

The Weather
Forecast: Rain tonight and Tuesday. Warmer tonight.
Temperature.
Highest yesterday 53
Lowest this morning 39

MEDFORD MAIL TRIBUNE

Paid-Up Circulation
People who pay for their newspapers are the best prospects for the advertisers. A B. C. circulation is paid up circulation. This newspaper is a B. C.

Twenty-Seventh Year

MEDFORD, OREGON, MONDAY, FEBRUARY 20, 1933.

No. 283.

JENNINGS' CANDIDACY IS LEGAL

Banks Guarded by Gunmen Though Fears Based on Figment of Brain

Comment on the Day's News

By FRANK JENKINS
A CRAZED assassin fires five shots at President-elect Roosevelt, missing him, but hitting five other people who were standing near him; among them the mayor of Chicago.

IT IS terrible that such things should happen. We OUGHT to be able to do something effective about it. But when a mad dog runs amuck in a crowd, biting people right and left, about all we can do is shoot the dog, which doesn't help those who have been bitten.

There are many terrible things in this world—along with many pleasant things.

THE shooting recalls Roosevelt as a warm and human and likeable man—some whom we can admire unreservedly as an individual.

As the shots ring out, an effort is made to shove him away from the scene of danger. He is the President-elect of the United States, and after March 4, he will be the most important person in the world. For the greatest good of the greatest number, it is essential that he be protected at any cost.

But he refuses to be hustled away, insisting upon remaining and helping the wounded, taking Mayor Cermak in his own car to the hospital.

PROBABLY from the standpoint of the greatest good to the greatest number that was unwise. The assassin might not have been through shooting. He might have had accomplices who were ready to open fire if he failed.

His refusal to be hustled away, his insistence upon remaining to do his PERSONAL part in giving assistance to the wounded, might have cost the life of the President-elect of the United States, with incalculably important consequences to a nation of 120 million people.

But this writer, for one, is glad that Roosevelt stayed, for his staying reveals him unmistakably as possessing those qualities of courage, self-forgetfulness and sympathy that enable men to be truly great leaders.

THIS nation is passing through dark days, and if it is to reach the sunshine that is ahead, we must lead somewhere ahead—how far I cannot say, but it must be leadership in which it has implicit confidence; leadership in which it is willing to follow through thick and thin, through good and bad.

Leadership of this sort is not wholly a matter of the head, for people will not follow BRAINS ALONE unhesitatingly. Such leaders must possess qualities that endear them to the crowd, that stamp them as ordinary human beings among other ordinary human beings.

Roosevelt's instinctive reaction that he possesses these qualities.

THE senate, with votes to spare, passes the Blaine resolution for repeal of the prohibition amendment. It goes now to the house, and if the house passes it by the necessary two-thirds majority it will go to the President.

If the President signs it, it must then go to the states and before it becomes effective it must be ratified by conventions in two-thirds of the states—36 altogether.

Changing the constitution of the United States is quite a job.

CHANGING the constitution, incidentally, OUGHT to be quite a job.

Here in Oregon, we change our constitution about as easily and with about as little formality as we change our shirts. As a result, the constitution of the state of Oregon means little or nothing.

The time MIGHT come when it would be important to have the constitution of Oregon mean something.

REPRESENTATIVE GOODFREY, of GOODWATER, is GOODWATER, of GOODWATER, is (Continued on Page Four)

FORMER SHERIFF'S CANDIDACY LEGAL SAYS SKIPWORTH

Schermerhorn Attorneys Leave Influence Tampered With Since Election

Following a decision by Circuit Judge G. F. Skipworth of Lane county, that former Sheriff Ralph G. Jennings' "write-in" candidacy for sheriff, was eligible under Oregon law, the introduction of testimony to establish a foundation for the contest was started in the election contest of Ralph G. Jennings against Sheriff Schermerhorn.

The defense, headed by Attorney Elton Watkins of Portland contested the move, with the inference that the ballot boxes were tampered with, after the election and while in the clerk's office.

Stickers Come Loose. The contention was based upon the claim that 11 stickers on ballot pouches had been removed. Robert Bell, janitor at the courthouse, testified that he had picked the precinct stickers off the window-sill and off the floor of the clerk's office. Bell testified they were stored in the clerk's office until December 31 when they were placed in a vault in the basement.

