

The Weather

Forecast: Sunday cloudy with occasional light rains. Moderate temperature.

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.

Twenty-eighth Year

MEDFORD, OREGON, SUNDAY, MAY 21, 1933.

No. 51.

JURORS SHELVE CASE FOR SLEEP

Comment on the Day's News

Unable to Agree In First 5 Hours Of Deliberation

By FRANK JENKINS PRESIDENT ROOSEVELT sends to congress his public works bill, which requests authority to inaugurate a THREE BILLION DOLLAR public construction program.

THIS writer, whose admiration for President Roosevelt is tremendous, can't work up much enthusiasm for a three billion dollar public works program. Public works are non-productive, and entail heavy costs in later years for maintenance.

If the three billion dollars were loaned to private industry, which at the present moment is practically paralyzed by lack of credit, it would go farther in the way of providing employment, and thus relieving distress, than a huge public works program.

That, at least, is the opinion of this humble citizen.

PRESIDENT ROOSEVELT addresses to the world at large a plea to refrain from war, which is destructive and terrible in itself and entails a long train of depression and unemployment, and remain at peace.

Germany, which has nothing to gain by going to war and EVERYTHING to gain by remaining at peace, endorses enthusiastically the President's proposal.

Japan, already at war and hoping to gain much as a result, is indifferent.

THAT is the trouble with peace programs. The nations that at the moment have something to gain by remaining at peace are for them, and the nations that hope to gain by going to war are against them.

World self-interest still rules the blind.

IF Europe should again go to war, as the headlines tell us day after day is possible, who would be responsible—the common, ordinary people, who would furnish the cannon fodder, or the diplomats who carry on the relations of one nation with another?

H. G. Wells, great English writer and his historian, tells us that diplomats are among the world's great curses.

There are times when one is inclined to agree with him.

THIS, by the way, is one of those times. With a world crying for peace, NEEDING peace, suffering terribly from economic ills that follow in the wake of war, if the diplomats can't keep us at peace they aren't worth much.

THE big sale of Oregon and Idaho wool in Portland on Tuesday averaged 23 1/2 cents per pound—an increase of 15 cents a pound over the price received for the 1931 clip.

That is a stiff increase. And the best part of it is that the increased price appears to have been due chiefly to excess of demand over supply, and not wholly to inflation, which is another word for depreciation of the value of money.

Price increases that are based on supply and demand are likely to be much more permanent than those that are based merely on inflation.

THE fishermen's strike on the Columbia river is over, and the boats are back on the river.

That is good. This is no time for strikes. It is a time for getting together and making the best of things.

2 LOSE LIVES IN GASOLINE BLAST

WHITING, Ind., May 20.—(AP)—Two men were burned to death and five others were reported missing following an explosion and fire in a still of the Standard Oil Company of Indiana's gasoline refinery here tonight. Damage was estimated at a million dollars. The company's plants cover hundreds of acres here.

Seven men were believed working in the still when the explosion occurred, company officials said. The two bodies recovered were burned so badly that identification was difficult.

Extra If Verdict Reached An extra edition of the Mail Tribune will be issued today (Sundays) immediately upon reaching of word from Eugene that a verdict has been reached in the Banks case.

EUGENE, Ore., May 20.—(AP)—The jurors in the Banks case, worn out after three weeks of grueling arguments and testimony, went to bed at 9 o'clock Saturday night. They had deliberated the case 5 1/2 hours and planned to resume their consideration of the evidence Sunday morning.

The jury is deciding the fate of Mr. and Mrs. Llewellyn A. Banks, accused of the first degree murder of George J. Prescott, Medford constable. The case was placed in their hands at 3:30 o'clock Saturday afternoon.

At 9 o'clock they decided to retire to rest and the bailiffs took them bedding. They were confined to rooms in the top floor of the courthouse. They were to be up for breakfast at 7:30 o'clock Sunday morning.

EUGENE, Ore., May 20.—(AP)—Seven men and five women tonight undertook the task of determining the innocence or degree of guilt of Llewellyn A. Banks, 62, and his wife, Edith Robertine Banks, who for three weeks were on trial for first degree murder for the slaying of a constable in Medford three months ago.

