

The Weather

Prediction Rain
Maximum yesterday 52.5
Minimum today 25

MEDFORD MAIL TRIBUNE

Weather Year Ago
Maximum 44
Minimum 29
Precipitation Trace

Daily—Seventeenth Year.
Weekly—Fifty-Second Year.

MEDFORD, OREGON, SATURDAY, MARCH 10, 1923

NO. 298

NIGHT RIDER CASE GOES TO THE JURY

Counsel for Both Sides Sum
Up Case at Jacksonville—
Defense Flays Hale and
Questions Hanging—State
Admits Hale No Saint, But
Declares Hale Not the Issue.

Before a crowded court room, final arguments in the night rider case were made today in circuit court at Jacksonville. Attorneys Winslow and O. C. Boggs making the addresses for the defense. Assistant Attorney General Lillie will close for the state after the noon recess and the case will probably go to the jury shortly after three o'clock this afternoon.

Attorney Winslow reviewed the evidence for the defense and contended that the state had failed to prove its case, offering, he maintained, "nothing but the uncorroborated testimony of this man Hale." Winslow read two stanzas of "Bobbie Burns" "Cotton's Saturday Night" to describe the character of Hale.

The defense chief counsel declared "that if the state wanted to prosecute somebody why didn't it indict Edmonson, one of the state witnesses, the man who knows so much about this case."

Craig another witness for the state, was classified as a "self-confessed perjurer."

Attorney Winslow reviewed the alibi offered by the defense and declared they were strong ones.

Attorney Boggs in his arguments, classified Hale as "a low down miserable perjurer" and declared his word "unworthy of belief."

Mr. Boggs declared he was "astounded," and that "it was outrageous that the state of Oregon would send down its assistant attorney general to try peaceful, and law-abiding citizens of this community upon the word of J. F. Hale."

Attorney Boggs said the explanation of Hale as to how he happened to go with the night riders was the queerest tale ever told in a court room.

Boggs stressed the testimony of Hale, and its lack of corroboration, and "the grave improbability that he had ever been taken out."

Concede Hale's Reputation.
One of the largest crowds that ever attended a court session in this section attended the afternoon session, and the ancient courthouse was filled to the limit.

District Attorney Rawles Moore opened for the state and reviewed the "highlights of the evidence." He said the "state would concede that Hale was not a reputable citizen," but that it was not a paramount issue in the trial. He charged that the "hanging and kidnapping was conceived by shrewd minds."

"It was not the helter and skelter of the unorganized mob," formed suddenly," declared the district attorney, "but organized and premeditated and carried out in regalia—black masks and robes—the members matching their presumed 'superior virtue' against the supposed 'bad reputation' of Hale, whom they were disciplining."

The district attorney expressed regret that the names of two young women had been brought into the trial—Ruberta Pierce and Angie Halley—and declared they have "been vindicated from the witness stand," and charged that they had been the victims of "rumor and scandal, that always travels fast."

The prosecutor declared there was a strong contrast between the "statements made on the witness stand, and the statements Hale testified were made to him," at the scene of the hanging.

(Continued on page eight)

Condemned I. W. W. On Hunger Strike Until Plea Granted

DEDHAM, Mass., March 10.—Nicolai Sacco, awaiting court action on appeal from his conviction with Bartolomeo Vanzetti for murder in 1921, today on his 24th day of hunger strike was 14 pounds lighter than he was when he first refused food.

In accordance with his announced intention to take no food until a new trial either had been granted or refused, he told his prison guards this morning that he wanted nothing but a gallon of water. This has been his daily ration since the strike began.

The hearing of the appeal was set forward a week at the request of attorneys for the defense.

LOS ANGELES, March 10.—(By the Associated Press)—William G. McAdoo, secretary of the treasury during the world war, said in a statement to the Associated Press today that it was never suggested by Lord Balfour or himself that Great Britain should assume responsibility for loans made by the United States to allied governments other than Great Britain.

