WESTOVER AND DONAHUE

Continued from Page 1

hospital and collapse on the second

Durnford was taken up to the hos- was privileged to show there were no session at the East Venice Grange tune with its attendant evils which pital by Prison Physician Dr. Frank rules. He said: "There was no rule Hall Friday, March 7. threaten all citizens as members one

which Durnford died."

ment gallery in the south wing where confine bimself to the facts of the they were put into cells. He said defense. that Becker came up on the punish-

Mr. Hosmer stated that later there. was taken from the body of Becker a bullet which the People claim came from the gun of Durnford. That later in the autopsy over Durnford's body was found one wound that was mortal. That physicians will testify that a bullet taken from Duraford's back was a steel jacketed bullet of the kind used in automatic guns. Mr. Hosmer urged the finding of a verdict of murder in the first degree.

Opening for Bocker. The opening for the defendant was made by Attorney Samuel Leibowitz of Brooklyn. Speaking in the first person he said: "I require that you prove that I was part of a conspiracy to escape from Auburn Prison, I demand that you prove beyond a reasonable doubt that I actually killed Keeper Durnford,"

Taking up the antecedents of the defendent, in an evident effort to show the mental background of the prisoner during these days in Auburn Prison, he said that Becker is now 27 years old, that about three years ago he got into the trouble which brought him into the events of December 11, 1929. He said Becker was sentenced from Kings County for burgiary. His crime was this: on July 4 in the daytime, when a family was away, he burglarized a house, stealing \$10 worth of 10 cent store he had no thought of escape. junk, and the learned judge before hom he was arraigned, for reasons best known to himself, sentenced this man to 30 years in States Prison. Prior to this he had been guilty of some petty misdemeanors. He was sent to Sing Sing, then transferred to Dannemora, the Siberia of prisons, and by the system of jockeying in the conduct of prisons he was sent to Auburn, and that is why he was here on December 11, 1929.

"Now I want to show some things To emphasize the mental attitude of

Bhips under which prisoners are held | been found in potatoes. said "he often had to eat food with trict Attorney Hosmer objected to the line of argument.

-encitibnes sales work fliw l" prison, that it had completely broken i not in the lower hall when the war-

Further objections here caused Justice Cunningham to say: "I will let the counsel proceed for the pres-

NIP CHEST COLDS, PAIN WITH HEAT OF RED PEPPERS



To break up congestion, to rentoly free circulation and stop chest colds. , . to alleviate the eleculatory pains aches of rheumation. Provide, lum bago. .", nature has stored up in red perpers a mervelous therapeutic best that penetrates deeply into the skin without blistering or burning and awiftly brings relief. Now this granine red peppers' beat is contained in an elatment, Borles Red Pepper Rule. An pon rub it on von'll feel better. And self Routes Red Popper State in con-

terial to the case."

district attorney mentioned rules, he Bureau units will meet for a joint! fight off poverty, illness and mistor-L. Heacox and a prison inmate, that a prisoner must be in a partic. How to Take a Farm Inventory of mother: one of the addresses where Durnford died. ular place at a particular time."

back to the Mutual Welfare League ker's bed, shortly before this day, session by R. V. Call of the Depart- den which is weighting down many hitchen as the warden and captive had been sprayed with an ammonia ment of Agricultural Economics at of our citizens this Winter season. guards started for the South wins gun by somebody to wreak ren- Cornell. This part of the program Some of these are able to tide over seall block.

What People Will Show.

The south wins gun by somebody to wreak ren- Cornell. This part of the program Some of these are able to tide over their difficulties until Spring opens, then took up the question of guns afternoon Mr. Call will cohelude the others have succumbed, owing to the "We will show you," said Mr. Hos- figuring in the meeting. He said he inventory work end Charles L. Mes-mer, "that as these men started, would show where each of the 12 ser, Farm Bureau manager, will dis-come to the community for help George Durniord stood there, opened guns came from, how each got into cuss the agricultural outlook for through the community's representathe door and then closed it. That the the prison, "through what means, 1930. defendant Max Becker yanked the through whose aid, and because of door open and fired the shore from how much consideration." At this onstration agent will talk to the should help share the burdens, hich Durnford died."

