

The Weather  
Forecast: Occasional rain tonight and Tuesday. Normal temperature. Temperature.  
Highest yesterday 80  
Lowest this morning 40

# 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, MONDAY, MAY 22, 1933.

No. 52.

# BANKS ORDERED TO HOSPITAL BED

## Comment on the Day's News

By FRANK JENKINS.

WHEN the cartoonists draw a picture of a prohibitionist, they depict a lean and hungry-looking individual attired in a long-tailed black coat and a tall hat, and wearing a sour and forbidding expression of disapproval of everything.

The cartoonists, this writer would say, never saw "Pussyfoot" Johnson, who has been speaking before service clubs in southern Oregon this week.

MR. JOHNSON ISN'T tall and lean. Instead, he is tall and heavy-muscled rather than plump; physically a capable-looking specimen.

He is bald on top, with a fringe of gray hair around the edges. He has a gray mustache. His face couldn't be described as jolly, but it is pleasant.

And he DOESN'T wear a long-tailed black coat or a high hat. He dresses just like an ordinary business man.

HE EATS a hearty lunch and seems to enjoy it. Many speakers, you know, are afraid to eat before talking. Pussyfoot isn't. He isn't of the nervous temperament, evidently.

And when he finishes his lunch, he draws a long cigar from his pocket, lights it and puffs away at it with every appearance of enjoyment.

RISING to speak, he tells of an experience several years ago in El Paso, where he spoke at a service club meeting.

A young lady, rather scantily clad, had concealed herself behind a screen, and as Mr. Johnson passed she came out, threw her arms around his neck and kissed him.

He grins as he tells of it. "The service club members," he says, "didn't know of the stunt, and were plainly embarrassed. I told 'em I didn't blame 'em for being put out—that I had been kissed and they hadn't."

The point is that he isn't narrow-minded or prudish.

HE HAS spent much time in Constantinople, and tells a Turkish story.

A holy man of Constantinople, it seems, came home from his devotions one day, and as he entered his house he saw his wife seated on the sofa, on the lap of a strange man, whom she was hugging and kissing with great enthusiasm. The holy man, Pussyfoot related, was properly scandalized, and determined to do something drastic to put an end to such proceedings.

So he SOLD THE SOFA!

MANY EVILS, once common in this world, Mr. Johnson tells his hearers, have been done away with.

There is piracy, for example, which flourished for 3000 years. And slavery, which once was defended by supposedly humane and intelligent people as a righteous institution. And red light districts in the big cities. And public gambling, such as the Louisiana lottery.

All these evils, he pointed out, have been ended by PROHIBITION—that is, by prohibiting them by law. That, he said, is the way the liquor evil will ultimately be ended.

He made his point in a quiet, businesslike, tolerant way, with no touch of fanaticism.

WHENCE, you ask, comes the nickname "Pussyfoot"?

Mr. Johnson was once an officer down along the Oklahoma border, and heard of a speaker who was selling hooch to the Indians. He set out to get the operator, who sent out word that he would shoot Johnson on sight. Johnson one day walked through the door, stepped quietly up to the bar, presented a gun and told the speaker to put up his hands—which he did, promptly.

The Indians, describing the incident, related that he walked up to the bar "like a cat, on soft feet—pussyfooting."

The name stuck.

IN TURKISH, incidentally, there is no word for "Pussyfoot." So, in introducing him, they referred to him as "Mr. Cat-Claus Johnson."

"PUSSYFOOT" JOHNSON is an international figure. He has received, probably, as much newspaper notice as any other man of his time—short, of course, of presidents.

So he is interesting. We want to

## CONVICTED SLAYER NEAR BREAKDOWN IS WORD TO JUDGE

### Two Guards to Watch Over 'Agitator'—20 Days Given for Defense Motion New Trial—Sentence Later

EGENE, Ore., May 22.—(AP)—After an examination by Dr. Orville Waller of Eugene, Lewellyn A. Banks, convicted on a second degree murder charge, was ordered confined in a Eugene hospital for several days.

Two guards will be assigned to watch the elderly ex-publisher at all times. His condition was described by Dr. Waller as "generally run down and nervous" as a result of the three weeks' trial.

Judge G. F. Skipworth ordered the "rest cure" for the order of Banks' attorneys. Skipworth also gave the defense 20 days in which to file motion for a new trial. At that time the motion will be granted or Banks will be sentenced to life imprisonment for the slaying of George J. Prescott, Medford constable.