The jury was expected to report immediately upon reaching a verdict, whether during the night or on Sunday.

Some women in the courtroom wept as Frank Lonergan, chief of defense counsel, climaxed his dramatic plea for acquittal of the elderly couple with the words: "When I sit down, the lips of the defendants will be sealed. The state has one more chance at you before you take the fate of the old couple to the jury room. But we'll be waiting—waiting—waiting—waiting for your decision!"

The jurors only gazed stolidly at the attorney as his argument was concluded, then filed out for a brief recess before Ralph Moody, chief prosecutor, undertook the closing argument for the state.

Lonergan declared that Banks was temporarily insane when he killed the constable. Persecution by corrupt county officials whose resignations he had militantly demanded in his newspaper had affected the mind of the former editor, the attorney said.

Lonergan said, "staying in his home 10 days before the tragedy to avoid trouble, planning to leave for the mountains to save his own life. Finally, when he saw Prescott trying to break into his home to 'get' him, Banks lost his reason. You couldn't have stood it and neither could I." Moody, closing for the state, reviewed the case point by point. He waved the blood-stained warrant that had been taken from Prescott's coat pocket as he told the jury the constable had a legal right to arrest Banks and even to break into his home.

He accused the defense of perjured testimony, described the "eye witnesses" the defense had introduced as "liars."

"Four eye witnesses claim they stood in front of the door and saw a gun in Prescott's hands, Moody said, 'yet each says he saw no one else on the street.' The four 'witnesses' had testified for the defense that a revolver fell from Prescott's hand as he slumped to the porch of Banks' home, fatally wounded. Rebuttal witnesses for the state testified that at least two of the 'eye witnesses' were not near the former editor's residence when the tragedy occurred.

Moody declared that Banks deliberately killed the officer, that he was prepared to kill any officer who might attempt to arrest him. Mrs. Banks, the prosecutor said, knew of her husband's intentions and held the door open while Banks fired through the opening the shot that pierced Prescott's heart.

EUGENE, Ore., May 20.—(AP)—The women in the audience wept today as Frank Lonergan, chief of the defense counsel, made his final dramatic plea for the lives of Mr. and Mrs. Llewellyn A. Banks.

As Lonergan concluded his arguments for the elderly pair, charged with the first degree murder of George J. Prescott, Medford constable, he begged the jury to free them and give their daughter, Ruth May, back her parents.

"When I sit down," Lonergan said, "the lips of the defendants will be sealed. The state has one more chance at you before you take the fate of this old couple to the jury room. But we'll be waiting—waiting—waiting—waiting for your decision!"

Women in Tears As Lonergan sat down, several women in the front of the courtroom could be seen wiping their eyes. The jurors retained their stony-like attitude but few others in the courtroom were unmoved. Ralph Moody, chief prosecutor, followed Lonergan after a brief recess and the case was to go to the jury as soon as he had finished and the judge had read his instructions.

Moody was described by Lonergan in his closing arguments as a "gen-

(Continued on Page Four)

FOREST CORPS IN MARKET FOR BIG LIST OF SUPPLIES

Staple Foodstuffs to Total \$100,000 and Large Amount of Building Material Sought Here On Bids

Staple foods, to cost approximately \$100,000 and approximately one and a half million board feet of lumber, plumbing, etc., will be bid on by merchants in the Medford district of the Civilian Conservation Corps, and will be received in sealed bids at the local offices beginning May 24. It was announced Saturday afternoon by Major Clarence H. Armstrong, officer in charge.

No fresh vegetables will be billed by the headquarters, according to Major Armstrong, and persons selling supplies will obtain better results if their prices are submitted in writing, instead of personal visits. Work in the offices has already been seriously delayed by such callers, the major pointed out, and requested local people cooperate in this matter.

Lowest Bidder Wins Sealed bids are to be returned, and awards will be made to the lowest bidder only.

Lists of the needed articles were mailed out to merchants Saturday, and contained astounding amounts of foodstuffs, to be distributed by truck from Medford into Fremont, Rogue River, Deschutes and Siskiyou national forests and Crater Lake national park, where the 24 camps are now located.