"I am at a loss to understand," Mr. McAdoo said, "how Lord Balfour, for whom I have great respect and admiration, could have gained the impression reflected in the statement attributed to him that the United States insisted in substance if not in form that although her allies were to spend the money, it was only on our (Great Britain's) security that they were prepared to lend it."

"Loans to the allied governments were made through me as secretary of the treasury at the time. In my discussions with Lord Balfour, for whom I have great respect and admiration, could have gained the impression reflected in the statement attributed to him that the United States insisted in substance if not in form that although her allies were to spend the money, it was only on our (Great Britain's) security that they were prepared to lend it."

"Loans made to Great Britain, France, Italy and Belgium were made upon the faith and credit of each respectively and independently of each other except as an intelligent effort was made to distribute the available credits among them in such a way as would best secure their effective use of the war purpose."

Mr. McAdoo declined at this time to comment upon a statement made in New York by Oscar T. Crosby, former assistant secretary of the treasury, that a loan of \$170,000,000 was made to Russia on British endorsement.

—Boost for the Fair—

JUDGE M'GINN LEFT \$100,000, NO WILL

PORTLAND, Ore., March 10.—Property of an estimated value of \$100,000 was left by Henry E. McGinn, ex-judge and widely known attorney and pioneer, with no will directing disposition of it, according to the petition of John L. McGinn, one of the three brothers filed yesterday. His widow was named administratrix.

CHICAGO, Mar. 10.—(By Associated Press). The hand that rocks the cradle is quite competent at the steering wheel, the National Safety council finds from testimony presented. It was announced today in a statement calling attention to the initiation of an anti-automobile accident campaign against reckless drivers and careless pedestrians in fifty cities.

One correspondent declared that "women as a rule are more careful" than men in driving automobiles, but as to presence of mind in an emergency "it would be unsafe to make a comparison."

From the home of the "Silver," the Detroit safety council found women were involved in only three fatal accidents out of 146 and 150 non-fatal accidents out of 4097, but there were no figures on the total number of men and women drivers.

B. R. Marshall, commissioner of traffic in Pittsburgh said he knew of no fatality in nine years where a woman was operating an automobile.

E. R. Leffert of the safety department of the South Carolina Automobile club, reported women drivers as a class were not as proficient as men and that their knowledge of machinery did not date back so far.

Lieutenant Martina Bokeke, head of the Cleveland traffic division found women drivers are generally not speeders and are more careful, especially if married.

PEACE HOPE RUHR, AGAIN SHOWS LIFE

London Correspondents On
Rhine Claim Both Germany
and France Eager to Come
to Terms—Both Nations
Suffering, Neither Securing
Benefits—Neutrals Restive.

LONDON, March 10.—(By the Associated Press).—Although offering no very definite evidence to support their statements, some of the British correspondents in the Ruhr assert that there is a tendency towards peace and that both sides would welcome a settlement ending the strain of the past few weeks.

Both the workers and the industrialists on the German side are tired of the struggle the correspondents say, the former seeing no hope of winning while at the same time their sufferings are augmented daily.

The industrialists with the exception of one or two of the most influential, are feeling increasingly the pinch of lost trade and are fearing for the future.

The French on their part are represented as suffering scarcely less. They have not gotten what they went into the Ruhr to obtain and French industries are being seriously affected by the curtailment of the coal supply.

The suggestion in these dispatches is that it will be impossible for present conditions to continue much longer.

With regard to the customs barrier around the Rhineland, it is asserted that other trade interests besides those of Great Britain are complaining over the French restrictions. Holland and Denmark, according to the Telegraph's diplomatic correspondent, have made representations to France on the subject.

Sweden, whose large trade in Ruhr ore has been virtually stopped, also is disgruntled and is said to be only awaiting some move by Great Britain. Washington, the correspondent adds, also is interesting itself in the question, although along independent lines.

