

Leopold and Loeb are Sentenced To Serve Remainder of Lives In Prison For Murder of Franks

YOUTH ALONE SAVED BOYS FROM GALLOWES

Judge Caverly States in Decision That Only Two Minors in Illinois Have Been Put To Death.

KIDNAPPING CASE ADDS TO SENTENCE On That Charge Youths Are Sentenced to Serve 99 Years.—Leopold Received Sentence Very Calmly.

Criminal Court Building, Chicago, Sept. 10 (By the Associated Press).—Sentences of life imprisonment for the murder of 14-year-old Robert Franks, and 99 years' imprisonment for kidnaping the boy were meted out today to Nathan F. Leopold, Jr., and Richard Loeb by Judge John R. Caverly. The youth of the defendants, 18 and 19 years respectively, was all that saved them from the noose.

"It would have been the path of least resistance to impose the extreme penalty of the law," said the grey haired judge in his decision. "In choosing imprisonment instead of death the court is moved chiefly by the age of the defendants, boys of 18 and 19 years.

"It is not for the court to say that he will not in any case enforce capital punishment, but he believes it is within his province to decline to impose the sentence of death on persons who are not of full age.

"This determination appears to be in accordance with the progress of criminal law all over the world and to the dictate of enlightenment of humanity. More than that, it seems to be in accordance with the precedents in this state. The records of Illinois know only two cases of minors who were put to death by legal process, by which number the court does not feel inclined to make an addition.

Judge Caverly added that while life imprisonment "may not strike the public imagination as forcibly as would hanging," yet "to the offenders, particularly of the type they are, the prolonged suffering of years of confinement may well be the severer form of retribution and expiation."

"Judgment cannot be affected by the tests brought into the record," said Judge Caverly in another place. "The crime was heinous, although there was no abuse of the body."

Robert E. Crowe, state's attorney in a formal statement issued immediately after the ten-minute session of court, said "I still believe that the death penalty is the only penalty feared by the murderers."

He said the responsibility for the decision rests with the court alone, and that he had no desire to criticize it, but that he would do "everything within my power to enforce the law honestly and vigorously without regard to the status of the criminal."

"That finishes my connection with this case," said Clarence S. Darrow, chief defense counsel. "It was all we could have expected. There will be no appeal."

Mr. Darrow, commenting on the possibility of paroles, said that paroles could be applied for after 20 years of life sentences had been served, but he thought it required 37 1/2 years of imprisonment before paroles could be applied for under a sentence of 99 years in the penitentiary.

Nathan F. Leopold, Sr., sat silently weeping as the judge rendered his decision. He offered no comment and merely nodded his head when friends grouped about him and whispered in his ear. He indicated in reply to questions that he would never seek a parole for his son.

Preserving Order in Herrin



Troopers are patrolling the streets of Herrin, Ill., again. They were ordered in by Adjutant General Carlos Black following rioting between Sheriff Galligan's forces and known members of the Ku Klux Klan, in which eight were killed. Here are a few of the Illinois National Guardsmen resting. Most of the militiamen, however, have been withdrawn, despite the protests of Sheriff Galligan and State's Attorney Dutz.

INTEREST IN FIRPO-WILLS BOUT

What Will Happen When They Meet in Jersey City Tomorrow?

New York, Sept. 10.—What will happen when Luis Angel Firpo, the Wild Bull of the Pampas and Harry Wills, the New Orleans Black Panther, meet in the square circle at Boyle's Thirty Acres in Jersey City tomorrow to settle the question of pugilistic supremacy and the right to meet Jack Dempsey in a fight for the world's championship? This is the question that is being asked today about hotels and other places in the metropolis where sporting men congregate. Naturally, a definite and conclusive answer will not be forthcoming until the battle is fought and ended. Both men have their ardent admirers who are confident that their favorite will win. In Wall Street and elsewhere large sums are being wagered on the results. The odds indicate that the American negro heavyweight and the big man from Argentina are rated about equal in their fistic ability, as the most of the bets are being placed at even money.

Both men have trained faithfully for the contest and appear to be in the best of physical condition. In anticipation of a possible title match with Dempsey the veteran Wills has been keeping himself in good trim for the past year or longer and needed little extra work to put him in the proverbial pink. As to Firpo, those who have closely followed the career of the South American declare that never before in his ring career has he trained so faithfully as he has done in preparing for the fight tomorrow. Firpo himself declares himself far better equipped both mentally and physically than he was when he met Dempsey a year ago.

