

The Weather
Forecast: Cloudy tonight, Saturday
unsettled, probably with rain. No
change in temperature.
Highest yesterday..... 33
Lowest this morning..... 34

MEDFORD MAIL TRIBUNE

Paid-Up Circulation
People who pay for their newspapers
are the best prospects for the adver-
tisers. A B O circulation is paid
up circulation. This newspaper is
A. B. O.

Twenty-Seventh Year

MEDFORD, OREGON, FRIDAY, MARCH 17, 1933.

No. 304.

SCHERMERHORN OUSTING ASKED; COURT INVESTIGATION ORDERED

Comment on the Day's News

By FRANK JENKINS
BANKS throughout the country
open for normal business, after
the unprecedented "holiday" period.
DEPOSITORS through their windows.
Withdrawals are negligible.
That spells confidence.

The New York stock exchange
opens for business after having
been closed for 13 days. There are
more buyers than sellers, and PRICES
RISE.
That, also, spells confidence.

COMMODITY prices generally are
strong, with more ups than
downs. Copper stocks, as probably
you noted, were among those shar-
ing the rise on the stock exchange.
Copper prices are up a little, as are
zinc prices. Sugar is up. Wheat is
stronger.
Here, again, we see the reflection
of confidence.

CONFIDENCE in the banks means
more deposits, and more depos-
its, in turn, mean more bank credit.
What does more bank credit mean
to the common, ordinary individual,
who has only his labor to sell? Well,
it means, for one thing, that if some
smart sawmill operator has found a
market where he can dispose of his
lumber at a small profit he can get
the capital with which to operate.
That, in its turn, will mean JOBS
for workers who now have no jobs.

AND don't forget this:
When workers who now have
no jobs begin to get jobs, they will
have a little money with which to
buy the products of factory and farm.
That will mean MORE business.
All this, in time, may be expected
to flow from increased confidence.
Confidence is a big item in business.

JUST a word, however, of caution:
Don't expect this increase in confi-
dence to bring business back with
RUSH OVER NIGHT. If you have no
job today, don't expect half a dozen
jobs to be offered you tomorrow.
When you have been very, very
sick indeed and the crisis passes
and you begin to get better, you
don't expect to go to work as usual
the next morning. Your recovery
takes time—often quite a lot of it.

BUSINESS has been exceedingly
sick, and while it looks at this
moment as if the crisis were past
recovery will not be instantaneous and
complete. Time will be required to
make business well again.
But you know how you feel when
someone near and dear to you has
been dangerously ill and finally
passes the crisis and begins to get
better. You feel tremendously re-
lieved and happy, and you don't stop
to worry about the doctor's bills that
will have to be paid later.

That is the way people are feeling
about business right now. They are
relieved and happy and in the proper
frame of mind for facing the tasks
of ultimate recovery.

That, in itself, means a lot.
GIVE President Roosevelt credit for
meeting the banking crisis. He
stepped into the breach with a plan,
and it looks very much now as if
his plan would work.

He is preparing to meet the farm
crisis. And again he has a plan. His
plan is based upon restriction of
production—partially by negotiation,
and partially, it appears, by paying
farmers to keep their land out of
crops.

At any rate, what he has in mind is
bringing about a situation where
there will be more buyers than sell-
ers, so that prices will rise instead
of going steadily down.

YOU may think, of course, that
such a plan won't work. But at
least it sounds better than trying to hold
prices up without doing anything to
keep production DOWN. We know
by sad experience that THAT won't
work. The farm board spent nearly
a half billion dollars proving that it
won't.

AND remember this:
You would probably have said a
month ago that shaken confidence
in the banks couldn't be restored in
a week. But IT HAS BEEN. The in-
crease in confidence has been
(Continued on Page Five)

Sheriffs Unfitness For Office Charged Before Gov. Meier

District Attorney George A. Coddling said this noon, that the hearing ordered by Governor Meier to test the fitness of Sheriff Gordon L. Schermernhorn and seeking his removal, would be started before Circuit Judge W. M. Duncan as soon as possible—tomorrow or Monday.

