

The Weather

Maximum yesterday... 58
Minimum today... 33
Precipitation... 01

MEDFORD MAIL TRIBUNE

Predictions

Occasional rain.

Daily—Sixteenth Year.
Weekly—Fifty-First Year.

MEDFORD, OREGON, FRIDAY, MARCH 3, 1922

NO. 293

HALF DEAD BOY HANGS FOR CRIME

In Spite of Last Minute Attempts to Save Harvey Church, Slayer of Two Auto Salesmen, Trap Is Sprung at 3.54 P. M., Today—Carried to Gallows.

CHICAGO, Mar. 3.—Strapped to a chair and carried to the gallows in the same comatose state in which he has lain for weeks, Harvey Church, slayer of two automobile salesmen, paid the penalty for his crime this afternoon.

He retained his apparently unconscious state to the end.

Last minute attempts by his attorneys to save him failed, when both Judges Scanlon and David refused to intercede for the condemned man.

Following Judge Scanlon's refusal to intervene Attorney Tyrrell hastened to the superior court room and Judge Joseph David, where he began to renew his plea in the hope that Judge David, who has not heretofore entertained the case, might extend some relief. It was generally regarded as a forlorn hope.

At the county jail witnesses to the execution began assembling shortly after 3:30 o'clock and were admitted, a contingent at a time, shortly afterward.

The death warrant was read at 3:40 o'clock after the witnesses were assembled in the execution room. The death march was begun at 3:50 p. m., Church being carried to the gallows.

The trap was sprung at 3:54 o'clock.

The trap fell at 3:54, but four minutes after court action in his behalf had been completed. Church's head dropped on his chest as he was carried to the gallows, and a deputy sheriff had to raise his head in order to adjust the noose. Sheriff Peters asked the usual question, whether the condemned man had any statements to make—but received no response, and the chair, carrying the slayer crashed through the sprung trap.

CHICAGO, Mar. 3.—After lying on his back for forty days without opening his eyes or uttering a word, Harvey Church today broke his silence five hours before he was scheduled to be hanged for the brutal murder of Bernard Dougherty and Carl Augustus, automobile salesmen whom he beat to death to obtain a car to "show off" in his home town of Adolph, Wis. A plea from his mother caused Church to speak.

"Your mother and father are here, Harvey," Warden Westbrook told the convicted man. "Your mother begs you to talk to her—and you only have five more hours to live. Will you talk to her?"

The youthful murderer whose twitching eyelids have been his only outward sign of life during his self-imposed period of silence turned over on one side and mumbled.

"What did you say?" asked the warden, leaning over the prisoner. "Father and mother,—yes," came back in low, but plainly understood words.

The prisoner tossed back and forth several times as his parents were brought into the cell. He refused to say whether he would voluntarily eat his noonday meal or whether it would be necessary to continue the forcible feeding which has kept him alive during the hunger and silence strike.

Mother Collapses.
During the visit of his parents, Church gave no further heed to their pleas that he talk. His mother, almost too weak to walk, was assisted to his bedside.

"Harvey, won't you speak to your mother?" she said, but there was no sign from the motionless prisoner that he heard.

His father kissed him twice and begged him to speak, but his pleas were of no avail. Church also remained silent during pleas from his sister and from his attorneys.

As his sister was leaving the cell (Continued on Page six.)

Federated Societies Start Drive Against Work for Foreigners

PORTLAND, Ore., March 3.—A drive to promote employment of American citizens in preference to foreigners who have no intention of becoming naturalized, will be launched immediately in Portland and other Oregon cities by the newly formed Oregon Federation of Fraternal Societies, according to announcement by C. E. Yeager, president of the federation.

Practically every fraternal organization in the city is embraced by the federation, which will be a permanent body and which has a membership of approximately 15,000 men and women.

HOUSE PARTY IS GAGGED WHILE 9 YEGGS CAROUSE

San Francisco Millionaire Is Forced to Entertain Booze Bandits Throughout Night—\$25,000 Worth of Hooch Taken—Part Recovered.