The articles of agreement call for a two-round battle between the two heavyweights. It is understood that Firpo's contract calls for \$1.2 per cent of the gate receipts, while Wills is to receive 27 1/2 per cent.

JEWELRY STOLEN FROM J. S. COSDEN HOME

Jewels Were Valued at \$250,000 and Were Stolen Sometime Monday Night, It Is Said.

New York, Sept. 10.—Jewelry valued at \$250,000 was stolen from the home of J. S. Cosden, wealthy oil man and race horse owner at Sands Point, Long Island, on Monday night, it was announced today. Some of the gems belong to Lord and Lady Mountbatten, who accompanied the Prince of Wales to this country, and who were guests at the Cosden home. Mrs. Richard Norton, another member of the Prince's party also lost some jewels. The robbery was committed by a sneak thief while the ladies were away from their rooms on Monday night. Most of the jewels had been left on bureaus and dressing tables.

Chinese housewives of Shanghai yearned for hot biscuits, so an enterprising German chemist has erected a plant for the production of compressed yeast in that city, and as it is the only plant of its kind in the Far East the product is being sold as far south as Singapore and as far north as Harbin.

Chicago, Sept. 10.—State's Attorney Crowe this afternoon said that Leopold and Loeb probably would not start for Joliet before 2 p. m. Should it take more time to execute the papers, he said, the start would not be made before 4 p. m. Sheriff Hoffman said that within a few hours after the sentencing he had received several anonymous telephone calls, warning that preparations were being made to waylay the prisoners and their escort en route to the penitentiary.

New York Joins With Other States Which Have Already Joined Action In Suit Against Government

NORTH CAROLINA ENTERS THE CASE About \$300,000,000 Is Asked In Suit, the States Claiming the Money Was Collected in Taxes.

(By the Associated Press) New York, Sept. 10.—Governor Smith today approved a contract whereby New York will join a number of other states in a joint suit against the United States government for the return of direct taxes approximately \$300,000,000, paid immediately after the Civil War. New York's claim total \$49,029,875.

Virtually all the other states in the Union either have adopted or are negotiating a contract providing for their participation in the joint action, according to State's Attorney General Sherman. Delaware, Florida, Georgia, Illinois, Indiana, Louisiana, Minnesota, Montana, New Hampshire, North Carolina, Oregon, South Carolina, Tennessee, New York and West Virginia already have completed steps to join the action, he said.

The suit will seek the recovery of direct taxes levied by the government on certain manufacturers in the years, 1866, 1867 and 1868. Burton Smith, a New York lawyer, and brother of Hoke Smith, former senator from Georgia, has been appointed general counsel for all the states. Suits already authorized by sixteen states call for the return of more than \$116,000,000. North Carolina is seeking the return of \$2,682,064.60, and South Carolina \$4,172,421.16.

SOUTHERN RAILWAY FIGHTING BUS LINE

Contents Danville-Richmond Line Neither a Public Convenience Nor a Necessity.

Richmond, Va., Sept. 9.—The Southern railway today stubbornly opposed the application of L. F. Bernard, of Greensboro, president of the Royal Blue transportation company, for authority to operate a passenger bus line between Richmond and Danville, contending that the line would be neither a public convenience nor a necessity inasmuch as it would parallel the railroad and the distance between the two cities and offers practically no services which the railroad is not already giving.

THE COTTON MARKET

Renewal of Southern Hedge Selling and Other Factors Sent the Prices Still Lower.

(By the Associated Press) New York, Sept. 10.—Renewal of southern hedge selling and liquidation promoted by relatively easy Liverpool cables, expectations of a favorable weekly weather review, and rumors of an easier spot basis, sent prices still lower in the cotton market early today. The opening was steady at an advance of one point to a decline of seven points but the demand was soon supplied, prices breaking to 23.35 for October and 22.85 for December, or 17 to 21 points net lower, before the end of the first hour. The opening prices were: Oct. 23.35; Dec. 23.05; Jan. 23.00; March 23.85; May 23.50.

With Our Advertisers. The big piano exhibit of the Schultz Co. begins tomorrow at the Bell & Harris Furniture Co.'s store. Look out for big ad, tomorrow. The new Elfrid store has just received a big shipment of "Happy Home" dresses. Mel-Bro, the wonder lotion that gives you a beautiful complexion. Any knife in the window of the Ritchie-Caldwell window for only 50 cents. The Cori Motor Co. carries a full line of Dodge Brothers parts at all times. Drive around to the Southern Motor Service Co. and get retired. Distributor for Racine tires. The Parks-Bell Co. has new Fall goods coming in daily. The beauty parlor in this big store will be opened soon. See new ad. of Howard's Filling Station, "Andy Gump for President." Go there and get your campaign buttons. The interest-bearing certificates of the Citizens Bank and Trust Co. are ideal investments.

