

The Weather
 Forecast: Unsettled with occasional rain tonight and Saturday. Moderate temperature.
 Highest yesterday 59
 Lowest this morning 35

MEDFORD MAIL TRIBUNE

A growing circulation
 The circulation of the Mail Tribune is growing rapidly. Hundreds of new readers have been added in the past few months. Paid-up circulation is the kind that pays Ad. dividends.

Twenty-eighth Year MEDFORD, OREGON, FRIDAY, MAY 19, 1933. No. 50.

CASE UP TO JURY SATURDAY NOON

Comment on the Day's News

By FRANK JENKINS.

GERMANY threatens to re-arm. Whereupon Great Britain, backed, of course, by France, prepares to hail Germany before the bar of the League of Nations for trial on the charge of violating the treaty of Versailles.

Remembering the way in which the League of Nations handled the Japanese conquest of Manchuria, one is tempted to laugh.

GERMANY threatens to re-arm. The other nations of Europe have refused to disarm.

To an unprejudiced observer over on this side of the water, one looks about as bad as the other.

JUST as it begins to look as if the world might be beginning to pull itself out of the slough of depression, this familiar headline greets the eye: "War Clouds Hang Over Europe."

What a wonderful thing it would be if the nations of Europe could learn a little common sense.

BUT let us turn away from Europe. Contemplation of whose affairs is inclined to inspire a fierce disgust among Americans.

The big wool pool of the Oregon-Idaho Wool Co-operative association is offered for sale at Portland, and on the first day of the sale about half of it is sold at prices unofficially reported to have ranged from 19 to 27 cents a pound, the highest prices yet reported.

That is better news than what is happening in Europe.

AND here is a note of optimism from Albany, up in the Williamette valley, contained in a recent issue of the Democrat-Herald:

"Yesterday cherry buyers visited Linn county farmers to contract with them for their cherry crop. For several years the farmers have not been able to attract the buyers to their farms. The canneries didn't want the cherries at any price.

"The reason for this new activity is the upward trend of the markets."

AND here is a market note from Portland, contained in a market page headline:

"Sensational Rise in Hogs and Cattle." Steers were up from 75 cents to 81, and hogs advanced about 75 cents.

To us out in this country, that means a lot more than stock market advances.

BUT don't forget that the livestock markets have got to go up a LOT yet in order to recover the ground lost in the past four years.

The value of livestock on the farms of the United States was approximately \$6,600,000,000 in 1929. In 1932, it dropped to \$3,500,000,000.

After a drop like that, livestock prices are ENTITLED to recover.

GROSS income from the farms of the United States in 1929 was about twelve billion dollars. In 1932, it was about \$5,132,000,000, a drop of around 57 per cent.

Gross farm income last year was the lowest in 23 years. It's high time that farm prices came back.

HERE is an interesting figure: In 1929, the value of all farm land and buildings in the United States was placed at 48 billion dollars. In 1932, the value of all farm land and buildings in the United States had fallen to 37 billion dollars.

It is a tremendous drop. Still, it is no greater than the drop in values of other forms of property in the same period—far less, as a matter of fact, than the decline in values of stocks listed on the New York stock exchange.

That is to say, the value of farm real estate has held up better through the depression than the value of listed stocks.

WHATEVER you do, DON'T lose confidence in real estate as an investment.

FISHERMEN'S STRIKE HOLDS ON COLUMBIA

ASTORIA, Ore., May 19.—(AP)—The fishermen's strike remained in force on the Columbia river today, with the organized fishermen declaring they will not return to work until packers meet their demand for a price of 8 cents a pound for chinook salmon.

COUNTY BLAMED FOR PRESCOTT'S DEATH, IN PLEA

Loneragan in Impassioned Argument to Save Banks—Daughter Paraded for Benefit of Jury Members

EUGENE, Ore., May 19.—(AP)—With little Ruth May, 12-year-old daughter of Mr. and Mrs. Llewellyn A. Banks, sitting on the jury in the circuit courtroom, defense attorneys today pled for the lives of the elderly defendants.

