

# "NUT" SAYS HE LIED IN ACCUSING LOOMIS OF SLAYING WOMAN

## After Three Years in Jail, Innocent Man Is Set Free

### Testimony of Insane Friend Sent Him to Shadow of Electric Chair

*From a Staff Correspondent.*  
EASTON, Pa., June 17.—"I would never allow a man to be convicted of murder on the testimony of a confessed liar. Gentlemen of the jury, I think you should declare a verdict of not guilty, and I so order."

Like a thunderbolt from a clear sky came this unexpected decision today by President Judge Russell C. Stewart, taking the case of Robert Loomis from the hands of the jury and freeing the man who twice before had been convicted of the murder of Bertha Myers.

Thus ends the most peculiar case in the judicial history of the State. "Cowboy Bob" Loomis, ordered to be electrocuted in September, 1918, and convicted of second degree murder two years later, had sentence stayed both times by a reversal by the State Supreme Court. Both previous sentences had been based on the testimony of Charles Shrope, known as "the nut," who was adjudged insane after he had told of having been with Loomis in the Myers house on the night of the murder, May 3, 1918.

All these prior happenings but worked up to the grand climax of today, when Shrope, considered by alienists as competent to tell the truth under oath, completely reversed his former testimony and swore that he and Loomis were never near the scene of the murder on the fatal night.

#### "It's a Lie," Shrope Declares

"It's a lie," he declared this morning on the witness stand in answer to repeated questions put by T. McKeen Chidsey, district attorney, as to what occurred on the night of the murder. Completely did he contradict his testimony at former trials, as had been expected, hence the words of Judge Stewart, who turned to the jury after an hour's deliberation with both sides as to whether further cross-examination should be permitted.

Judge Stewart started to explain the difficulties of the case to the talesmen, and everybody in the courtroom sat back and waited for the testimony to proceed when he should have finished. But suddenly a gasp of astonishment arose from the spectators, for the court raised its voice and leaned towards the twelve good men and true:

"Shrope is a confessed liar," he said. "He has said so himself. I don't know which time he lied. Even though I may have personal feelings about the case, I would never allow a man to be convicted where the whole case depends on the testimony of a man who lied. A murder trial is a serious matter."

"No one here saw Loomis and Shrope together at the Myers house. The district attorney has very ably presented his views which, to his mind, would support the submission of this case to you. Gentlemen of the jury, I regret that I have to assume the responsibility."

Then he ordered a verdict of "not guilty" to be returned.

Before the jury could be paneled, persons in the courtroom surged forward to grasp Loomis by the hand. He looked as though he could hardly believe it himself. Judge Stewart rapped for order and the formal declaration of "not guilty" on the charge of second degree murder was made by the jury foreman.

Loomis' demonstration by his friends only ended when he remembered an important duty he had to perform.

"I'm going out and get a real square

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# "Nut" Says He Lied in Accusing Loomis of Slaying Woman

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meal," he told his counsel, Robert A. Stotz, former district attorney.

"What are you going to do, then?" he was asked.

"Haven't any idea," replied "Bob." "I'll be around here a few days and want to run down to Philadelphia to see a little life. Remember, I've been confined for three years."

Loomis has no prison pallor and a few days in the open will restore him to the same healthy tan that he had when he broke wild horses for the army during the early part of the war.

Shrope was not so jubilant, for he was kept under charge of an attendant and was returned to Farview Hospital for the insane for further observation. He was committed to that institution in September, 1919, his insanity having been diagnosed as dementia praecox of the chronic type. Dr. William Lynch, superintendent, testified yesterday that "the nut" gained 60 pounds while there and showed marked improvement.

Asked if he considered Shrope competent to testify, Dr. Lynch said "yes." Dr. H. I. Klopp, superintendent of the State Hospital at Rittersville, where the star witness has been held since the trial began, corroborated this opinion and Shrope took the stand, after nodding to Loomis and smiling. The greeting was returned.

