

The Weather	
Prediction—Unsettled, probable showers	
Maximum today	87
Minimum yesterday	54
Precipitation	.06 inch

MEDFORD MAIL TRIBUNE

Weather Year Ago	
Maximum	94
Minimum	51

MEDFORD, OREGON, SATURDAY, AUGUST 22, 1925. NO. 131

ONE CONVICT CAPTURED, TWO AT BAY

MURRAY IS CAUGHT IN WASHINGTON

Leader of Escaped Convicts Is Taken in Centralia Hotel Without a Struggle—Clever Ruse Complete Success—Portland Youth Responsible for Outlaw's Capture.

CENTRALIA, Wash., Aug. 22.—Tom Murray, one of the convicts who a week ago last Wednesday shot their way out of the Oregon penitentiary is being held in the jail here following his capture late last night by a ruse as he was about to stage a hold-up of a local store.

Murray hoped by the holdup to obtain money to take him east as he agreed to when he separated from Ellsworth Kelly and James Willos in the woods near White Salmon.

Phillip Carson, 26, who lives in Portland, took an active part in framing the ruse which led to Murray's capture.

Not a Shot Fired
The arrest of Murray was brought about without the shooting which he warned would take place if any officers tried to cross him in his get-away.

He was on his way early this morning back to the Salem penitentiary. Phillip Carson, of Portland, was responsible for the taking of Murray by a group of local policemen, deputy sheriffs and the mayor.

According to the officers' report of the affair, Carson said he accompanied Murray here from Vancouver where he met the fugitive in the railroad yards. Carson volunteered to help Murray make his escape from the country and took him to the Savoy hotel here, after buying him a meal.

Leaving Murray at the hotel with the statement that he knew a friend who would help Murray and supply him with clothes, Carson hurried to the police station and reported Murray.

Patrolman C. D. Pilling, in citizen's clothing, accompanied Carson to Murray's room, carrying some old clothes hastily gotten together at police headquarters.

Planned Holdup
Murray donned the clothes carried by the officer and with Carson and the policeman began planning the holdup of some roadside store.

Pilling and Carson again left the room telling Murray they would go out and engage a taxi. They returned to the police station.

Mayor George Barner, in his own car and posing as the taxi driver, took Pilling and Carson to the hotel.

In the meantime Chief of Police J. D. Compton, Police Officer Robert Stearn and Deputy Sheriff Herford and Hawkins took up their stations about the hotel. Carson and Pilling again went to Murray's room and told him all was ready for the holdup.

As the three came down the hotel steps, Patrolman Pilling suddenly grabbed Murray about the body pinning his arms until the other officers closed in.

"The jig is up! I'm Murray," he said to the prisoner with a smile. He was put into Mayor Barner's car and rushed to the police station closely guarded.

At three o'clock Murray was placed on the train and started for Salem, under guard of the mayor, chief of police and the other officers who made the capture.

"Thank God!" Pierce Declares, When He Learns of Capture

MARSHFIELD, Ore., Aug. 22.—(A. P.)—When shown press dispatches early this morning telling of the capture of Tom Murray, escaped convict, Governor Walter M. Pierce exclaimed, "Thank God, I am so glad to hear the news, for since I have been in the governor's chair nothing has kept me awake nights until this prison break."

"Murray need not expect executive clemency, for he will hang," the governor added.

EDITOR IS HELD FOR MURDER IN LOBBY OF HOTEL

Carl Magee Albuquerque Newspaper Publisher, Principal in Famous Libel Case, Shoots Judge When Latter Attacks Him—Bystander Is Killed.

EAST LAS VEGAS, N. M., Aug. 22.—(A. P.)—Carl Magee, Albuquerque editor, today was faced with first degree murder charges in New Mexico courts in which he gained national prominence during the last two years as defendant in the now famous "Magee libel and contempt cases."

The charge was filed by the district attorney late last night and a criminal warrant served on the editor by Sheriff Lorenzo Delgado as Magee lay in bed in the Meadows hotel, bruised from his encounter last night in the hotel lobby with former Judge David J. Leahy, during which John D. Lasseter of Santa Fe was shot to death and Leahy wounded in the upper left arm.