EGENE, Ore., May 22.—(AP)—A lifetime of servitude behind the high walls of Oregon state prison today appeared the present prospect for Lewellyn A. Banks, who last March 16 shot and killed a constable who came to arrest him.

Banks, former Medford, Ore., newspaper publisher and one-time wealthy orchardist of Riverside, Cal., and Medford, was convicted by a circuit court jury here yesterday of second degree murder for the shooting of Constable George Prescott. Mrs. Banks, indicted with her husband on the first degree murder charge, and described by the prosecution as his co-conspirator in the slaying, was ordered to stand by her husband.

The defense served notice of motion for a new trial will be taken within the allotted 20-day period. Banks will not be formally sentenced pending determination of this motion.

The slaying, 62-year-old man whose ancestry, he declares, may be traced to John and Priscilla Alden, never lost the calm, grim manner that characterized his every appearance in the courtroom. He, known to have had the highest hope of acquittal, appeared unperturbed and stoic as the verdict was read. It was his wife who was most affected. When the verdict was read convicting Banks, the woman appeared greatly moved. Her body sagged and her hands reached searching for a chair into which she sank.

Will Continue Fight. "We have just begun to fight," declared George Moran, brother-in-law of Banks, and former newspaper publisher of Cleveland, Ohio. "We are going to carry this thing through." Moran came here for the trial and said he would remain here until the case is finally disposed of.

In a statement issued after he had returned to his cell in the Lane county jail following reading of the verdict, Banks said:

"The verdict has been rendered. I am undismayed. I have implicit faith in the eternal cause of righteousness. I have been persecuted, grieved, and convicted by the power and other special privilege interests. They have won a signal victory. I congratulate them.

Skipworth Fair. "Judge Skipworth was eminently fair and proved himself more than a judge—he is a man. I admire and respect him."

The Banks trial was brought to Eugene from Medford on a deferred motion for change of venue. The city of Medford and the entire Jackson county had been split into bitter factions by Banks' political activities. He was the storm center of the acrid battle which was punctuated by his repeated and emphatic demands for the wholesale resignations of Jackson county officials.

He organized the so-called "Good Government Congress" through which he tried to gain his goal. Many members of this congress were later indicted. Banks among them, for reputed complicity in the theft from the county courthouse vault of about 10,000 hallouts cast in the November election. The ballots were stolen the night before a recount was to be held at the request of an office-holder defeated by one of Banks' candidates.

Defied Officers. While Constable Prescott was attempting to serve this warrant on Banks, the former publisher shot him dead on the porch of the Banks residence. A few hours earlier Banks had dictated a letter to police officers declaring he had been "framed" that he would resist arrest on the charge, and that if an attempt were made to arrest him, "it amounted may result."

The state insisted the killing was premeditated and deliberate. The defense held that Prescott had made several threats on Banks' life, that as the officer tried to push his way

## BASEBALL

National.  
Brooklyn..... R H E  
Pittsburg..... 3 8 0  
Philadelphia..... 0 3 2  
Batteries: Clark and Lopez; French, Chagnon and Padden.

New York..... R H E  
Cincinnati..... 5 16 1  
Cleveland..... 0 7 1  
Batteries: Schumacher and Mancuso; Johnson, Stout and Hemsley.

American.  
St. Louis..... R H E  
Philadelphia..... 5 12 0  
Philadelphia..... 0 3 2  
Batteries: Blasholder, Claret, Wells and Shea; Freltas, Grove and Cochran.

Cleveland..... R H E  
New York..... 0 6 2  
New York..... 0 3 1  
Batteries: Ferrell and Spencer; Gomez and Dickey.

Chicago..... R H E  
Boston..... 2 7 0  
Boston..... 3 8 1  
Batteries: Durham, Heving and Grube; Piggas and Ferrell.

## PERJURY ACTION RESTS WITH LANE COUNTY OFFICERS

Any legal action against the four defense witnesses who testified that they heard Constable George Prescott utter threats, accompanied by a vile oath against Banks, as the officer with Sergeant James O'Brien of the state police, stood on the front porch of the Banks home just before he was shot, rests with the district attorney of Lane county, as it is within his jurisdiction that the asserted perjury was committed.

It was unofficially reported Saturday that steps to this end were underway.