Former County Clerk Delilah Stevens Meyer testified that on the canvass pouches difficulty was experienced in making the stickers adhere, and that their falling off has no significance.

No Tampering, Is Claim. The plaintiff contends that the loosening of the stickers on the outside of the boxes was unavoidable, and that the contents of the boxes, or the boxes themselves had not been tampered with. Janitor Bell testified he saw none of the keys and paid no attention to the locks. Bell was asked a series of questions, freighted with inference by Attorney Watkins. He was asked if he had seen lights burning in the clerk's office at night. He replied that he had "seen lights burning in all the offices at night."

A packed courtroom listened to the proceedings this afternoon.

Judge Skipworth, in his decision on the bench, ruled there was no clause in the Oregon law that "precluded the citizens of Jackson county from writing in the name of whomsoever they pleased, in the space very properly provided for that purpose on the ballot."

Jennings Not Barred. The court further held that no provisions of the Oregon election laws barred Jennings as a "write-in candidate" if the voter so desired.

It was also ruled that the fact that Jennings was a defeated primary candidate did not affect his eligibility as a "write-in" candidate.

Actual recounting of the votes cast in the contest will begin as soon as the preliminary evidence is completed. It is expected that the count will take at least three days. The count will be under the direction of the court.

Former Clerk Testifies. Mrs. Delilah Stevens Meyer, former county clerk, was called as the first witness.

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In Rock Tossing Net



Gene Goes, salesman, was held by Oakland, Cal., police on a murder charge after he had been arrested for hurling rocks at passing automobiles in Niles canyon, near that city. One man was killed when a stone passed through the windshield of a passing car and a woman seriously injured. Several other cars were damaged. (Associated Press Photo)

BULLETIN

Four secret indictments were returned by the grand jury late this afternoon and bench warrants were issued by Judge G. F. Skipworth, who is setting in Judge Norton's court, for arraignment of the party or parties named in the indictments tomorrow morning.

FRIENDLINESS OF AL SMITH AND F. R. TURNS COLD AGAIN

WASHINGTON, Feb. 20.—The late campaign friendliness of Roosevelt and Smith is waning rapidly. Those who know Smith say he feels slighted because he has been omitted from the consultations with leaders. That feeling was behind his curt remark that he would not be interested in going into the senate or the cabinet. The betting now is that he will not have a direct hookup with the new administration. This will make him a much more prominent factor next fall in the city situation.

A New York bank with first rate Japanese contracts has reports of an important shift in Japanese policy. The liberal element, backed by small business men throughout the empire, is gaining the ascendancy. This implies a drawing in of the military horns.

The Manchurian expedition left the small business man cold. He saw the two huge corporations—Mitsui and Mitsubishi—swamping him with cheap labor and machines in Manchuria. Also he was being ruined by the financial consequences of the military policy.

The change in Germany fails to worry New York—except for Germany.

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TRIPLE MURDER FOUND IN BRIGHT LIGHTS "SPEAK"

NEW YORK, Feb. 20.—(AP)—Pushed into the midtown speakeasy and stumbled upon triple murder.

On the floor before the bar lay the bodies of a young brunette, attractive, and of John Egan, hands and burlap of New York and New Jersey who performed last December the rare feat of escaping from Sing Sing prison. Behind the bar was the body of Michael Griffin, 45-year old bartender.

Each had been killed by a shot which entered the right side of the head.

Police did not know who the woman was.

She was about 25 years old, an attractive woman, modestly attired.

Sweeney, making his regular round of the midtown speakeasy belt with his newspapers, had run up the short flight of steps of the Brownstone house at 267 West 62nd street. Passing through the hall, he found the door leading to the bathroom ajar. The bodies of the man and woman were slumped at his feet as he pushed his way in.

GUNMAN ZANGARA SENTENCED TO 80 YEARS IN PENITENTIARY

MIAMI, Fla., Feb. 20.—(AP)—Gulpepe Zangara today was sentenced to 80 years in prison for his attack February 15 on President-elect Roosevelt. Miss Margaret Krutz of Newark, N. J., Russell Caldwell of Coconut Grove, Fla., and William Sinnott, New York policeman.

He was sentenced to 20 years on each of the four charges which were attempted to murder, getting the maximum sentence in each case.