In two of the most dramatic emotional appeals ever heard here, Charles Hardy, of Eugene, and Frank Lonergan, of Portland, appealed to the jury to give Mr. and Mrs. Banks their freedom.

"They are the victims of circumstance," said Hardy. "Banks is a persecuted man. The 'ilk stocking' group of Medford has hounded him to tragedy and now they're trying to crush him just as the power trust has crushed hundreds of others.

"It was an evil hour when Banks came to Medford. It was an evil hour when he purchased, of all things, a newspaper. His life since he came to Oregon has been a series of unfortunate circumstances, but Jackson county, and not Llewellyn A. Banks, is responsible for the death of George J. Prescott."

With an emotional ring in his voice, Hardy described the "beautiful devotion" of Banks' Medford friends, "not lawyers, bankers and power trust people, but scrubwomen, laborers, foresters, gardeners and all ordinary people who love liberty and freedom."

Hardy described Banks as an "unusual man" and told of the many unusual men of history who have fought against persecution and corruption and who have been martyred for their efforts.

"If Franklin D. Roosevelt had been in Medford in 1928 and 1929, he would have been convicted for criminal syndicalism," Hardy shouted, and demanded to know what the state had done with the gun belonging to George Prescott, the slain officer.

"Because," Hardy cried, "it was probably from this gun, clutched in Prescott's hand, that Banks' bullet landed and killed the officer."

Loneragan followed Hardy as the final defense speaker. Joe Hamersley, Portland attorney, will not appear under the revised plans of the defense. Ralph Moody, chief prosecutor, will follow Lonergan in the state's final plea before the judge gives his instructions and the jury retires to decide the fate of the ex-publisher and his wife.

Loneragan was not expected to complete the defense arguments before the end of today's session and the case will probably go to the jury about Saturday noon.

As Lonergan returned for the afternoon session, he opened a bitter attack on the various "interests" in Medford who had opposed Banks and planned to "get" him.

Several cases await the grand jury, including that of Fred Wolfe, wanted for the killing of William Sheldon, on Birdseye creek, in a three-cornered love affair. Bad checks, burglary and other minor crimes are also on the docket.

Trials in the ballot theft case are expected to start as soon as possible after the return to Medford of District Attorney George Codding and Attorney Nelson. It is also expected that Attorney Ralph Moody, who has handled the prosecution of the Banks murder case in Eugene, will handle the ballot case. Moody was appointed by Governor Meier after the death of William Levens. Levens was appointed to handle both the murder charge and the ballot theft case.

SCORPION CAPTURED IN APPLIGATE CAMP

It isn't a "gold bug" found in a bottle, but a scorpion brought in from the Applegate river today, with the organized fishermen declaring they will not return to work until packers meet their demand for a price of 8 cents a pound for chinook salmon.

Four Arrested for Robbery. Aged Man

GERMANY AGREES TO BRITISH PLAN IN DISARMAMENT

World Conference Informed of Decision—Frenchmen Reject Further Cut in Nation's Military Expenses

GENEVA, May 19.—(AP)—Germany accepted the British disarmament plan today as a basis for an agreement to be reached by the world disarmament conference.

Count Adolf Nadioly, the German delegate, informed the conference of the decision of his government.

Manifestations of approval greeted Nadioly when he said any German suggestions would dovetail with the British draft, which already had been accepted by all nations save Germany.

"I hope this will be regarded as new proof of German moderation," the Berlin delegate said.

He referred to President Roosevelt's disarmament message to the world as "another great manifestation of peace." His entire address was conciliatory.

PARIS, May 19.—(AP)—Maintenance of a strong army was the French reply today to Chancellor Hitler of Germany.

Premier Daladier, categorically rejecting a further cut in military expenses, declared in the senate today that the French army is strong and must be kept strong.

This firm stand suddenly squelched talk of a meeting between the premier and Chancellor Hitler of Germany.

