

The Weather

Prediction Occasional rain
Maximum yesterday 45.5
Minimum today 35

MEDFORD MAIL TRIBUNE

Weather Year Ago
Maximum 34
Minimum 22

Daily—Twenty-four Hours
Weekly—Fifty-four Days

SIXTEEN PAGES

MEDFORD, OREGON, FRIDAY, DECEMBER 11, 1925

NO. 225

PRISONERS ESCAPE FROM COUNTY JAIL

"FAGIN" AND AUTO THIEF RECAPTURED

Harry McElroy, Sentenced to 10 Years and Don Hill, Caught at Albany, Escape From County Jail, but Are Caught at Gold Hill in Early Morning By Sheriff.

Harry McElroy, 26, under sentence of ten years to state prison upon conviction by a jury, and a plea of guilty to robbery, in which he was charged with playing the role of Fagin to Richard Dunn Jr., 13, of Oakland, Cal., and Don Hill, charged with auto theft and recently arrested at Albany, Ore., escaped from the county jail about 7 o'clock Thursday evening and were recaptured at Gold Hill this morning by Sheriff Jennings about 4 o'clock, as the pair were entering a rooming house.

McElroy was sentenced yesterday morning by Circuit Judge C. M. Thomas, and Hill was bound over yesterday afternoon to await the action of the grand jury.

The men effected their escape by sawing a bar from the upper tier of windows, bending the bar to one side and reaching the ground, with a rope braided from a blanket.

According to Sheriff Jennings, Hill concealed the hackaw in the padding of his coat and the iron bar offered little resistance.

The fugitives offered no resistance when captured. They told the sheriff the escape plans were made yesterday afternoon, and "with what we had before us, you'd make a run for it."

McElroy, who was first arrested in Gold Hill after his boy assistant had rifled the till of the Kell garage, made the added comment: "This town is a jim for me!"

The break was discovered by the sheriff and Jailer Collins 15 minutes afterwards, and three passes were at once organized to guard the highways.

According to Sheriff Jennings, the break was not entirely unexpected, but the officials thought "they would try and go through the front door."

It is also believed that the escape plans were all made before McElroy entered a plea of guilty.

The men are now confined in the Pauley section of the jail, under guard. McElroy will be taken to Salem in the morning. It has not been decided yet whether the serious charge of jail-breaking will be filed against the pair.

McElroy told Jailer Collins this morning: "I'm willing to go now. There is nothing else to do."

None of the 12 prisoners in the county jail gave any hint of the break, before or after.

The window through which the pair sawed their way has no protection except bars, and several grand jury reports in the last three years have urged that the county court install steel wire netting over the windows as a precautionary measure. It has never been done.

The last escape from the county jail was made by Milan Jones in June, 1923, a brother of Bert (Oregon) Jones, notorious bandit, who was killed in a state prison break August 12. With Jesus Gonzales, a Mexican, he slugged the jailer and unlocked the doors. Gonzales was captured a half hour later. Jones is still at large, under indictment in this county for jail-breaking and highway robbery.

Requests Lifting of Immigration Ban to Let in Housemaids

WASHINGTON, Dec. 11.—(A. P.) Congress was asked today by Representative Bloom, Democrat, New York, to solve the domestic servant problem. He introduced today a bill to lift immigration restrictions on European women, established beyond question in the careers of cook or housemaid.

BANK ROBBERS ARE ARRESTED, PORTLAND HOME

Five Suspects Rounded Up After Two of Them Try to Sell Bonds Stolen From Shedd Bank—Three of the Men Ex-Convicts.

PORTLAND, Ore., Dec. 11.—(A. P.) Five men were held in the county jail here today for investigation in connection with the robbery of the bank at Shedd, Ore., Tuesday. Officers were also trying to determine whether the suspects had any connection with the holdup of the Troutdale bank yesterday.

The men were arrested last night at a home in Portland where six years ago, three men were caught following the holdup of the Clarendon tavern.

The sheriff's office gave out the names of the men held in jail as Wallace Witzel, an ex-convict out of Oregon penitentiary; Mike Welch, an ex-convict out of Walla Walla penitentiary; Columbus Jimmy Murray, an ex-convict out of Walla Walla; Charles L. Griffin, a former inmate of Monroe, Wash., reformatory, and Vincent Murphy.