Zangara may yet be tried for murder. His plea today did not cover the cases of Mayor Anton Cermak of Chicago and Mrs. Joe H. Gill of Miami, who are in a hospital here.

Jokes With Judge. After the sentence was pronounced Zangara said "Judge, how much you give me?"

Zangara held up his fingers—eight of them.

"Yes," said the judge. "Oh, judge, don't be stingy. Four times twenty is eighty. Give me a hundred years."

He laughed as he was hastily led from the court by two deputies.

He was taken back to the Dade county jail.

Zangara was sentenced after he pleaded guilty to the four charges and after he had reiterated to the judge his request for a life term on the life of President-elect Roosevelt was unsuccessful.

Victims Recovering. The most cheering news since they were shot came from the bodies of

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WILKINS LETTER ADDS A CHAPTER TO BATES CASE

A letter written yesterday by Attorney M. O. Wilkins to F. A. Bates, erstwhile Foots Creek miner, reveals the extent of the breach between the lawyer and his former client, Mr. Bates, and writes another chapter in the case of Bates, whose cause has long been espoused by I. A. Banks, publisher of the Daily News.

The letter follows: "Ashland, Ore., Feb. 19, 1933. 'Mr. F. A. Bates, '805 East 2nd street, 'Albany, Oregon. 'My Dear Sir:

"Your scurrilous letter of February 17 does not deserve reply, but I am fully aware that you and your good wife are relying upon L. A. Banks to bring you and your mines into fame and great prosperity, and from all present indications you are soon to experience complete disappointment.

"Having assumed and conducted the responsibility of your legal matters for a time, and having prepared to defend you in a criminal case in this county, I deem it my duty as an officer of the courts, to attempt to correct some of your false impressions.

"On June 16, 1932, L. A. Banks employed me in writing, to defend you in a criminal case, and therein agreed to pay \$250 attorney fees, but I did not at any time agree to 'work with him and he (Banks) would put me in district attorney office' as stated in your letter.

"My candidacy until July 16, 1932, and then it was upon a platform of INDEPENDENCY, as follows:

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KIWANIS EXPRESS FULL CONFIDENCE IN COUNTY HEADS

Resolution, expressing confidence in the honesty, integrity and ability of Circuit Judge H. D. Norton, District Attorney George Coddling and Commissioner R. E. Nealon, was passed by unanimous vote of the Kiwanis club today at luncheon at the Hotel Medford, at a meeting held in observance of the birthdays of George Washington and Abraham Lincoln.

The resolution reads: "Whereas, vicious and unwarranted attacks have been made, and are being made upon our courts, and upon our duly elected officers, particularly Judge H. D. Norton, District Attorney Coddling and Commissioner Nealon.

"Be it therefore resolved, that we do hereby express our confidence in the honesty, integrity and ability of said officers:

"Be it further resolved that we pledge our support to said officers and promise whenever and wherever any person or group of persons, or any other persons, shall endeavor to get the true facts before the end that said officers shall have the support of every loyal citizen of Jackson county.

"Be it further resolved that we commend these officers and other duly elected officers of Jackson county for their efforts to enforce the law, and urge that their efforts be continued, and believe that in so doing, the officers of Jackson county will shortly have the united support of all loyal citizens."

Professor A. L. Bowler of the Southern Oregon Normal school, entertained the Kiwanians with an inspiring reading from Drinkwater's play on the life of Abraham Lincoln.

He was introduced by Supt. E. H. Hendrick, chairman of the patriotic program.

Rev. Alexander G. Bennett led the club members in singing "America the Beautiful," and it was announced that Attorney Porter J. Neff, who had been engaged as the main speaker for the day, was unable to be present.

A joint meeting of clubs at the Lithia Hotel in Ashland tomorrow noon, to be addressed by Prof. Irving Vining was announced, and Kiwanians were urged to attend.

By a unanimous vote of the club, C. T. Baker, retiring secretary of the chamber, concerning the Boise chamber, was wished "God speed and the greatest success in his new position."

Today's meeting of the club which loans are made from the reconstruction corporation's \$1,500,000 fund.

SENATE APPROVES LOANS TO STATES

WASHINGTON, Feb. 20.—(AP)—The Wagner bill, expanding the federal government's unemployment relief program was passed today by the senate.

