

MEDFORD MAIL TRIBUNE

Published by MEDFORD PRINTING CO. 25-27-29 N. 5th St. Phone 14

Subscription Rates: Daily, one year \$5.00; Daily, six months \$2.75; Daily, one month \$1.00

Official paper of the City of Medford, Oregon, under Act of March 8, 1917.

Member of United Press, Associated Press, and other news organizations.

Advertising Representatives: M. C. MOOREHEAD & COMPANY, Office in New York, Chicago, Detroit, San Francisco, Los Angeles, Seattle, Portland.

NEW YORK DAY BY DAY By O. O. McIntyre

NEW YORK, May 3.—A world's quick shifts made no changes whatever in the pushcart and curb markets of the ghetto.

What strangers remember is the rare beauty of the young girls who are the eyes of Ruth in alien corn.

While skimming through the final pages of Peppy's diary today I came upon what often seems the most starkly tragic lines between the covers of a book.

It was Percy Hammond, I believe, who discovered hay fever was so often an affliction among those who live by the pen.

On a brief stretch of Madison this morning I noticed Oliveette Falls, Lilian Hertz, Mrs. Coffey and Hill and Dale, all in various business enterprises.

Dex fellows, of the circus, has come and gone. And life does on. But it would not be the same without his visit.

The press agent, by the way, of one of the largest department stores, telegraphs this within the hour: "We have sold during the past four weeks exactly 104 dinner jackets designed for women."

One of the best dressed men in the morning parade on Park avenue these summary mornings is Theodor Stravay, known professionally as Theodor of the Ritz.

Theodor, an old friend of formative New York days, makes formal

A Blow to the State

THE sudden death of William Levens, deputy attorney general in charge of the prosecution of L. A. Banks, came as a tragic shock to the people of this community and particularly to the many personal friends he made here, during the many weeks he was preparing the case.

A capable and experienced attorney, Mr. Levens was in a very true sense, a gentleman and a scholar. Well versed in the law, a deep student of legal principles and procedure, he combined tireless industry with a rare charm and courtesy of manner.

He was a very quiet man, therefore no doubt disappointing to those who associate a prosecutor with noise and fury,—the typical "killer", declamatory, dynamic and dramatic.

But underneath that quiet and urbane exterior, those who came to know him were quickly conscious of the potential power and strong moral force, within.

WITH the aid of his assistants he had prepared this case with the greatest care, and was heart and soul in the effort to bring the guilty to justice, and relieve this community from any return of another reign of terror.

That he should be fatally stricken, just as the case was about to begin, is one of those unfair and inexplicable quirks of Fate, which renders life on this whirling ball of dirt, so difficult to understand.

HIS assistants of course, will carry on. But they will necessarily be handicapped, by the loss of their leader, at such a critical time, particularly when they are opposed by five lawyers, two of them regarded as the best criminal and jury lawyers in the state.

In the interest of justice and fair play, we feel that Governor Meier should appoint the best jury lawyer obtainable to take Mr. Levens' place. Such a man would necessarily be placed at a disadvantage at the start, but his appointment would at least show a disposition to do everything that, under the tragic circumstances, can be done, to compensate for the unexpected and fatal blow of an unkind Fate.

Money Talks—Too Much

ONE of these fine days our entire system of criminal procedure will be changed. Instead of a public prosecutor and a private defender there will be a public prosecutor and a public defender.

In this way the advantage a rich criminal enjoys, in OPPOSING a poorly paid prosecutor, with his own highly paid staff of criminal defenders will be eliminated.

Under the present system the rich offender has a tremendous and altogether unfair advantage. The most striking example in recent years was the case of Harry Thaw.

Had he not had millions behind him, everyone knows he would have met the punishment his murder of Stanford White deserved. Also everyone knows that had this deluded ignoramus Zangora, had a family and wealth behind him, he would never have gone to the electric chair, a week or two after he killed Mayor Cermak of Chicago. His case would still be dragging on.

WHICH of course is ALL WRONG! Every defendant is entitled to absolute justice and fair play,—but NO MORE than that. The state, representing the people, is entitled to the same thing,—and no more than THAT.

Whether an accused person is rich or poor, should have nothing to do with the matter. In a criminal case, the millionaire and the pauper, should stand on absolutely the same footing.