They were arrested as the result of a report to the district attorney's office that Murphy and Murray had tried to sell \$5,700 of the bonds taken from the Shedd bank.

Witzel, Welch and Murray are the direct suspects, according to deputy sheriffs. Griffin was arrested, they say, because he was in the house with the others.

Sheriff Frank Richards of Albany is expected to come to compare fingerprints taken at Shedd with those of the suspects.

The name of the person to whom the bonds were offered, according to the district attorney's office is being kept secret. It was stated, however, that the man made a list of the offerings and found all except one bond to be fine securities easily negotiable.

About \$10,000 was stolen from the Shedd bank and these securities were listed among the losses, the local authorities said.

James Ogilvie, Walter ("Dutch") Banaster and David Smith were arrested at Murphy's place November 22, 1919, and sentenced to life on their plea of guilty that they killed George E. Peringer and J. Neve Burgess in the robbery at Clarendon tavern November 21, 1919. Since they were sentenced, Ogilvie has been shot and killed by a prison guard during a bull pen riot.

Etheridge Gives Tip The report that led to the arrests was made by John L. Etheridge, bond dealer. Etheridge said, according to the district attorney's office that someone giving the name of Murray called him on the telephone two days ago and said he wanted to sell some bonds.

Etheridge said that he was suspicious of some kind of plant aimed against him and took a witness with him when, that evening, he drove to late hour last night in connection with the raid and seizure of the liquor. Strickland declared he would seek a warrant for James E. Coad, acting vice-president of the St. Petersburg chamber of commerce.

Mr. Coad last night denied knowledge of the whiskey. Friends of Mr. Coad said if he is arrested they would furnish a million dollar bond.

Raiding officers said they had "documentary evidence" tending to show who owned the liquor and who had placed it in the room.

TO DEMAND REMOVAL OF BRAMWELL

Portland Bankers Accuse State Bank Examiner of Unfair Discrimination and Request for Removal Is Expected—Bramwell Denies Charges and Asks for a Hearing.

SALEM, Ore., Dec. 11.—Statements relative to the administration of Frank C. Bramwell, state superintendent of banks, were made to the state banking board today by representatives of the Portland National bank, formerly the Broadway bank. The bank accuses Bramwell of arbitrarily refusing to grant it a charter as a reserve depository for state banks and thereby discriminating against it in an unfair manner.

Members of the board pressed the bank representatives to say plainly what they were demanding Bramwell's removal. To this, in reply to a point-blank question by Secretary of State Kozler, Will B. Haines, president of the bank, replied:

"If you will be patient you will soon know what we want. If you give us time we will prove everything we have said and more, too, before we get out of this room. There are other matters that I could bring up in the same connection, but I cannot betray the confidences of those who have talked with me for the subject."

John R. Davis, cashier of the Portland bank, was asked by a newspaper man after the noon adjournment if the bank was going to demand Bramwell's removal.

"I can't talk now," he said. "You will see this afternoon." Bramwell has not made his reply, but indicated that he would be able to answer the accusations of his assailants.

Mr. Haines told of an examination of his bank that was made by the state department soon after the failure of the State bank of Portland, which had caused a small run on the Broadway bank, and said the examination was objectionable in a number of ways.

"Even if our application to become a reserve depository is granted," said Haines, "we feel that banks who deposit their reserves with us are going to be penalized and we demand a change in the attitude of the state department."

Demands to Know. In reply to a question by State Treasurer Kay, J. N. Hart, attorney for the bank, replied that the purpose of the hearing was to find out why the Portland National bank has not been made a depository for state funds; why state banks have been refused permission to deposit their reserves with us and why we are being discriminated against.

Hart read a series of letters that passed between Bramwell in which he insisted on knowing why permission to serve as a reserve depository had been refused the bank. He accused Bramwell of having evaded a direct reply, and said: "We demand to know now."

Secretary Kozler brought up the question whether the banking law board had jurisdiction and asking if it were not exclusively in the hands of the superintendent of banks. Hart replied that in his opinion the creature was not greater than the creator and that he believed the board had advisory control of the superintendent.

State Treasurer Kay referred to the new banking code saying that it took from the board about all the power it had except that of appointing a bank superintendent, granting bank charters and approving charters.

