

The Weather  
Forecast: Occasional rain tonight and Tuesday. Moderate temperature.  
Highest yesterday 61  
Lowest this morning 46

# MEDFORD MAIL TRIFUNE

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

Twenty-eighth Year MEDFORD, OREGON, MONDAY, MAY 15, 1933. No. 46.

# DEFENSE CLAIMS EYE-WITNESSES

## Comment on the Day's News

By FRANK JENKINS  
YOU are aware, of course, if you keep up at all on statistics, that heart disease leads all causes of death in this country. Cancer, more dreaded, but as yet less devastating, trails along in second place.  
Dr. Paul O. Sampson, of Philadelphia, an authority on diet, who has been speaking before service clubs in southern Oregon this week, tells us that both heart disease and cancer are aggravated by improper diet.  
One big thing that is wrong with our diet, Dr. Sampson says, is that we have developed too much fussiness about our foods. We REFINE them too much, taking away too many of the things our bodies must have if they are to be nourished properly.  
These necessary elements, he says, are the "earth salts"—calcium, sodium, phosphorus, etc. They are contained in the hulls and the peelings of grains and fruits; which, generally speaking, we carefully discard in preparing our foods for consumption.  
WE FEEL our potatoes, for example, and throw away the peelings. Even when we do bake potatoes in their skins, or eat them with their "jackets" on, we eat the insides and throw away the skins.  
This, he says, is all wrong, for these essential earth salts lie close under the peel of the potato and are lost when the peelings are thrown away.  
"Eat 'em!" is his advice regarding potato peelings.  
WHEAT, probably, is the most basic of all our articles of food. And in the case of wheat, as in the case of potatoes, these essential salts lie close under the skin, or hull.  
But do we eat this outer part of the wheat kernel? Not on your life we don't. We provide intricate and expensive machinery with which to take it off and discard it—and then, to make sure that we get none of it at all into our systems, we bolt our flour through a fine cloth before we will eat it.  
When it comes out, it is pretty thoroughly bare of all these essentials.  
OUR pioneer forefathers weren't so particular.  
Lacking modern flouring mills, they ground up their wheat with a mortar and pestle, or bolted it in a hopper and ate it with milk—if they happened to be fortunate enough to have the milk. If not, they took it straight.  
It may have been only a coincidence, but the fact remains that heart disease WASN'T the leading cause of death among the early pioneers of this country.  
THEN there is rice.  
With rice, as with wheat, these essential elements of diet lie close under the hull. But do we make any effort to get them into our systems when we eat rice?  
WE DO NOT.  
WE POLISH our rice, so that something pretty to look at. We take the dust we polish off, which contains essentials which our bodies need, and discard it; usually paying good money to get rid of it.  
WE DO the same, Dr. Sampson tells us, with our sugar. We take the syrup that comes from the cane and refine it and strain it in a filter, using every possible care to get rid of those particular elements which we need, and after we have got rid of them we sell them for FERTILIZER.  
We are smart enough, at least, to do that employing these elements which might have built our own bodies to a healthier state to put added growth and strength into the plants to which we feed the fertilizer.  
WE ARE immensely proud of this modern civilization which we have built, and we have reason to be. The state of modern civilized man is a tremendous advance over the state of the primitive savage.  
But, if Dr. Sampson is right, we have slipped up here and there. We have carried civilization too far, over-refined it—"run it into the ground," to use a common expression of the street.

## Saw Gun Drop From Hand of Officer, Claim

EUGENE, Ore., May 15.—(AP)—A surprise witness, who claims he saw the killing of Constable George J. Prescott by Llewellyn A. Banks, and who says he went past Prescott's body and into the Banks home before the officers came to arrest the elderly ex-publisher, took the stand in the Banks case Monday.  
As the defense veered from its announced course of putting Mrs. Banks on the stand, John Wheeler, Medford farmer, went before the court and told of hearing Prescott make threats against Banks' life weeks in advance of the tragedy and told of being an eye-witness to the shooting.