PORTLAND, Ore., March 17.—(AP)—Governor Meier today announced he was asking the Jackson circuit court to hear charges that Sheriff Gordon Schermernhorn of that county is unfit to continue in office.

The governor said he was acting in response to a petition filed in the Jackson county court yesterday by Ralph Billings and R. E. Nealon, Jackson county commissioners. In their petition they said Schermernhorn had failed to fulfill his duties and that his conduct of the Jackson county jail was indefensible.

They charged he refused to open the doors of the county jail so that his friends, facing arrest on a series of indictments, could be locked up. The procedure will be before the Jackson circuit court, over which Circuit Judge Duncan is presiding, to report the findings in the hearings to the governor. If the findings warrant such action the sheriff will be removed by the governor, and a temporary sheriff appointed.

The governor was in communication with several persons. He did not comment on what steps would be taken in the case of County Judge E. H. Fehl, another official under fire in Medford. There has been no formal petition filed against Fehl.

Sheriff Gordon L. Schermernhorn, when interviewed last night regarding the notice of cancellation by the Massachusetts bonding and insurance company of \$10,000 bonds, covering his duties as sheriff, apart from his duties as tax collector, stated that he would obtain new bonds, if necessary, and that he had been assured such could be accomplished without difficulty.

The announcement received yesterday, he stated, was notice of cancellation and did not mean that the bonds had been cancelled.

Sheriff Schermernhorn stated that he planned to continue in his office and denied all rumors of plans to resign as Jackson county sheriff. "I will carry on here," he stated, "the duties of my office and have no intentions of resigning at this time. I will produce new bonds whenever they are needed."

G. O. P. THROWING NO WRENCHES IN ROOSEVELT PATH

By ROBERT D. HEINL
(Copyrighted by McClure Newspaper Syndicate)
WASHINGTON, Mar. 17.—Even the Republicans are keeping out of the path of the avalanche of public sentiment behind the president. They are playing a shrewd game. Their keynote was sounded by Republican Leader Bertrand Snell, who refused to "throw monkey wrenches" into the machinery.

It will be recalled that the dis-
pensing of the thousands upon thou-
sands of bonds.

DOUG JUNIOR IN DENIAL OF LOVE PIRACY CLAIM

LOS ANGELES, Mar. 17.—(AP)—A vigorous denial of the charge of alienation of affections and false imprisonment was made today by Douglas Fairbanks, Jr., screen actor, who yesterday was sued for \$50,000 damages by Jorgen Dietz, a chemical engineer.



Two actions were filed by Dietz. In the first he accuses the star of stealing the love and affections, comfort and assistance of his wife, Mrs. Solweig Dietz.

In his second suit, the engineer charged the screen actor, Michael Lewin, his manager, and others, conspired and threatened him with imprisonment to compel him to desert

FRED KELLY NEW CHIEF JAILER AS PRISONERS CROWD

Sheriff Gordon L. Schermernhorn appeared in court this morning, with his attorney, Frank J. Newman, and Circuit Judge W. M. Duncan of Klamath county fixed his bonds, on the indictment returned Tuesday afternoon for the ballot theft and destruction at \$7500. Jens Jensen and Thomas L. Taylor, old friends, appeared as sureties.

Fred Kelly late yesterday was named chief jailer by the sheriff, following a conference with the district attorney's office.

Soon thereafter, the transfer of prisoners arrested on the ballot burning and criminal syndicalism charges started. Up to this time, no men arrested in the ballot investigation have been held in the county jail.

Kelly is in complete charge of the county jail. Two state policemen are also present, all armed. No one is allowed to enter the jail, except upon a court order.

The county court issued drastic instructions, that no one, not an inmate, be fed under any circumstances. For some time "courthouse loiterers" have been eating their meals at the county jail table. Included in this number were two youths, held in the ballot stealing, and C. H. Brown, father of Henrietta B. Martin, and secretary of the "Good Government Congress." Brown was a luncheon diner during January and February, and often had company. He is now eating county jail meals, held on a criminal syndicalism charge.

John Glenn of Ashland, named as county jailer by Sheriff Schermernhorn when he took office, and arrested last Tuesday night on a warrant charging complicity in the ballot thefts, also occupied a cell in the jail over which he once ruled.

