frameup" is Baldwin's reply to the arrest. "That's the man who sat at the steering wheel of the car," say the youngsters, John Bileck, 10, and Russell Kyte, 10, both of Irvington.

Patron in Bank. Kyte was in the bank at the time of the robbery. He positively pointed out Baldwin as the driver of the robbers' machine. Kyte could see the auto from where he stood with his hands above his head in the bank, while W. M. Dirks, the cashier, could not. Dirks, Kyte and Bileck were brought to Omaha Tuesday morning to identify Baldwin. Other persons who saw the bandit car and the bandits will be brought here in an effort to identify the officer further.

A. E. Olson, driver for Fire Chief Salter, told police that Baldwin is the man he saw driving toward Irvington, shortly before the robbery in a car answering the description of the robbers' machine. Baldwin was accompanied by three companions and turned his head away when he saw Olson, it is alleged. Olson was instructing new fire drivers outside the city limits.

Repainted His Car. Police have information that the officer repainted his car three days after the robbery. The painting was done at the pillion at Thirty-third and Cuming streets, where Baldwin was stationed.

Baldwin was arrested by Detectives Fritz Franks, Leroy Wade and Ben Danbaum, who, with operatives of the Pinkerton agency, have been working on the case since the robbery. Baldwin was questioned Tuesday morning by Danbaum and Chief Van Deusen.

He declared his car had been stolen the day of the robbery. "Why didn't you report it?" Baldwin replied. "I didn't think it necessary," Baldwin replied.

Later, in county jail, he accused Chief of Police Charles H. Van Deusen of "framing him." He declared that his superior bore a grudge against him because of differences between the two long ago. He stated he could account for himself every minute of the day of the robbery. "I have a perfect alibi," he insisted.

Dismissed; Reappointed. Baldwin was appointed to the police department October 7, 1919. He was suspended on July 6, 1920 for conduct unbecoming an officer. July 16 he was dismissed by Commissioner Henry Dunn, but was reappointed November 1, 1921.

His father, Daniel Baldwin, was a policeman before him and was noted among his fellows for his strength. Baldwin was turned over to Sheriff Mike Endres.

He will be arraigned in county court. Endres heartily complimented Ben Danbaum, chief of detectives, for his "police department has been doing some mighty fine work," he said.

## Legion Members Lend Aid in Repairs at Pleasanton

Kearney, Neb., July 29.—Twenty-seven members of the local American legion post, shouldered shovels, journeyed to Pleasanton Sunday and tendered their services to Mayor W. R. Scribner. They put in 10 hours, hauling dirt and filling in washed-out Main street.

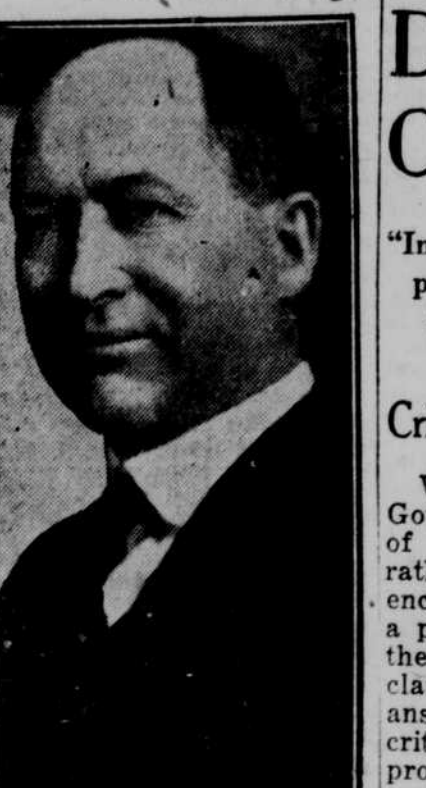
A total of 225 loads of dirt, 340 square yards, were placed before the boys called it a day. Main streets is passable again through the village the county having reconstructed the washed out bridge and fill today.

Judge Colby Returns Home from Hospital. Beatrice, Neb., July 29.—Judge L. W. Colby, who underwent a serious operation a few weeks ago at a hospital at Rochester, Minn., was brought home today by Mrs. Colby, who has been constantly at the bedside since he was taken sick. It is believed that he will soon regain his health.

Judge J. B. Raper of Pawnee City is holding a brief term of the district court here in the absence of Judge Colby, and will sit on the bench until Judge Colby is able to assume his duties.

Fair Opened at Bedford. Bedford, Ia., July 29.—Taylor County fair started today and will continue five days. Special auto races will be featured Saturday. One hundred and fifty horses are entered in races.

## Virginia Man Heads Grain Firm Merger



Gray Silver

Martinsville, W. Va.—This photo shows Gray Silver of Martinsville, W. Va., who was chosen as president of the new grain marketing company by the temporary board of directors at the Great Northern hotel, Chicago.

