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## Loeb-Leopold Murder of Franks in Chicago May 21 1924

Richard Loeb

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## THE LOEB-LEOPOLD MURDER OF FRANKS IN CHICAGO, MAY 21, 1924

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[The kidnapping and murder of Robert Franks by Richard Loeb and Nathan Leopold, Jr., in Chicago, Illinois, on May 21, 1924, aroused world-wide interest—at first because of the contrast between the social status of the murderers and the callous cruelty of the deed, but afterwards because of the psychiatric testimony offered by the defense at the hearing for a mitigated sentence.

The complete testimony taken fills a thousand or more typewritten pages (the confessions alone, in the stenographic transcript, amount to three hundred pages); and the JOURNAL is not the place for printing this record. But criminologists everywhere are interested in the psychiatrists' reports, for this is probably the first instance of the offer of elaborate psychiatric analyses as the basis for remitting the law's penalty for a calculated, cold-blooded murder, committed by persons not claimed to be insane or defective in any degree recognized by the law as making them not legally responsible.

The JOURNAL therefore has thought it a matter of editorial duty to print enough of the record to serve as a basis in the future for general study and discussion of the psychiatric aspects of the murder. These portions printed are incomplete, but they are, at any rate, more full and authentic than the ephemeral journalistic reports, and they may suffice for most students of Criminal Science. The JOURNAL is indebted for them to the courtesy of the counsel for the prosecution and the counsel for the defense.

Some experts consulted by the defense were not called at the hearing, and the opinions of those who testified are too long for printing. The joint opinion (C) of four experts for the defense, here printed, was prepared by themselves as a summary of voluminous separate ones. The opinions (D) of the experts called by the prosecution are excerpts from their answers in testifying. (It should be added that none of these summaries make any reference to certain data of the murderers' sexual history, read to the judge 'in camera' and not communicated to the daily journals.) The summary of Events of the Crime and Its Detection (B) is printed verbatim from a memorandum of the state's attorney, and will serve to furnish the background for the psychiatric opinions; most of the events noted were covered by the confessional narrative, as afterwards exhaustively

checked up and verified by witnesses. There were some seventy-five witnesses (for the prosecution) and some fifty exhibits.

The record here printed is divided into six parts: A. Brief Chronology of Events; B. The Crime and Its Detection: a Memorandum Summary; C. Joint Summary Report of Psychiatrists for Defense; D. Opinions of Psychiatrists Called for Prosecution; E. Judge's Sentence; F. Comments on the Sentence, from the Legal Profession.

THE EDITORS.]

#### A. BRIEF CHRONOLOGY OF EVENTS

WEDNESDAY, MAY 21, 5:15 P. M.—Robert Franks kidnapped as he leaves the Harvard school.

WEDNESDAY, MAY 21, 9:30 P. M.—“George Johnson” called Mrs. Franks on the phone while the boy's father was searching for him and told her Robert was safe, and a letter to follow would explain everything.

THURSDAY, MAY 22, 8 A. M.—Nude body of unidentified boy found in the culvert at 118th street and Pennsylvania tracks with a pair of spectacles beside him.

THURSDAY, MAY 22, 12 M.—Special delivery letter telling that Robert was being held by kidnapers' band for \$10,000 ransom, arrived at home and directed the father to meet kidnapers' at a drug store with the money.

THURSDAY, MAY 22.—Uncle of the boy went to south side undertaking parlor to identify body, and called the father with the news as he was frantically trying to remember where a second phone call directed him to meet the kidnapers.

FRIDAY, MAY 23, 12:30 A. M.—Persons questioned concerning crime. Subsequent days spent in following every possible clue.

WEDNESDAY, MAY 28, 4 P. M.—Both instructors released by Judge De Young on writs of habeas corpus.

FRIDAY, MAY 30, 1 A. M.—Nathan F. Leopold, Jr., and his chum, Richard Loeb, were arrested, and Leopold admitted the ownership of the glasses.

SATURDAY, MAY 31, 6:55 A. M.—Leopold and Loeb made formal statements that they kidnapped and murdered the Franks boy.