The government also officially denied that such a meeting was contemplated.

The premier told the senate that war economies had been made but that they had not impaired the army's strength. "I affirm," he said, "that we can have confidence in the army and I affirm that our national defense is assured."

20 Years for Boy



NEW YORK, May 19.—(AP)—Harry Murch, Queens schoolboy convicted of stabbing William Bender, 12 years old, to death because he "snitched," was sentenced today to serve from 20 years to life in Sing Sing prison.

MANY SECTIONS AFTER HIGHWAY PROJECT MONEY

Demands Flood Commission at Session—Ashland Delegation Assured of Temporary Repair Work in City

PORTLAND, May 19.—(AP)—Demands for money from Oregon's share of the federal public works bill for road projects flooded the state highway commission at its session here today when delegations representing virtually every section of the state presented their plea, and added new schemes for use of funds to hundreds already in the hands of the department.

But the groups were informed by Chairman Leslie M. Scott that their requests were too high, that the proposed \$5,768,000 federal funds available for the next two years would be only about half of what was expended last year, and that the commission did not yet have the funds nor information as to how they would be distributed.

Multnomah Emphatic

While most of the delegations urged that their projects be kept in mind for consideration, George Buck, road master of Multnomah county, was emphatic in demanding money for county roads, where he said traffic was heavier on one mile than on any fifty miles of state highways. He criticized some of the state expenditures and declared "it was time Multnomah county was considered a part of Oregon."

Umatilla county presented an eight point program, while Union, Linn, Jefferson, Tillamook, Clatsop and Lincoln counties listed their pleas and indications the entire afternoon session would be devoted to hearing presentations of other counties.

Before the flood of requests were started the commission, bureau of public roads and forestry bureau jointly approved the expenditure of \$20,000 by the North Umpqua road district for survey of that highway to Diamond lake. The request was made by B. L. Eddy, A. C. Marsters and W. C. Harding of Roseburg.

Ashland Assured

The commission answered the request of Ashland for improvement of the Pacific highway through that city by approving temporary repair work until the Phoenix section of the Pacific highway was improved. The cost of temporary work would be \$200, half to be borne by the city. The entire job would cost \$750 for standard reconstruction, which the commission declined to authorize at this time.

County Roadmaster Buck of Portland changing the tactics of delegations appearing before the commission and demanded funds for county roads not on the state highway system. He criticized the commission's action in improving the Salem-Portland highway while Multnomah county road, "where the population is and where traffic is twice as heavy as on any state road," were still unimproved and the county unable to do more than patch holes in the dirt roads.

BASEBALL

National.	R	H	E
Boston	5	8	2
Pittsburgh	3	8	1
Batteries: Zachary, Seibold and Hargrave; Hoyt, French, Smith and Padden.			
American.	R	H	E
Philadelphia	5	15	0
Cincinnati	5	8	2
Batteries: Holley, Rhem and Davis; Lucas and Lombardi.			
St. Louis	R	H	E
St. Louis	6	8	0
New York	6	8	0
Batteries: Wells, Knott and Shea; Brennan, Penneck and Dickey.			
Detroit	R	H	E
Detroit	7	11	1
Boston	5	10	2
Batteries: Marberry, Hogeatt and Hayward; Rhodes, Andrews, Welch and Ferrell.			
Cleveland	R	H	E
Cleveland	2	5	2
Philadelphia	9	13	3
Batteries: Brown, Connally, Bean and Myatt; Manshey and Cochrane.			

ROSEBURG HOTEL MAN IMPLICATED BY CONFESSION

Beating and Robbery of \$4500 Told in Alleged Statement to Police—Nurse and Husband Held

ROSEBURG, Ore., May 19.—(AP)—Upon implications contained in a confession made by Edward Foster, alias Edward Smith, who, officers report, admits that he robbed J. H. Morrison, elderly Myrtle Creek resident, May 3, of \$4,500, Sheriff Percy Webb, and Sergeant Ralph Quinn of the state police, today arrested Jack Whitsett, proprietor of the Alton hotel of this city, and Mr. and Mrs. Frank Stevenson of Myrtle Creek, as alleged accomplices in the robbery.