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In rebuttal, their testimony was completely refuted. Mrs. Marjorie Hibbert testified that she saw Mrs. Murray and her daughter hurrying toward the Banks home after Banks had been arrested, and that she met them in the middle of the block on Sixth street, where that thoroughfare merges with West Main. Mrs. John Millard testified that Mrs. Mae Murray was talking to her in her back yard when the crime occurred.

John Wheeler testified that he was in front of the Banks home when the murder took place, entered the house afterwards, and also saw a pistol drop from Prescott's hand.

R. O. Stephenson, lumberman, testified that he met Wheeler in the courthouse, spoke to him, proceeded to the district attorney's office where he heard Prescott was shot. The proceedings looked about three minutes, Stephenson testified. He said he drove District Attorney Coddling to the police station and then hurried to the Banks home, where he saw Wheeler standing in front of the Banks home, with many others.

Oliver Rogers, a neighbor of Wheeler's, testified Wheeler told him a month after the murder he was in the courthouse when Prescott was killed, and was advised of it by his wife. He then went to the tragedy spot and entered the house. Rogers said he doubted this at the time and still did.

Wheeler was not called to the stand to rebut either Stephenson or Rogers. Attorney Harry of the defense informed the court that it would be "dangerous for him to appear," on account of heart trouble. He was on Skinner Butte, a popular eminence facing the Eugene business district Saturday afternoon at 5:15 p. m., and was there noted by state and county officials.

Cox testified he was also present at the shooting. The state refuted his claim with the testimony of Sam Carey, who testified that Cox was in the Pacific Record-Herald building on Sixth street, at the time word of the murder was telephoned, and left Robert Jones, indicted mayor of Eugene, who Jones testified in rebuttal that he was not in the city at the time.

Testimony of the four purported eye-witnesses was also disputed by Mrs. Banks, who testified Constable Prescott said nothing while at the door, and Mrs. Marie McCullison, who testified she was on her lawn at the time of the shooting and at the sound of the shot looked in the direction of the Banks home and saw no one.

Mrs. Murray and her daughter testified they had rehearsed their testimony once in this city and four times in Eugene—to Attorney Tom J. Enright.

Transcript of the testimony will be presented to the attorney-general's office, also the district attorney of Lane county.

EGENE, Ore., May 22.—(UP)—Lewellyn A. Banks, radical Medford, Ore., editor, was convicted Sunday of second degree murder of Constable George Prescott. The circuit court

## U. S. Offers Abandon Isolation To Enforce Peace of Nations

### TRIAL OF BALLOT THEFT CASES TO BE OPENED SOON

Trial of the Jackson county ballot theft cases will proceed as fast as conditions will permit, with the prosecution in charge of Assistant Attorney General Ralph E. Moody, and Circuit Judge George F. Skipworth of Lane county on the bench.

Attorney Moody, who conducted the prosecution in the Banks murder trial, was in Salem today conferring with Governor Meier and Attorney General Van Winkle. He is expected to return to this city the middle of the week.

Circuit Judge H. D. Norton said he received a telephone call this morning from Attorney Moody, stating that Judge Skipworth desired a "few days rest before coming here," and the strain of the murder trial.

E. A. Fleming, Jacksonville district orchardist, and one of the chief witnesses for the state in the Banks murder trial, was removed last week from the Lane county jail to the Jackson county jail. Fleming was indicted for ballot theft, and was listed as "John Doe No. 1." Fleming was in the Banks home when the murder was committed, and fled out the back door into the arms of state police.

Twenty-two men were indicted for the ballot thefts, eight of the lot entering pleas of guilty. All have been released on bonds with the exception of Fleming and Tom L. Brecheen, Ashland ward politician.

The defendants also include County Judge Phil. Suspended Sheriff John Sobermerborn, and Walter Jones, mayor of Rogue River.

The defendants also include Ask a change of venue, separate trials or file an affidavit of prejudice.

As soon as the ballot theft cases are disposed of, the trial of County Judge Phil. Suspended Sheriff John Sobermerborn, and Walter Jones, mayor of Rogue River.

General Connor said an investigation had failed to reveal any motive for the cadet's disappearance. In his 1928 year, the superintendent said, Connor ranked 23rd in his class, 18th in his second year and 23rd last year.

When informed of the above dispatch today Mr. and Mrs. Guy Conner immediately got into telegraphic communication with their son's friends at West Point and also the commandant, but at present time had had no word. Mr. and Mrs. Conner are of course terribly distressed by the news and are anxiously awaiting further particulars. They also received a wire from Major Connor that their son had disappeared yesterday (Sunday) leaving a note declaring he was dissatisfied with his accomplishments and intended to depart without leave.