Prince Lippe Fined
ESSEN, March 10.—In consequence of the shortage of policemen the number of criminals in this city has reached a menacing figure. The French removed 500 suspects from the Vereisshaus hotel and adjacent buildings last night. Firemen, who are also doing police duty, kept the crowds away while the search was progressing.

WERDEN, Germany, March 10.—Prince Frederick Wilhelm von Lippe, the German nationalist agitator, was tried by a court martial here yesterday and fined 7,000,000 marks. The prosecutor asked a sentence of two years and a fine of ten million marks. The prince was arrested February 28, charged with stirring up agitation against the forces of occupation.

PARIS, March 10.—Lord Crewe, the British ambassador, is seriously ill with pneumonia, which developed from influenza.

—Boost for the Fair—

Daily Report on the Crime Wave

ST. LOUIS, Mo., Mar. 10.—Police today were awaiting the arrival of Cleveland authorities following the arrest last night of George J. J. McKay, 42, who is said to be under indictment in Ohio on charges of embezzling \$95,000 from two companies.

McKay denied the charges and announced his intention to waive extradition proceedings to Cleveland.

ST. PAUL, Mar. 10.—A warrant was issued today for the arrest of James M. Lindsay, former treasurer of the St. Paul Union Stockyards company, charging him with appropriating \$100,000 of the company's funds for his own use.

TALLAHASSEE, Fla., Mar. 10.—Bodies of four unidentified men have been washed ashore on Wakulla county beaches the past two days, according to reports brought here today by Deputy Sheriff Morrison of that county. According to Deputy Morrison there were indications that there had been wholesale foul play in the alien smuggling trade.

"Best-Dressed Woman In World" Is Broke; Young Hubby Deserted



LONDON.—Edward Henry Smith, who as "Mr. Smith-Wilkinson" became the youthful third husband of the 50-year-old widow who called herself "the most extravagantly dressed woman in the world," is stranded in an English village, trying to live on his army pension of eight shillings (\$1.75) a week. Mrs. Smith-Wilkinson, who a year ago startled London and Paris with her \$5,000,000 costume, her closets full of shoes and hats and gowns, and her gorgeous jewels, is now "dead broke" and has deserted her juvenile husband and gone to Africa.

MURDERED MAN TURNS UP AS THE MURDERER

LAS CRUCES, N. M., March 10.—Search for the supposed slayers of Lasso Martinez and Santiago Silva, prominent New Mexico ranchers, whose bodies were reported found by a posse yesterday, ended abruptly today when Martinez walked into the sheriff's office here and confessed he killed Silva, his boyhood friend, while they were on a hunting trip near Rincon, N. M., two days ago, according to authorities.

Martinez said he and Silva quarreled over money matters, according to the sheriff. Silva's body, badly mutilated and with a bullet hole near the heart, was found by possemen who had searched three days for the two men when they were reported missing at their homes in Rincon. Silva's rifle, broken in three pieces, was found near the body.

The report that Martinez's body also had been found, was made by a second posse, members of which erroneously identified the body of Silva as that of Martinez after the first posse had found the former and left it untouched while they went to Rincon for the coroner.

While they were away the other searchers came upon the body. Both Martinez and Silva were 40 years of age.

—Better Dairy Cows—

Casualties of the Air Service

PORT AU PRINCE, Haiti, Mar. 10.—(By Associated Press). Sergeant Edward J. O. Supelt, a pilot of Dayton, Ohio and Sergeant August J. Christian, mechanic of Bridgeport, Conn., were killed today when their airplane caught fire and fell 300 feet shortly after they had taken off for a flight.

A board of investigation has been formed.

—Boost for the Fair—

Hardings at Palm Beach
PALM BEACH, Fla., Mar. 10.—An alteration in tentative plans brought President Harding and his vacation party to Palm Beach today slightly ahead of schedule.

