

FEHL ATTEMPTED TO FRAME BANKS EX-EDITOR AVERS

(Continued from Page One)

the "goal" in this ballot business. They can't do it. I understand there is a warrant out for my arrest. If any officers try to arrest me, I will go out over their dead bodies, feet first."

"I said: 'O, Mr. Banks, don't do that. It will cause you a lot of trouble.'"

According to Fleming's testimony, Banks replied:

"I am going to do it. I said I was going to, and I will."

Fleming swore that Banks told him he had dictated two letters that morning, warning the officers not to come, and that when a rap came at the door, Mrs. Banks started to answer, and Banks said to Fleming:

"You better go."

Fleming testified he was ready to obey. He saw Clements Guiche, former secretary of Banks, and her husband, were in the Banks home when Fleming arrived, and they left with the words:

"We are going to the farm."

Left by Back Door.

Banks told his wife to "deliver the letters I dictated," when he told him "the officers are coming."

Fleming his overcoat on his arm, went towards the back door. Half the distance, he heard a shot. Then he heard a woman's voice he would not positively identify as that of Mrs. Banks, say:

"We have shot Prescott?"

Fleming testified he left by the back door, and was arrested by state police and held ever since, as a material witness.

Under cross-examination by Attorney Lonergan, Fleming made rapid sallies, crowding the defense chief "Brother."

The crowded courtroom laughed when Fleming identified himself as "John Doe No. 1," named in the ballot theft indictments. Banks laughed heartily at the reply, but Mrs. Banks retained her solemn, meditative attitude.

Telling of his exit from the Banks residence, Fleming added:

"Yes, I thought it was the longest haul I ever saw. This brought another smile from Banks, who was in a far more cheerful mood than on the previous day.

Fleming was on the stand two hours — at the start of the morning and the opening of the afternoon session.

Under cross-examination by the defense, Fleming vigorously denied that he had told Defense Attorney Tom Enright and Arthur LaDieu, during a visit to the Josephine county jail, he had not seen Mrs. Banks in the house the morning of the killing. The state brought out to the jury that LaDieu was a former Banks aide, on re-direct examination.

The denials of Fleming in jail since the murder, as a material witness, was stressed by Attorney Lonergan. Fleming denied he had been promised immunity, and resented, his replies indicated, his detention. The defense counsel's inferences that Fleming was illegally detained brought no immediate contradiction from the state.

Sergeant O'Brien of the state police described the actual killing, said that with Constable Prescott he had gone to the Banks home to serve a bench warrant for ballot theft on Banks. He testified the entire proceedings took "less than a minute."

O'Brien stated:

"As Mrs. Banks opened the door, I heard Mr. Prescott say: 'I have a warrant for your husband's arrest.' I was looking through a window, in the door, and I saw Mr. Banks with a rifle leveled to his shoulder. I said to Mr. Prescott, at the same time trying to pull him away, 'Look out!' Then came the explosion. The bullet hit the constable in the head. The flesh splattered in my face, and splinters flew from where the bullet struck the door, and hit me in the eye. Mr. Prescott started to fall, as I grabbed him. We both lost our balance, as we fell to the porch. As I lay there, I looked through another window, and saw Mr. Banks calmly re-loading the rifle. I went for reinforcements. The entire proceedings did not take more than six or seven seconds."

O'Brien also said he saw Fleming running to the rear of the home.

O'Brien then told of informing the state police headquarters, and the arrest of Banks. The court ordered reference to the proposed use of poison gas stricken.

The state police sergeant identified the bloody bench-warrant issued for the arrest of Banks, after it had been further identified by County Clerk Carter, recalled to the stand for the purpose. The ghastly relic of the murder was then read and passed to the jury. He also identified the firearms found in Banks' home after the murder.

O'Brien testified.

Under cross-examination by Attorney Lonergan, Sergeant O'Brien was subjected to a mildly sarcastic grilling. The defense counsel questioned him about the number of the state police in Medford on the day of the murder, and if Greyhound stages, for whom he formerly worked, were not "owned by the Southern Pacific." He questioned him pointedly relative to his experience as an investigator, and by what authority the state police had to assist in the serving of bench warrants. The defense has given hints it would attack the legality of the ballot theft indictment against Banks, and the bench warrant for his arrest. Sergeant O'Brien was still under cross-examination at the close of the Thursday session.

No State Objections.

