

The Weather
Forecast: Unsettled Friday; occasional rain; no change in temperature. Highest yesterday 53. Lowest yesterday 38.

MEDFORD MAIL TRIBUNE

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Twenty-eighth Year

MEDFORD, OREGON, SUNDAY, MARCH 26, 1933.

No. 3.

DEPUTY'S CAR IN BALLOT THEFTS

Comment on the Day's News

THE house of representatives has passed Roosevelt's farm relief bill, and it is now before the senate. It is a fair guess that the senate will pass it. The President, of course, will sign it at once.

OUTLINED in the roughest and sketchiest way, these new farm bills level a tax on middlemen who handle farm products. This tax will provide a fund that will be used to pay higher prices for farm products. These higher prices will be paid ONLY to farmers to sign agreements to reduce acreage.

IN READING the stories about the bill, you will note that these middlemen who are to be taxed are referred to as "processors." You may be puzzled by that term.

FOR the grain grower, the elevator man will be a processor. For the fruit and vegetable grower and for the livestock man the packer will be the processor.

THE processor, as already explained, will be taxed. This tax, of course, will be passed on to the consumer in the form of higher prices. The money thus collected will be passed back to the farmer in the form of a higher price for his product—that is, if he will agree to reduce his acreage.

IT is recognized that continued over-production will wreck the whole scheme.

WILL it work? This writer doesn't know, and doesn't believe ANYBODY knows. But farming is in a bad way. The farmer's dollar, as measured in terms of what it will buy from others, is worth only about 60 per cent as much as it was worth before the war.

THE farmer represents so large a slice of the nation's buying power that when he is in an exceedingly bad way business CAN'T be good.

NOBODY knows whether the farm relief bill will work. Its supporters only HOPE. They are backing it on the theory that with farm conditions as bad as they are they are willing to try anything once.

NOBODY, probably, is hoping any more fervently that the farm relief bill will work than the farmer is the lumberman's most important customer. If something happens to raise the farmer's buying power, thus inspiring him with new hope for the future, he will buy lumber heavily.

IF the farmer comes heavily again into the market for lumber, mills that are now idle will begin to hum again and men who are now without jobs will have jobs again and begin to buy the things that others have to sell.

OF at least equal interest with the farm relief bill is the proposal to refinance farm mortgages, providing lower interest rates and longer maturities. Farmers, like everybody else, did a lot of borrowing when dollars were cheap, and now they are having to repay with dollars that are dear. That is working a frightful handicap on those who are in debt.

LET us illustrate, taking wheat as an example: Up in the Columbia river wheat country, wheat sold as high as \$2 a bushel on the farm, which meant that the farmer who borrowed \$1,000 in those days borrowed the equivalent of 500 bushels of wheat. Wheat is now quoted up there—merely quoted; not much of it is selling—at not much over 15 cents. So, you see, the farmer who borrowed the equivalent of 500 bushels of wheat back in the big days and whose mortgage is now coming due has to repay about SEVEN THOUSAND bushels, or 14 times as much as he borrowed.

ALL THIS, of course, means that we are putting the government more and more into business. And the government does business in ways that are sometimes odd.

AN Oregon cantaloupe grower, for example, applied this spring for a crop production loan, his application going first to Portland and from there to the Spokane headquarters.

Lowd Tells of Loan To Indicted Pair at Schermerhorn Trial

SENSATIONAL and damaging testimony to the cause of Sheriff Gordon L. Schermerhorn was given in the latter proceedings before Circuit Judge William M. Duncan yesterday afternoon, as the testimony closed. The sheriff is charged with laxity and inefficiency.

Deputy District Attorney George W. Nelson testified that Phillip B. Lowd, deputy sheriff, had made a signed statement to the state police, that on the night the ballots were stolen from the courthouse, Arthur La Dieu, business manager of the morning newspaper, when under the control of L. A. Banks, agitator and orchardist, and Wesley McKittrick, a "Banks guard," both under indictment for ballot theft, had come to the Phillips Lowd home, and borrowed his Hudson sedan. LaDieu was freed last night from the county jail by court order on \$7,500 bonds.