"The plea of guilty did not form a point in favor of the defense," he said. "The testimony has been detailed and elaborate and has been given such wide publicity that it would be useless to repeat it now. But the court feels it its duty to say the defendants are abnormal. Otherwise they would not have committed the crime."

Chicago, Sept. 10.—The Charlotte fire department last night became a "first aid" to a "locked out" citizen, name withheld, found himself locked out of his home at an early hour today. He called the fire department by telephone. A truck was sent to the scene. A ladder was placed so he could reach a second story window. The citizen got in and the firemen returned to their slumbers.

SUING GOVERNMENT TO RECOVER MONEY DEMANDED IN TAXES

THE MYSTERY WOMAN MAKES HER GETAWAY

Was Ordered Re-arrested at Wilmington, But She Had Flown.

Wilmington, Sept. 9.—M. Fay, alias Miss Jonnell, the so-called "mystery woman" who was ordered out of Wilmington yesterday, today was ordered re-arrested. A request for her arrest was sent to officials at Goldsboro, following receipt of a telegram from Mrs. Louise Wise Lewis, of Wilmington, New York and St. Augustine, who formerly employed the woman.

The telegram from Mrs. Lewis, who is at Burke Falls, Ontario, said that she had discharged the woman, who she knew as M. Fay on August 12th, and had missed some wearing apparel. Her attorney, George W. Jackson, of St. Augustine, Fla., who she said, would come here if necessary, is expected soon. Mrs. Lewis, who inherited the bulk of the estate of Henry M. Plagier, Florida railroad and hotel magnate, said that she would advise officials later regarding whether or not she had lost any jewelry. The woman had about \$10,000 worth of jewelry and \$1,200 worth of cash when arrested here last week.

A warrant was issued here today charging the woman with larceny of property belonging to Mrs. Lewis. The woman was yesterday sentenced to three months imprisonment for violation of the prohibition law, but the sentence was suspended, provided she leave town before 7:30 p. m. She went to Goldsboro. Property she carried, with the exception of some correspondence belonging to Mrs. Lewis and a bunch of keys was returned to her.

DRY WEATHER BRINGS RENEWAL OF FIGHTING

Rival Chinese Forces Started Fighting Again During Night With Defenders Claiming Victories.

Shanghai, Sept. 10 (By the Associated Press).—Cessation of the rain which halted fighting along the front south and west of Shanghai was the signal for resumption of firing along the whole line this morning between the forces of rival military governors, battling for possession of Shanghai. Reports from headquarters of the defending forces this morning said that additional advances were made against the invading forces in the Iping sector, 90 miles west of Shanghai. The Chekiang troops reported the capture of the village of Susean. The drive on Iping is part of the campaign to take Changchow, the point from which the defending forces hope to attack the Kiangsu troops from the rear. Renewed rainfall tonight indicated almost without doubt that further firing along the whole front would be postponed until the skies clear.

STRENUOUS TRIP IS FACING JOHN W. DAVIS

Will Speak at Denver, Cheyenne and Topeka During This Week.

(By the Associated Press.) Estes Park, Colo., Sept. 10.—When John W. Davis, Democratic presidential nominee leaves here tomorrow he will face an even more strenuous program of campaigning than he did on the trip out of Chicago which brought him here. He will deliver three successive set addresses on as many nights; the first at Denver on Thursday; the second at Cheyenne, Wyo., on Friday; and the third at Topeka, Kans., Saturday. From Topeka his schedule calls for a trip to Bunceon, Mo., for an outdoor speech next week, and then an address for Des Moines a week from today before he returns to Chicago to speak here.

Among the inhabitants of some of the more remote Fijian Islands in the South Pacific Ocean, ordinary money is unknown, its place being taken by plug tobacco; so many sticks being worth one pig or one wife, as the case may be.

Firemen Give First Aid to Locked Out. Charlotte, Sept. 9.—The Charlotte fire department last night became a "first aid" to a "locked out" citizen, name withheld, found himself locked out of his home at an early hour today. He called the fire department by telephone. A truck was sent to the scene. A ladder was placed so he could reach a second story window. The citizen got in and the firemen returned to their slumbers.