SAN FRANCISCO, March 3.—A large quantity of liquor identified as part of the \$25,000 loot taken yesterday from the Menlo Park mansion occupied by Julian Hart, by a gang of nine bandits who bound Hart, his guests and servants and staged an all-night carousal, was found in a house here today. Adrien Gueraole, in whose possession the liquor was discovered, was arrested on a charge of possessing stolen property. The liquor stolen belonged to F. W. Ne-Near, from whom Hart, a San Francisco silk manufacturer, leased the mansion.

The bandits drew up in automobiles at the Menlo Park residence early Wednesday evening, held up the occupants with revolvers, bound most of them and then forced Hart and Miss Mary Conway, Stanford student and guest at the home, to sit in the drawing room, while they became drunk and fought among themselves.

Miss Sarah Gannon, the cook, and Miss Elizabeth Bennet, a maid, were bound and rolled out of the way under their beds.

Rotand Smith, the Hart family chauffeur, was overpowered and bound in the garage, while Daniel Devries, butler, and Herman Devries, houseman, were put in the basement. At Hart's request, they left the two little children and their nurse alone. They forced the servants to cook breakfast for them and toward noon yesterday, after they had filled their cars with all the liquor possible, the bandits departed.

Grab Whiskey Scow in New York City Creek

NEW YORK, March 3.—Two scows full of bottles of whiskey of a brand popular in pre-World War days were seized today in Westchester creek off 17th street, and the seven men composing the crews placed under arrest. Inspector George C. Liebers declared his belief that the liquor had been smuggled on steamships from Cuba.

Idaho Refuses Challenge.

BERKELEY, Cal., March 3.—University of Idaho, claimant of the Pacific coast and Northwest conference basketball championship, has declined an invitation to meet the University of California five here.

GOVERNOR IN FIST FIGHT OVER BANK

Oklahoma Executive Clashes With Oil Man and Then With County Attorney—Latter Refuses to Allow Governor to Appear Before Grand Jury—Fur Flies.

OKMULGEE, Okla., Mar. 3.—In a dramatic scene at the courthouse this morning, County Attorney James Hepburn refused to consent to the request of Governor J. B. Robertson to be permitted to appear before the district court grand jury, which is investigating the failure of the Bank of Commerce. The county attorney declared Governor Robertson could not supersede him in conduct of the probe. Governor Robertson replied that he had the power to supersede the county attorney.

The governor's offer to appear before the grand jury had led to a dramatic scene in the office of County Attorney Hepburn just before the fight. The county attorney declared Governor Robertson was seeking to supersede him in conducting the investigation of the Bank of Commerce affairs.

"No witness is going before that jury without my consent. I don't give a damn if he is governor," said Hepburn pounding a desk with his clenched fist. "I am going to tell you just as I told George Short (attorney general) to tell you the other morning, that no man is going to supersede the county attorney of this county."

Hepburn added: "You haven't got the power to supersede me, governor."

"You know better than that, Jim, I have the power to supersede you," Governor Robertson replied.

"Upon coming out of the conference with the governor a moment before the fight, County Attorney Hepburn said: "I have no statement to make only that I am county attorney of Oklahoma and J. B. A. Robertson is governor of Oklahoma."

Attacked by Oil Man.
OKMULGEE, Okla., Mar. 3.—Governor J. B. A. Robertson was attacked by James G. Lyons, an oil man, as the governor emerged from the private office of County Attorney James Hepburn this morning after a conference between the county attorney and the governor. Governor Robertson, as he was walking out of the outer office of the county attorney was introduced to Mr. Lyons, bystanders said. The governor extended his hand and Mr. Lyons was said to struck him in the face.

"I am a man," Governor Robertson said, and struck back at Mr. Lyons. They exchanged probably half a dozen blows before they were separated.

Governor Robertson was not injured in the encounter.

The governor, accompanied by members of his party later returned to his hotel.