The deputy district attorney testified that his stenographic notes showed that La Dieu had told Lowd: "We want to go to the courthouse and get some liquor and might want to steal some of the ballots, so there won't be no trouble. That won't make you or 'Shimmy' mad." ("Shimmy" is a nickname for Sheriff Schermerhorn).

Lowd's statement, the deputy district attorney said, stated that La Dieu's car was placed in the Lowd garage, and his own auto backed out, and loaned to La Dieu and McKittrick. When it was returned it had straw on the floor, and was covered with mud. Lowd estimated that the car had been driven close to 60 miles, as seven or eight gallons of gasoline had been used.

The deputy district attorney also testified that the Lowd car had been seen in the Rogue River district on the early morning of the ballot robbery.

Lowd confirms the testimony of Nelson was a bombshell to the defense, who called Deputy Sheriff Lowd to the stand and asked him the Nelson testimony. Lowd admitted that it was correct.

The testimony of the official was the first direct evidence, given in the ballot robbery to the public. Deputy District Attorney Nelson was hesitant about giving it, and was instructed by the court, to be careful and not jeopardize any criminal case pending. Nelson testified as far as he could without revealing too many official secrets.

Lowd in his statement, declared he thought LaDieu and McKittrick "wanted the car for a party."

Banker E. M. Told testified that the sheriff's office called as a witness by the defense testified that L. A. Banks, indicted with his wife, for the murder of Constable George J. Prescott, told him over the telephone:

"I'll kill you, if you ever try to take me out of my home on a warrant."

Lowd testified, "he told me that a great many times—but never thought he meant it—but I do now."

HAMMERSLEY OF PORTLAND MAY BE BANKS' ATTORNEY

BROTHER of Slayer Due For Conference On Defense Plans—No Arraignment Date Set For Slayer.

Initial steps have been taken by Mrs. Edith R. Banks, jointly indicted with her husband, L. A. Banks, for the first degree murder for the slaying of Constable George J. Prescott, Thursday morning, March 16, while attempting to serve a warrant for Banker's arrest as a ballot thief, to retain Joseph Hammersley of Portland as attorney, to conduct the defense.

Attorney Hammersley, formerly a resident of Gold Hill, and a member of a pioneer southern Oregon family, was in the city Friday and yesterday, conferring with the accused pair.

Hammersley is a former deputy prosecutor for Multnomah county. He is reported to have been recommended by a high state official, to whom Mrs. Banks last Monday sent a telegram seeking suggestions. The name of the state official is said to have been State Treasurer Rufus C. Holman, now enroute to old Mexico, and the center of an up-state political storm.

Banks' brother, a realtor of Los Angeles and an attorney from that city, are now reported en route. Definite word relative to the retention of Attorney Hammersley is expected, soon after a family conference.

Attorneys T. J. Enright and H. Van Schmalz of Burns, counsel for County Judge Fehl, and several others indicted for ballot stealing, have been acting as counsel for Banks and his wife. Attorney Van Schmalz said:

(Continued on Page Eight)

THOMAS RESIGNS JAIL POST, FREE LA DIEU ON BOND

Clark Thomas of Ashland, deputy jailor, appointed by Sheriff Gordon L. Schermerhorn, resigned from office late yesterday, following completion of the hearing to test Schermerhorn's fitness in office. It is named, as Officer Lewis told, that he has resigned at the jail, after Fred Kelly stated last night.

Thomas' resignation it was believed, and was inspired by general disapproval and testimony given yesterday by Deputy District Attorney George Nelson revealing plans to request Thomas' withdrawal.

Attorney Nelson stressed the claim that it seemed an injustice for Thomas to continue in possession of deputy jailor when his father, Jess Thomas of Ashland, had gone the bond of several persons, accused like those held prisoners, of theft of ballots from the court house vaults February 20.

