

The Weather
Forecast: Unsettled with rain to night and Thursday; no change in temperature.
Highest yesterday 70
Lowest this morning 47

MEDFORD MAIL TRIBUNE

Paid-Up Circulation
People who pay for their newspapers are the best prospects for the advertiser. A B. C. circulation is paid up circulation. This newspaper is A. B. C.
No. 306.

Twenty-Seventh Year

MEDFORD, OREGON, MONDAY, MARCH 20, 1933.

LEVEN'S SPECIAL PROSECUTOR

Comment on the Day's News

By FRANK JNEKINS
YOU have seen, in all probability, the beautiful monument to the seagulls in Salt Lake City. It was the seagulls, you will remember, that saved the community in its first year by eating the grasshoppers that were destroying the growing crops, without which the people would certainly have starved.
ROME, as you know, was saved by the cackling of the geese that detected invaders creeping in upon the city and by their noise aroused the sleeping defenders. Geese, ever since, have been held in grateful remembrance in Rome.
AND you know the thrilling story of Arnold Winkelreid, the Swiss, who broke the Austrian phalanx by sweeping within his grasp a dozen spears and centering them in his own bosom, thus opening through the ranks of the phalanx a way for his comrades, but giving his own life for the good of his country.
SALT LAKE CITY has her seagulls: Rome has her geese; Switzerland has her Arnold Winkelreid—savours all, and as such cherished lovingly in the memories of grateful peoples.
Medford and Jackson county have George Prescott—a little catch comes involuntarily into one's throat and tears spring unbidden into one's eyes at the thought—who gave his life for the good of his community just as truly as Arnold Winkelreid gave his.
POOR George Prescott, lying this morning stiff and stark in death; upon whose coffin the cold clouds will fall this afternoon—upon a sacrifice, if ever a man was, upon the altar of his community's welfare.
After all the strife and agitation have died down, after the multifold trials that will be necessary have been held after justice has been finally done—for justice WILL be finally done—is no longer any doubt of that—Medford and Jackson county should unite gratefully to honor the memory of George Prescott.
Sacrifices such as his should not go unnoted.
LET us live over briefly the tragedy of last Thursday morning.
George Prescott was given a warrant for the arrest of L. A. Banks. It was his duty to serve the warrant. So, in the simple performance of his duty, he went out to Banks' home. He knocked, the door was opened, a shot rang out, a bullet tore through his body, and he fell back dead into the arms of Sergeant O'Brien.
With his last breath, he whispered: "Tell my—" but died before he could finish the pitiful message.
BETWEEN the shooting and the final arrest of Banks, some three-quarters of an hour elapsed, and during all this time the body lay there on the porch, before the door, where it fell.
It HAD to, for all the facts in connection with his position will be important in the trial. It couldn't be disturbed.
And during a large part of this time residents of Medford and Jackson county were passing by and looking at it lying there so still. You can imagine what was passing through their minds, the emotions that were welling up within them.
They were saying to themselves: "THIS is what all the strife of the past few weeks has brought to us."
YOU can imagine how it angered those who had had no part in the stirring up of the strife, causing them to clutch their fists and vow to put an end to all the murderous discord; and how it frightened and sobered those who HAD had a part in it, shocking them into realization of the deadly serious nature of the amazing enterprise to which they had lent, in greater or less degree, their support.
It was this shocking and sobering realization that prompted the later flood of horrified withdrawals from the Good Government Congress—mistaken, if ever an organization was.
So you see how it was that George Prescott became a martyr, a sacrifice.