MONDAY, JULY 21.—Case of *People v. Richard Loeb and Nathan F. Leopold, Jr.*, called in the Criminal Court of Cook County, at Chi-

ago, on Indictments General Nos. 33623-4, for murder and for kidnapping for ransom.

*Judge:* John R. Caverly, Chief Justice of the Criminal Court.

*Counsel for the People:* Robert E. Crowe, State's Attorney for Cook County; John Sbarbaro, Milton D. Smith, Joseph P. Savage, Assistant State's Attorneys.

*Counsel for Defendants:* Clarence R. Darrow, Walter Bachrach, Benjamin Bachrach.

The defendants withdrew their pleas of not guilty and entered pleas of guilty, and asked for a hearing by the judge on the question of mitigation of punishment.

WEDNESDAY, JULY 23.—Hearing began.

THURSDAY, AUGUST 28.—Hearing closed.

WEDNESDAY, SEPTEMBER 10.—Sentence passed. Life imprisonment for the murder, 99 years' imprisonment for the kidnapping; the same for both. [Maximum penalty for either crime is death.]

#### B. THE CRIME AND ITS DETECTION: A SUMMARY

During the Marine-Michigan game, November, 1923, Leopold and Loeb robbed fraternity house of which Loeb was a member at Ann Arbor, Michigan, taking typewriter belonging to Bitker, etc.

Fair inference job was planned prior to this time.

Then started to look around for likely prospects so that they could carry out their plan.

Names of Prospects: Billy Deutsch, Rosenwald's grandson, Johnny Levinson, Clarence Ward (?).

Opened account Hyde Park State Bank. Clara M. Vinnedge recognizes Richard Loeb as having an account at that bank.

Charles E. Ward recognizes Nathan Leopold as one who opened the account under the name of Morton D. Ballard.

Arthur J. Doherty, teller, recognizes Loeb as one who cashed check for \$100 signed by Morton D. Ballard.

Established residence Morrison Hotel, May 9th. Suitcase recognized by J. D. Cravens, hotel clerk. House detective, in moving suitcase from room rented by Loeb under name of Morton D. Ballard, found four books in case taken from University of Chicago library, one book containing a card with the signature on of Richard Loeb. Thomas McWilliams, manager Morrison Hotel, turned over yellow envelope to Chief Morgan Collins, sent to Morton D. Ballard from Yellow Drive-It-Yourself System.

Barish's delicatessen store, 1352 Wabash avenue, where Loeb awaited call from Rent-a-Car on May 9th, regarding reference, he claiming to be Louis Mason.

Recognized by David Barish, owner, and Max Tucherman, Barish's brother-in-law, as having been in store on May 9th and answering the phone when it rang.

William Herndon, Rent-a-Car Company, 1426 Michigan avenue, recognizes Leopold as one who rented car on May 9th and also on May 21st, under name of Morton D. Ballard.

Turned application over to Walter L. Jacobs, of same company, president, who approved same, and called "Mr. Mason" at Wabash avenue address.

Margaret Fitzpatrick, typist and telephone operator, recognizes Leopold as a man who rented car under name of Morton D. Ballard, and who requested her to send duplicate identification card to Trenier Hotel, same request being made over the phone, and remembers Leopold coming into the office to sign second identification card.

First time car was taken out for only two or three hours.

Loeb visited Morrison Hotel and found that suitcase had been removed from the room. They immediately changed address from Morrison to Trenier Hotel.

Trial package thrown from train five or six times in the vicinity of 74th and Illinois Central tracks, around Champion Screw Works plant.

Purchasing of stationery to write ransom letters from Hakan Strandberg, 1054 E. 47th street. Purchased four or five days prior to the kidnapping.

Writing of ransom letter prior to kidnapping, leaving same un-addressed.

The procuring of a can of ether some days prior to kidnapping.

The procuring of the car on May 21st from the Rent-a-Car people.

Stopping in the vicinity of 35th and Cottage Grove avenue for lunch.

Putting on the side curtains.

Proceeding to the vicinity of 45th and Cottage Grove.

Loeb driving Leopold's car and Leopold driving car secured from Rent-a-Car people.

At 43rd and Cottage Grove Richard Loeb left car and purchased chisel and rope from Albert Hubinger, clerk, in hardware store.