Nearly a score of witnesses are being called before the grand jury which has Foster's written and signed statement under investigation.

Tells of Assault

Foster's confession, the sheriff and state police sergeant report, contains admissions not only of his part in the robbery of Morrison, but also of the assault made Monday night of this week upon Whitsett, whom Foster charged causing him to be held up and robbed at Portland recently of the major share of his part of the loot from the Morrison robbery.

The officers report that Foster in his confession declares that Whitsett informed him of the habit of the elderly Myrtle Creek man who carried large sums of money upon his person, and that the two plotted the robbery.

Foster, the officers state, claims that he entered the Morrison home on the night of May 3, stealing \$4,500 hidden in the elderly man's bed. Morrison was severely injured when he was hit several times over the head with a flashlight as the intruder entered his room.

Split Proceeds

The confession states, according to the authorities, that Foster then returned to Roseburg and split the proceeds with Whitsett and departed immediately for Portland, where he purchased a new automobile. The following day he was held up and robbed of his remaining money and of his automobile, the latter being later recovered by the Portland police.

Foster states it is claimed that he then returned to Roseburg, believing that Whitsett had arranged to have him "hijacked," determined to recover his lost money.

At Eugene, he states, he met an acquaintance, George Greene, and brought him to Roseburg asking him to participate in a liquor deal. Whitsett was lured into a dark alley to make a delivery it is claimed, but when he saw Foster started to make an outcry, when he was hit in the mouth by Greene, who wielded a heavy rock knocking out several of Whitsett's teeth.

Foster and Greene were arrested by city police as they were running from the scene of the alleged assault on Whitsett.

ONE LITTLE WORD IN FARM BILL IS VAST IMPORTANCE

Elimination of Word 'Basic' Gives President Increased Power Over Products While Solons Asleep

(Copyright by McClure Newspaper Syndicate)

By PAUL MALLON

WASHINGTON, May 19.—The administration slipped a fast one over on congress in the farm bill.

The house was sound asleep on it. The senate opened one eye at the last minute but did not see what it was all about. There is no wonder. All that was involved was one innocent looking little word—"basic."

If congress had left that in the bill it would have applied only to basic agricultural products. Everyone knows what those are—wheat, corn, cotton and such. But with that word left out the field of operations increases a hundred fold. Hides, meats, cloth, shoes and anything that has the faintest connection or competition with any product of any farm yard and price fixing are included.

The confidential sources of the government statisticians themselves confess that the government took control of 45 per cent of American industry by that one master stroke.

It came about in a strange way. The word basic was NOT in the marketing agreement provision of the bill passed by the house. It was in the licensing section. As the senate was passing the bill Senator Stephens slipped the word into the other section. He is supposed to have been helped by Vice President Garner who was in sympathy with the move. But that is another story.

When the senators and representatives started ironing out the differences between their bills, word came from the agricultural department that the word basic should be deleted everywhere. No explanation was offered. No questions were asked. Congress had the habit of doing what the administration wanted, and did it.

They had to go to the extent of passing a separate law to fix the word basic out of the marketing agreement section because it had been approved by both houses.

Republican Leader Snell grew suspicious in the house. He asked what was going on. Democratic Chairman Jones in the senate merely corrected a clerical error. He neglected to say the government was gaining a 45 per cent control of industry thereby.

The progressives were not so easily satisfied in the senate. LaFollette, Bennett Clark and others raised Cain and voted against the change.

It was too late for a contest.

The thing was put over on the cloakroom plea that it was needed to take care of sugar people in the west.

"That plea does not hold water. The bill would have taken care of sugar as it passed the senate," corrected Snell.

But the specific mention was cut out at the same time; the word basic was stricken out, again on orders from the agricultural department.

Thus on the pretext of getting sugar into a bill it was already in they took in nearly half the universe.