MRS. MARTIN GOES TO BASTILE ALONG WITH FOLLOWERS

Henrietta B. Martin, president of the "Good Government Congress," ardent orator in support of Bankiam, was arrested shortly before noon today by state police, at her home and lodged in the women's ward of the county jail. The warrant charged "criminal syndicalism." It was stated that Mrs. Martin since late yesterday has been endeavoring to furnish bonds, but had been unsuccessful.

In a statement published this morning, Mrs. Martin said she would "carry on" the work started by Mr. Bankiam, criticized Governor Meier for not intervening when requested to do so last Saturday by her committee on a visit to Salem, and announced she had sent a "telegram" to Washington, D. C. regarding the local situation.

The Challenge Is Accepted!

DO THE people of Jackson county want more innocent officers shot down in cold blood, behind the skirts of some woman?

Do they want continued lawlessness, continued pillaging of court houses and burning of ballots?

Do they want this reign of terror followed by ANOTHER, until this community is reduced to a shambles, and advertised far and wide, as a place where crime is encouraged, sedition lauded, and murder condoned?

If they do, then that is precisely what they are going to have. All they need to do now, is TO LIE DOWN AND TAKE IT!

THERE is no regret for this crime on the part of those responsible for it. No remorse. No sympathy for the dead; no human feeling for the bereaved and aged living; not a THOUGHT for the mourning children.

The man who fired the fatal shot, who snuffed out the life of a man who had done HIM no wrong, whom HE knew was merely performing his sworn duty, glories in the terrible deed. He proudly tells the world, that under the same circumstances he would KILL again! With a set smile on his face, he walks over the body of his stricken foe, steps off the stage he had prepared with his own hands, to himself escape the fatal sentence, he had so pitilessly and wantonly inflicted; and is apparently—SURPRISED!—he did not receive the plaudits of his "Good Government" followers.

THE woman that had shielded and aided him, that at a given signal stepped aside, that the bullet might find a fatal spot, poses proudly for her picture, with a smile on her face,—she supposed she shouldn't smile for such a picture—but her amusement couldn't be controlled—she smiled—and smiled—and smiled, adding "This fight will go on!"

ANOTHER woman—the president of the Good Government Congress—the woman who boasted of taking the law into her own hands, who declared the ballot boxes that were burned, SHOULD have been burned before,—has the unspeakable effrontery to claim in one breath she "regrets the tragedy," and in the next: "I would not be a real AMERICAN if I did not continue to fight."

"An American!" Continue to fight for WHAT? FOR BALLOT BURNING, FOR HORSEWHIPPING, FOR DELIBERATE AND PREMEDITATED MURDER!

THERE IS THE CHALLENGE, CITIZENS OF JACKSON COUNTY! ARE YOU GOING TO MEET IT? OR ARE YOU GOING TO LAUGH IT OFF—AS JUST ANOTHER ONE OF THOSE "FUNNY THINGS!"

YESTERDAY when the fatal shot was fired, and one of the finest and most fearless officers we have ever had, lay crumpled and cold in death, we believed that that shot had at last solved our problem. We felt it would certainly remove the scales from the eyes of Banks' deluded and misguided followers; show them clearly their ghastly and tragic mistake, and putting the leader of this criminal conspiracy to destroy this community, behind the bars, would result in the return of peace and security—too late it is true,—at too great a price,—but we found consolation in that old adage "better late than NEVER!"

WE WERE mistaken. We frankly admit our mistake. We underestimated the extent to which this poison had spread; we failed to appreciate the depths of human depravity to which certain sections of Jackson county had fallen.

Only a few hours after that editorial was written, this office received an anonymous phone call from some woman who warned this paper to "lay off," who obviously was not only in sympathy with the crime, but rejoiced in it. She agreed with the wife of one of the Good Government leaders, that "George Prescott merely got what was coming to him,—that there would be others!"

And today, this community is informed, that the fight that has ended in this tragedy, that is solely responsible for it "MUST GO ON!"