Leopold purchased bottle of hydrochloric acid from Aaron Adler, 4458 Cottage Grove avenue.

Next stop was at Leopold's home. At this time Leopold was driving his own car. Loeb followed him in the pathway with the car that had been rented.

Leopold instructed chauffeur to fix brakes on his car, stating that they squeaked.

At this time he went into the house and secured tape from the bathroom for the purpose of wrapping the chisel.

Fair inference that boots and robe and two automatic pistols were placed in car at this time.

Left Leopold's home in rented car and went to vicinity of Harvard school, 47th and Ellis avenue, to look over "prospects."

Loeb got out of car and went into Harvard school yard, where some boys were playing ball, and there talked to Johnny Levinson and James T. Seass, who was the Levinson boy's tutor. Loeb told Johnny Levinson to hit out the ball, shook hands with Seass, and then left.

Thought that their actions around the school might later excite suspicion; they decided to get a pair of field-glasses from Leopold's home, so that they could watch the children who were playing and at the same time not be observed themselves.

Secured field-glasses from Leopold's home and returned to vicinity of Harvard school, where they watched boys playing unnoticed. Game broke up and Johnny Levinson and the other boys ran down the alley.

They waited awhile for them to return, but on the failure of Levinson to return they started toward his home, thinking they could pick him up before he reached home.

Made several circles around the blocks in the vicinity of Levinson's home, but were unable to see him.

Carl Ulving, driver for Mrs. Spiegel, saw Loeb driving car at this time.

While driving west on 49th they saw Bobby Franks just cross 49th street, going south toward 50th. Slowed up car to give Franks chance to get to about the middle of the block between 49th and 50th, some people being on the street at that time.

Turned off of 49th south on Ellis, and pulled to the west side of street to where Franks boy was walking. Loeb hailed Franks boy; asked him if he wanted to ride home.

Bobby Franks thanked him; stated he preferred to walk. Loeb then beckoned to him to come over near the car, telling him he wanted him to meet Nathan Leopold, and started in conversation with him about tennis racket.

Franks boy sat in front seat.

Started car south on Ellis avenue. Turned east on 50th street, and as they turned onto 50th street the one who was in the rear of the car struck Bobby Franks over head four times with the chisel, and pulled him into the rear of the car.

Stuffed gag into his mouth and held hand over mouth and nose until boy had died.

Removed shoes, stockings and trousers.

This was about 5:45 p. m.

Covered body with robe.

Drove to vicinity of 118th and Panhandle tracks.

Purchased sandwich at lunch counter, and continued to drive around until it was dark.

Had two loaded automatic revolvers on person at this time for the purpose of killing anyone who might interfere or attempt to stop car.

Went to 118th and Panhandle tracks after dark.

Carried body in robe from car to culvert.

Removed remainder of clothes.

Loeb poured hydrochloric acid on boy's face and body.

Leopold removed his coat and shoes and put on his boots. Then placed body in large drain pipe under railroad tracks.

When Leopold's coat was being picked up after body was placed in culvert, the glasses fell out of pocket.

Picked up clothes and wrapped them in blanket, losing one of Bobby Franks' stockings out of same on way back to machine.

On way back from culvert passed Mrs. Lucille Smith and daughter, who were returning from picture show, flashing bright lights. Smiths recognized car similar to the one they used as having passed them May 21st in that vicinity, about 9:30 p. m.

Leopold stopped car at a drug store on the way in and called a girl friend. Also called his home to inform them that he would be a little late getting home, but to have his aunt, Mrs. Schwab, wait for him and he would drive her home.

Stopped at Loeb's home first, where clothing, etc., was removed from car. Some of the blood they attempted to wash from the car at this time.

Clothes of Bobby Franks were burned in furnace. All metals were removed from same, buckles, etc.

Were afraid to burn robe at this time for fear it would cause too much smoke and a stench through the house. Robe was hidden in yard in back of some bushes.

Drove to Leopold's home, where he left the rented car parked a few doors from his home, and went into the garage and got his own car out. He then drove his aunt, Mrs. Schwab, home, Loeb remaining in his home at that time. Mrs. Sven Englund heard someone come in and take car out.