The defense objected to the introduction of the bench warrants, the death rifle, and revolver and holster, found on a table in the Banks home after the murder. They were overruled by the court. The state did not register an objection the entire day.

O'Brien pointed out on the floor plan of the Banks house where Mrs. Banks told him her husband stood when he fired the fatal shot, and

Society and Clubs

Edited by Eva Nealon Hamilton

P-T. A. Benefit Party Event for Saturday

Much interest is being shown in feminine circles this week in the benefit card party to be sponsored at the junior high school auditorium tomorrow afternoon by the Parent-Teacher association. Playing will begin at 1:30 o'clock with pinocchies, auction and contract bridge offered the players.

Several girls from the junior high school will also entertain with a short, clever program while tea is served.

The party has been arranged to raise funds to send a delegate to the national convention and extensive plans have been completed to assure all attending a very pleasant afternoon. There is ample space neighboring the junior high school grounds for the parking of cars, so all will be enabled to drive to the school.

The program, which will be presented by Miss Margaret Arnold, will include a Spanish dance by Frankie Rinabarger and numbers by the mixed chorus composed of Misses Earlene Young, Edith Dodskins, Rebecca Chaney, Jeannette Thatcher, Viola Cleven, Flo Elson and Corinne Harwood, and Messrs. Thomas Harvey, Bob Walden and Ben Hostmark.

Members of the Girls' League, under the direction of Miss Della Whisenant, will serve. Assisting will be Misses Grace Turquist, Louisa Cowden, Lois Littrell, Janet Mann, Jane Soinnky, Frankie Rinabarger, Peggy Reter and Janice Shreve.

Students of Grace Schoeni's art department have made the tally cards for the party, and Gladys Sturilin, well known young artist of the school, has painted a beautiful spring scene, which will form one wall of the auditorium, where cards will be played. Those wishing to make reservations for the party are asked to call Mrs. Eldon Drysdale, 811-Y, Mrs. Jack Heyland, 1557-J, or Mrs. Rinabarger, 822-X.

B. F. W. Club Has Unusual Luncheon

The meeting of the Business and Professional Women's club yesterday noon was a very different and a very happy one, according to talk today. The members gathered at the Y. W. C. A. to take advantage of the hospitality now offered there for working girls and women, desiring a place to rest during a portion of the luncheon hour. Each member brought her own sandwiches and tea and coffee were served by the club.

A little ping pong was enjoyed along with luncheon and a general recreational hour.

At the short business session of the club plans were made for sending delegates to the state convention to be held at Coquille. Four delegates will represent the Medford club. Their names will be announced later.

Presbyterian Boys and Girls to Enjoy Party

The teachers of the Junior department of the Presbyterian Sunday school will entertain the boys and girls of the school tomorrow afternoon at a party in the church parlors at 2:30 o'clock. It will be a jolly spring affair with games, music and refreshments included in the entertainment. A cookie jar will be well filled, the young folks were assured this morning, and a large attendance is urged for the party.

Hosts and hostesses for the afternoon will be Mrs. Leggett, Mrs. Albert, Mrs. Carlson, Mr. DeWitt, Mr. Oldenburg, Mrs. Maynard Putney and Miss Elizabeth Burr.

Altar Guild Plans Food Sale May 13

The Altar Guild of St. Marks church, Episcopal, met this week at the home of Miss Helen Winters, who was assisted in entertaining by Miss Marjorie Kelly and Mrs. Wm. B. Hamilton, Jr.

At the meeting the committee decided to sponsor a food sale Saturday, May 13, and the following members were named to complete arrangements for the sale: Miss Ann Purucker, Miss Dorothy Gould, Mrs. Jack Porter, Mrs. James Stevens and Mrs. Royal Bebb.

Miss Gore Expected Home for Week End

Miss Beulah Gore, senior at the University of Oregon, is arriving home today to spend the week end with her parents, Mr. and Mrs. E. E. Gore.

Degree of Honor

Juveniles to Meet

There will be a meeting Saturday afternoon at 2:30 o'clock of the Degree of Honor Juveniles in the Labor hall. All members are requested to attend.

Many Local Folk Attend Central Point Lodge

The card party sponsored by the Central Point chapter of Eastern Star in the Masonic hall, there Wednesday evening, was attended by a number of Medford lodge members. Among them was Mrs. Rose Elbert and daughters, Mrs. E. N. Eldridge and Edna Elbert, Mrs. S. A. Kroechel, Mrs. Charles Gilbert, Mrs. E. D. Elwood, Mrs. H. U. Lumsted, Miss Gertrude Weeks and Mr. and Mrs. Harry Hanson.