Bramwell Explains. Superintendent Bramwell explained that the new code does not change the authority of the board but that the granting of charters as reserve depositories has always been discretionary with the superintendent.

"It has always been a poor law," said Governor Peoria. "A very poor law in this day and age." "Have you any other evidence to present?" asked Kay. "In support of statements that you have made that would tend to show that Bramwell was unfair, arbitrary or incompetent and that might cause the board to consider his removal?"

At this Bramwell wanted to know if he was on trial.

"Balance of Power" in Senate May Rest on Contested Seats



The results of four contests over seats in the senate may determine the so-called "balance of power" in that body. Upon the outcome of these contests will depend whether or not the administration has a voting majority or whether the independents have the whip hand in close balloting. The four senators whose elections are contested for some reason are Smith Brookhart Independent Republican of Iowa, Thomas Schall administration Republican of Minnesota, Samuel Bratton, Democrat, of New Mexico and Gerald Nye, non-Partisan leaguer of North Dakota.

John D.'s Grandson Is Working His Way Thru Yale College

NEW HAVEN, Conn., Dec. 11.—(A. P.)—How a grandson of John D. Rockefeller, one of the world's richest men, is working his way through Yale university, winning a scholarship intended for students sons of the poor, came to light here today with announcement from the university of the winner of the James J. Hogan scholarship, which this year went to John R. Prentice, a sophomore. He is the son of Par-melee Prentice of New York and the former Miss Alta Rockefeller, daughter of John D. Rockefeller.

Passing of the Early Pioneer

SEATTLE, Dec. 11.—(A. P.)—Mrs. James H. Phagan, 87, pioneer school teacher of Oregon, died in her home here yesterday. She crossed the plains from Indiana by ox team in 1853, settling near Salem.

Wall Street Report

NEW YORK, Dec. 11.—(By A. P.)—Responding to a series of constructive business developments, stock prices advanced briskly today with over a score of issues mounting to new high levels for the year. Secretary Mellon's optimistic report of business conditions helped to create bullish enthusiasm. The rapid advance in some of the rail issues suggested a limited flowing supply of those stocks.

Daily Report on the Crime Wave

LOS ANGELES, Dec. 11.—(A. P.)—Two men early today bound and gagged the night watchman of a government bonded warehouse, loaded 600 cases of liquor valued at \$50,000 on a truck and escaped. The watchman told police he allowed the men to enter the premises with their truck when they represented themselves to be deputy sheriffs bringing a load of confiscated liquor to the warehouse.

Police, sheriff's deputies and government agents were posted on all roads leaving the county in an effort to capture the holdups.

Makes 500 Per Cent Profit By Buying S. P. Ferry Tickets

SAN FRANCISCO, Dec. 11.—(A. P.) E. H. Logan, a salesman of Alameda near here "invested" \$860 in Southern Pacific automobile ferry rebate tickets on the chance that the company would be ordered to make a refund on the tickets. Logan received a check yesterday from the company amounting to \$4,944.47. He paid ten cents each for the tickets and the company refunded 45 cents each.

MORE FREEDOM FOR NATL. BANKS DEEMED URGENT

WASHINGTON, Dec. 11.—(A. P.)—National banks throughout the country are feeling more and more the restrictions laid around them by federal statutes and greater freedom for them was described as imperative in the annual report of J. W. McIntosh, comptroller of the currency, made public today. The comptroller cited detailed statistics to show an increasing exodus from the national banking system and he predicted it would continue until the national banking laws are amended.

To accomplish the needed relief, Mr. McIntosh strongly urged enactment of the McFadden bill, a measure which was passed by the house last congress but which never was reached by the senate.

"It is a well known fact," the report added, "that many national banks are anxiously awaiting enactment of such a bill as that which failed at the last session of congress. If they cannot at this time obtain some amendments to their charter powers as are therein proposed there will be a still greater exodus from the national system."

Mr. McIntosh said that although the resources of the national banks had steadily increased from year to year and the condition of the individual banks remained strong, the relative increase nevertheless in the total resources of the national institutions had been slowly falling off as compared with the resources of state banks and trust companies. He mentioned that during the 40-year period ending with July 1, 1924, the total resources of national banks had fallen from 75 per cent of the total banking resources of the country to about 47 per cent. The last 18 months, he said, had witnessed a further shrinkage in the proportion of the total resources held by the national banks.