The first shot fired by Magee felled Lasseter and the second shattered the former jurist's arm.

Eight eye witnesses questioned by Assistant District Attorney T. V. Truder told practically the same story of the fatal encounter and the formal filing of murder charges followed.

Eye witnesses declared that Magee was seated on a divan in the lobby, conversing with newspaper reporters when W. S. Patterson, a former employee of Magee's entered and began talking to him.

Magee, Patterson and a newspaper woman, noted Leahy's entrance with the remark, "There's Leahy."

Witnesses declared Magee dropped his left hand into his coat pocket and continued the conversation with the woman as Patterson backed away.

Leahy then approached the divan, witnesses said, and struck Magee on the cheek, knocking him from the seat. As Magee struggled to his feet, witnesses declare, Leahy kicked him in the ribs. Magee then drew a .25 caliber pistol and fired as Lasseter seized Leahy's arms. The shot struck Lasseter in the throat, causing an internal hemorrhage which brought death soon.

A second shot struck Leahy's arm, shattering the upper bone. The former judge then turned and walked from the lobby unassisted. Magee fell sobbing on the divan and Lasseter, lying on the floor nearby died within a few minutes.

A coroner's jury was impaneled immediately, viewed Lasseter's body in a local mortuary, and at the request of the assistant district attorney adjourned until nine o'clock today when Magee was expected to be present with his attorneys, E. H. Hanna and Fred Wilson, both of Albuquerque, who represented him in the libel and contempt cases here last year and in July, 1923.

spent years of his life as a college student. Judge Haulston told his audience: "I wish here today to oppose this theory which would destroy God's word," quoting the words of Bryan which have often been heard since the Scopes trial he said: "It is better to be lighted by the fact that here the late William Jennings Bryan central figure in the Scopes trial."

MURRAY'S IRON NERVE HOLDS UP KIDS OFFICERS

Captured Convict Smiles at Crowd On Arrival in Portland—Pleads for Good Cup of Coffee, Gets It—Has Prodigious Appetite.

PORTLAND, Ore., Aug. 22.—Tom Murray, escaped Oregon convict, under heavy guard, arrived here early today from Centralia, Wash., where he was captured late last night.

If Murray was nervous and worried when he stepped from the train in the Union depot he did not betray it. His smile—which gratified itself into the hearts of the eight or ten persons whom he and his fellow convicts kidnapped in their desperate dash from Salem penitentiary—did not fall him.

Handcuffed to his wrist was Patrolman C. D. Pilling of the Centralia police department.

Flanking him on the other side was Maxey George L. Barner, while in the rear was Chief of Police Jim Compton of Centralia and Deputy Sheriff Felix Herford of Lewis county.

"Hello, Murray," sung out some in the crowd of newspapermen, Union depot attaches and trainmen who flanked Chief of Police Jenkins, Captain of Detectives Moore and Detective Collins of the local police department.

Without a moment's delay, the officers hustled Murray along the train the length of two cars and then climbed through an open vestibule and directed him towards the express station at the south end of the Union depot yard.

The crowd scrambled through the express cars, under the cars and through opened vestibules, running along to overtake the officers and Murray.

Has Picture Taken.
At a point well lighted, the officers turned and gave the cameramen an opportunity to snap Murray. Murray smiled—although a trifle nervously—but he calmed himself as the crowd ringed him in and women employees of the depot joined the men in pressing closer and closer on the officers.

"Hello, Kelly!" Murray cried suddenly as he turned his head as if he had suddenly recognized his partner in flight.

For an instant the crowd gasped. Many turned their heads to see if Kelly was actually there.

Then realizing that the murderer was "pulling some of the stuff" that has made him a page one story several times in the past three years the crowd joined Murray in a snarl.

"I'd like some coffee," said Murray as the officers discussed whether to take Murray to the police station for questioning or to start at once for the penitentiary.