His testimony opened a morning of surprises during which three defense witnesses told of hearing the constable threaten to "get" Llewellyn A. Banks. "I saw the gun fall from Prescott's hand as he fell dead on the porch," Wheeler testified.  
From Walter J. Jones, mayor of Rogue River, came the testimony that he had overheard a conversation between Prescott and Joe Cave, another officer, and that Prescott had said, "Banks knows too damned much about our business and will have to be put out of the way."  
May Powell Testifies  
From May Powell, of Talent, an ex-British war nurse, came the testimony that the Medford constable had threatened Banks' life saying, "There's only one way to close Banks' mouth, and I'm the one to do it. Codding has a warrant on me. I'm going to serve it. I'll take him in if I have to take him to the morgue, and that's where he belongs!"  
As the state and defense attorneys repeatedly mixed in heated arguments and Judge Skipworth rapped for order, the defense witnesses, all members of the Good Government congress, gave testimony they hope will clear their leader of a first degree murder charge.

When Wheeler took the stand he said he was a farmer and contractor in Medford. "I knew Prescott," he said, "and voted for George at the election. The day after Banks' paper was written at auction I went with my wife to town. She wanted to go to a store to do some shopping so I waited for her. As we were walking down the street in front of the Medford National bank I saw Prescott and another man talking. The other man said, 'Well, they got Banks silenced on his paper.' George said, 'No, they haven't got him silenced yet. He's starting a paper over at Portland. The only way to silence him is to shoot him and I guess it'll be up to me.'"  
"The other man said, 'Well, he's smart,' and Prescott said, 'Well, he won't be so smart when I get thru with him.'"  
Warned Banks  
"I saw Banks a few days later and told him what I had learned. I warned him he was in danger."  
On the morning of March 16, Wheeler continued, "I was in town trying to get a seed and feed loan at the bank. I walked up to the courthouse on West Main street towards the Banks home. As I got across from the house I saw Prescott and another officer going up to the door. I stopped. I saw the door open and a couple of letters fall out. Then I heard a shot. I saw a gun fall from Prescott's hand. It fell on the floor. George fell back on the porch. As I was almost in range of bullets if any more shots were fired, I ran down the street. Then I came back in a few minutes and went up to the porch. The officer was on the corner and he bolted at me to get away. Mrs. Banks opened the door and asked me into the house. I stayed in until just before Lee Bown and another officer came to arrest Mr. Banks, then I went out the side door."

Rifles Cross-Examination  
Wheeler's testimony was subjected to a biting cross-examination from Ralph Moody, chief prosecutor, and several times Moody and Frank Longenecker, chief of the defense, tangled in arguments about the abusing of the witness.  
Walter J. Jones, mayor of Rogue River, was next called. He was a charter member of the Good Government congress, he said, and knew both Prescott and Banks.  
"I had been arrested much to my surprise and lodged in the Medford jail," Jones said, "through a partition in the jail office I could hear Prescott and Joe Cave talking. Cave was a Medford officer. Prescott made the remark that Banks knew too damned much about their business and would have to be put out of the way. Cave said, 'If Banks doesn't quit hollering about me killing Dack I'll do it myself.'"  
Alleged Threat Related  
"Prescott said then that if a warrant was served and Banks resisted, they'd get him. Prescott said 'the Good Government Congress is a bunch of anarchists.' That was all I heard. The next morning I was awakened by Prescott who wanted to know how much I had heard. I laughingly said, 'I don't know, I thought anything you'd be wise if you hear your mouth shut.'"  
May Powell of Talent followed Jones on the stand. She said she was a Red Cross nurse with the British forces from July, 1915, until the end

### BASEBALL

American.	R.	H.	E.
Cleveland	0	8	1
Philadelphia	1	4	1
Huddell and Myatt; Cain and Cochran.			

  

National.	R.	H.	E.
Philadelphia	4	11	4
Pittsburgh	5	11	0
Elliot, Collins and Davis; Meile and Padden.			

## MEDFORD COUPLE LOSE ON APPEAL OF DAMAGE SUIT

SAN FRANCISCO, May 15.—(AP)—Mrs. Helen G. Gritsch, 44, of Medford, Ore., and her husband, Frank Gritsch, lost a \$10,000 judgment for damages growing out of a bus accident in San Mateo last year, by decision of the state district court here today.  
Mrs. Gritsch sued the Pickwick stages system for \$65,000 damages after an accident in which the Pickwick bus in which she was traveling north from Hollywood was rammed by another automobile at the intersection of El Cerro street and U. S. highway 101 in San Mateo February 14, 1932. Her husband asked \$25,000, and filed a separate action.