MURDER, BALLOT THEFT CASES, IN OUTSIDE HANDS

Member of Attorney General's Legal Staff Named at Request of Gov. Meier — Will Also Open Probe.
State police and the district attorney's office have completed a thorough search of the Banks home, which has been in the custody of the coroner since the murder. They report "plenty of evidence" — documentary and otherwise, implicating Banks in both murder and criminal syndicalism activities. Ely letters he addressed to "congressmen" have been turned over to the authorities.
SALEM, Mar. 20. — (AP) — William Levens will act as special prosecutor in all criminal matters resulting from the controversy that has been raging in Jackson county for several months. At the request of Governor Julius L. Meier, Attorney-General L. H. VanWinkle named the prosecutor from his legal staff.
Levens said he would appear before the grand jury at Medford today. The governor's letter asking for the appointment of a special prosecutor made special reference to the alleged theft of ballots cast at the November election in Jackson county and the recent slaying of Constable George J. Prescott, charged to Llewellyn A. Banks, militant newspaper publisher and leader of the so-called Good Government Congress.
Levens was also authorized to investigate all acts of criminal syndicalism, such as law infractions and all other violations of the criminal laws of the state.
William S. Levens, named by the governor as special prosecutor for the actions arising out of the Jackson county agitation, arrived this morning and started work at once. He will cooperate with the district attorney's office and the state police. He will have charge of the grand jury which convenes tomorrow.
Levens has been an assistant attorney-general of Oregon since 1929 and is one of the leading attorneys of the state. He was prohibition commissioner under Governor Walter M. Pierce. He was prosecuting attorney of Baker county for 12 years. He was born, reared and educated in this state, and has been prominent in important legal matters for years. He is well versed in all phases of the law. His home city is Baker, Ore.
Assistant Attorney-General Levens said this morning, in a short interview, that all matters coming under his jurisdiction would be handled as fast and consistently as possible, and that he had started work to this end. Levens will have charge of the investigation and prosecution of all murder, criminal syndicalism, criminal libel and ballot-burning cases. In this he will be assisted by the district attorney's office.
The grand jury, Theodore J. Bell, Jr., of Talent, foreman, will meet tomorrow morning, to consider evidence in the information charging L. A. Banks, local agitator and former editor, with first degree murder for the slaying of Constable George J. Prescott last Thursday when the latter went to the Banks home to serve a warrant for the arrest as one of the secretly indicted ballot-burners.
Banks admitted firing the fatal shot, and told state police that "he would do it again." Mrs. Banks assembled held open the door through which her husband fired the fatal shot, and Fleming was in "control" with Banks. He was found armed, on a table, and arrested when he endeavored to leave the murder scene.
The grand jury will devote its initial attention to the first degree murder charges, and will proceed with its investigation of the other cases as fast as possible.
An early trial on the murder charge will be sought, and the other cases will be taken up as soon thereafter as possible.
Mrs. Banks continued her cool and calm mien in her cell in the county jail, and jailers reported that her attitude had not changed since last Thursday.
Reports to local authorities indicated that Banks, in his cell in the county jail at Grants Pass, talked freely to his guards and jailmates, and was still defiant. He smokes cigarettes incessantly and has periods of extreme nervousness.
Fleming, also held at Grants Pass, was reported as viewing the situation with deep seriousness, and was very nervous.
Henrietta B. Martin, president of the "Good Government Congress" and one of the chief lieutenants of Banks, was still in jail today, and no effort had been made to secure her release on \$7500 bond. She was reported as calm, with no visitors, and spend her time reading.
Pass Bank Aid Bill
WASHINGTON, March 20. — (AP) — The House today passed and sent to the senate a bill which would let state banks and trust companies borrow from federal reserve banks.

Assassin Zangara Dies in "Chair" Defiant to Last

WALTER J. JONES BALLOT SUSPECT FAILS SURRENDER

Mayor of Rogue River Ignores Promise Made By Attorneys — Claims He's Ill in Portland Hospital
The district attorney's office this afternoon ordered the arrest of Walter J. Jones, mayor of Rogue River, indicted for ballot robbery, if and when he is located in a Portland hospital, as reported by his attorney, in an affidavit filed this morning. The state police have been asked to locate Jones.
Thomas L. Brecheen of Ashland, held in the county jail for ballot stealing, filed an affidavit this afternoon, in justice court, stating that he was sick, and asking to be released for medical care. The affidavit was signed by Dr. D. M. Brower of Ashland.
Walter J. Jones, mayor of Rogue River, road supervisor appointed by Earl H. Fehl as county judge, and "Good Government congress" leader in the north end of the county, failed to surrender this morning to the authorities as promised by his attorneys, upon an indictment charging him with "burglary not in a dwelling," in connection with the brazen but bunglesome ballot robbery on the night of February 26, from a courthouse vault.
His attorneys, T. J. Enright and H. Von Schmalz, presented an affidavit this morning, setting forth that Jones was ill in a Portland hospital and that he was unable to present himself.
Saturday the attorneys assured the court that Jones was on his way here and he was to surrender this morning at 11 o'clock.
State police waited after the hour and were prepared to go in search of Jones. The authorities are checking on the Portland hospitals, and will ask that Jones furnish a doctor's certificate to the court.
Jones was one of the 17 named members and six John Does listed in a secret indictment, charging them with the ballot thefts.
Claude Ward, a brother-in-law of Banks, slayer of Constable Prescott, and slated for a machine shop foremanship last January, also indicted, is also ill. A doctor's certificate has been issued, and he is expected to be released. He will be arrested as soon as his condition will permit.