Doint Justice Cunningham, on re- ladies on Diet and Health, Dinner Mr. Hosmer reviewed the taking of newed objections of District Attor- will be served at noon, the warden and guards to the punish ney Hosmer instructed counsel to

Mr. Leibowitz then took up the ment gallery with a wound in his little Company and showed that it theat. Then Becker was taken down bad access to the cell block as did the o'clock tomorrow evening in Saper- the list since. Once more we are to the flats and then upstairs to the Foundry Company that morning.

Several men on this day were in will be initiated, and light retreshnot already contributed to the Com-Factories were hurned down in a pre-

> They were kept in the North wing. On this day in question this idle company of which Becker was one into the yard for exercise. Then sideration. went to his cell block and left soiled! underwear other than that furnished

vide certain peculiar cood, etc., ciusive, in cross examination he adwhich the Jewish people est at the mitted that he had used flashlights Italian inmates have similar proceed-tures, even with flashlight, appear to ure for Columbus Day; the Irish for be dark and cloudy in large parts of St. Patrick's Day.

doubt that Becker was in the lower took the motion under consideration. hall legitimately. That he had no Albert J. Clements, engineer, was thus far this has been one of the cent, ulterior motive in being there. That then called He identified two large livelest and closely competed of any Shaw.

Mutual Weilare League kitchen was a hangont for the league. That guards were never present.

"We will show you that Warden Jennings had demanded more guards. were in court seated on a bench di-That he did not have guards suffice rectly behind Max. He smiled at his ient to police the lower hall. That convicts came day in and day out room and as he left to return to the from the yards to get warm in the prison. lower hall.

"We will show you that Warden Jennings bad been in the yards that , morning. That he was in the kitchen investigating a report that glass had

"When one quarter of the distance and had reached a point where he from the mess hall to the league worms crawling on it-food that was the league kitchen, a hole in the room he was held up and taken into not fit for a pig to est," when Dis- wall, barely big enough for four men to be squeezed in like sardines. "We will show you from Guard that there was no discipline in the Dempseyls own mouth that he was den was stuck up. He was not there until five minutes afterwards."

Declaring that the Keepers Ryther and Dempsey, Instructor MacTaggart and Warden Jennings' could have had no visible knowledge of the shooting of Principal Keeper Durnford and that he would prove from their own words, given in the testimony of the trial of the six convicts recently, that they were up on the South block, second gallery, when they first heard shots he said that Becker, having gone into the South hall came into the line of fire between three or four men on the stairway and some one some distance away and thus "became the nawitting victim" of the gun play from which he received his wounds.

In closing his argument he said that the district attorney's theory of the case was made out of whole cloth and was constructed "to exact venseason from Max Becker because he was the only wounded man left milite" in the group of man in

Bouth gailery that day. He saked the jurors, in view of the fact that the prosecution would have apportunity to put its satire case hefore the defense could put in any eridence, le keep an open mind.

At the conclusion Justice Canningham ordered a brief recess. When Court resumed Attorney Leibowitz moved that the Court direct the Papple to release Defendant Bucket from handsuffs, on the ground that this use of chackies would cause projudice against him. in 8 minutes relief comes. From stores He also moved that all witnesses not on the stand to testify, choold be venient jurn Demand the gengine Adv | excluded from the court room so

Furniture Sale

20% Ende Saturday

SCHRECK BROS.

Social Notes Underwood Sounds & Personals

Wilbur E. Morgan, 1914 Court Street, a member of the freshman class at Colgate University, was initiated this week into Kappa Delta Rhe Iraternity, at the 13th annual initistion and banquet of that fraternity. Mr. Morgan is a son of Sheriff and Mrs. Earl J. Morgan.

EAST VEHICE WILL HAVE

and Keep a Simple Cash Account will Wilson in one of his addresses. Mr. Hosmer then took the jury. He then went on to say that Bec. be the subject discussed at the men's. Unemployment is the present bur-

Miss Eunice Heywood, home dem-

Rainbow Girls to Meet. Auburn Assembly, No. 3, Order of meeting. Miss Isabelle Cameron,

were housed in the North cell block. they could not hear each other testi-They had breakfast. They were taken fy. Justice Cunningham everruled to the bath house. Becker had his, the first request and said he would On leaving the bath house he went take the second request under con-