"Well, we'll fix you at the station, Tom," said Jenkins.

"Oh, give me some real coffee, chief. I know that jailhouse coffee and this may be the last time I'll have a chance to get some good coffee. Let me have some in the station, chief."

Jenkins assented and the party started for the depot restaurant.

"He's changed a lot since I saw him last," said one of the waitresses. "Did you know him?" gasped one of the other waitresses.

"Sure I've seen him lots of times," said another. "Say, how about this kid Carson?" asked another spectator. "I'll bet he is scared to death," was the reply. "I'll bet he'll get to the depot and buy a thousand dollars worth of ticket somewhere."

At the lunch counter Murray exhibited a prodigious appetite considering the hearty meal he made at Centralia after his arrest early this morning.

Spanish Beauty Chicago's Choice



Long tresses scored a victory over bobbed hair when Miss Margaretta Gonzalez was chosen as Chicago's most beautiful bathing girl. She is 18, a suit model, and as her name indicates, of Spanish extraction.

U. S. A. FLIER IN MOROCCO WAR BADLY INJURED

SACA BLANCA, Morocco, Aug. 22.—The American flying squadron volunteer force for service with the French against the Rifians, suffered its first casualty when Lieutenant Colonel Charles Kerwood of Philadelphia fell during a training flight. He was painfully but not dangerously injured.

Colonel Kerwood was making his first flight alone for some years. He landed at excessive speed and his plane overturned, throwing him some distance. Comrades hurried him to a hospital where his injuries were said to consist of severe cuts about the face and a broken arm. The airplane was wrecked.

Lieutenant Colonel Kerwood was a member of the original Lafayette escadrille, serving on the western front in 1916-1917. He was shot down in an aerial fight early in 1918 and captured by the Germans.

After the armistice he became a lieutenant colonel in the air forces of Greece, continuing in that position until the fall of the monarchy. He was one of the first organizers of the volunteer squadron now in Morocco. He arrived at Casa Blanca to begin training last Monday.

SENTENCED TO LIFE 48 HRS. AFTER CRIME

VALENTINE, Neb., Aug. 22.—(A. P.)—Forty-eight hours after Frank Allen, transient laborer, had shot from ambush and killed William Heckerl, 46, bachelor rancher near Serran, he was under sentence of life imprisonment. Allen was captured by an angry posse, consisting of cowboys and ranchers but was saved from any violence by the sheriff and county attorney, who drove him overland for about 70 miles, landing him safely in the Valentine jail. He pleaded guilty and late yesterday was sentenced to life imprisonment at Rushville, near here. He begged for the death penalty and said he killed Heckerl because "he put dope in my food and water."

WIDOW HARVEY SCOTT LEFT LARGE FORTUNE

PORTLAND, Ore., Aug. 22.—An estate valued at \$563,129.94 was left by Margaret N. Scott, widow of the late Harvey W. Scott, editor of The Oregonian, according to the inventory and appraisal filed in circuit court by the appraisers, M. G. Campbell, A. C. Callan and B. I. Metzger.

Mrs. Scott's will, dated November 26, 1924, designated her sons, Leslie M. Scott and Ambrose B. Scott, as executors to serve without bonds. Leslie M. Scott, Ambrose B. Scott, Judith S. Fields, a daughter, and John H. Scott, step-son, share equally in most of the holdings of Mrs. Scott, under the will.

CONTRACTS LET FOR TWO-THIRDS OF TEXT BOOKS

At Prices From 10 to 70 Per Cent Higher, Majority of Text Book Commission Order Books for New Year—Mrs. Newbury Overruled.

SALEM, Ore., Aug. 22.—But few changes in the texts already authorized in the public schools of Oregon were made by the state textbook commission which met for its final session here yesterday and let contracts for two-thirds of the books to be used during the coming year. Prices, however, will range from 10 to 70 per cent higher for the same texts.

Records of the state superintendent show that most of the books adopted are already embodied in the state course of instruction which means that in thousands of cases pupils of the public schools will not be required to buy new texts.