SENATE PASSES BEER BILL; OREGON ON WARRANT BASIS

CONTROL BOARD BREAKS RECORD LONG STANDING

SALEM, Mar. 20. — (AP) — The state of Oregon today went on a warrant basis.
Under provisions of H. B. 243, authorizing such action upon vote of the state treasurer, secretary of state and governor, the three concurred in the necessity of such a move and declared, the state upon a warrant basis with payment of five per cent interest.
Assurance that banks would honor state warrants at par was announced by Governor Julius L. Meier, who stated he had received such intimation from bankers. He said he did not expect any to cash warrants at a discount. Warrants will be repaid from the general fund of the state when such funds are available.
Hal E. Hoos, secretary of state, in concurring with the motion to place the state on a warrant basis, declared "this will be an important day in Oregon history." This is the first time the state has been on a warrant basis in 25 years, it was declared.
Regardless of any loan from Portland bankers, it was stated the warrant basis authorization would be effective.

SPEEDY JUSTICE DEALT SLAYER MAYOR CERMAK

ROOSEVELT ESCAPES ASSASSIN'S 5 SHOTS; MAYOR CERMAK AND 4 OTHERS WOUNDED



Headlines tell the story of the swift course of justice acting in the case of Giuseppe Zangara, whose attempt to kill President-elect Franklin D. Roosevelt February 15 caused the death of Mayor Anton Cermak of Chicago. Zangara took his death sentence sullenly.
For Joe Zangara the law had no delays.
Twenty-six days after he sent five bullets whistling in the direction of the President-elect, he was in the death house sentenced to the electric chair because one of those bullets resulted in the death of Mayor Anton J. Cermak of Chicago.
That sentence meant that in just a trifle more than a month from that tragedy-laden night in crowded Bay Front Park, Miami, Florida, the unrepentant assassin who sought to kill because he had a stomach-ache would say his last words, take his last few steps.
Justice moved swiftly. Here are its steps:
February 15.—A woman's upflung arm prevents the assassination of Franklin D. Roosevelt, then President-elect. Five are wounded, Zangara arrested.
"I am poor," says Zangara. "I always have been poor. My people have been oppressed. I kill all Presidents, kill all officers."
February 16.—Special grand jury called to convene next day.
"If I could eat," says Zangara, "I will kill anybody."
February 17.—County physician declares prisoner sane.
February 18.—Sanity commission reports prisoner a "psychopathic personality."
"I am not crazy," says Zangara. "There was no need of that doctor asking me all those questions."
(Continued on Page Five)

LEGAL DRINKING BY APRIL FIFTH IN SOME STATES

WASHINGTON, Mar. 20. — (AP) — The senate adopted the conference report on the 3.2 per cent beer and wine bill late today, sending it to the house for final congressional approval.
The report was approved by a vote of 43-36, after less than an hour's debate.
WASHINGTON, Mar. 20. — (AP) — Congressional pilots arranged this afternoon to send the beer bill to President Roosevelt for signature tomorrow, as the senate faced action on a conference report to legalize brew with an alcoholic content of 3.2 per cent.
Chance for final action today was blocked when the house adjourned before the senate voted; but the conferees were given permission to file their report tonight so it may be taken up at noon tomorrow.
President Roosevelt's signature to the bill tomorrow would make sale of wine and beer up to 3.2 per cent by weight legal April 5 in states which have no local laws forbidding it.
WASHINGTON, Mar. 20. — (AP) — President Roosevelt this afternoon signed into law the economy bill empowering him to slash veterans' compensation and government salaries.
With this weapon, he intends to lop off about \$500,000,000 from federal expenses.
WASHINGTON, Mar. 20. — (AP) — The administration farm relief bill was approved today by the house agricultural committee.
The vote was by voice. In some quarters, however, a statement by Chairman Jones that "I am not in accord with some of the provisions of the proposed measure" was considered indicative of the committee's attitude.
It was 9:11 a. m. when he entered the death chamber, barefooted and dressed in striped trousers and white shirt open at the neck. Two guards accompanied him, but as he approached the chair, Zangara said, "don't hold me. I'm afraid of chair."
Takes Lethal Seat
The guards released him and Zangara took his seat as though he were sitting down for a lunch, first striding over to Superintendent L. F. Chapman and handing him a sheet of papers on which he had inscribed, "here is that book I have been writing."
"I'm afraid that chair, see?" he repeated as he surveyed the thirty witnesses and attendants in the room.
And then as the straps were adjusted about his hands and legs, "no camera man here! No one here to take pictures!"
Superintendent Chapman replied "no" just before the attendants placed the metal cap on Zangara's head.
"Lousy capitalists!" Zangara shouted bitterly.
"He repeated, 'no pictures, capitalists! Capitalists, lousy bunch—crooks.'"
Relax for Shock
Attendants started to complete preparations for the electrocution and Zangara said evenly: "Goodbye. Adios to all the world. Goodbye." With his feet not quite touching the floor and his head completely covered, he then leaned back in the chair and relaxed to await the shocks.
One of the guards who fixed the electrodes stepped back and said in a quiet voice, "all right Joe." With that signal, Sheriff Dan Hardie of Dade county (Miami) walked behind the chair and threw the switch that sent 2,300 volts through Zangara's body at 9:15. The little assassin's body stiffened at the first shock and his head gave a jerk upward.
His hands clenched the chair. The current was turned off after three minutes and Zangara's body relaxed, slumping forward. Guards hastily released the straps about his arms and physicians stepped forward to make their examination. He was officially pronounced dead at 9:25 a. m., eastern standard time.
There was no immediate announcement as to what would be done with Zangara's body. Several medical schools and clinics have asked that the body be given to them for scientific research but Governor Dave Shobe did not say what would be done about this.
Twenty-five tons of grey mullet, equivalent to about 30,000 fish, were found when a railway dry dock was pumped out at Plymouth, England.