BUT they don't under the American system as it exists. There are not many things in Soviet Russia, that we feel this country should emulate. But the Russian system of having BOTH public prosecutors and public defenders, placing the defendant and the state, UPON AN EQUAL FOOTING, as far as legal talent is concerned, we regard as decidedly worthy of imitation.

calls at regular intervals, first sending a bouquet of roses to my wife. Upon such occasions the entire household takes on an atmosphere of polished behavior. Even the dogs sit in the corner.

Mawry Paul overheard a bored youth at Franky's yawn: "What, no fresh caviar? Well, I suppose we will have to rough it on the salted."

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Personal Health Service

By William Brady, M.D. Signed letters pertaining to personal health and hygiene, not to disease, diagnosis or treatment, will be answered by Dr. Brady if a stamped, self-addressed envelope is enclosed.

SO CALCIUM IS GOD FOR RHEUMATIZ? A great many persons suffering with recurring livers, hay fever, bronchial asthma, or periodic sick headaches (migraine) have obtained considerable benefit from taking calcium.

There is, in fact, a great deal of evidence to believe that calcium is the most effective remedy for rheumatism and in doses of from 10 to 20 grains.

QUESTIONS AND ANSWERS Soda. What effect has soda on vegetables? I took green beans with a teaspoonful of soda in the water three minutes, then drain and cook 10 minutes and they are done.

Scarlet Fever. You clearly scarlet fever as a respiratory infection and imply the infection occurs through conversational spray. If that is so, why does the healthy head quarantine all cases for 30 days or more?

BASEBALL Yesterday's Results American At Detroit 3, New York 2. At St. Louis 2, Boston 1. At Chicago-Philadelphia, postponed.

PHOENIX PHOENIX, May 3.—(AP)—There will be an all-day meeting of the Ladies' Aid Thursday at the home of Mrs. Ralph Wilcox.

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McCarthy-Beno Bout TO FURNISH FIREWORKS

Next to the Jack McCarthy-Battling Beno bout at the army tonight in Mack Lillard's fight card, the bout between Spider Bones McElroy and Jimmy Campagne is expected to provide the bulk of the fireworks.

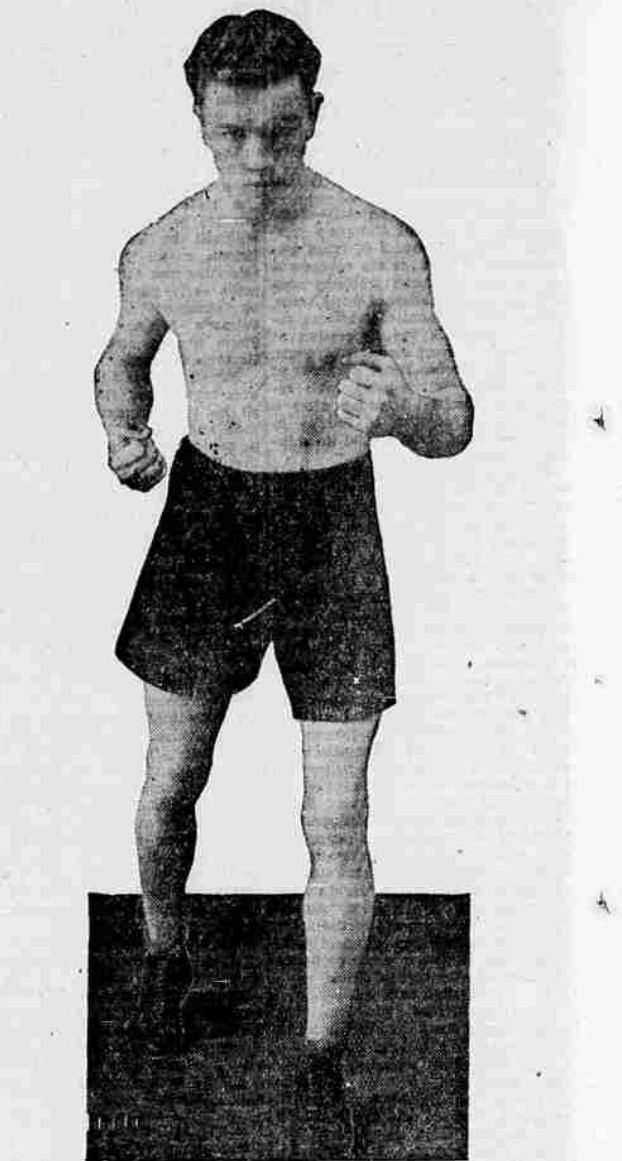
Campagne has fought here before, and displays the cunning and viciousness of his Indian forefathers. Spider Bones is a tall, disconnected and pug-nacious Pelley City fighter, who likes nothing better than a wild battle and Campagne said this morning that a wild battle was just what he was going to get.