Pandemonium Breaks.
Pandemonium broke loose in the crowded corridors of the courthouse, many persons fleeing, expecting more serious occurrences.

That Mr. Lyons struck Governor Robertson the first blow was the statement of W. H. Crume and Assistant Attorney General William H. Sewick.

The governor had arrived here early today to present to the county attorney a letter offering to appear in person before the grand jury investigating the affairs of the defunct Bank of Commerce and testify.

"Who caused this disturbance?" shouted County Attorney Hepburn.

"James Lyons," was the reply from a bystander.

Mr. Hepburn started toward Lyons and two or three men told the county attorney that a remark of the governor started the affair.

"I know who started this," Judge Sewick intervened.

Mr. Lyons is president of the Lyons Petroleum company and a director of the Guaranty State bank.

Housekeeper Loots City Treasury
BOSTON, March 3.—Miss Elizabeth Kenney, 33, housekeeper and bookkeeper for Warren J. Wright, 70, town treasurer of Norwell, was being sought in Boston today. Detectives had a warrant for her arrest, charging her with larceny of \$10,000 of the town's money. State auditors said the shortage would amount to \$20,000.

"Our Mary in Court"



Mary Pickford and her ma, Mrs. Charlotte Pickford, were in the New York district court where Mary was sued by Mrs. Cora C. Wilkenning (insert) for \$108,000. Clerks, stenographers and other employes forgot their work to get a glimpse of Mary, who won her suit.

ELECT COL. E. E. KELLY, EXALTED RULER OF ELKS

Edward E. Kelly, widely known citizen for many years, and world war and Spanish-American war veteran of distinction, whose friends are distinguished, were present at that honor at the largest attendance of members last night in the lodge's history. Members were present from all parts of the county and the Grants Pass membership of the local lodge had a goodly delegation present.

It was one of the most interesting elections ever held in local R. P. O. E. history. The only contest was for the exalted rulership for which there were two candidates, and all the other chairs were filled by unanimous vote.

The newly elected officers of the lodge who will be installed into office the first Thursday night in April, are as follows:

Exalted ruler, E. E. Kelly; esteemed leading knight, Lawrence C. Mann; esteemedoyal knight, Donald Newberry; esteemed lecturer, James W. A. Young; secretary, Lee L. Jacobs; treasurer, V. H. Waxter; tiler, M. C. McDonald; trustee (three-year term), H. G. Nicholson.

E. C. Jerome, the retired exalted ruler was elected as representative to the grand lodge convention, and O. O. Alenderfer, past exalted ruler, as alternate to that convention. When the new exalted ruler takes office he will make among other appointments those of esquire and chaplain.

Following the election and lodge session last night a smoker was held, the feature of which was three good boxing bouts, and the night's entertainment was topped off with a feed in the basement.

The election of Colonel Kelly to the exalted rulership made a great hit, and marks the return of the local Elks to the baldheaded style of leadership, and a change to a distinct type of physical beauty in the highest office that has been in vogue for years. It also means that his regime promises to be a very successful one.

Following his election Colonel Kelly was called to the platform amid hearty applause where he made a short address "with empty mouth but full chest," referring to the fact that all his teeth were recently extracted, and that his heart was overflowing with emotion. The fact that his store teeth will be ready in a week is encouraging news to those Elks who do not on more pulchritude in the exalted ruler's chair.

He expressed his gratitude over the high honor conferred and promised to not only be a "square shooter" during his regime, but to put forth his best efforts toward a successful year to which end he asked the hearty cooperation of the entire lodge membership.

The new exalted ruler rendered service of distinction in France during the world war from which he returned covered with honors and citations. His soldier career is best summed up in a letter addressed to Colonel Kelly by General John J. Pershing, March 7, 1919, as follows:

"I wish to thank you for the excellent services rendered by you to the

PARTISAN FLAYS WILL HAYS, EVE OF RETIREMENT

WASHINGTON, Mar. 3.—A vigorous attack on Postmaster General Hays was made today in the house by Representative Williams, republican, Illinois, who declared that the retiring cabinet officer "has been the one disappointment of the first year of the republican administration."