Indicative of the high prices offered to the commission for new contracts was the New World Speller, published by the World Book Company. In 1919 the book was contracted for at 29 cents, while this year the publishers demanded 22 cents. The prices secured by the commission, it is said, are no lower than would have been in November, 1925. The commission proceeded to meet and adopt the books, however, under an opinion written for them by Watson and Wilson, Portland law firm, in which it was held that the code permitted and authorized emergency meetings of the board.

Mrs. Newbury Overruled
Throughout the two-day session here, Chairman Milton A. Miller was the exponent of many changes and was supported by Mrs. Marjorie Newbury. They were overruled, however, by the vote of R. E. Turner, A. C. Hampton and George W. Hug, all school men, who opposed changes on the ground that the extra expense which would result to school patrons from the discard of old textbooks was not justified by the slight improvements offered in the new texts.

More than forty representatives of publishing firms were present and were allotted five minutes each for argument in favor of their texts. The increase in prices was justified by them with the plea that materials and labor used in book manufacture had increased proportionate since the last adoption in 1919.

Old Prices Refused
The meeting of the commission Friday was called by the governor after textbook publishers had refused to extend expired contracts at the old prices as contemplated under the act of 1923, which provided for the adoption of one-third of the textbooks every two years. One-third of the books were adopted by the commission last November with the two-thirds remaining unprotected by contracts.

To meet this situation the 1925 legislature passed a law authorizing the state board of education to purchase the textbooks at the best prices obtainable. On the ground that the law "played into the hands of the book trust," the bill was vetoed by the governor.

To seek a way out of this tangle the question was referred to the attorney general of whether the textbook commission could meet in special session at this time. His opinion declared against the commission, but backed by an opinion from the Portland law firm, the commission met and proceeded to do its business.

Coolidge Appoints Klan Chief Head Savannah Customs

SWAMPSCOTT, Mass., Aug. 22.—(A. P.)—Marion O. Dunning of Savannah was appointed today to be collector of customs at Savannah.

ATLANTA, Aug. 22.—M. O. Dunning, who was appointed collector of customs at Savannah today is chief of staff of the Ku Klux Klan for Georgia.

Governor Appoints Medford Man On Prison Committee

MARSHFIELD, Ore., Aug. 22.—(A. P.)—Governor Pierce announced here this morning that late today he will name C. G. Thompson, of Medford, Crater Lake Park Superintendent Jefferson Moyes, former state treasurer and Adj. Gen. White, of the Oregon National Guard, a commission of three to investigate the recent jail break at the Salem penitentiary. The commission will be asked to make recommendations regarding a new prison which Gov. Pierce endorses.

FIVE SHOT IN BANK HOLD-UP IN LOS ANGELES

LOS ANGELES, Aug. 22.—(A. P.)—One bandit was killed, one police officer is believed to be dying, a second policeman, a second bandit and a passerby were less seriously injured in a pistol battle that followed a hold-up of the Hellman branch bank at Ninth and Santa Fe streets here today.

Two bandits escaped and \$15,000 taken by the hold up men was recovered, and a member of the gang, who gave the names of John Smith of Milwaukee, was captured. The dead bandit was identified as John Pranta, Chicago bank robber. W. J. Baldwin was badly cut by flying glass when a street car bullet came through the windows of his sedan.

The wounded are: R. E. Smith, police officer, believed fatally injured; Motorcycle Officer Oscar Bayer, wounded in hip; V. C. Beeler, electrician contractor, shot in hand by stray bullet; John Smith, captured bandit, slightly wounded.

WILLOS AND KELLY FLEE FOR WOODS

Murray's Pals, Pursued By Poses, Attempt Escape to Wilds After Robbing Store in Washington—Stolen Gas Marks Trail—Capture Is Momentarily Expected.

BINGEN, Wash., Aug. 22.—Ellsworth Kelly and James Willos, escaped Oregon convicts, were believed in flight toward Yakima from this place early this morning, following the robbery of a store here about midnight and the theft of an Overland automobile belonging to W. S. Ripplod. The car bears Washington license No. 123-921.