LAST WORDS IN DENUNCIATION OF CAPITALISTS

Little Italian Is Electrocuted For Slaying of Anton Cermak — Regrets No Pictures Taken at End.
Zangara Was Sane.
The report of the autopsy performed on Zangara's body read as follows:
"We found his brain perfectly normal on gross examination. A microscopic examination will be made later."
"Zangara had a chronically diseased gall-bladder which had adhesions and was, therefore, a victim of chronic indigestion. He was, however, a healthy, well-nourished individual."
"Zangara's conduct during his last moments in the execution chamber indicated clearly he had a proper understanding of his surroundings and realized fully the nature of the punishment about to be meted out to him, as evidenced by his verbal expressions and demeanor."
"In our opinion, this man was regarded as having been sane and also regarded medically as criminally responsible for the crime for which he was executed."
The autopsy was made by Dr. Ralph N. Greene, former chief of staff of the state hospital for the insane; R. B. Killinger, Duval county medical officer; C. D. Whitaker, plasma physician, and J. J. Kindred, New York City.
RAIFORD, Fla., March 20. — (AP) Giuseppe Zangara, the little Italian immigrant who hated all government, was electrocuted at 9:15 a. m. (Eastern standard time) today for murdering Mayor Anton J. Cermak of Chicago in an attempt to assassinate President Roosevelt.
He went to the chair with the same calm he had maintained since the night of Feb. 15 when he fired wildly into a crowd assembled in Miami to extend a greeting to the then President-elect.
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FEHL PLAYED FOR ADDING TO LOCAL POLITICAL UNREST

Voicing a sincere tribute to Constable George J. Prescott—deploring bitterly his slaying by L. A. Banks, former editor and publisher, and condemning vehemently the attitude of County Judge Earl H. Fehl throughout the political turmoil, climaxed last Thursday by the death of Officer Prescott, Attorney Gua Newbury addressed the Kiwanis club today noon at the Hotel Medford.
Accusing Judge Fehl of failure to put aside at any time the revolutionary threats of Banks, with whom he was closely associated in the Good Government Congress and other activities, Attorney Newbury referred to the last issue of the Pacific Record-Herald, Fehl's newspaper.
In one corner of the newspaper appeared a rewrite from the Saber-Club World, Portland, approving the activities of Banks, his "generosity and forethought" and condemning the abuse alleged against him here.
In another corner, not far removed, appeared the account of the slaying of Officer Prescott. No comment upon the tragedy was made.
The action Attorney Newbury described as typical of Fehl's attitude throughout the tragic agitation, which has swept Jackson county since he entered office.
Boide L. A. Banks on the steps of the county courthouse the day Banks threatened to "take the field in revolution." Mr. Newbury reminded his audience, stood County Judge Fehl. He did not, orally, or in his newspaper, repudiate the statement of Banks. Fehl knew for months that Banks had threatened to take the life of any officer who came to his home for him. He failed to take any action to oppose him in the matter. Mr. Newbury stated, and continued his association with Banks, who repeatedly voiced his praise of the county judge.