The senate previously adopted the Wagner substitute for the LaPollette-Cottigan unemployment relief bill.

The vote on the Wagner substitute was 44 to 28.

It provides for loans, instead of gifts, to the states.

The bill, sponsored by Senator Wagner (D., N. Y.), was overwhelmingly approved and sent to the house.

The Wagner program includes an additional \$300,000,000 for relief loans to states and speeding up public construction by broadening the law under which loans are made from the reconstruction corporation's \$1,500,000,000 fund.

LOCAL DEBATERS CHAMPIONS AGAIN

In a series of debates with Ashland and Grants Pass, Medford high school lost one debate with the latter school, giving the local teams the championship of this conference. The local debaters will next participate in the district schedule, as soon as those areas are definitely determined. C. G. Smith, principal at Medford high school, said this afternoon.

Medford Police Disarm Follower of Publisher Who Bore Big Revolver

L. O. Van Wegen Apprehended on Street Was One of Committee Calling On Nealon for Resignation

Another example of the "super-psychology and salesmanship" of L. A. Banks, and his ability to sell intelligent persons on fantastic notions of conspiracies and abuse, was evidenced Sunday when L. O. Van Wegen was apprehended by city police and a .45 army Colts revolver taken from him in front of a local restaurant.

Van Wegen was arrested Sunday morning about 9 o'clock by City Policeman Joe Cave, after bystanders had seen Van Wegen get out of his car, and put it in the pocket of his car.

When he came out of the restaurant, Cave took the gun, which had three notches filed on the handle.

He is for Good Government! VanWegen is one of the committee called upon Commissioner Emmet Nealon, at Nealon's home two weeks ago, and demanded that he resign, and left with the statement that "if you don't resign, other means will be found of removing you from office."

The Daily News has an armed camp since paper belonging to the News was attached, and open threats have been made that if any more attachments were levied they would be retaliated. VanWegen told officers Sunday that he was buying the paper now.

When officers asked VanWegen if other members of the Good Government congress, who were guarding the office also carried their guns about the town, he said they did not, but that "too many things have been missing around there while we were gone, and I didn't want to take any chances by leaving my gun there."

To Face Charge. VanWegen asked to have his case postponed for several days, as he had a job in Ashland. VanWegen was not placed in jail, but his gun was taken by officers, and a complaint charging the carrying of concealed weapons in a car is being prepared.

Numerous times in the past three years, Banks has had either hired detectives or ardent followers guard his newspaper or his home, all of which tended to impress on the minds of his followers that he was the subject of plots and persecutions. Not once, in the three years, has there

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RECHECK VOTES THIS WEEK FOR CONTEST GIRLS

Today marks the opening of the fifth week of the Merchants-Tribune popularity contest, and with less than two more weeks left before the winners are announced, interest is reaching a high pitch. With exactly thirteen more days in which contestants may work for popularity votes, it will be anybody's race until the night of Saturday, March 4th.

A complete check of all votes submitted by popularity contest workers will be made this week so that any possible errors in previous counts may be rectified. All ballots are carefully filed under each girl's name so that a check may be made at any time.

Only eleven more days remain for contestants to secure votes in the Merchants-Tribune contest which means that those who are striving for the two delightful vacation trips will put forth extra effort to win the coveted prizes. The winner will enjoy a voyage to Hawaii, with luxurious accommodations aboard ship and a marvelous nine-day stop over in Honolulu as a guest of the Royal Hawaiian Hotel, overlooking romantic Waikiki Beach. The second prize is almost as alluring as the first prize trip. It is a boat voyage from Seattle to Victoria, B. C. thence to San Francisco and return. Of course, all expenses of the two delightful trips will be fully paid.

(By Mary Greiner Kelly) SALEM, Feb. 19.—(Sp.) O course the mosquito is a nuisance. Ask the man who swats one—but misses. Some folks seem to be in doubt on the question however. So a bill laying down the law on that insidious offender, was introduced in the house last week.

Bearing the imposing title of House Bill 479, this measure calls for an act to authorize the creation of mosquito control districts, and to provide for the organization, management and finances thereof, and to declare mosquito breeding places a nuisance.