BANKER HARRIMAN FLEES 'ERE TRIAL

NEW YORK, May 19.—(AP)—Police today broadcast an alarm for Joseph W. Harriman, former head of the Harriman National Bank and Trust company, who they said, escaped from an East 61st street hospital this morning.

Harriman is scheduled to go on trial in federal court next Monday on an indictment charging that he caused thirteen false entries to be made in the records of the bank, involving \$1,661,170.

The police alarm said it was feared Harriman might commit suicide.

BANKS WITNESS STRICKEN AFTER GIVING VERSION

EUGENE, May 17.—John Wheeler, Medford suburban gardener, who testified that he was at the Banks home, and heard the fatal shot, and saw a pistol drop from the hands of Constable Prescott, as he fell, was reported seriously ill from a heart attack. A physician, Dr. H. Howard reported it would be dangerous for him to come to the court. Wheeler was sought to be recalled to the stand in an effort to refute the testimony of Oliver Rogers.

Wheeler was stricken Monday afternoon, a few hours after he testified. The state showed that Wheeler was in the courthouse, at the time of the shooting, and was advised of the tragedy by his wife.

Wheeler's testimony was further refuted Thursday morning by the testimony of R. O. Stephenson, lumberman, who said that he met Wheeler in the courthouse three minutes before the shooting. He said he and Wheeler said "Hello, John," and knew Wheeler, who said he was advised by the district attorney's office.

In that office he was advised by District Attorney Codding that Constable Prescott had been slain. He drove Codding to the police station, and then drove to the Banks home, where he saw Wheeler standing on the lawn of the Banks home with many others.

Mrs. Marie McCulston, who resides diagonally across the street from the Banks home, and was working in her yard, said she heard a shot, and looked towards the Banks home. She saw Sergeant O'Brien vaulting over the porch. NO ONE ELSE WAS IN SIGHT. Mrs. Mae Murray, her daughter, Effie Lewis, Abner Cox, and John Wheeler testified they were, and had heard Constable Prescott make threats against Banks.

Walter Jones, indicted Mayor of Rogue River, was recalled to the stand Tuesday in refutation of the testimony of Sam Carey, that he (Jones) met Abner Cox, at the door of the Pacific Record-Herald building, just as the news of the murder was flashed over the telephone, and they left together. No attempt was made to refute Carey's testimony that Cox was at the newspaper office when the crime occurred.

Jones testified that he was not in Medford when the shooting occurred. Shortly after 10 o'clock, he had gone to the First National bank to cash some road warrants. He then left for Grants Pass.

Under cross-examination Jones said he was driven to Grants Pass by his wife, and in that city he secured a ride to Portland in the auto of a traveling salesman.

"And what was the name of the traveling salesman?" Inquired Attorney Moody.

"I do not know," answered Jones. "You rode from Grants Pass to Portland in an auto with a traveling salesman, and you do not know his name?"

"Yes," replied the witness.

No Excuse for Murder of Prescott Declares Moody In Brilliant Summing Up

States Case Proved Beyond Doubt Claim Of Prosecutor; Defense Witnesses Discounted by Rebuttal

By ARTHUR PERRY

EUGENE, May 19.—L. A. Banks, former Medford publisher and orchardist, and his wife, Edith Robertine Banks, charged with first degree murder for the slaying of Constable George J. Prescott, heard themselves, and the crime with which they stand accused, flayed before an awed and packed courtroom here this afternoon, in a brilliant summation of the state's evidence by Assistant Attorney General Ralph E. Moody.

The opening address of Attorney Moody was characterized by Lane county lawyers and visiting barristers as one of the most brilliant and comprehensive speeches in the history of Oregon court procedure.

"Where is the excuse that defense counsel can point to, in justification of this outrageous and unconscionable murder? I await with interest their arguments, in mitigation of their clients' deed—to excuse or explain it. The state of Oregon has proven beyond a reasonable doubt—aye! more than they have proven their case, conclusively and completely," declared Moody in his closing statements for the day.