The Central Point lodge hall was beautifully decorated for the occasion in bouquets of lilacs and other spring blossoms.

Pan-Hellenic Meets With Mrs. Vawter

There will be a meeting of Pan-Hellenic Saturday at the home of Mrs. Aletha Vawter, 35 Geneva. Bridge will be played and guests are asked to arrive at 1:30 o'clock. Assisting the hostess will be Mrs. K. D. Ross and Mrs. Chas. Wing.

where he had stood while reloading his weapon.

Verne Shangle, Medford photographer, was the first witness called showing exterior and interior views identified a score of photographs, showing exterior and interior views of the Banks home. Some were taken within an hour after the murder; others were taken on April 21.

A large crowd attended the afternoon session, and a number of Medford people were in the audience, including a number of university students. The proceedings were devoted chiefly to identification of evidence, and long cross-examinations. At times there were vivid high-points that awakened alike the interest of the spectators and jurors.

Contract Club Meets At Mentzer Home.

Mrs. Leland Mentzer is hostess this afternoon to members of the Contract club at her home, plans for a picnic having been cancelled by the spring storm.

BURRELL STEER
CONCERT VIOLINIST
BALDWIN RECITAL HALL
Monday Evening, May 8
8 o'clock
Admission 55c students 25c

We Develop **FREE** FILMS
West Side Pharmacy
THE Rexall Store

WHILLOCK MARKS STORE'S BIRTHDAY

Completing three years of business in the location at 321 West Main street, Whillock's Golden Rule store is the scene of an anniversary sale which started this morning at 9 a. m. Whillock is one of Medford's

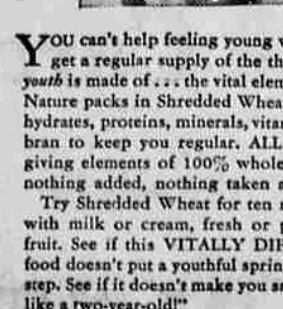
HOW LONG SINCE YOU SAID...

"I feel like a 2-year-old!"

(You're right. He isn't quite two)

YOU can't help feeling young when you get a regular supply of the things that youth is made of... the vital elements that Nature packs in Shredded Wheat—carbohydrates, proteins, minerals, vitamins, and bran to keep you regular. ALL the life-giving elements of 100% whole wheat—nothing added, nothing taken away.

Try Shredded Wheat for ten mornings with milk or cream, fresh or preserved fruit. See if this VITALLY DIFFERENT food doesn't put a youthful spring in your step. See if it doesn't make you say, "I feel like a two-year-old!"



SHREDDED WHEAT
A product of NATIONAL BISCUIT COMPANY "Uneseda Bakers"



Vitality different!

Noted Violinist Will Play



BURRELL STEER, world famous violinist, who has played before all the crowned heads of Europe and music critics throughout the United States, will appear in concert here Monday evening, May 8, at the Baldwin Piano Shoppe recital hall, his program marking the opening of National Music Week in Medford.

A limited number of persons will be privileged to hear the Londoner as the hall will accommodate but 150 people. The concert will open at 8:15 o'clock and all attending are asked to be in their seats at that time. Tickets are on sale this week at The Toggery, Palmer's Music house, the Baldwin Shoppe and Mrs. Effie Herbert Yeoman's studio.

International critics have proclaimed Mr. Steer one of the first flight soloists of his day. The splendid program, he will play here includes:

1. Sonata in D..... Nardini
2. Concerto in E..... Vieuxtemps
3. (a) On Wings of Song..... Mendelssohn-Wilkeimj
- (b) La Gitana..... Fritz Kreisler
- (c) Caprice Gal..... Burrell Steer
4. Faust Fantasia..... Wieniawski

At the piano: Dorothy Rice Steer, L. R. A. M.

St. Mary's May Festival Unique Entertainment

(By Mary Gretner Kelly)

The large audience which crowded to capacity the auditorium at St. Mary's academy last night went home with a three-cornered smile upon their faces. It was in part a reflection of the contagious smile of the lovely May queen, whose coronation climaxed the annual spring festival; a reaction from the cleverly acted and directed all-boys' comedy which preceded it; and wholehearted appreciation of the outstanding success of the entire festival.