Today marks the close of the career of Mr. Hays as a member of the cabinet," asserted Mr. Williams. "To millions of republicans it is a day of thanksgiving and rejoicing."

Representative Blanton, democrat, of Texas, and Representative Fairfields, republican, Indiana, came to the defense of the retiring postmaster general and lauded his services as a cabinet official.

Mr. Fairfield, paying tribute to Mr. Hays "as a man honest, clean in his methods," contended that both as a private citizen and as a public official he had shown himself to be of the highest caliber.

Referring to himself as "an old line republican representing a rockribbed republican district in Illinois," Mr. Williams declared as one of his most popular members, is quitting today by unanimous consent."

"The people know this," Mr. Williams continued, "that when the democratic party came into power in 1913 every republican postmaster and official was kicked out and a good democrat put in his place. The people approved that. No republican complains about it, because it was the natural and proper thing to do."

"Republicans remember the great house cleaning in 1913 and they do not understand why it is almost impossible to get a democrat out of an office he holds solely because he is a democrat. It may be Mr. Hays is not responsible for this situation, but in the mind of the republicans he is looked upon as the guilty person and for that reason his retirement is universally popular and satisfactory."

Wrestling Champion May Come to Coast

CHICAGO, Mar. 3.—Benny Rubens, a Spokane middleweight wrestler, who has long sought a championship match with Johnny Myers of Chicago, the present title holder, may have his wish gratified soon, if a promoter in the Washington city can be found to stage the bout.

Ed White, manager of the champion, stated today that the meeting could be arranged whenever satisfactory guarantees were forthcoming from promoters. Myers will be ready to meet all aspirants to the middleweight crown after his bout here tonight with Heinle Ende of Dubuque, White said.

The champion will demand a guarantee of \$1000 with thirty per cent of the gross receipts for a bout on the coast. If the offer is not received from backers of Rubens the meeting may be arranged elsewhere.

American Expeditionary forces in the capacity of chief signal officer of the 80th division. The signal corps has been a material factor in all the operations of our armies. Great commendation is due for the high quality of service rendered by you. I regret that I did not have an opportunity to personally express my appreciation of your services before you left for the United States."

Scotch Herring North Sea, Killed By War, To Be U. S. Product

TACOMA, Mar. 3.—Because so many mines were exploded in the North sea during the world war, two gasoline tenders left here yesterday to establish a Scotch-cured herring industry in Alaska. During the war the exploding of mines and bombs, intended for warships, merchant vessels and submarines, killed so many herring that the present output of the North sea is 75 per cent below normal it is said.

Scotch cured herring were successfully produced in Alaska in 1918 under government supervision and experts declare Alaska can supply the world demand for herring if necessary.

"POP" DECIDES TO RUN 1926, NOT THIS YEAR

Medford Mayor Announces Decision Concerning Race for Governor—Too Many Candidates in Field—Avowed Candidate 4 Yrs. Hence.

The next governor of Oregon will not hail from Medford, as Mayor C. E. Hays today finally announced a decision not to enter the race for the republican nomination at the May primaries, after having carried on a flirtation on the subject the past two months during which he visited Portland many times and spent considerable time there in conference with his political friends and in studying the situation.

However, Mayor Gates, announces that he is an avowed candidate for gubernatorial nomination four years from now and that he and his potential political organization will henceforth work to that end.

Pop's decision to keep out of the coming race was reached after hearing from a meeting held by his Portland lieutenants and adherents Wednesday afternoon. "We reached the conclusion that because of the peculiar political situation now, and the fact that there are so many candidates in the field, either already entered or about to enter, that the time is inopportune for me to get into the race this year, but decided to lay back and build up an organization with the purpose in view of my landing the nomination for governor four years from now."

"While I was a potential candidate I had an astonishing amount of support and pledges of support from all parts of the state. A number of my local friends to whom I imparted my decision last night not to run expressed deep disappointment and thought I was foolish not to go ahead, but to any one familiar with the inside situation it did not seem wise for me to go out for the nomination."