Issue Evaded

"The defense has not attempted to meet the issue in this case," he declared during his remarks. "They point to a 'mysterious gang' that Banks has created in his imagination and says, 'Oh I am pestered! Oh I am abused!'"

"Nobody was pestering Llewellyn A. Banks but his creditors who wanted their money for honest debts that Banks himself had contracted, and obligated. The fact that Banks had been sued 31 times by creditors on claims, is no justification for Llewellyn A. Banks to murder George J. Prescott and Mrs. Banks to help him."

"The case is simple," further declared Attorney Moody. "We are trying a man and his wife for first degree murder on an indictment returned by the grand jury of the county of Jackson, and the state of Oregon."

Crime Is Proved

"The state is not interested in the controversial matters, in which Banks may have involved himself. It has no interest in whether or not he was pestered by the orchardists. This is merely dust that has been injected to cloud the issue. THE ONLY QUESTION REPORTED THIS JURY 18 WHETHER OR NOT LLEWELLYN A. BANKS AND HIS WIFE MURDERED GEORGE J. PRESCOTT."

(Continued on Page Three)

LABOR ENDORSES ROOSEVELT PLAN ON PUBLIC WORK

WASHINGTON, May 19.—(AP)—Endorsement of organized labor and a prediction it would provide four million new jobs helped speed today the administration public works-industrial control bill, while the Glass bank reform bill was given a clear track in both senate and house.

While the public works plan was under examination by the house ways and means committee it developed the administration may suggest inclusion with it of new provisions to bring the oil industry under federal control to end wasteful overproduction.

The house rules committee decided to clear the road for consideration of the bank bill tomorrow. The senate already had arranged to start work on the bill this afternoon after the morning session on the continuing Lumberback impasse.

Important to congress was an announcement by Senator Pittman, (D. Nev.), that all the governments which have taken part in the pre-London economic conference conversations are in agreement on a six-point program for rehabilitating silver. Simultaneously President Roosevelt and T. W. Boone, China's finance minister, declared themselves in agreement in considering it essential that the silver price be stabilized.

GROWERS DRAFT FINANCING PLANS

At a meeting in the county court house last night, called by Walter H. Jones, about thirty orchardists, representing various districts of the Rogue River valley, gathered and harmoniously worked out a plan for financing a credit pool in order that growers might obtain necessary funds for harvesting the crop.

The form to be followed by those wishing loans, was made out by Mr. Jones, and those wishing to fill out the blanks may either obtain them as his office in the First National bank building, or at the county agent's office, he said this morning.

The basic points agreed upon at last night's gathering were:

"To secure credit for my needs as an orchardist I agree to grant a mortgage on my growing crop and a chattel mortgage on my stock, machinery, and equipment; and as a guarantee for the formation of a credit pool I agree to apply five cents (\$5) a box from the proceeds of my crop to be held in trust until all the obligations of the pool are repaid; and I further agree to assign a sufficient amount of my crop to a market committee to be selected from the growers participating in this pool to repay all my obligations to said credit pool."

HOTEL MEN MEET HERE ON SATURDAY

A meeting of the Southern Oregon Hotel association will bring to this city Saturday visitors from Seattle, Portland, San Francisco, northern California and southern Oregon towns. It was announced today.

The session will open with a banquet at the Hotel Medford.

WILL ROGERS says:

BEVERLY HILLS, Cal., May 18.—Say, this man Roosevelt not only makes congress roll over and play dead, but by golly he made this tough guy Hitler promise to bring sticks out of the water. Is there no end to this man's cleverness!

Course, there is one thing about Europe, you can never believe 'em the first time. They will agree to anything till it comes to sign up. This might be just the ideal time to stop a war, for nobody has anything to fight one with. Like disarmament, it's not done for humanitarian reasons, it's only done for economic reasons.

The whole thing seems too good to be true, but the whole world is chauging, so maybe they are going to turn human.

Yours,
Will Rogers

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