Something unique in the way of entertainment, the all-male cast in "The Deacon's Dilemma," three-act farce comedy, kept the audience in a state of hilarity from start to finish. Aside from the amusement afforded, the "girls" in the cast gave those in the audience many interesting ideas in dress modeling and coquetry.

Among the actors who made this play a success were: Walter Young,

who played the part of a hymn book salesman; Warren Loffer, a professor of anatomy; Paul Sakrada, a deacon; Ralph Denman, a young man in love; Thomas Holder, a policeman; Robert Smith, an inmate of a sanatorium; Chester Logan, superintendent of the sanatorium; John Applegate, the professor's wife; Norman Moty, his daughter; Raymond Lewis, another daughter; McDonald Devaney, the professor's ward; and Joseph Denman, a Swedish servant girl.

Dramatic and colorful was the coronation ceremony, with its smooth routine of lovely attendants and pages who escorted "Queen Patricia" to her throne. Giving her court and subjects a gracious smile, the queen, gowned in stately white, with a long scarlet cape and train, was presented the crown by Miss Martha DeSouza, president of the academy sodality. Following the acceptance of this honor by "Her Majesty," in a few well-chosen and well-delivered words, the ceremony was brought to a fitting close with the "Jubilee Song" by the high school girls' chorus, accompanied by Miss Mildred Gritch at the piano.

Indicating that the paint business is on the pick-up, is the announcement that the Sherwin-Williams company, manufacturers of high grade paints and varnishes, is increasing its factory activities to 24 hours daily, according to Hubbard Brothers, Inc., local dealers for Sherwin-Williams.

An advertising campaign, authorized by the company, was started in The Mail Tribune Thursday, May 4, by Hubbard's, who are one of the few dealers in Oregon to receive these Sherwin-Williams advertising releases.

FRED WOLF HELD AS SLAYER; SAYS HOME BROKEN UP

Sheldon fell over on his side, and then tried to raise up. I got some water in the milk pail and tried to give him a drink, and then he fell back, apparently dead. I opened his coat and saw he had been shot about through the heart."

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Sheldon has lived with neighbors of Wolf's for about a year, officers said, and the Wolfs have lived on the ranch, about four miles up Birdseye creek, for a little more than a year. They came to Jackson county from Montana, and purchased their 40-acre ranch.

Sheldon, officers said, has no known relatives.

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SPECIAL VALUES for BABY WEEK!

FREE A Clever Photograph of a Crying Baby—5 inches x 6 inches in size—Given FREE to the first 150 women in our store SATURDAY.

JUST ARRIVED! 350 Beautiful New BABY DRESSES

Sun Suits—Bobby Suits for boys—Gertrudes—Creepers—Crib Sets—Everything for the Baby.

SPECIALS FOR SATURDAY

Cleverly Fashioned, All-wool Sweater Sets — Exquisitely Embroidered—Your Choice From A Complete Showing—Values to \$3.00.

Baby's 50c All Wool Booties..... 15c

\$1.00 Peppered Crib Blankets

Designs of Tinker Toys—Toy Trains—and Animals. Regular \$1.25 value. Special..... 49c

All Baby Dishes Mugs and Compartment Dishes, on Sale Saturday..... **1/3 OFF**

WURTS GIFTS
Sixth and Central, Phone 1593

The Home Grocery

606 East Main "Serves You Right!"

Kellogg's Whole Wheat Biscuits
Kellogg's Corn Flakes
Kellogg's Wheat Flakes
Kellogg's All Bran
Kellogg's Krumbles
Kellogg's Rice Krispies
Kellogg's Pep

Kellogg's Kaffee Hag Special Deal Saturday and Monday!

SUNSHINE COOKIES
New shipment of delicious cookies. Fingertite assortment.
Lb. 15c

Time to change from heavy foods

Change to crispness!

Kellogg's CORN FLAKES
OVEN-FRESH FLAVOR PERFECT

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WURTS GIFTS
Sixth and Central, Phone 1593

STAR MARKET

314 East Main Phone 273

Lunch Meats, Cheese and Picnic Supplies for your week-end parties.

R. I. Red Hens Lb. 18c

Fresh Side Pork, lb. 10c
Picnic Shoulders, lb. 10c
Home Rendered Lard, 3 lbs. 25c
Beef Pot Roast, lb. 8c
Beef Stew, lb. 6c
Shortening, 4 lbs. 25c
Fig Bars, lb. 10c
Fresh Bread, loaf 5c

Always a Fresh Stock of Kellogg's Cereals