VANDERBILT BRIDE IS SERIOUSLY ILL

PORTSMOUTH, R. I., March 10.—Mrs. Reginald C. Vanderbilt, a bride of four days, is ill with diphtheria at the Sandy Point farm estate of her husband here, it was learned today. Mrs. Vanderbilt, who was Miss Gloria Morgan, daughter of Harry Hays Morgan, American consul general in Brussels, has been ill virtually since her arrival here Tuesday night. She is 18 years of age.

The bride is under the care of two physicians and nurses. Diagnosis of the throat trouble from which she was suffering was made today.

The precautions which Mr. Vanderbilt took to assure privacy for his honeymoon had kept secret until today the fact of his wife's illness. Cancellation of reservations for a suite on the liner Majestic on which the Vanderbilts had intended sailing from New York today, however, had indicated a change in plans.

The Vanderbilts were married in New York last Tuesday. Mrs. Vanderbilt under the name of Gloria Rochelle, had taken a minor part in motion picture plays. Her husband is the youngest son of the late Cornelius Vanderbilt and many times a millionaire. He is 42 years old.

—Get the Pocket Gopher—

GEORGE U. PIPER DIES, PORTLAND

PORTLAND, Ore., Mar. 10.—George U. Piper, collector of customs for Oregon died here today as the result of a stroke of apoplexy suffered some days ago. He was a brother of Edgar B. Piper, editor of the Morning Oregonian and of Fred Piper, a local attorney. He was 53 years old, having been born in Warsaw, Ind. He was unmarried.

—Boost for the Fair—

Onside Kick Eliminated
NEW YORK, Mar. 10.—The football rules committee at its annual meeting here today voted to eliminate the onside kick from scrimmage. The play has not been used to any extent in recent years and officials found difficulty in interpreting the rule in regard to it.

Mayo's Anti-Toxin for Sleeping Sickness Declared a Success

EL PASO, Texas, March 10.—A serum produced by the Mayo foundation laboratory of Rochester as a possible cure for "lethargic encephalitis" "sleeping sickness" has been successfully used in three cases in El Paso. R. H. Paxton of Kansas City, Mo., a railroad official who was stricken January 30, sat up yesterday. The serum had been tried in only three cases prior to the time it was given Mr. Paxton.

The condition of Miss June Muldowney, who had slept for thirty days, was improved yesterday. John Dillard, negro cook, contracted the disease December 24. He had been ill for some time when he was given the serum. Two weeks ago he left the hospital and returned home.

STAGE HOLDUP AT SACRAMENTO IN MOVIE STYLE

SACRAMENTO, Cal., March 10.—Five masked bandits in real "wild west" fashion swarmed into the "Dreamland Cafe," a resort on the lower Stockton road, 24 miles south of here, early today and compelled the patrons and employees to yield to search. Among the victims were Assemblymen J. B. Badaracco and W. J. Rock of San Francisco; Senator F. A. Arbutnot of Ventura county and former Assemblyman J. O. Bishop of San Francisco, formerly of San Diego.

The bandits obtained several thousand dollars in cash and jewelry, it is estimated.

The bandits descended upon the place at 3 o'clock. They seized the watchman, fired several shots into the ceiling and compelled all to line up, hands in the air. Then they robbed the till and the patrons and employees.

Assemblyman Badaracco lost a \$350 ring and several hundred dollars in cash.

The bandits had cut the wires and disposed of automobiles in order to prevent communication with the outside, consequently word was late in reaching the sheriff's office in Sacramento. Deputy Sheriff Cann hurried to the scene, although it was said no official report had been made to the sheriff's office.

—Boost for Dairying—

HIRAM JOHNSON SAILS FOR EUROPE

NEW YORK, March 10.—Alexander P. Moore, former Pittsburg publisher, recently appointed ambassador to Spain, and Senator Hiram W. Johnson of California, were among the passengers booked to leave for Europe this afternoon on the steamship George Washington.