A jury in Judge Edmund P. Morgan's court here awarded the Gritschs \$10,000 damages against the company after testimony showed the wife had sustained injuries to her head, legs and internally. Gritsch was awarded \$100 separately.  
The district court today, in reversing the decision on appeal by the Pickwick company, stated that no negligence was shown by the bus driver, and that testimony brought out that the driver of the colliding car, Milton Hamilton, had driven into the main highway without pausing at a speed of 30 miles per hour.

## ROTARY PLANNING INTER-CITY DINNER

An inter-city dinner meeting of Rotary International branches will be held at the Medford Hotel Wednesday evening at seven o'clock, it was announced here today, and will be in honor of a director of the international organization, R. Murray Hill of Bowling Green, Kentucky, who is en route to the Rotary district conference at Victoria, B. C.  
Club members and their wives of Medford, Klamath Falls, Ashland, Grants Pass, and probably of Roseburg will be in attendance, to hear Mr. Hill, who will speak on Rotary affairs.

## ORDER PAYMENT CLAIMS ON BANK

Orders were signed in circuit court today in the matter of the liquidation of the Central Point State bank authorizing Treve B. Lumsden, deputy superintendent of banks for the state of Oregon, to pay preferred claims amounting to \$21543 and several other articles.  
Included in the list was fifty tons of hay, which was to be sold for \$7 per ton when possible. Walter Jones had offered to purchase a horse for \$40 and C. A. McKern, two adding machines for \$40. The papers also stated that E. C. Paber had offered to buy a desk for \$625.

## FEW CROP LOANS ARE TURNED DOWN

George Hilton, field inspector for the Crop Production Loan office, announced today that 166 loans for fruit crop financing had been made in Jackson county, and that only an approximate six or eight disapproved had been made, due to inability to get waivers. Mr. Hilton stated that of these loan grants, only a few more checks remained to be distributed to the growers.  
J. L. Traylor of the Crop Production Loan office in Sparks was a visitor in Medford today, and stated that the work of the office was progressing satisfactorily.  
It was pointed out by the crop loan officials that all of the clerical work was done through the county agency office, with the assistance of R. G. Fowler, and that the expenses were carried by the department of agriculture. He spoke highly of the work of the local committee, members of which are Eugene Thorndike, Dr. George B. Dean and James R. McCracken of Ashland.

## EUROPEAN TENSION NEARING CRITICAL STAGE IS BELIEF

Present Week Regarded As Climax for Continent and Civilization—Hitler's Actions Held Dangerous  
LONDON, May 15.—(AP)—Increased tension in Europe was the foremost topic today in London newspapers, which wrote with anxiety of gathering war clouds. A growing "war spirit" in Germany was seen as the main danger.  
The present week was regarded as a critical one for the continent and for civilization.  
"The Daily Times," commenting on "the incultation of hatred of the foreigner, and of militarism" fostered by the Hitler regime, called upon Germany "to improve—if possible to disprove—that one of the main objects of Hitlerism is to prepare for a war of revenge."  
The Daily Telegraph saw "a real danger to Europe in the revival of the German war spirit under a speculative claim to the right to rearm."  
The Daily Herald featured a French report that Germany was manufacturing heavy guns of a type prohibited by the Treaty of Versailles, and poison gases.  
The speech Saturday at Muenster, Germany, of Franz von Papen, German vice-chancellor, in which he compared the present situation in the country with that of 1914 made a bad impression here and led to an increasing of uneasiness.

PARIS, May 15.—(AP)—The French, worried over what to do in the event Germany declares an intention to rearm, looked today to the discussion between Norman H. Davis, American ambassador-at-large, and Foreign Minister Joseph Paul-Boncour for some way to avert a crisis.  
The necessity for both political and economic peace, thrown into the limelight by the present stalemate at the Geneva disarmament conference at Geneva and the approach of the economic conference, will be stressed in Davis' talks with M. Paul-Boncour.  
Le Journal observed that Davis' trip to Paris "furnishes an opportunity to prepare a reply to the German maneuvers."

## GOLD HILL RECLUSE STRANGELY MISSING; POLICE JOIN SEARCH

State police were notified yesterday that Dan Robb, who has been employed for the past four and a half years in Gold Hill, as a woodcutter for John J. Ritter, disappeared May 10, and no trace has been found of him.  
Officers were informed that about 10 o'clock last Wednesday morning the sound of the saw was heard, but when the man was not seen for a day or two, a search was started. His tools were beside the wood he had been cutting, and Ritter stated he had no idea where he might have gone. Robb has no known relatives, and lived by himself in the Gold Hill district. They said he seldom went to town and did not associate with people.  
Robb is described as being between 30 and 35 years of age, five feet 10 inches tall, brown eyes and brown hair. When last seen he had about four days' growth of beard, was wearing blue bib overalls, a brown hat, dark coat and black, fairly new shoes.