PLANE HITS HOME AND 14 DIE IN EXPLOSION, FIRE

OAKLAND, Calif., March 25.—(AP)—Probably fatally injured when a transport plane crashed into a private residence between San Leandro and Hayward tonight, wiping out the entire family occupying it.

The plane was a single motor ship of the type used by Varney Speedlines. The pilot and two passengers were among those killed.

The Varney plane due from Los Angeles at 8:15 p. m. Pilot Evans had not arrived at the airport at 9:40 p. m.

Reports to the Varney office in San Francisco said the plane carried a pilot and two passengers.

The plane tore a jagged hole in the side of the house, and the resultant explosion scattered flames like the bursting of a giant bomb.

Adjoining houses caught fire. All available fire apparatus rushed to the scene, followed by ambulances and police cars.

One injured victim, Michael Rexca of Yacaville, crawled out of the flaming Avia home and collapsed. Hospital surgeons said he would die.

An hour after the crash it had not been definitely established how many were killed, but Joseph Brandon, a neighbor, declared he had searched the wreckage and found nine bodies.

Available reports agreed, however, that a pilot and two passengers had perished.

The Avia home and two adjoining residences burned to the ground. The spread of the fire, witnesses said, was extraordinarily rapid. Firemen were able to extinguish only the embers of three houses. Authorities at once began a systematic investigation.

PRICE JUMP AND NEW ORDERS IN LUMBER INDUSTRY

PORTLAND, Ore., March 25.—(AP)—The lumber industry has reason for large hope and fresh optimism, if new exporters and dealers here read the signs correctly.

A price increase of 50 cents a thousand feet has been definitely confirmed in the Pacific Northwest; dealer associations report sharply increased orders, and production has gained substantially with some mills reopening and others increasing their output.

C. E. Dant of Dant & Russell, large exporters and dealers in the domestic trade, stated cautiously today that "business is actually somewhat better." This week the West Oregon Lumber company of Portland reopened after having been closed four months, putting 210 men to work.

Orders the past week exceeded those of any previous week this year, lumbermen here said, and were larger than any week in 1932, with two exceptions. Dealers report the actual need for lumber is the greatest in the country's history due to prolonged delay in all types of construction and repair work.

ROXY ANN PARK WITH R. F. C. FUNDS

The Roxy Ann park project, for many years the goal and dream of the Medford Lions club, is nearing realization as a result of the depression, it was announced yesterday.

A survey of a county road, leading into the Antelope country, which will branch off to Roxy Ann and form a scenic drive around the ridges of the monarch of the Medford country, was started last week through the office of Paul Rynning, county engineer.

There are now three men at work on the survey, Mr. Rynning announced yesterday, and as soon as it is completed a crew will be placed on the job.

The depression has brought the goal within reach of city and county through furnishing free labor for the project. All men to be employed on the road, and whatever park projects develop, will be furnished through the county relief committee and will be paid through Reconstruction Finance corporation funds, available to this city.

As much common labor as possible is being used, wherever possible, to enable the employment of more men, who must be fed whether they work or not, and most of them, James H. Owen, chairman of the relief committee, stated yesterday "are anxious to work."

The city now owns in the neighborhood of 1800 acres of land, obtained for park purposes, on Roxy Ann. Two hundred acres, the gateway to the park, were received through a donation of the Medford Lions club.

The club committee, active for five years in promotion of the project, was headed by Dr. L. D. Inskeep. When the land was obtained it was turned over to the city.

The county road, to be constructed, will follow the old-time road into the Antelope country, which has been open to private use only for many years. It will branch off into the Roxy Ann country, following all scenic possibilities and leading to the summit, which offers a beautiful view of Mt. Shasta in California, and all regions of southern Oregon.