## Judge Questions "The Nut"

Judge Stewart, apparently not content with the opinion of physicians, asked Shrope a number of simple questions such as one would put to a child in the second grade, making up a sort of intelligence examination, and satisfying himself that Shrope could understand questions and answer them correctly. Then the witness was sworn and made his absolute contradiction of testimony given at the previous trials.

When the District Attorney attempted to trip him up and involve him in leading questions, Loomis' counsel objected, and finally the objection was sustained. Then followed argument as to the value of the testimony, and the subsequent unexpected action of Judge Stewart in turning to the jury and taking the case out of its hands.

Stotz, Loomis' attorney, said after the trial that he had a trump card up his sleeve in case Shrope did not clear Loomis.

"Only last night we found a girl who had been out with Loomis on the night of the murder, here in Easton. We subpoenaed her and she was ready to give Shrope the lie if he said that Loomis was with him at the Myers house. She met the cowboy at 12:50 that night in front of his hotel after the carnival, just the time when Shrope said Loomis was with him. I didn't know of any such appointment until Loomis happened to remember the girl just the other day."

So Shrope's former testimony that he saw Loomis bind, gag and strangle the Myers woman in her house on West South street and then rifle the black tin box, in which she kept her money, was given the lie, not only by himself, but by other witnesses. Loomis' employer, Richardson, manager of the carnival then showing in this city, had previously sworn that at some time between 11:30 and 1 o'clock, the supposed time of the murder, Loomis was with him and his wife at the Easton Hotel or Smith's Cafe.

## Cowboy's Adventurous Career

"Bob" Loomis' career has been one of adventure from boyhood. He was born in Kentucky and when about eight years old was taken to Oklahoma by his parents. He grew up on a ranch and after the death of his mother he was a ranch hand. Soon after 1914 he broke horses which were sold to the Allies, and when the United States began to prepare for war Loomis went to Plattsburg, to train mounts for officers.

He enlisted in the National Guard and was on the Mexican border for seven months. Then he was sent to Camp Greene, where he developed bronchitis and was discharged early in 1918, because of disability. It was near Camp Greene that he met Richardson, who snared him for the traveling carnival

which included Easton in its itinerary. Bertha Myers, who was murdered and robbed on May 3, 1918, is said to have borne none too good a reputation in the neighborhood. It was on the testimony of Shrope alone that Loomis was connected with the murder and arrested a few weeks later in Cohoes, N. Y. He maintained his innocence, but submitted to his apparent fate throughout all the trials. In September, 1918, he was sentenced to die, but the Governor granted a stay of execution and the Supreme Court reversed the opinion because of errors, ordering a new trial.

At the second trial, in September of last year, he was given 10 years' solitary confinement on a second degree verdict, and this, too, was set aside because of the alleged insanity of the Commonwealth's principal witness, Shrope.

Four other witnesses whose testimony at former trials served to corroborate in some details and contradict in others the damning evidence of "the nut," could not be found for this last trial, but their sworn statements from notes of the other trials were read and entered in evidence. Thus the case, unprecedented in the annals of justice, closed and "cowboy" Loomis is free.

# Husband in Hiding Shoots Woman as Children Look On

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for a hearing at the Central Station this morning.

The tragedy was a culmination of a war romance which began in the autumn of 1917, when Benjamin an electrician in the navy, met Miss Matilda Hanschl, according to information obtained by the police from her parents at the Twenty-second street address. They were married in December of that year, and after the war, when the husband was released from the service, they began housekeeping.

Charles Hanschl, a brother of the wounded wife, said last night that Benjamin and his wife had differences because of the inability to retain his positions, and that she finally left him a year ago, to return to her parent's home. She obtained employment to support herself.

During the past two weeks, Benjamin either walked up and down in front of the house, or rode past on a bicycle. The girl and her family thought that he wanted to effect a reconciliation, but he made no effort to enter the house. They were therefore puzzled over his action, but finally attributed it to bashfulness, believing that he wanted to see his wife, but was ashamed to enter the house.

John Graham, of 1849 North Twenty-second street, who knew Benjamin as the husband of his neighbor, did not suspect a foul motive when he saw him crouching behind the step. When the shot was fired, he was too astounded to move for a moment, but recovered

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