The requirements, as listed for the camps, were as follows: apples, canned, No. ten, 4770 cans; bacon, 38,200 pounds; baking powder, five-pound cans, 348 cans; beans, dry, 9600 pounds; beans, string, canned, No. ten, 8982 cans; fresh beef, 199-

(Continued on Page Five)

ASHLAND PILOT'S BRAVERY NOTED

WASHINGTON, May 20.—(AP)—The coveted Mackay trophy has been awarded First Lieutenant Charles H. Howard of Ashland, Ore., for meritorious service in the Navajo Indian relief flight in January, 1932, the war department announced late Friday.

Lieut. Howard was commanding the 11th Bombardment squadron when word was received that many Indians in New Mexico and Arizona had been snowed in and were suffering from hunger and privation.

He proceeded from March Field, Cal., to Winslow, Ariz., taking eight planes which flew about 15,000 miles in search of the stricken tribesmen. Finally the Navajos were located. Sacks of rations were suspended on the bomb-racks of the huge bombing planes and were dropped to the marooned Indians.

The Mackay trophy is awarded annually to an officer of the air corps who is deemed to have made the most meritorious flight of the year.

BANKER SLAYS SELF WHILE POLICE AT DOOR

By FRANCIS A. JAMIESON (Associated Press Staff Writer) NEW YORK, May 20.—(AP)—Joseph W. Harriman, indicted founder of a Fifth Avenue bank bearing his name, who penned a sheet of suicide notes and then disappeared from a nursing home 24 hours before, stabbed himself over the heart in an obscure Long Island inn where he was found today.

The 68-year-old man, described as being in a "mental daze," stabbed himself while police waited outside his room for him to change his clothes. Officers said they found him on the floor, bleeding from the wound.

At a Mineola hospital, where he was taken in a fire department ambulance, his condition was said to be not serious.

Harriman went to the Old Orchard Inn at Roslyn late yesterday and registered as "A. T. Thomas, Louisville."

Inspector Harold King of the Nassau county police identified him, however, by the initials "J. W. H." in his husband and in several garments.

Another note, described by King as indicating "suicidal intent" was found on the floor when the inspector entered the room earlier in the day. It asked his relatives "be informed."

"Are you Mr. Harriman?" inquired King.

"No," Harriman answered. "I am A. T. Thomas of Louisville."

"You're not Joseph W. Harriman of New York?"

"No."

"Why did you come here?"

"My son died around here some time ago," Harriman answered.

His only son, Alan, was killed in an automobile accident near Roslyn, and is buried in the Locust Valley cemetery.

King learned the banker had arrived at the inn in a taxicab after stopping at Locust Valley. Police had guarded the cemetery there all night because of their knowledge of how deeply Harriman had mourned his son's death. Apparently he did not visit the boy's grave.

King described Harriman as apparently "in a mental haze," but said his attitude, while insisting he was "Thomas," was friendly.

FIRST OF FOREST ARMY FROM EAST MONDAY MORNING

PORTLAND, Ore., May 20.—(AP)—Two hundred and fifty men from the middle-west, the first contingent of the 64,000 or more civilian conservation corps recruits who will come to the camps in the forests of Oregon, Washington and Idaho this summer, are scheduled to arrive at Vancouver Barracks, Wash., Monday morning. They are coming aboard a ten car special train from Fort Sheridan, Ill.

The train will be the first of several to bring men out west to go to work on forest projects. Others will follow, it was said, as rapidly as the forest work camps are made ready.

A total of 18,000 men will be assigned to 90 camps in the national forests, on state and private lands and in national parks and Indian reservations of Oregon.

The forest service here has not yet announced to which camps the first detachment of recruits from the east will be sent.

OIL INDUSTRY AID MAY DELAY BILL

WASHINGTON, May 20.—(AP)—President Roosevelt must decide whether he is willing for the house ways and means committee to delay his \$3,300,000,000 public works-industry bill long enough to insert the administration's new plan for helping the oil industry.

That was the decision announced late today by Chairman Doughton of the committee, before which both bills are pending.