The Franks home was called by Leopold about 10:30, Mrs. Franks answering the phone. He informed her that her son had been kidnapped, but he was all right; not to tell the police, etc. Instructions would follow later.

The name and address of Franks was printed on the envelope in the car, this letter having been prepared beforehand. The letter was sent to Franks special delivery, stating that instructions would be given over phone at 1 p. m., May 22nd, as to where to proceed with the money. Signed "George Johnson." Mailed around 1 a. m. Explain letter.

After taking the Schwabs home Leopold returned to his own home, where they played a couple of games of cards and further planned. Then Leopold drove Loeb home.

On the way home with Loeb, about 1:30 a. m., Loeb tossed from the automobile the chisel that had been used in murdering Bobby Franks.

This chisel was picked up by Bernard Hunt, 6233 South Aberdeen street, who saw same thrown from an automobile at 49th and Greenwood, and recognizes Leopold's car as a car similar to the one the chisel had been thrown from.

Bernard Hunt turned chisel over to Officers Enos and Milligan of the flivver squad, about 2:30 a. m. Blood was on the chisel at this time.

Body found by Tony Menke. Glasses found, Paul Korff.

Korff and crew help remove body from culvert.

Offs. Byrne and Anderson found stocking belonging to Bobby Franks on Thursday, May 22nd.

Goldstein and Milroy.

Leopold met Loeb at the University on May 22nd, about 11 o'clock.

They drove from the University to Leopold's home in Leopold's car.



The rented car was then parked about two or three houses from Leopold's home, where it had been all during the night.

The rented car was then taken from its parking place, brought into the Leopold driveway, where Loeb and Leopold proceeded to wash out the blood.

While scrubbing the carpet of the rear of the car, Sven Englund, chauffeur for Leopold, came out of the garage and offered to assist them in cleaning the car.

Leopold stated to Sven Englund they had spilled some red wine in the car and they wanted to wash it out so that Loeb's father would not see it, and told the chauffeur they didn't need any help.

Letter was placed in Keep City Clean Box on 63rd street, giving Jacob Franks instructions what to do at the moment. After thinking it over, they were afraid that the letter would not stick to the cover of the box, and abandoned that step in their plans.

They then drove to Illinois Central depot, where a ticket was purchased by Richard Loeb for Michigan City, and a seat in the Pullman car No. 507, car Quarren, for seat No. 4. This was the last car on the train.

Loeb then entered car No. 507 and placed another letter in the telegraph blank rack. This letter, having been prepared some days prior to that time, and addressed that day to Jacob Franks. This was about 2:10 p. m., R. R. time.

Loeb then left the train.

Ticket was purchased from George C. Fry. Duplicate ticket was turned over to state's attorney by John F. Ball.

While Loeb was placing letter in car, Leopold called the Franks home from the drug store around 12th street and Park Row, and gave Mr. Franks instructions to go to the drug store at 1465 East 63rd street and await there for a call. That a Yellow cab would call for him at his home, and for him to proceed to the drug store at once, repeating the address twice.

Mr. Franks asked for a little delay, stating something had come up which made it necessary for him to have a little more time; but he insisted that Mr. Franks go there at once, and hung up the receiver.

About five minutes prior to the call from Leopold, Mr. Franks had been informed that his boy had been murdered and the body had been positively identified by his brother-in-law, Mr. Gresham.

A Yellow cab, driven by Robinson, Yellow cab chauffeur, arrived at the Franks home about 2:35, standard time. Robinson stated

that a call came to the stand to proceed to the home of Jacob Franks, 5052 Ellis avenue, for a load.

Explain letter placed in car.

Percy van de Bogert, clerk in drug store at 1465 E. 63rd street, and James C. Kemp, porter, 1465 East 63rd street, stated that two calls came to their drug store, asking for Jacob Franks, one about ten minutes after the other.

Tell what their plans were regarding watching train, field glasses, etc.

After coming out of drug store from which they had telephoned last time to the drug store at 1465 East 63rd street, inquiring for Jacob Franks, they noticed headlines in the newspapers that a boy's body had been found in the vicinity of 118th street and Panhandle R. R. tracks.

Leopold wanted to continue on to get the money, but Loeb insisted on dropping the plan, for fear that they might be detected.