The bouts start at 8:30 o'clock, with Emerson Babb of Medford and Kid Rusty of Klamath Falls slugging at each other for four rounds. Those who have seen Babb in action know what to expect as Babb either wins by a knockout or gets himself punched into a coma.

Cort Mitchell will meet Johnny Bell of Klamath Falls in the second bout on the program, and Cort, too, has gained favor here. Cort has been fighting here for the better part of two years, and although he does not have any Madison Square Garden aspirations, still he stands toe to toe with the best of them and slugs it out.

The preference of Medford fans for hard-hitting fighters full of action has led to the selection of sluggers for Mack Lillard's cards, and the choice of Battling Beno of Pelican City to fight Jack McCarthy is typical of what Medford's fans want.

With most of Jackson county's officers in Eugene, some fans are skeptical about attending the match, but Lillard assured fans yesterday that no riots would ensue after tonight's fight, unless, of course, somebody starts one. Les Wells will referee, if he gets back from fishing in time.



MUSCLE MANGLERS MAY PLY TRADE IN CHICAGO

CHICAGO, May 3.—(AP)—The big bend and blow men of the wrestling business again are free to ply their trade in Illinois, but with certain restrictions.

After banning wrestling, following the Joe Savoldi-Jim Londona match last month, won by the former Notre Dame football player, although Londona did not lose his National Wrestling association title, even though the match was advertised as a title affair, the Illinois state athletic commission relented yesterday.

However, from now on the promoters must specify in advance whether the grapplers are to play for keeps or for fun. Matches must be scheduled either as "contests" or as "exhibitions" before receiving sanction from the commission.

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FISHING LAGS AS WATER RUNS HIGH NATIONAL OPEN ENTRIES SHRINK

Although the big run of salmon that has kept southern Oregon fishermen busy in the Rogue river for weeks is scheduled to continue for some time to come, fishing has been rather poor for the past few days according to local fishermen.

High water has caused the salmon to stop striking, and catches have been scarce this week. Prospects for the summer's fishing are that anglers will have one of the best seasons in years as far up the river as Savage Rapids dam, but only one salmon has been reported caught above Savage Rapids, although many have tried fishing at Ray dam.

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With few exceptions, all of the leaders already have indicated their intention of competing. The outstanding exceptions were Vincent Eider of Pittsburgh, tied for 12th; Denmore Shute of Philadelphia, tied for 14th; and Mortie Dutra, of Long Beach, Cal.

BANKS IS SUBDUED FIGURE AS JURORS CHOSEN FOR TRIAL

speaker of the state legislative house, and a fiery cross-examiner. Once he was named as a football player in this state for the Multnomah club of Portland. He has a statewide acquaintance.

At the Tuesday morning session, Attorney Hardy questioned the jurors. Loneragan watched intently every word and move, and conferred several times with Banks and Charles F. Moran of Clatsop county, former newspaper publisher. Loneragan also filed a motion before the court for a transcript of the proceedings.

Attorney Loneragan spoke but once during the morning session of court, and then to say: "That's a bit argumentative. I would like to hear some questions asked." He was objecting to the state's questioning of Soren Wintner, a prospective juror, later excused.

The remainder of the defense's battery of attorneys—Joseph R. Hamersley of Portland and Attorneys W. E. Phipps and T. J. Enright of Medford, played busy, if silent roles, and took copious notes.

Mrs. Pearl Wickes, who 20 years ago taught school in the Butte Falls district of Jackson county, is one of the 12 jurors, and two alternates impaneled in the case.