BASEBALL Yesterday's Results

Table with columns for American League and National League results, listing teams like St. Louis, New York, Philadelphia, Cleveland, etc., and their scores.

More Cars Loaded Steel operations in the Cleveland region were reported at 89 per cent of capacity. The magazine "Daily Metal Trade" forecasts increases both at Chicago and Pittsburgh.

Freight loaded on the railways last week totaled 331,095 cars, an increase of 18,835 cars over the same week of 1932 and a gain of 7,276 cars above the preceding week.

Estimated coal production last week was 5,050,000 net tons for a gain of 800,000 tons, nearly 10 per cent above the level of a year ago.

Residential building construction east of the Rockies in the first half of May jumped 38 per cent over the first half of April while a ten per cent decline in the seasonal normal, the F. W. Dodge Corporation reports showed.

Cotton spinning during April was at 87.7 per cent of capacity on a single shift basis, the census bureau reported. This compared with 93.9 per cent in March and 70.7 per cent during April last year. Twenty five per cent more spindles functioned in April as compared with a year ago, and two per cent more than whirled during March.

A wide variety of other factors in the industrial picture gave evidence of an upward curve. Among these were:

Announcement of a payroll increase of \$100,000 a month effective July 1 in the Douglas fir plywood industry of Oregon and Washington. The average wage will be \$2.40 daily, about 80 per cent of the pre-depression scale, affecting 6,000 employees.

Production of automobiles at the Plymouth Motor corporation plant was advanced from 26,000 to 32,000 cars for the month, largest production schedule in the company's history.

Out put of the automobile industry in the week ended today was estimated by Crans at 55,801 units, highest since June, 1931, ninth successive week showing a gain and an increase of 4,130 cars over the week of May 13.

The spring furniture market at Jamestown, N. Y., was reported a "sell-out" for the first time in five years and Jamestown manufacturers advanced their output.

Yours,

Will Rogers

WASHINGTON, May 20.—Dinner in Hollywood, breakfast in Fort Worth, lunch in Little Rock, dinner in Cincinnati and breakfast in Rooseveltville, D. C. (Depression concluded).

Here is a delegation of one from the American Comedians' association to get some aid from the Reconstruction Finance. No industry has been hit worse than the professional humor.

There is too much unconscious amateur talent. We hope to pay off the R. F. C. (like the bankers and every body else does) in laughs.

Yours,

Will Rogers

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RIISING BUSINESS TIDE IS SEEN IN MAJOR BRANCHES

Advance in Building Expenditures and Boost in Commodity Prices Shown in Survey—Load More Cars

CHICAGO, May 20.—(AP)—Blaine lines sketched on the nation's business graph today an index of accelerated building construction and cotton spinning, improved textile wages, steel furnaces re-lighted and freight loadings surpassing the previous year's level for the first time since Oct. 1929.

The labor department at Washington announced an advance of 21.2 per cent in building expenditures from March 15 to April 15, and a small gain in wholesale commodity prices. The commodity price index stood at 60.4 for April, against 60.3 for March and 55.8 for April, 1932.

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Steel operations in the Cleveland region were reported at 89 per cent of capacity. The magazine "Daily Metal Trade" forecasts increases both at Chicago and Pittsburgh.

At Youngstown steel making is expected to move from 40 to 43 per cent of capacity next week. Firing of additional furnaces at Gary, according to Dow, Jones & Co., is likely to bring production next week to 40 per cent against 33 per cent last Monday.

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Here Is the Jury Weighing Guilt of Banks and Wife



Here are the six men and six women and the two alternates who form the jury which holds the fate of L. A. Banks and his wife, tried in Eugene, county seat of Lane county, for the murder of George J. Prescott, Medford constable. Left to right, back row—Mrs. Madge B. Addison, Isaac V. Yates, Will L. Townsend, Gordon Dunn, Charles E. Ashby, Mrs. Pearl Wicks. Standing, left, Lee Young; right, Raymond Dunning, alternates. Front row, left to right—L. K. Page, Mrs. Jessie Bertsch, J. A. Phelps, Mrs. Myrl B. Lightfoot, Mrs. Lucy Ludford, Mrs. D. D. Conley.