SCHERMERHORN'S RETENTION ASKED BY PETITIONERS

Friends of Sheriff Gordon L. Schermerhorn today started circulating petitions addressed to Governor Julius L. Meier, asking that Sheriff Schermerhorn, under indictment in the ballot theft case, be retained as sheriff, "pending the determination of any and all charges that have been or may be entered against him."
Frank J. Newman, attorney for the sheriff, said that the petitions were being sent at the behest of friends of Schermerhorn of many years standing, and that it was upon their solicitation that he prepared them.
The governor last week called a hearing before Circuit Judge W. M. Duncan to hear testimony upon his fitness to continue in the office. The court will report its findings to the governor. A suspension for 90 days is sought. The county commissioners filed a petition with the governor asking for a hearing. It has been called for Thursday next.

BANKS BIG 'ROLL' PROVES A MYTH

The authorities today denied the report that a large sum of money was found upon either L. A. Banks, slayer and agitator, or Edith R. Banks, his wife, when searched following their arrest last Thursday, for the murder of Constable Prescott.
State police said that when searched in the Josephine county jail, Banks "had a couple of dollars in his pockets," which he sent back to his wife, Mrs. Banks, the authorities said, was searched by the county jail matron. She had a "couple of bills in her purse."
A legend among Banks followers has been that he carried a large sum of money in a money belt, about his waist.
The jail register which Banks and Mrs. Banks both signed, also shows that neither had any large sum of money. They also signed the property book.

Thousands at Armory Pay Last Respects to Officer George Prescott

Heads were bowed in sorrow and respect Sunday afternoon as more than four thousand citizens of Jackson county gathered at the Medford armory to pay their final respects to Constable George J. Prescott, shot down Thursday morning by Llewellyn A. Banks, orchardist-editor, on the front porch of the Banks home when serving papers in the execution of his duty. It was said to be the largest funeral ever held in Medford.
The armory, which has a seating capacity of three thousand, had every chair occupied, and Legionnaires and others from points throughout the county stood in long lines at each side of the hall. All standing room was taken, and several hundred left the building when unable to get seats.
Reverend William J. Howell, pastor of the First Presbyterian church opened the services with prayer, and an octave from the Gleemen sang two numbers, under the direction of Sebastian Apollo.
The Reverend Howell spoke briefly, telling of the fine character and sterling qualities of the peace officer, who had won thousands of friends during his many years in office here. Appropriateness of the services being held in the armory—a structure built in memory of the brave was mentioned.
An American flag, the size of the stage formed a background for the platform, and lovely floral arrangements were banked about the casket.
At the close of the service, the members of the I. O. O. F. lodge, of which Officer Prescott was a prominent worker, formed a long aisle from the armory to the hearse over a block away. Hebekeha stood behind them. State police who marched in a body, stood at salute as the casket passed.



George J. Prescott
Acting as pallbearers were the six city police officers with whom Mr. Prescott had served. They were Chief of Police Clatus McCredie, Lou Riecom, William Peck, Joe Cave, J. H. Liggett, and Ray Stoneker.
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DEATH OF HOWELL MAY BE FACTOR IN ATTORNEY NAMING

By ROBERT D. HEINL.
(Copyrighted by McClure Newspaper Syndicate.)
WASHINGTON, Mar. 20.—The death of Senator Howell of Nebraska may figure in the selection of an attorney-general, Arthur F. Mullen, Democratic national committeeman, of Omaha, is making a fight for it. President Roosevelt is said to favor him in some way. He was Farley's right-hand man at Chicago and later in the campaign in New York.
Governor Bryan of Nebraska may appoint Mr. Mullen to fill out Senator Howell's unexpired term. If Governor Bryan selects former Senator Gilbert H. Hitchcock of Omaha, the cabinet position may fall to Mullen.
The friends of Houston Thompson, former chairman of the federal trade commission, are out to land the attorney-generalship for him. But Attorney-General Homer Cummings, present incumbent, is under pressure to remain in the department of justice rather than go to the Philippines.
Senator James A. Reed of Missouri for attorney-general was at first discussed.
(Continued on Page Seven)

Hog Callers In Rush For Entry C. of C. Contest

Entrants for the Hog Calling contest scheduled for Saturday, March 25th, are coming in to the Medford Chamber of Commerce office freely, according to C. L. MacDonald, publicity chairman.
It was first announced by the Chamber of Commerce that the contest would be confined to Jackson county citizens, exclusive of those living in Ashland and Medford, but the committee has changed its plans, and anyone living in Jackson county can now compete.

(Continued on Page Three)