The facts present a serious situation for the consideration of the congress, the comptroller said, and an directing attention thereto at this time chiefly for the purpose of showing that adverse conditions of national bank operations are becoming daily accentuated. The national banking system is a time-honored federal instrumentality. The charter powers of the individual national banks are derived solely from the congress. Twice in the history of the United States, namely, immediately after the civil war and immediately preceding the world war, the federal government was able to enforce a banking policy at a time of great financial stress.

(Continued on Page Six.)

EXECUTION OF MURRAY POSTPONED

Condemned Convict Sentenced to Hang Next Friday, Is Granted Time for Appeal By State Supreme Court—Defense Claims Prison Term Must Be Served Out.

SALEM, Ore., Dec. 11.—The state supreme court, just after noon today granted a writ of probable cause to Tom Murray, convict convicted of the murder of Guard John Sweeney in the prison break of August 12 and sentenced to hang December 18, after listening to arguments on the motion of Will R. King, Murray's attorney, and District Attorney John Carson for two hours.

The writ, signed by Justice Hand, automatically stays the execution of Murray until the supreme court passes upon the appeal which will be perfected and filed within the next few days.

The chief points argued by Murray's counsel were that the state has no authority to execute him for the murder of Guard Sweeney until he has completed service on the twenty year term he is serving in the penitentiary for bank robbery; that Murray was tried on the murder charge without being removed from the state prison by a writ of habeas corpus; that in the killing of Guard Sweeney he was acting in self defense, which plea was ruled out by the lower court, and that part of the testimony introduced by the state in Murray's trial was a statement made to the district attorney by Murray in the prison, and that said statement was taken without informing the defendant of his rights or telling him that he was addressing the district attorney.

Judge King also took exception to remarks made by the district attorney during the trial in the lower court, arguing that they were irregular and inadmissible as evidence, and that they tended to influence the jury against the defendant.

53 KNOWN DEAD IN MINE BLOW-UP

BIRMINGHAM, Ala., Dec. 11.—(A. P.)—With a death list of 53 believed to have been definitely determined, rescue workers were making efforts today to remove three bodies remaining in Overton mine No. 2, which was partly wrecked by a gas explosion yesterday. The bodies remaining in the mine are those of two white men and one negro. Of the bodies already removed 42 are negro and seven white.

'HUSKIES' AGREE TO PLAY ALABAMA

SEATTLE, Dec. 11.—(Special, 3:30 P. M.)—University of Washington late today accepted the invitation to play the University of Alabama at football at Pasadena, January 1.

MISS HELEN WILLS TO STUDY ART AS SHE PLAYS TENNIS IN EUROPE

BERKELEY, Cal., Dec. 11.—(A. P.)—Action on the tennis court and in other sports has served as an inspiration to Miss Helen Wills, national and Olympic woman tennis champion and this action of the human figure she plans to put on canvas.

While travel is the chief object of Miss Wills' announced trip to France early in January, she will devote considerable time to continuing her art studies, drawing and painting and also will participate in tennis tournaments.

"I'm merely going to continue the art work I've taken up at the University of California," said the tennis champion. "I'm particularly interested in sketching and painting the human figure in action in the various sports and there is plenty of it in tennis." Accompanied by her mother, Miss Wills plans to land at Havre about the middle of January and will spend the winter months in southern France. She will then go to Paris. As for tennis she plans to play through tournaments at Nice, Cannes and on the Riviera, then go to England for the Wimbledon championships. She hopes she will meet Suzanne Lenglen, the French champion, during the tournament.

DRY RAID ON FASHIONABLE FLORIDA HOTEL INVOLVES VISITING BANKERS

ST. PETERSBURG, Fla., Dec. 11.—(A. P.)—Pinellas county officials were continuing inquiry today to determine who is responsible for the presence of 39 quarts of whiskey and three gallons of fine rum in a Sheraton hotel room yesterday. The whiskey was seized by Chief Deputy Sheriff Strickland in a raid on a million dollar bond.

Raiding officers said they had "documentary evidence" tending to show who owned the liquor and who had placed it in the room.

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