The First Witness

The prosecution then began the by the state on his cot. Then be went taking of testimony. The first witback into the yard and continued his ness was Arthur A. Turner, Bertil-"At that time Jewish inmates were identified a series of pictures made contemplating holding an election of by him in the prison. They were put in evidence as exhibits 1 to 14 inion photographer of the prison, who observance of the Passover. The to make pictures 3 to 10. The pictheir areas, and the delense evident-"We find Becker going around the ly was eager to show that the prison yard for the purpose of passing cells, halls and galleries are kin of among the Jewish people collecting the black hole of Calcutta. In one Pocket Billiard Tournament was exhibit the photographer's replies as completed replerday afternoon when hearly all of his life he lived in the "We will produce a man who was to his knowledge of certain spots Sherman Wifey won the last two of with Becker when he came into the caused the attorney for Becker to the series of three 50 point games lower half from the pard. We will move that this particular exhibit be from Ralph Barber. There are 32 of show you beyond the shadow of a stricken out. Justice Cunningham the best players in the "Y" who are

prison as they relate to the crime.

This afternoon Mrs. Fanny Becker of Brooklyn, mother of the defendant and Samuel Becker, brother,

Westover on Stand. Robert A. Westover chief clerk

burn Prisons. Was Steve Pawlak an inmate of Mr. Leibowitz.

''Yes." "Was Perry Johnson?" "He was."

"Were all these men killed?" "They were,"

Were you what is known in common parlance as a general factotem?" asked Mr. Leibowits. Objection by Mr. Hosmer sustained.

Mr. Westover explained in detail his duties at the prison under direct supervision of the warden. "Were any orders ever immed

through you regarding platels in Au-Objection by Mr. Hosmer sta-

Was there an institution in Auburn Prison on December 11 known as the Mutual Welfare League?"

Objection sustained. Was it part of your duty as chief clerk to submit communications from convicts or convict organisations to Warden Jennings?" Objection sustained.

Justice Cunsingham appounced dealed of motion by Attorney Leibowitz to exclude all Witnesses from the court room as there were no piaces available except halls and con-

Timothy Donabus, guard at Auburn Prison for 34 years, was called by District Attorney Hosmer. He testified that he had charge of the company known as the idle or Backer was a member.

Dennine testified to taking his to a committee.

Senator Hewitt also introduced company on the morning of December 13, 1936 green the North wing to both house on South side of the

member of that company Mr. Donmus of his company as they came out of the both room and that more the Max Bocker was among them. looked up versi of the inmates, significant rights. Advertising the after the bath who did not are to exaction in the yards on account of telel. Gerken san not in tin ceil, i

with the first of the company with the

No service in the figure ekindi in in salah in Kab**isangkana** me

Witness said that Bother was a

Appeal for Families Now in Dire Need Editor of The Citison: "In a democracy, there is no power needs a lob. Family need coal, rent

strong enough to bear the burdens of and milk. the whole, except the strength of the Mr. Leibowitz asserted that as the Last Venice Farm and Home; community form a great team to

> tive, the Family Welfare Society, and it is only right that the community

With one exception, the same famllies cited in former appeals in the newspapers are still supported by the society. The one mentioned has been fortunate enough to secure work through the efforts of a friend. Rainbow for Girls, will meet at 7:30 Other families have been added to what is known as the idle Company. ments and games will follow the munity Chest and who are able to vious riot and were out of work. Master Masons and Eastern Stars are their shoulders to the community ed which has removed this disability. Invited to be present. Help and to become part of Au- Man is now containment. Milk, rent. do so, asking if they will not put burn's "team to help fight off poverty. Olness and misfortune with its attendant evils."

In each of the following cases the normal city or county relief is inadequate to meet the full family needs. 8. Man out of work since before Christmas. Woman expects addition to family. Two children attend school one little one at home. Behind in

rent, Threatened with eviction. Man

9. Young couple with two chil-The life whole. Our social effort can only be dren, youngest born about Christ-complete when all the members of a mas time. Man has bad tracoma for three years. He is ambitious, industrious, does more than many men without such a handleap. He is out of work. He is under strain on ascount of nervous condition of his wife. He needs jub. Family need

rent, coal, milk temporarily. 10. Weman lost the use of her arm last October. A doctor and his wife are most generously giving their time free of charge, and are gradually restoring the arm to its normal condition. Two children attend school and are at the Day Nursery between times. Woman will be unable to work for a number of weeks. Rent, coal, milk and food are needed.