As shown in the above dispatch young Conner had made a most excellent record at the military academy ranking high in his class, and it is feared that hard study necessitated by approaching examinations, induced a temporary nervous breakdown. Mr. and Mrs. Conner received a letter from John last Friday, saying he had been worried by certain matters relating to his services after graduation, whether he was to go in the artillery or engineers, and they sent him an airmail letter immediately telling him not to worry, that whatever his decision, it would be agreeable to them.

It is probable this letter reached West Point the very day he disappeared. The many friends of Mr. and Mrs. Conner will be sorry to hear about this unexpected and startling development, and the entire community will hope for news that will relieve their anxiety and show that their son is safe and well.

## JNO. CONNER REPORTED MISSING FROM ACADEMY

WEST POINT, N. Y., May 22.—(AP)—Cadet John S. Conner, a member of the 1928 graduating class of the United States military academy, has been missing from the academy for 24 hours. Major General W. D. Connor, superintendent, announced late today.

Conner, who is the son of Mr. and Mrs. Guy W. Conner of Medford, Ore., was scheduled to receive his diploma and commission as a second lieutenant June 13. He is 23 years old.

General Connor said an investigation had failed to reveal any motive for the cadet's disappearance. In his 1928 year, the superintendent said, Connor ranked 23rd in his class, 18th in his second year and 23rd last year.

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## CATHOLIC MEN, BOYS HOLD ANNUAL RALLY

PORTLAND, May 22.—(AP)—Approximately 2500 Catholic men and boys, members of the Holy Name Society, paraded the streets of Portland Sunday during their sixth annual rally. Delegations were present from every part of the state. The parade included a uniformed contingent of city police and firemen, and boy scouts, members of the society.

## SPURNED SUITOR KILLS MILLINERY PROPRIETOR

DODGE CITY, Kan., May 22.—(UP)—Cora B. Kiser, 50, proprietor of a millinery shop, was shot to death here late last night by a spurned suitor, Ivan Cowan, police said today.

Cowan, 60 years old, was said to have quarreled with the woman after hiding in her home and discovering her with another man. Cowan had given the milliner a home for three years and had assisted her financially, authorities said.

Jury, reporting at 1:50 p. m., found Banks' wife not guilty. As the verdict was read both Banks and his wife maintained the same calm as they displayed throughout the case. Banks faced the jury squarely. When Mrs. Banks' verdict was read she placed her face in her hands and wept. She soon regained her composure as Banks smiled at her and patted her arm encouragingly.

Mrs. George Moran of Cleveland, Ohio, Banks' sister, wept and was assisted from the courtroom by her husband. Although free, Mrs. Banks returned to the jail with her husband.

## COMPANIONS ON HOLIDAY TOUR



Driving her own roadster, Mrs. Roosevelt and Nancy Cook, her partner in a furniture enterprise, left the White House for a week's vacation tour in New England. (Associated Press Photo)

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## ENRIGHT, LONERGAN NOT IN BATTLE THEY ASSERT

EGENE, Ore., May 22.—(AP)—Vigorously denying he and Frank Lonergan, his colleague in the Banks case had exchanged blows and that Lonergan had scored a one-punch knockout, T. J. Enright, Medford attorney, said today he planned to organize a "Loneragan for governor" club in southern Oregon.

"Somebody is trying to put us in the spot," said Enright in commenting on the rumor that Lonergan had "kayped" him in an altercation over witnesses brought up from Jackson county for the defense.

## ROTARY DISTRICT IN 3-DAY CONFERENCE

VICTORIA, B. C., May 22.—(AP)—Rotary clubs of district No. 1 began their 19th annual three-day conference here today with more than 400 delegates in attendance.

The conference was called to order by P. B. Scourrah, chairman of the general conference committee, with 59 clubs represented.

## AUTEN-HEMMILA RITES SURPRISE TO FRIENDS

Coming as a surprise to their many friends in the valley was announced this afternoon of the marriage of Ruth Auten, assistant at the Wurta Gift Shop, to Eino Hemmilla, manager of the Riialto theater.

They were married by Judge W. R. Coleman at noon today and were attended by Mary Blackhoff and Fred Ryan as witnesses.