Working space will be provided on the ridge and at the summit. The relief committee expects to have several hundred men employed on the construction of the road and parkway as soon as the project gets underway.

FARM SALE RIOT NETS FINES, JAIL

WILBER, Neb., March 25.—(AP)—Twelve Lincoln, Neb., men convicted of contempt of court on charges of interfering with a farm foreclosure sale, prepared tonight to spend the week-end here awaiting final plans on possible appeals. Four others, convicted on similar charges, paid fines and were released.

"Filing of the 18 today by District Judge R. M. Froudfit, marked the close of the first stage of litigation resulting from a gathering at the court house here March 14, which was broken up by officers using tear gas. A foreclosure sale was held after a crowd was driven out of the sheriff's office. The men were arrested later in the day.

BEER REVENUE TO EXCEED ESTIMATES WINE MAKERS LAG

WASHINGTON, March 25.—(AP)—The possibility of more revenue than had been estimated from the beer legislation bill was held out today by Dr. James M. Doran, industrial alcohol commissioner, who said he would announce next week regulations permitting use of wine to flavor non-alcoholic drinks.

Calculations by the treasury and Capitol Hill sponsors of the modification act placed the annual return to the federal treasury from beer alone at from \$100,000,000 to \$130,000,000. No very definite figures were added when wine was included in the legislation.

While vineyard operators have shown no haste to take advantage of the provision they can sell 32 per cent wine on the ground that no palatable product can be made with low alcoholic content—distributors of carbonated water drinks have asked for a ruling.

The plan is that full-content wine, generally running around 16 per cent, would be diluted to the legal limit.

Dr. Doran said, in announcing that regulations for this new product would be ready for promulgation soon, it should increase the tax yield.

He also said the preliminary distribution of beer after midnight April 6 were going ahead smoothly and hundreds of thousands of dollars in taxes had been received already by the internal revenue bureau.

BANKS' BROTHER IN OHIO ASKS FACTS

Letter from a brother of L. A. Banks, indicted for murder in the first degree for the slaying March 16 of Constable George J. Prescott, was received yesterday by Chief of Police Clatous McCredie, from Wakeman, Ohio.

The brother, Clarence C. Banks, for 28 years a police officer in Cleveland, Ohio, wrote in full details regarding the trouble, in which he has been involved. He stated that he had been arrested on a charge through the Plain Dealer and felt that the chief of police would know the truth of the whole case.

He further stated that he was shocked at receipt of the news through the press and would not rest until details were learned. The letter was the first word from a relative of the accused man, known received here.

RAIL LEGISLATION WILL BE SPEEDED

WASHINGTON, March 25.—(AP)—More of the Roosevelt speed-up was brought into action today to hasten the draft of legislation for overhauling railroad law, a program the president plans to put before congress next week.

He called in railway experts and special advisors. He sent for congressional leaders. The first result was consent by Chairman Rayburn of the house interstate commerce committee to hold up his own rail legislation for inclusion into one general rail bill.

FAMED PRISONER SCORES VICTORY IN LONG FIGHT

PROSECUTOR Quits On Grounds Acquittal On Old Indictment Will Not Free Defendant Of San Quentin.

SAN FRANCISCO, Cal., Mar. 25.—(AP)—Tom Mooney was granted a new opportunity today, after 16 long years of imprisonment, to come out and acquit himself of bombing the 1916 preparedness day parade here and killing ten and injuring 40 persons.

The famous prisoner, to whose cause organized labor and the working classes of many parts of the world have rallied in the years of acrimonious and sometimes violent efforts in his behalf, was granted the right to a trial in court here April 26 on a hearing of unused murder indictment growing out of the bombing.

Superior Judge Louis H. Ward, in granting a motion of defense attorneys, held there could be no arraignment of the right of a defendant to a jury trial for each indictment against him. The unused indictment, except for the names of the victims involved, is the same as that upon which he was convicted and sentenced to death.

The sentence was commuted to life imprisonment.

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