Mrs. Jessie Bertsch of Springfield, the last juror selected, after the defense had exhausted all its challenges, clerk Eugene, will be questioned by the state's attorneys, Joseph R. Hamersley of Portland and Attorneys W. E. Phipps and T. J. Enright of Medford, played busy, if silent roles, and took copious notes.

Neither Mrs. Wickes nor Mrs. Bertsch, testified, had any intimate knowledge of the Jackson county turmoil, had never talked about it, and all they knew about it was "what they saw in the headlines, and paid little attention."

The age of the jurors range from Mrs. Bertsch, perhaps 55 years old, to Mrs. Madge P. Addison of Lorraine, perhaps 65, and L. K. Page, about the same age, and a retired sea captain, Mrs. Addison, a trim matron, was dressed in black. Other women members are Mrs. Myrl Lightfoot, a young Eugene housewife, Mrs. D. D. Conley of Crow, a farmer's wife, and Mrs. Lucy Ludford of Eugene.

The remaining personnel of the jury is composed of Charles G. Ashby, clerk, Eugene; Will L. Townsend, laborer, London; Isaac P. Yates, laborer, Blachly; and J. D. Phelps, a farmer of Goheen. Raymond Dunning, farmer, and Lee Young, forester, are alternates.

The jury is divided—six to six—between men and women, and none of either sex they told the court, have conscientious scruples against capital punishment.

Ye Poet's Corner

I. When the sky has changed to golden. Where the setting sun has flown. I'll be waiting 'neath the arbor. Waiting, dear, for you alone.

II. Just to whisper that I love you With a love that cannot die. And we'll plan a glowing future. 'Neath the arbor, you and I.

Communications

Editorial Is Commended. In your editorial Monday, "The Fight Must Go On," you struck a clear forward tone on high "O."

Bright Spots

Hupp Motor Car corporation reports April shipments of 690 cars, a gain of 48 per cent over previous week and highest total since June, 1932.

Theodor, an old friend of formative New York days, makes formal

Flight 'o Time

(Medford and Jackson County History from the Files of The Mail Tribune of 20 and 10 Years Ago.) TWENTY YEARS AGO TODAY May 3, 1913. (It Was Thursday)

Dr. J. J. Emmens takes turn for worse and immediate operation is necessary, and specialists rush here by auto from Portland. Only six clear days in April. Seniors of the high school present their class play at Page. It was "Stop Thief." Margaret Van Scoyoc played the part of "Mrs. Carr" and Jean Vilim was her daughter Madge.

Moody to Prosecute. Attorney Ralph E. Moody was named assistant attorney-general late Tuesday, and will have charge of the murder trial and bring the many. He has been engaged in both cases since their inception. Moody has had wide experience in the law. He was in the legal department of the Southern Pacific railroad and engaged in securing the right-of-way for the Marshfield branch of that road.

TEN YEARS AGO TODAY May 3, 1913 (It Was Saturday) Prof. O'Gara says the fruit crop will be larger than last year, and that the estimates of frost damage have been exaggerated "as usual."

Richard Strass, "America's foremost cornetist" to appear at the STAR; "Unbroken Chains," a drama of high John Bunney as "Plekwick" in "Plekwick Papers" at the lake.

Blackhanders with dynamite captured at Weed, Calif., after threatening former local resident. Cold spell over, and warmer days and nights promised by weatherman. Inquire about our new 5 percent and 10 percent CASH discount on all purchases. Ethelwyn B. Hoffmann

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KITTENBALL BATTLE IS DELAYED BY RAIN

Rainy weather caused the postponement of the kittenball game planned between Lamport's and the Associated Oilers last night, and, if weather permits, the game will be played Friday, officials of the league said.

GANDHI'S FAST THREAT PROBLEM FOR ENGLAND

SIMLIA, India, May 3.—(AP)—The Mahatma Gandhi's proposed fast, designed to assist in his campaign to better the lot of the "untouchables," has given the government of India a problem in connection with prison rules which require forcible feeding to prevent death through starvation.

RAIN HALTS DUFFER TOURNEY ON LINKS

Rainy weather put a stop to matches in the Dufferin tournament now underway at the Rogue Valley Golf club, and standings are the same as reported yesterday, according to Jack Huston, pro at the club.

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