## ODD FELLOWS OF OREGON CONVENE

PENDLETON, Ore., May 15.—(AP)—More than 1500 members of the Odd Fellows' lodge from all parts of Oregon were here today for the annual four-day convention of the organization.  
Drill team exhibitions, exemplification of the secret lodge work, parades and canton competition, will make up the extensive program.  
A cowboy breakfast on Emigrant Hill, with the Pendleton lodge as host, will be held Thursday morning.

## Science Rocket Proves Failure

NEW YORK, May 15.—(UP)—A seven-foot rocket, similar in design to those in which scientists hope some day to use in flights to other planets, was set off from State Island today, but exploded after reaching an altitude of 300 feet.  
ATLANTA, Ga., May 15.—(AP)—Alphonse Capone, former Chicago gang leader, is the regular third baseman of the baseball team of the Atlanta federal penitentiary shoe shop, a released prisoner revealed today.

## HAPPILY REUNITED AFTER ORDEAL



Reunited after the terrifying kidnapping ordeal, the family of Neil C. McMath posed for this photograph at Harwichport, Mass. Left to right: Neil McMath, Francis, 8; Peggy, 10, who was kidnapped; and Mrs. McMath. (Associated Press Photo)

## Host of Banks Witnesses Called Long Before Need Live at County Expense

Two Weeks Spent Lounging in Eugene Is Heavy Drain on Jackson Co. Treasury Mostly Members of G. G. C.  
By ARTHUR FERRY.  
EUGENE, May 14.—County Commissioner Emmett Nealon arrived here Sunday evening to confer with Lane and Jackson county officials relative to reducing, if possible, the heavy expense to Jackson county of the murder trial of L. A. Banks and wife.  
Commissioner Nealon is investigating the cost of defense witnesses, 13 or 14 of whom have been here for two weeks, or since the start of the trial. They receive \$2 per day, and five cents per mile travel fees. Commissioner Nealon holds Jackson county should not bear the expense of defense witnesses attending the trial for at least 10 days before needed. The defense opened last Friday afternoon.  
Among the defense witnesses, who have been here since the start of the trial are: Henrietta B. Martin, president of the "Good Government Congress" and political catnip for Banks in his agitation moves; Arthur La Dieu, former business manager for Banks; Walter J. Jones, mayor of Rogue River, also indicted for ballot theft; May Jewell, bondswoman for several men indicted for holdout theft, and who Banks testified Friday, came to his home the evening before the murder and told him of alleged death threats by Constable Prescott; Mae Murray of Constable Prescott; Effie Lewis; P. M. Morrison of the Ashland district; A. Boyce, "Tolo district farmer"; L. O. Van Wegen, indicted with Mrs. Martin for the buggy whipping of Editor Leonard Hall, and several others.  
County Judge Earl Fehl arrived Sunday afternoon, subpoenaed as a defense witness. He was accompanied by Mrs. Fehl.  
George Schumacher, named receiver for Banks in federal bankruptcy proceedings, accompanied by Peter P. Naumes and Claude Ward, kim and orchard manager of Banks, and A. J. Blachoff, confidential secretary for Banks, arrived Sunday afternoon, en route to Portland, where they will confer about securing funds to finance the 1933 crop

## G. G. C. GREETINGS IN EUGENE JAIL IRK MRS. BANKS

EUGENE, May 14.—Alienists for state and defense, and Mrs. Edith Robertine Banks, jointly on trial here with her husband, L. A. Banks, agitator, and former Medford publisher and orchardist, with the murder of Constable George J. Prescott, March 16 last, will occupy the center of the limelight this week—the third and final one of the long and tedious trial. Also close to this in public interest will be the six or seven rebuttal witnesses of the state, who will be called to refute major assertions of Banks in his own version of the killing.  
Banks spent Sunday in the county jail conferring with attorneys. He was disappointed at the short cross-examination accorded him by the state—he had anticipated a Saturday afternoon of accusations and tangles on his part. He worried and fretted in his keepers on this phase of the trial.  
Mrs. Banks, in the woman's ward of the Eugene city jail, was deeply depressed. She had expected dismissal of the charge against her Friday, and a directed verdict by the court, according to report. She now feels she has been unjustly made to bear more than her share of the burden.  
Feeling as she does Mrs. Banks does not welcome greetings from members of the Good Government congress, particularly those women, who free from danger themselves, try to tell her how fortunate she is to be in jail, fighting at the side of her husband. It can be definitely stated that a break of a definite nature has occurred between Mr. and Mrs. Banks—particularly the latter—and some of the women leaders of the Good Government congress, in the habit of gushing sentimentally over the two defendants.  
Mrs. Banks decries taking the stand and her counsel knows that if she does, the state will again bring to