To allay an uncertainty as to the prestige this bill holds on the house calendar, let it be known that the names of five representatives and two senators are affixed to it as sponsors. Some of the major bills have only one or two named sponsors.

Perhaps it's the maternal instinct, alleged to be inherent in every woman, which prompts Representative Hannah Martin, former representative of the house to give the 59 boys

MURDER CHARGE WILL FOLLOW IF CERMAK PASSES

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MEDFORD JOBLESS ASK MEIER TO ACT

Telegram, urging the early appointment of a Jackson County Relief committee, was wired Governor Julius L. Meier today by O. H. Goss, secretary of the Jackson County unemployment council, which met last Friday to take definite steps toward the local situation.

The telegram forwarded to Salem today reads: "Understand relief committee in session today. Urge immediate appointment Jackson county committee. Vitality necessary remove relief project from local politics at once. About 200 unemployed now registered and favoring your appointment of committee to clarify local situation."

WARSAW—(AP)—Diplomatic Cupid in Polish diplomatic service has been advised that marriage with foreigners would be a bar to certain coveted posts. The foreign office has definitely banned such unions, but its word is to the wind.

Mosquito Control Bill Is Big Legislative Item

SALEM, Feb. 20.—(AP)—Better railroad facilities for the productive parts of central Oregon was the object of a joint resolution introduced by Senator Upton today.

Upton said that it would authorize the Public Utilities commissioner to initiate a new proceeding before the Interstate Commerce commission for a different set-up from that of the former so-called Corey plan which was rendered ineffective by a United States supreme court decision, the decision being that a railroad could not be forced to extend its lines through an unproductive territory to connect with another road. The Corey plan called for an extension from Grants to Odell.

The Upton plan calls for an extension of the Union Pacific system from Burns to the Deschutes line, through Hogg Pass via Prineville Junction and into Portland. Upton said a connection with the Southern Pacific would probably be necessary after extending through the Pass, and was uncertain whether extension beyond Prineville Junction could be forced.

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REPEAL QUESTION LEFT TO PEOPLE BY SOLONS' VOTE

House Follows Senate in Favoring Submission—Drys Promise Fight to Finish

WASHINGTON, Feb. 20.—(AP)—The 13-year-old constitutional amendment for national prohibition went back to the states for a new decision today, on a 289 to 121 vote in the house of representatives.

Duplicating the favored action last week, when it favored submission of a repeal amendment to state conventions by a 63 to 23 vote, the house acted before being in session an hour and a half, cheered on by part of the galleries and in the face of ominous sneers by others there. The latter represented many of the prohibition organizations, which served notice at once through the Anti-Saloon league that the issue would be "fought to a finish in state capitals."

Votes to Spare. The vote was fifteen more than the two-thirds required.

Speaker John N. Garner was greeted with cheers and applause on announcing the outcome.

Chairman Summers of the judiciary committee and others moved for a federal law setting up the machinery for state conventions. A hard road was in front for this effort, however, as Mr. Garner and others on both sides of the capitol, have expressed the view that calling of the conventions is a state function.

Thirty-two democrats and 89 republicans voted against the resolution; 181 democrats, the one republican voted for it.

On December 5 the house voted down the Garner proposition, 272 to 144, six short of the two-thirds majority necessary.

Senators Hear Vote. Senators who took seats in the back of the chamber as debate proceeded included Bingham (R., Conn.), Johnson (R., Calif.), McNary (R., Ore.), and Burton and Keam, republicans, of New Jersey.

At the office of the Anti-Saloon league meanwhile, Edward B. Dunford—league counsel in a statement said:

"The wet prohibition repeal program will be fought to a finish at the state capitals, before the people in the election of delegates, and in legal proceedings, if necessary.

It's Moral Question. "The issue, joined in the election of delegates to a convention without regard to party affiliation or personalities of candidates for public office, reduces the decision to that of the moral question.

"Does you favor or oppose the legalized liquor traffic and the saloon? This will be the battle cry that will arouse the crusading spirit of the drys.

"No surrender, no retreat, no compromise," will be the slogan. The repeal resolution has to restore the legalized liquor traffic, would make certain the return of the saloon, and make difficult if not impossible the enforcement of state and local laws prohibiting the sale of intoxicating liquors."

BETTER RAILROAD FACILITIES URGED ON LEGISLATURE

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