"I know of no vital issue pending with the Spanish government," Mr. Moore said, "and, well, as a newspaperman, I did a lot of talking for 42 years, but now I find myself absolutely locked."

The senator and Mrs. Johnson plan to tour leisurely for rest.

"THIS COUNTRY A HELL OF A SUCCESS" DECLARES UNCLE JOE FROM DOORSTEP

DANVILLE, March 10.—"Uncle Joe" Cannon, the patriarch of congress, was back under his own roof today to rest, definitely retired from public service for the first time since he went to Washington during the administration of President Grant.

Only a knot of casuals saw the veteran statesman, tired, pale and walking slowly on the arm of a friend, although none the less jauntily, despite his 87 years, leave the train which brought him from Chicago on the second lap of his journey home.

In deference to Uncle Joe's wishes, Danville did not turn out with bands and decorated automobiles to welcome him. Just as soon as he gets rested up the folks are planning to blow the lid off the town to show Uncle Joe what the home folks think of him.

On his triumphant retreat to retirement the aged legislator had no time for sentimentalists. He kept his party merry with quips and stories. The railroad equipment on that first ride to congress did not quite measure up to that of the present, but then it was not so bad.

"This country is a hell of a success," opined Uncle Joe when pressed for some formal statement. "Just let that stand as all the interview I care to give out. I'm not giving interviews any more. I'm out of commission now, anyway, and I'm going home to rest, that's what I'm home to do—nothing else."

Mr. Cannon possesses remarkable recuperative powers for one of his advanced years, thought the friends who sent him to represent them in 23 congresses.

PRESIDENT CITY BANK A SUICIDE

Fred Popp, Head of Logan
Square Bank, Chicago Kills
Himself—\$61,000 Worth of
Cancelled Checks in Clothes
—Inquiry Into Bank Is
Ordered—Son Denies Guilt.

CHICAGO, March 10.—With the death of Fred W. Popp, president of the Logan Trust and Savings bank, made the subject today of one investigation, another inquiry was ordered into the accounts of his bank by state bank examiners working behind closed doors.

The bank president's body was discovered early yesterday morning in a small coupe on a lonely road near here, a bullet hole in the head and an automatic pistol with one shell exploded lying nearby.

Bank directors said the institution was solvent. The discovery of \$61,000 of cancelled checks in the dead bank president's clothes, all made payable to and endorsed by a son, Paul W. Popp, secretary and cashier of the Logan Square Trust and Savings bank, came to the attention of state bank examiners.

The cancelled checks ranged in amount from \$5,000 to \$30,000 and were drawn on the Republic National bank of St. Louis.

Early today the bank president's son explained to investigators that he had given the cancelled checks to his father prior to his departure for California two months ago. He said the \$61,000 in cancelled checks were drawn on his personal account at the Republic National bank at St. Louis.

SPRINGFIELD, Ohio, March 10.—An invitation to determine, if possible, whether A. H. Penfield, cashier of the defunct Springfield National bank, under arrest for embezzlement of \$600,000 or more of the bank's funds was aided in the defalcation, is being made by federal officers, according to Comptroller of Currency Cragin as reported in dispatches to local newspapers from Washington.

Penfield today had until Monday to post \$25,000 in bond or go to jail. He is under guard at his home suffering from weakness due to loss of blood as a result of an attempt to kill himself last Tuesday when he cut his wrists.

Reports that a number of safety deposit boxes at the bank had been rifled had not been denied today, although several persons who were permitted to open their boxes yesterday, said they found their belongings intact.

HOUSE MYSTERIOUSLY BLOWN UP, 2 KILLED

FAIRFAX, Okla., March 10.—Two women were killed in a mysterious explosion that today wrecked the home of William Smith.

Smith was badly burned and his wife and Miss Nellie Brookshire were killed. Residents aroused shortly after three o'clock this morning by a terrific blast, found the bodies of the two women in the debris. Parts of the house were blown over an area of two blocks.

The cause of the explosion was not learned.