## PAROLE SARGENT ON DRUNK DRIVE

Willard Sargent, who was arrested Thursday by state police on charges of driving while intoxicated, sentenced to thirty days in the county jail, and fined \$100, was paroled this afternoon by Justice of the Peace W. R. Coleman upon the request of his mother and following investigation made by the county court.  
Sargent, according to Judge Coleman, is the sole support of his mother and five brothers and sisters, their father having deserted the family. Sargent can get work with the county occasionally to help the family, which has been dependent on the county for some time, it was pointed out.

## ASHLAND WINE CACHE RAIDED

Wallace Reeder, 40, of Ashland, is in jail in that city, following his arrest late Sunday afternoon by Ashland city and federal officers. A quantity of wine was seized, according to Lee L. Moon, federal prohibition agent, who was in Medford this morning. He stated that possession charges would probably be filed by the federal department and that Ashland officers would charge disorderly conduct.  
Reeder was arrested following reports from neighbors that he was causing a disturbance at his home, and a second call stated that he was running away with the yard with a rifle. Officer Harris, 36, who of Ashland, suffered a black eye in the melee. He was not arrested.

## RADICALS BRING LOADS OF GRIEF IN FOREST ARMY

Hard-Boiled Crew Obeys Orders Only When Feel Like It—Skilled Agitators Planted in Ranks, Shown  
By PAUL MALLON.  
(Copyrighted by McClure Syndicate)  
WASHINGTON, May 15.—The regular army is having plenty of unpublicized grief with the forest army. The contingent at Fort Slocum is a hard-boiled crew who obey orders only when they feel like it. Generally they don't feel like it. The army chafes at its helplessness, because disciplinary measures are specifically forbidden.

There is evidence that the communists have planted skilled agitators in the forest corps. Their job is to stir up as much trouble as possible and particularly to undermine the regular army morale. So far they have been getting away with it.  
The second bonus march has a nasty look at its New York source. The number of marchers will be much smaller—only a few hundred from New York, but these boys are hot for trouble. They don't care whether congress is in session or not. Some of the ringleaders have been thrown out of the Veterans of Foreign Wars for radicalism—and the V. F. W. is pretty radical itself. Washington will find it no joke to deal with them if they get that far.

A secret report on Poland by General von Hammerstein, chief of operations of the German army surprised the Nazi cabinet members. It said first that the Germans could NOT take the Polish corridor within 48

## DISTINGUISHED ARMY OFFICERS WILL COME FOR ANNUAL REVIEW

From present indications, there will be a very large attendance at the Medford Armory tomorrow night, when the second annual review and presentation of medals is held.  
Among the distinguished guests who will attend are: Major-General George A. White, commanding the 41st division; Brigadier-General Thomas E. Riley, commanding the 82nd Infantry brigade; Colonel Ralph E. Huron, commanding the 186th Infantry, and Lieutenant-Colonel Raymond P. Olson, assistant chief of staff, 41st division.  
The outstanding event of the evening will be the decoration of Major William H. Ellenburg, commanding officer of the 2nd battalion, 186th Infantry, who will be presented with the silver star, war department decoration, for gallantry in action during the World War. Major Ellenburg, then first lieutenant, 186th Infantry, was cited for "exceptional gallantry at Charenty, France, on September 23, 1918, after being severely wounded and remaining with his troops keeping them intact while under heavy enemy machine gun fire." Major Ellenburg will also receive the "Order of the Purple Heart" for meritorious service. This decoration was originated by General George A. Washington, for outstanding service in the Continental Army. In 1931 it was redopted by congress as a recognition of meritorious service.  
A large number of members of the four military organizations comprising the National Guard will also be decorated by General White and his staff, for service in the National Guard.

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