Leopold called up George Lewis and requested him to take his ornithology class.

They then returned to the Leopold home, where Leopold secured his own car, and they proceeded to the Rent-a-Car Company, where Leopold returned the car he had rented the day previous.

There was some conversation at this time about getting a refund for gasoline that he had purchased. On the company insisting upon having a receipt for same, the matter was dropped and the balance of his deposit was returned.

Ballard's check cashed by Richard Loeb at Hyde Park State Bank on Thursday, May 22nd.

Loeb with Goldstein, Milroy and Mayer, drug store.

Leopold talked with Prof. Puttkammer, criminal law teacher, regarding Franks case, as to what the punishment would be.

Examination for Harvard held on Friday, May 23rd.

Saturation of automobile robe with gasoline, taking to 73rd and lake and burning same.

Taking Franks boy's shoes, class pin, belt buckle, etc., into Indiana and hiding same.

Leopold called in by Capt. Wolfe, Saturday, May 24th. Gave statement. Told of those in his class who visited that neighborhood. Gave name of George Lewis.

After returning from talking with Capt. Wolfe, carried typewriter from home and placed it in the trunk in rear of car.

That night Leopold drove around through the park while Loeb twisted off the keys of the typewriter, throwing typewriter in one part

of the lagoon from the bridge, and keys in another part of the lagoon.

Alibi prepared in the event they were called in.

Goldstein, Milroy of Daily News, Howard Mayer, American, left fraternity house to look for drug store that the calls were made from. Loeb suggested this and located drug store where calls for Franks came in, 1465 East 63rd street.

Loeb was asked if he knew Bobby Franks. Said "Yes." Stated the kind of a boy he was.

Leopold talked to Prof. Puttkammer about case. Argued with him as to what the punishment might be, and if it was not manslaughter instead of murder. Tried to shift blame to ——— and ———, who were at that time in custody of police.

Max Wester, Leopold's tutor, discussed Franks case with him.

State's attorney entered case on Saturday, May 24th.

Instructed assistants to find out about glasses.

Boubrou people of New York gave three names of concerns that handled their frames.

Almer Coe & Co. recognized frame as their special frame, and lenses as their lenses.

Supplied three names of people who had had the same prescription filled in their stores, one of the three being Nathan Leopold.

Almer Coe searched about four days. Dr. Emil Deutch, Jacob Weinstein.

Crowe had room arranged in La Salle Hotel for questioning.

Leopold brought in to La Salle Hotel, May 29th, afternoon. Told his alibi and stated Richard Loeb was with him on the day in question.

Said he had glasses at home.

Leopold returned from home with his brother "Mike," with glass case, after visiting the Franks home and talking to Senator Ettelson.

Loeb brought in while Leopold was out at his home. Could not remember days in question.

Stated later that they were to forget the alibi after one week.

Leopold admitted owning the glasses.

Stated he could write a letter.

Printed name and address of "Jacob Franks" at hotel.

Taken to state's attorney about 1:30 a. m., May 30th.

Officers Crot and Johnson went to Leopold home, found Hammond typewriter, ether, arsenic, etc.

Both taken from state's attorney's office to stations.

Elizabeth Sattler, maid in Leopold's home, told Capt. Schoemacher, on Friday, May 30th, about noon, that she had seen an Under-

wood portable typewriter in the house for the past three or four months and that it had disappeared within the last two or three days.

Relatives came into state's attorney's office, Friday, May 30th, around 3 o'clock.

On questioning Leopold about this Underwood typewriter that Miss Sattler spoke about, he stated it must belong to one of the four men who had been doing "dope-sheeting" with him, naming Maremont, Oberndorf, Shamberg and Abelson.

Milroy and Goldstein of Daily News furnished samples of type-writing from an Underwood portable machine that Leopold had made.

Oberndorf, Maremont, Shamberg and Abelson brought into the office, and denied that they ever owned the machine, but stated they had worked on equity with Leopold and that he had used a portable machine about a month prior to this time.

Leopold then told the state's attorney that this portable might belong to Leon Mandel, who was in Europe.

Crowe convinced him it did not, and if it did it must still be at his house. He agreed to go out and see.

Leopold returned to office after going to his home and looking for typewriter.