Flies to Stay in Capital for Defense Day (By the Associated Press.) Washington, Sept. 10.—Decision to keep the world flies in Washington until Defense Day, Friday, September 12, was announced today by Major General Patrick, chief of the army air service.

Defense Day Arrangements—Friday September 12th

The following plans have been made by the Program and Recreation Committees for the observance of Defense Day, on Friday afternoon, September 12th: 3:00 P. M.—Assemble in front of Armory Hall, corner of South Union and Corbin streets. 3:30 p. m.—Parade will start, moving up Union to Marsh street, thence to the new High School grounds. The organizations will form in line in the following order: Company E National Guard; American Legion; Enlisted Prospects; Y. M. C. A.; Red Cross, War Mothers; Daughters of the Confederacy; Daughters of American Revolution; American Legion Auxiliary; Confederate Veterans; Spanish War Veterans; Other organizations. At the High School grounds, the following exercises will take place: Invocation by Chaplain W. A. Jenkins; thirty minutes' drill by Company E; recruiting to war strength by Company E; ten minutes' talk on Defense Day by John M. Oglesby; refreshments; adjournment.

SHAVNER CLAIMS DAVIS NOW HOLDS ADVANTAGE

Notion That Coolidge Is the Leading Candidate Is Nonsense, He Asserts.

Washington, Sept. 9.—Confident that the presidential election will be decided in favor of John W. Davis, in the electoral college, and will not be thrown into Congress, was expressed in a statement issued tonight by Clem L. Shaver, chairman of the Democratic national committee. "It is justice as well," he said, "to get rid at once of the nonsensical notion being spread by Republicans that Coolidge is the leading candidate, and that it is necessary to vote for him to keep the election out of Congress. Just the reverse is true."

Claiming 204 "sure votes" for the Democratic candidate and conceding only 183 in the category for the President, Mr. Shaver asserted: "If the voter were to cast his ballot from the sole motive of keeping the election out of the house, he would vote for the candidate who had the largest number of sure votes, and that candidate would be John W. Davis. No candidate even approaches him in the number of sure votes."

"There has not been a single estimate by those engaged in carrying the election now with their pads and pencils which has not conceded the vote of the southern states to Davis. That means that Davis starts with 133 certain votes in the electoral college."

"But there are other states that Davis will carry, although they are not listed in the Davis column of southern states. They represent a total of 65 votes in the electoral college, giving Davis a total of 204 sure votes, without counting the doubtful and normally Republican states."

"The minimum claims of friends of Senator La Follette give him 35 to the Davis vote of 204, makes a total of 239 votes that Coolidge can not get. If this number is subtracted from the total vote of 531 in the electoral college, it leaves 292, out of which Coolidge must get 266, which gives him a safety margin of only 26."

"The so-called solid Republican states, which can be listed as reasonably sure for Coolidge, have a representation of 138 in the electoral college. Coolidge, therefore, needs 128 more to get the necessary 266. Subtracting his reasonably sure 138 from 292—the votes not certain for either Davis or La Follette—leaves 154 from which his additional 128 will have to come."

"In other words, Davis will have to get only 62 votes out of the doubtful states (the group having 164 votes), whereas Coolidge will have to get 128."

FRIEND OF PRINCE IS SEEKING FREEDOM

Duchess of Westminster Wants Marriage With Duke Dissolved.

London, Sept. 10 (By the Associated Press).—The Duchess of Westminster, who has figured prominently in the gayeties connected with the entertainment of the Prince of Wales on Long Island, has petitioned for the dissolution of her marriage, the papers having been served on the Duke on August 18th, it was revealed in court today. Divorce proceedings came out when attorneys for the Duchess renewed their application for an injunction to restrain the Duke from ejecting her from her home in London.

Winston-Salem, Sept. 9.—Senator Pat Harrison, keynote of the democratic national convention, will not speak in Winston-Salem during the present political campaign, according to statements made this morning by Geo. W. Flynt, chairman of the Forsyth democratic committee, who was interested in bringing the speaker to the city for an address one night during this week. Inability to secure an auditorium in which the speaking might be held was assigned as the reason for discontinuing plans for the visit.

PLEASE HOLD LEAD ESTABLISHED EARLY IN RUN-OFF PRIMARY

Leading James F. Brynes by More Than 2,000 Votes Upon Basis of Nearly Complete Unofficial Returns.