The store of E. G. Lewis was the place robbed, entrance was gained by smashing a rear window.

The burglars took \$18 in cash, a quantity of cookies and bananas, a pipe, tobacco and cigarettes and a pair of shoes.

Sheriff A. P. Gordon of Skamania county, who Kelly and Willos, a doubly were Kelly and Willos, and regarded as most significant the theft of the shoes, which were size 8 1/2, the size worn by Willos.

The Highway garage, operated by P. V. Luzzi, also was entered, where the men tried to steal the car of Night Marshal Frank Monroe, but they were unable to start it. Both Kelly and Willos are known to have little knowledge of automobiles.

Store Is Robbed
Phlip's room, above the garage, was entered and his money stolen, but he was not awakened. The men took the keys to his gas tank and obtained a supply of gasoline for the car.

In the Lewis store, the robbers dropped a pair of white cloth gloves, answering the description of those known to have been taken by the escaped convicts when they held up four men in a lunch room at Monitor, Ore., and about four ounces of coffee wrapped in a bit of the Seattle Post-Intelligencer of August 9.

Night Marshal Monroe saw the Overland leave the main highway here and take the road 16 White Salmon, one mile up the cliffs. This road connects with the highway to Yakima and Sheriff Gordon believes that the fugitives are headed for that town. He has notified all nearby towns and poses early were forming to take up the chase. A posse also was organized at Hood River, Ore., just across the river from here, to join the Washington man hunters.

Reported at Goldendale
GOLDENDALE, Wash., Aug. 22.—Ellsworth Kelly and James Willos, fugitive Oregon convicts, are believed to have passed through Goldendale at 3 o'clock this morning following the robbery of a store and garage at Bingen.

Sheriff W. S. Warwick, of Klickitat county, believes he passed the fleeing desperadoes between Goldendale and Lytle as he was rushing in his own car to Bingen, fifty miles southwest of here.

The sheriff at the time did not know that an automobile had been stolen at Bingen.

The car he passed was an Overland, like the one stolen at Bingen, Warwick said.

As soon as the news was sent back here by Sheriff Warwick, District Attorney C. W. Ramsay notified all surrounding towns and poses began organizing to take up the chase.

Three ways of escape from the country are open to the desperadoes. One is over the central Washington highway through Bickleton and Mabton. This route all lies through open country.

Another is by doubling back and taking one of the numerous ferries across the Columbia back into Oregon and the Columbia river highway.

(Continued on page six.)

To Hear Jacksonville R. R. Case Here Sept. 9

SALEM, Ore., Aug. 22.—The state public service commission has Sept. 9 as the date for the hearing of the petition of the Medford Coast railroad for permission to abandon its line between Medford and Jacksonville. The hearing will be held at Medford.

OPERATED UPON TO REMOVE CRIME HABITS, PLATE REMOVED, ARRESTED

MINNEAPOLIS, Aug. 22.—(A. P.)—Operated upon by court order thirteen years ago in an effort to remove criminal tendencies, John Howard, of St. Paul, was arrested yesterday by Minneapolis police, who announced he had confessed to robberies in four downtown buildings.

In 1912 a judge in district court here ordered an operation on Howard, then 17 years old, in an effort to remove pressure from his brain on the theory that it caused him to steal.

After the operation, his personality was said to have changed completely and he was given a full pardon.

JUDGE AT MONKEY TRIAL TAKES STUMP IN FAVOR BRYAN'S CAUSE

JACKSONVILLE, Ill., Aug. 22.—Standing firmly for the absolute and literal truth of the Bible, Judge J. Raulston of Winchester, Tenn., who presided during the now famous Scopes trial, addressing a chaptan on the coming of Judge Raulston to this city was heightened by the fact that here the late William Jennings Bryan central figure in the Scopes trial.

Judge Raulston told his audience: "I wish here today to oppose this theory which would destroy God's word," quoting the words of Bryan which have often been heard since the Scopes trial he said:

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