Bernard Hunt, watchman, who picked up chisel, was in office and gave a description of a car similar to the one that Leopold owned as having been the car the chisel was thrown from.

Sven Englund, Leopold's chauffeur, was in the office and stated that the car belonging to Nathan Leopold was in the garage on May 21st up until 10:30 p. m. that night.

Also stated he saw the boys washing red wine from car on Thursday, May 22nd.

When Richard Loeb was told of these facts, gasped and asked for water, and stated he would tell the truth.

After Leopold found out that Loeb was talking, he stated he would tell the whole truth.

Started out Saturday, May 31st, to visit various places mentioned in the confession.

First stopped, Rent-a-Car.

Leopold talked with Mr. Jacobs, and told Miss Fitzpatrick that he called over the phone first about the change of address and did not come in until later. (Corrected Miss Fitzpatrick.)

Second stop, 1352 Wabash avenue.

Barish recognized Richard Loeb as man who was in his store on May 9th and answered telephone.

Loeb also told Barish and Mrs. Barish what conversation they had with a brother-in-law of theirs during the time he was in the store.

Loeb fainted and was taken to Windermere Hotel by Sergt. Tom O'Malley and squad.

Next went to Leopold's home. Got boots and cap.

Went to hardware store in vicinity of 43rd and Cottage Grove avenue, where Leopold indicated that Loeb purchased chisel and rope. Talked with Albert Hubinger, who remembered selling chisel and rope to one answering the description of Richard Loeb, on May 21st.

Went to drug store operated by Aaron Adler, 4450 Cottage Grove avenue. Leopold stated that hydrochloric acid was purchased there. Aaron Adler remembered selling pound bottle of hydrochloric acid on that date, and recognized Leopold as purchaser.

Went to Jackson Park, where Leopold showed state's attorney and police officers where typewriter had been thrown from bridge in the lagoon.

Then went to the other bridge in park where Leopold indicated where keys had been thrown.

Went to 73rd and lake, where Leopold pointed out the robe that had been partially destroyed.

Then went to Indiana, where Leopold assisted in searching along a road that was about two blocks from a cemetery for the shoes, belt buckle, belt, etc., of Bobby Franks.

Returned to Windermere Hotel. Leopold had bath and food. Loeb in bed at Windermere Hotel at time.

L. and L. removed to stations about 1 o'clock in morning.

Leopold and Loeb taken to place where shoes, belt, etc., were buried. Loeb found belt. Turned same over to Chief Hughes, Detective Bureau.

Messages sent out that afternoon to trace car Quarren, No. 507, and look in telegraph blank box for letter that had been deposited there by Richard Loeb on May 22nd.

Letter found by Andy Russo in car Quarren in N. Y. City, in the New Haven yards.

Drs. Church, Patrick, Krohn called in Sunday afternoon.

Drs. Wesener, Webster and Hecktoen, chemists.

Loeb repeated confession in the presence of the doctors and others Sunday afternoon, June 1st. Corrections and arguments between Leopold and Loeb.

Went to jail yard, where rented car used in the murder of Robert Franks was parked.

Loeb was unable to recognize car. Leopold recognized car by scratches on right side of car, which were made in trying to wash off the blood.

Both wanted to sit in front seat for picture.

Returned to state's attorney's office from yard. Leopold and Loeb stripped and examined by Drs. Krohn and Patrick.

Tyrrell from Milwaukee, handwriting expert, called in.

Leopold printed name of Jacob Franks on envelopes and paper and stated he would give a correct sample of his printing at this time. Told how he tried to destroy couple of copies that he had made previous to that at the La Salle Hotel, fearing they might detect the printing.

June 2. Dr. Singer's examination. Refused answer on advice of counsel. Typewriter found by Frank Blair, diver.

Traced by Schulke, system manager of Underwood Typewriter Company, and found to be a typewriter that was reported stolen from Ann Arbor, Michigan, and belonging to a man named Bitker.

St. Germain and Baronsky found shoes and class pin of Bobby Franks, which were identified by the Franks family.

Drs. Springer and Benson testified to cause of death.

Edw. Gresham, brother-in-law of Jacob Franks, identified Bobby Franks' body to coroner's physician.