WE DON'T know how the people of this community feel about it. But we know how this PAPER feels. With that brazenly lawless statement, we heartily agree. That challenge to everything that is right and decent and law-abiding in Medford and Jackson county is promptly accepted.

"THE FIGHT MUST GO ON!"
Yes, the fight MUST go on,—until every individual directly or indirectly involved in this murder is BROUGHT TO JUSTICE!

Until EVERY person involved directly or indirectly in the pillaging of the court house and the burning of the ballots, is PUT IN THE PENITENTIARY where he—or she—belongs. Until EVERY person involved, directly or indirectly, in this outrageous and diabolical conspiracy to destroy this community, and overturn the government, under which we live,—who has contributed in any way,—to the campaign of falsehood, character assassination, and calumny—which forms now and has always formed,—the fertile field in which seeds of hatred and spite have flourished into OUTRIGHT MURDER—is either placed behind the bars or forced to leave this section of Oregon and never return!

Indictment of Banks, Wife, Fleming Near

The Jackson county grand jury, Theodore J. Bell, Jr., of Grants Pass forenoon convened at 1:30 o'clock this afternoon to consider the returning of first degree murder indictments against Llewellyn A. Banks, the slayer of Constable George J. Prescott, in fulfillment of his long boasted defiance of constituted authority; his wife, Edith R. Banks, and E. A. Fleming, Jacksonville orchardist, and "Good Government Congress" worker.

Indictments are expected to be returned late today and the district attorney's office announced that the trio would be arraigned for pleas and brought to trial with the least possible delay.

Mrs. Banks, transferred with Mrs. Arthur La Dietz from the city to the county jail last night, rested comfortably in a cell with her chief concern about her 12-year-old daughter, and why "Good Government Congressmen" had not called to prefer consultation. Mrs. Banks maintained the cool and calm mein that followed her detention yesterday, though the mutterings of angry citizens without her cell were said to have perturbed her somewhat. In her one interview after the crime, however, she kept a defiant attitude and, according to officers, treated the entire tragedy, in which she played an important part, flippantly.

A report to local authorities this morning from Grants Pass said Banks had started to "worry" though still defiant. He continued to pose as a martyr, and repented his familiar charges "that justice had collapsed" and that he was the "victim of a frame-up."

Fleming Is Serious
Fleming, well known here for the past 15 years, regarded the situation with more concern and seriousness. He was a caller at the Banks home when the murder occurred. The authorities are investigating the part he played before and after the tragedy. None of the three, up to noon, had retained counsel. Neither Banks nor his wife had received word from friend or kin in California, it was reported.

Banks is expected to plead insanity and the state will contest such a defense vigorously. The state will maintain that it was a premeditated murder and that Banks had made threats and boasts that he "would resist arrest" and that he shot from the partial cover of his wife, who stood at the door.

The letters signed by Banks, addressed to the chief of police and Captain Lee M. Bown, and found by the body of the slain officer, indicate premeditation, it is claimed. The state is also prepared to show that Banks transacted business and signed deeds and other legal papers a short time before the murder; that his home contained arms, and that the doors were locked with chains.

Letters Written Later, Hint
Authorities are also investigating the theory that Banks dictated the letters after the slaying. Mrs. Banks admits either writing or copying them. Sergeant James O'Brien, who

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WILL ROGERS SAYS:

BEVERLY HILLS, Cal., Mar. 16.—My bank opened today. Instead of being there to draw my little dab out I didn't even go to town. Shows you I heard Roosevelt on the radio.

Bankers should have over their desks this motto: "God bless Roosevelt, God bless radio and then, P. S., God bless interest." But I am telling you that Roosevelt should come ahead of interest, and all in the world it took to do these things was to forget about war debts, disarmament, China's plight, Germany's plight and just concentrate one week on "America's plight!"

America can carry herself and get along in pretty fair shape but when she stops and picks up the whole world and puts it on her shoulders she just can't "get it done."

Willamette Wins
SALMON, Mar. 17.—(AP)—A debate between dual teams representing Weber college of Oden, Utah, and Willamette university of this city, resulted in a critic judge's decision for Willamette here last night.

Will Rogers
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