11. Father, mother and three children. Father became discouraged over loss of his property and left home for several months. Oldest boy trying to support family. Fam-1 ily Welfare Society induced father to return on the promise to tide him over until he could obtain work. This man was suffering from & dis-ability which interlered with his employment at any beavy work. At the usistance of the clinic at the City coal, food needed, also work for the

Let me thank you for your kindness in publishing previous appeals which have brought substantial assistance from your readers. Respectfully yours,

KENNARD UNDERWOOD, President. Family Welfare Society, Inc.

Y.M.C.A., High School and Senior had no thought of escape.

Solve-prints showing the floor plats held the past four or five years. Last the home of his father, Lawrence will show you that this of the ground and first floors of the year William Laury was the chamyear William Laury was the champion. In 1928 George Herrling was the victor and 1927, William Rawson.

> The results of the first elimination are as follows: Leonard Bobbett defeated Bengt Nordenson by a relatives as he entered the court score of 50-37, 50-40; Edwin Atkins deleated Harold Patten, score 58-38 50-24; Benjamin Mead took Walter Hoerger into camp by the score of 50-42, 50-21; Jack Howland fell vicat Auburn Prison was the first wit- tim to Alfred Lusk, 39-50, 59-34 and ness this afternoon. Mr. Westover the third game, 33-50; Ledra Vernier testified that Stephen Sporney, James proved no opposition to Paul Pinck-Blancrosse, Alexander Tucholka, ney, score, 50-8, 50-10; Robert Julius Stefanek, Henry Sullivan, Hunter defeated John Hassett in one Ernest Pavesi, Max Becker, were in- of the closest games of the first elimmates of Auburn Prison under fel- ination, score, 50-42, 50-40; Walter ony committments on December 11, Short did not prove himself equal to 1929. Attorney Leibowitz conceded the task of last year's champion, that Becker was originally sent to score 50-27, 50-10. The scores of the Sing Sing Prison and was legally Wiley-Barber set were 23-50, 50-34, transferred to Dannemore and Au- | 58-30. Clarence Bawden defeated Jack Dempsey 50-35, 50-32; Charles Clark defeated Alfred Baker in a Auburn Prison on December 11 under closely fought battel, 50-32, 48-50, life sentence for a felony?" asked 38-50: Harry Hull maintains his place in the tournament by defeating Kenneth Cross 50-37, 50-42,

Three games were necessary in the match between Tim Coughlin and John Patrick, Coughlin winner by a score 26-50, 50-34, 50-88. William Goldman was forced to surrender in his match with Leonard Gane, soore 50-37, 50-38. The match between Myron McIntosh and John Sproull was quite one-sided, McIntosh Winning by a score of 56-27, 50-12. Paul Hodder defeated William Kane who was one of the favorites in the climination, score, 40-59, 50-16, 50-0. Kane forfeited the last game. Lester Moffitt defeated by Joseph Zerony \$0-46, 50-42.

The line-up for the second elimination: Bawden-Luck; Hunter-Coughlin; Clark-Hodder; Gane-Hull; Mead-Wiley: McIntoch-Laury; Plankney-Bobbett; Zerbny-Atkins.

Howitt Bill Passes (Special to The Citisen.) Albany, Pob. 27.-The Senate to day passed Senator Charles J. Hewitt's bill empowering the Carnen County Board of Supervisors to hold monthly meetings, it now goes to the Hence for concurrence.

Senator Hewitt today introduced in the Legislature a conservation law. amendment providing referentation areas outside forest preserve counties must consist of approximately 400 acres of land, instead of not less foundry company of which Man than 500 norm of contiguous lands, as at present. The bill was rejurned

> Assemblyman Chaugesy D. Van-Aistine's bill permitting any town board in Cayuga County to employ an attorney to set as town counsel. The bill was sent to a come

現るびし部部 もですりますをつか To show Morrey. Comp. (Pater : thirthis piet tree !

ferer und The Burgfoet Bay will un etenn & forenm finte f jente wi PERSONAL SE

DBITUARY

Lawrence J. Shaw, Jr. Bead After an illness of about six weeks' duration, Lawrence J. Shaw, Jr., died at his late home, 50 Fitch Avenue at about 6 o'clock Wednesday night. Mr. Shaw was born in this city, and locality where he died. Throughout the city he had a host of friends.

He is survived by his widow, Mrs. Nettle Shaw: a daughter, Miss Milparticipating in the tournament, and dred Shaw; and by four sons, Vincent, James, John and Raymond.

Shaw, Sr., 76 Fitch Avenue Saturday morning at 8:30 o'clock, with services at St. Mary's Church at 9 o'clock. Burial will be in St. Jeseph's Cemetery.