SENATOR COUZENS IS LEADING NOW

Takes Lead in Michigan Primary After Trailing Until the Vote of Wayne County Had Been Announced.

Columbia, S. C., Sept. 10 (By the Associated Press).—Cole L. Blaise, twice Governor of South Carolina, and twice before a candidate for the senatorship, was leading James F. Brynes, representative from the second South Carolina district, by a margin of 2,210 votes for the Democratic nomination for United States Senator, upon the basis of nearly complete unofficial returns from yesterday's run-off primary, tabulated here early today. The vote representing 1,295 precincts out of 1,345, stood: Blaise 97,462; Brynes 95,252.

Thos. McMillan, of Charleston, defeated W. T. Logan for the latter's seat in Congress from the first district, and in the second district B. B. Hare, of Saluda, was nominated over Solicitor Robert L. Gunter, of Aiken, for the place now held by Representative Brynes. Although the returns were incomplete, the missing boxes were said to contain insufficient votes to change the relative standings as shown by this morning's tabulations. The vote was: McMillan 11,102; Logan 8,887; Hare 11,332; Gunter 9,160.

Former Governor Blaise went into the lead in the first returns received last night, and held his lead throughout with the exception of a brief period when the Aiken congressman had some 4,000 votes more than his opponent.

Blaise Holds Lead. Columbia, Sept. 10.—With only 43 boxes missing out of 1354, Cole L. Blaise retained his lead of over 2,000 votes over James F. Brynes for the nomination as United States senator. The vote stood: Blaise, 97,682; Brynes, 95,954.

Couzens Takes Lead. Detroit, Sept. 10 (By the Associated Press).—Senator James Couzens took the lead for the first time in the race for the nomination as United States Senator when 201 Wayne County precincts placed him in front of Judge Arthur J. Tuttle. The vote, with 1803 of the state's 2,765 precincts reported was: Couzens 212,204; Tuttle, 194,889; Smith 23,202; Tussing 21,158. Tuttle came into Wayne county with a lead of approximately 30,000 votes. Returns from Detroit were 2 to 1 for Couzens.

When 1,888 precincts out of the 2,765 in the state had reported, Senator Couzens had a lead of 19,562 over Judge Tuttle. The vote stood: Couzens 222,374; Tuttle 202,812; Hal H. Smith 24,467; Daniel W. Tussing 22,618.

The short term for the U. S. Senate to fill the vacancy created by the resignation of former Senator Newberry and to which Senator Couzens was appointed upon the time of the November election this year, also may have been won by Couzens.

Maine Election Victory From Democratic Standpoint. Washington, Sept. 9.—The Maine election was described in a statement issued tonight by Clem L. Shaver, chairman of the Democratic national committee, as being a "victory" from the Democratic standpoint.

"The Democratic nominee for governor," he said, "was defeated by 30,000 votes less than in 1920, the last presidential year, and this in the face of the fact that the vote in Maine this year was approximately 40,000 larger than in that year. In other words, the gains have been tremendous and the loss to the Republicans 50 per cent, in the matter of plurality. The Republican nominee for governor won by 65,000 in 1920. This year he won by about half that. A change in the two parties' votes of anything like similar percentages in the country would mean a clean Democratic sweep."

Revival Meeting. Rev. H. T. Blackwell will start a revival meeting on Young street, near Cabarrus Mill Thursday night, September 11th. Several of the preachers of Concord are expected to help in this meeting. Also the choirs from different churches are requested to come and help with the singing. We will try and have special music every night. The Kerr Street jitney will run in one block of the meeting. Get off on West Corbin street and Skip with street. Only one block to tent. Come, everybody and bring someone with you. The meeting starts at 7:30 sharp. H. L. B.

In Venice hotel guests are forbidden by law to tip.

FOR SWEET CHARITY POINT SERVICE STATION OPENS For the Benefit of the KING'S DAUGHTERS WEDNESDAY AND THURSDAY, 10th AND 11th BE GENEROUS BUY YOUR GAS AND OIL C. G. BROWN Corner McGill and Buffalo Streets

THE M. SCHULTZ CO. FACTORY PIANO EXHIBIT BEGINS TOMORROW AT OUR STORE Watch The Tribune for Special Announcement. BELL & HARRIS FURNITURE CO.

WHAT SMITTY'S WEATHER CAT SAYS THE M. SCHULTZ CO. FACTORY PIANO EXHIBIT BEGINS TOMORROW AT OUR STORE Watch The Tribune for Special Announcement. BELL & HARRIS FURNITURE CO.