Mr. Silver will head the executive committee and Mr. Coverdale, who is secretary of the American Farm Bureau federation, will be secretary-treasurer. Millard R. Myers, Chicago, was selected as chairman of the board of directors.

## Man, Led to Shoot Self by Marital Troubles, Better Doctors Believe Would-Befremont Suicide Will Recover—Wife Still Refuses Reconciliation.

Special Dispatch to The Omaha Bee. Fremont, Neb., July 29.—George F. Hartman, 30, who sought to commit suicide Monday night after an unsuccessful attempt to win back his wife's love, following her application for divorce, will recover, doctors believed today.

Although wounded twice in the chest neither of the charges happened to hit a vital spot. Just before Hartman shot himself he scribbled a note giving the reason for his act, following his ejection from the home of his wife's parents, Mr. and Mrs. T. E. Haines.

"All I wanted was to talk to my wife. I cannot live without her. So tell my wife the last thing I wanted was to tell her this. Goodbye." The note was handed to one of the officers who arrived on the scene just after Hartman attempted his life.

At the hospital where Hartman believed he was dying, he called for his wife. When she arrived at the bedside he protested his love for her but Mrs. Hartman failed to respond to his plea for forgiveness. She expressed her sorrow for his action however and remained at his bedside, holding his hand as he lay suffering from the gunshot wound.

Haines, who was somewhat bruised in a hand-to-hand fight with the younger man, had recovered from his injuries today.

Hartman is the son of Mr. and Mrs. A. L. Hartman, North Bend. He formerly owned a pool hall at that place which he later traded for land. His wife's divorce plea on grounds of nonsupport still stands.

## Armagost Family Holds Reunion at David City

David City, Neb., July 29.—Family reunion of David B. Armagost and his children was held at the home of his daughter, Mrs. W. C. Buchta, in this city. In attendance were David Armagost, Will Armagost, Mr. and Mrs. W. C. Buchta, Mr. and Mrs. David Curry of David City, Mrs. and Mrs. Rolon Jones of Gresham, Mr. and Mrs. John Smith of Albion, Mrs. C. A. Wood of Denver, Mrs. George Grover of Minneapolis and Mrs. Carl Jungerman of Hastings. This is the first time Mr. Armagost has seen his children together since their marriage.

Butler County Religious Festival Draws Crowd. David City, Neb., July 29.—Butler county religious festival at City park drew a large crowd, although the rain spoiled the morning's program. After dinner a pageant was put on under the direction of Rev. Mr. Case of Belwood and at 3:30 a young people's rally was held. A men's chorus furnished music for the evening services.

Newcastle to Have Park. Newcastle, Neb., July 29.—The village board of Newcastle has voted to buy land for a public park and playground, and a special election will be held August 1 to vote on issuing bonds to amount of \$3,500 for that purpose.

Youth Breaks Jail. David City, Neb., July 29.—Robert Plisk of David City, charged with auto theft, broke out of jail here Sunday morning by prying loose the frame of the window and pushing the bars back.

## The Weather

For 24 hours ending 7 p. m., July 29, 1924. Precipitation, inches and hundredths. Total since Jan. 1, 1924. Wind direction and force.

Hour	Temp.	Wind	Humidity	Clouds
12 a. m.	52	W, 10	75	100
1 a. m.	52	W, 10	75	100
2 a. m.	52	W, 10	75	100
3 a. m.	52	W, 10	75	100
4 a. m.	52	W, 10	75	100
5 a. m.	52	W, 10	75	100
6 a. m.	52	W, 10	75	100
7 a. m.	52	W, 10	75	100
8 a. m.	52	W, 10	75	100
9 a. m.	52	W, 10	75	100
10 a. m.	52	W, 10	75	100
11 a. m.	52	W, 10	75	100
12 m.	52	W, 10	75	100
1 p. m.	52	W, 10	75	100
2 p. m.	52	W, 10	75	100
3 p. m.	52	W, 10	75	100
4 p. m.	52	W, 10	75	100
5 p. m.	52	W, 10	75	100
6 p. m.	52	W, 10	75	100
7 p. m.	52	W, 10	75	100
8 p. m.	52	W, 10	75	100
9 p. m.	52	W, 10	75	100
10 p. m.	52	W, 10	75	100
11 p. m.	52	W, 10	75	100
12 m.	52	W, 10	75	100

## We Have With Us Today

Maj. Wallace J. Jaka, Quartermaster Department, U. S. A., Retired. Maj. Wallace J. Jaka is spending the week in Omaha, where for many years he was quartermaster in charge of the depot at Fort Crook, Neb. He is now retired from the government service. He is stopping in Omaha en route to his summer camp in Colorado to his home in Michigan. Major Jaka was chief quartermaster of the General Pershing headquarters at Chaumont, France, with the A. E. F. during the world war. The soldier's collection of war relics to Omaha lodge No. 35, Benevolent Protective Order of Elks, of which he is a member. The collection gathered overseas is conceded to be one of the finest in the country and is now at the new Elks' club.