Narcotics Are Seized In Portland Bank

PORTLAND, Ore., Mar. 3.—Officers armed with a search warrant today seized two tins and a bottle of narcotics in a safe deposit box in one of the largest banks in the city following the arrest yesterday of J. E. Aull, who was alleged to have held the key to the box.

G. N. Ship Sold.
WASHINGTON, Mar. 3.—The shipping board today sold to the Pacific Steamship company (Admiral Line) the steamship Great Northern, until recently flagship of the Atlantic fleet, for \$1,250,000 cash.

Portland High School Girl Shot BY MASKED MAN AT PRO-CATHEDRAL

PORTLAND, Ore., March 3.—Miss Willamena Fuller, 17 year old high school girl who was shot last night at St. Stephens pro-cathedral by a masked man or boy while the choir was practicing, was reported in no danger today. Hospital attendants said the bullet, which struck her in the abdomen, had not inflicted a serious wound.

The police today took into custody a man giving the name of Elmer W. Weatherford after he had inquired at a newsstand for a newspaper, making the remark, when offered an early edition, "no, I want the one with the story of the shooting in it. A friend of mine stuck up a church last night and I want to see what happened."

The choir had just finished practicing when a man with a dirty handkerchief tied about the lower part of his face entered the room ordering "hands up."

The singers thinking a joke was being played on them, did not comply. The man then fired, picked up a hat and ran out.

NO JAPS TO BE ALLOWED GOV'T LAND

Secy. of Interior Fall Answers Inquiry of Japs in Yakima Valley—Indian Lands Reserved for U. S. Citizens With Preference to Service Men.

WASHINGTON, March 3.—Secretary Fall, replying today to an inquiry from Japanese association of Wapato, Wash., regarding the opportunity of its members leasing land in the Yakima Indian reservation, declared all Indian agents have been notified that leases must be confined to American citizens, with veterans of the world war being given preference.

Mr. Hirano in his telegram stated that within the next two years a hundred or more leases would expire and that the Japanese leaseholders wanted to know their future status.

The announcement of the interior department's policy was made public in a telegram to W. W. Hirano, president of the Yakima Japanese association of Wapato, Wash., who had asked what would be the attitude of the department regarding leasing of the Yakima Indian reservation land to Japanese farmers.

Secretary Fall's telegram to Mr. Hirano said:

"Your wire with relation to the Japanese leasees on Yakima Indian reservation requesting information my policy regarding such leases received. All Indian agents have been notified that in the matter of expiration leases and in the matter of leasing new leases, such leasees must be made to American citizens, preferential rights being accorded discharged American soldiers of the late war."

"No discrimination whatsoever against Japanese intended. This policy, a general one and in the interests of American citizens and particularly American ex-soldiers. This government through its departments has not only authority but right to choose its own tenants for property of its wards, over whom and over which perhaps it exercises all the rights both of sovereign or a guardian."

Mr. Hirano's telegram said: "The Japanese farmers of the Yakima Indian reservation desire to know the attitude of your department in the leasing of the Yakima Indian reservation of land of the Jap farmers."

It is our belief, based upon legal advice, that the Washington anti-alien law does not apply to the Yakima Indian reserve and consequently it is very important to us to know what is the attitude of the department regarding leasing of Yakima Indian reservation land to Japs this year, there having expired 32 leases of this land formerly held by Japanese and within the next two years there will be more than a hundred more of their leases expiring.

"Your answer by wire collect is requested so that the Japanese may know their exact status on the reservation so that those whose leases have expired may know how to govern themselves and that those whose leases expire in the future may be in position to act advisedly."

Secretary Fall in making these telegrams public said that the policy outlined therein represented the interior department's "general policy toward all leases of government land."

Mr. and Mrs. Ted Hunt of San Francisco are visiting Dr. and Mrs. L. A. Salade, the parents of Mrs. Hunt, at Seven Oaks.