Faneral of F. H. F. Ballou The funeral of F. H. F. Ballou, who died Monday morning at the residence of his daughter, Mrs. A. G. Stickney, 12 4 Gaylord St., was beld Wednesday afternoon at his late home I o'clock. Services were conducted by Rev. Frank L. Gosnell of the Second Presbyterian Church. The following seted as bearers: C. A. Church and D. M. Keichum of this city, A. A. Langerwald of Holyoke, Mass. and G. Spitall of Utica.

Funeral of Mrs. Taylor. The funeral of Mrs. Hannah E. Taylor, 85, widow of Argailus Taylor and a former resident of Auburn and Cato, who died Monday at the heme! of her daughter, Mrs. James M. Bain, in Cincinnati, O., was held at 3 o'clock this afternoon at the rooms of Lester E. Brew, 47 Clark Street, this city. The services were conducted by Rev. Frank L. Gosnell, pastor of

Burial was in Soule Cemetery,

Interment was in Fort Hill Cometery. Relatives acted as bearers. Mrs. Taylor resided in Auburn and Cate for many years prior to her removal to Cincinnati. She was a member of the old Central Presbyterian Church here. Surviving are three! daughters, Mrs. Bain, Mrs. Joseph 🚉 Badhorn of Rochester and Miss Lalin D. Taylor of Owego; three grandchildren and eight great-grandchildren.

the Second Presbyterian Church.

EAGLES ATTENTION

Bagies dance, Saturday eve., March first. For Engles, their wives and Eagles' lady friends only. Committee reserves all rights.—Advertisement

Bases A. Ross, Cayuga County Boy Scout executive, assumed today that the last six mostings of the elementary of approved training course for Scoutmaster leadership will be given during March and April. The schedule of meetings will he announced later.

All scoutmenters who are interested should plan to attend the meetings, Mr. Ross said. There will be a week-oud hiking and camping trip training source given during the mostil of April.

Several men have been appointed as departy commissioners of scouting in this county. They are Hareld J. Short for troops 14 of Port Pyron and Troop 85 of Weedsport and for the Village of Seanest Sidney J. Carson of King Perry for Trees 58 Segles dance Seturday eve . March of that Village and Troop 45 of East first. For Easten their wires and Venice Howard P. Iretand of An-Possible testified that when he Magion lady friends only Committee burn for Troups 6, 8 and 30 of this exed up revert of the tomates suppressed rights. Advertisation of the Creek so the last was did not and to and Marie Crossin.

> The life to the tart of their o newster and expension of the second unieter wich fieritrieft. The inn mittener eine af fatt enmpa Bu fin milde i fin ber bit bie gereitele ber big bie bien the erandistricts will be leased.

> > with CVISION's PdfCompressor

Just-a Reminder—

Tomorrow is the Last Day of our Special Sale of the STERLING LADY LEISURE Combination Range

It will pay you to take advantage of this Special Offer

Your old range as down payment. A year to pay the balance, with no interest or other charges added

H. R. WAIT CO.

Stove Store

22 Dill St.

Spring Apparel That Is Truly Smart

The Dresses

The loveliness of the new dresses for Spring are only overshadowed by the moderateness of their price-"Every conceivable new mode is here for your impection.

The Coats

Whatever cort of coat you have in mind is here for your selection. The Spring colorings and styles are most alluring. Priced most attractively.

The Hats

The cheer that a new hat adds to one's costume is a well-known fact. See how cheerful and emart our Spring hats are. You will be delighted with the prices.

M. Winters & Co.

78 Genesee St.

FRIDAY and SATURDAY **SPECIALS**

Milk of Magnesia Aspirin Tablets 39c 29c \$1.00 Rubbing Alcohol Clopin Cod Liver Capsules Pint 59c \$1.50 Witch Hazel Beef Tenic Pint. with Nux Vomice 50e Game Blaving Cross Mukle's Tablets 19c **S1.50** Russian hoef, Irea, Whee Mineral Oil Pint

\$2.00 Fountain. Syringe 59c

\$1.25 Konjola

99c

\$1.00

Malted Milk

55c

\$1.00 Dewitt's God Liver Tablets

49c

14 Balls Of Pine Tollet Paper

\$1.50 Whitman's Candy Pull Punn

NO CHARGE FOR DELIVERY DENE HOUSE PHARMACY

39c

OG STATE STRUKT

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