## LEAGUE POWERS PROMISED HELP IF WAR FLARES

GENEVA, Switzerland, May 22.—President Roosevelt's peace message was translated into a program of action at the disarmament conference today as the United States virtually offered to abandon its traditional policy of isolation.

Norman H. Davis, American ambassador-at-large, told the nations of the world that his government would consult with them when peace is menaced. If the United States agrees with the other countries concerning the identity of an aggressor nation, he promised that Washington will refrain from any action of a nature to hinder collective efforts to restore peace.

Members of the League of Nations interpreted the Davis statement to mean that the United States would respect a blockade by league powers against a nation responsible for an outbreak of war.

This doctrine, considered by League of Nations circles as an abandonment of America's traditional policy of isolation was announced by Mr. Davis to the disarmament conference in an eagerly-awaited speech this afternoon.

The doctrine was taken to mean that when the nations take punitive measures against an aggressor the United States, if it agrees to the identity of the aggressor, will not insist upon the rights of neutrality.

Mr. Davis also announced the United States advocates a system of control and supervision of armaments to participate in measures for this control would be effective, automatic and permanent.

Intentionally opposing a brusque revision of treaties the American ambassador-at-large urged the maintenance of the territorial status quo.

He revealed that his country defines an aggressor as one whose armed forces are found upon foreign territory in violation of treaties.

He also announced that the United States is opposed to the rearmament of any nation and declared in favor of the abolition of offensive arms.

He reiterated American acceptance of Premier Ramsay MacDonald's recent disarmament proposals.

Turning to the Versailles treaty and its consequences Mr. Davis expressed the conviction that there is a contractual obligation for armed nations to reduce their armaments to a defensive level which would be in accordance with the proposals of the unshaken powers were obliged to reduce their armaments by the peace treaties.

## INCOME AND GAS TAX IS APPROVED

WASHINGTON, May 22.—(AP)—On a quick 13 to 9 vote, the house ways and means committee today approved a program increasing income and gasoline taxes and making corporate dividends subject to the income rates.

Devised to finance the \$3,300,000,000 public works-employment bond issue, it would lift the normal income tax rate from 4 to 6 per cent on incomes of \$4,000 net and less, and from 8 to 10 per cent on all above \$4,000—estimated to yield \$46,000,000, subject dividends from corporate stocks to the income tax rates, estimated to yield \$83,000,000, and levy an additional tax of 1/4 of one cent gallon on gasoline to bring in \$92,000,000 for a total of \$221,000,000.

## SEEK BIDS FOR CAMP LUMBER

Lumber and hardware specifications for the Civilian Conservation Corps camps in this district, have been mailed out of headquarters here, according to Major Armstrong, who is in charge. The sealed bids will be received at two o'clock Thursday.

Lieutenant James R. Sayers of the United States navy, medical officer from San Diego, arrived in Medford Sunday and reported for duty here today.

## LEGIONNAIRES MEET AT ARMORY THIS EVENING

American Legion Post No. 15 will meet this evening at 8:00 o'clock at the local armory, at which a report of the annual Jacksonville meeting will be made and plans announced for the observance of Memorial day.

## DEATH STILLS BATON FAMOUS CONDUCTOR

SAN DIEGO, Cal., May 22.—(AP)—Death stillled the baton of Emil Oberholzer, 66, one of America's foremost musicians, who organized and conducted for 10 years the Minneapolis symphony orchestra, today at a hotel here. He had been ill with cancer.

## HITLER ACTIVITIES DROVE ROOSEVELT INTO PEACE MOVE

Sudden and Amazing Step Taken—When President Sensed Plan to Wreck Geneva, London Confabs

Copyrighted by McClure Newspaper Syndicate.  
By PAUL MALLON.

WASHINGTON, May 22.—Mr. Roosevelt did not leap into world peace leadership. He was spurred to it.

Congress and most people here were amazed by the suddenness of the step. They were not in on the confidential dispatches Mr. Roosevelt had been receiving from abroad.

These dispatches left no doubt in the president's mind that a certain Mr. Hitler was out to wreck both the Geneva disarmament and the London economic conferences. They disclosed furthermore that a communist revolution was being secretly organized in Germany. Civil war within thirty days, there was a possibility.

The threat had unmistakably come for Mr. Roosevelt to strike or to see his international program out of the window.

You may have noticed his peace message did not ring with the usual Rooseveltian enthusiasm. The style was softened measurably for international consumption.

There were several reasons. There was then time for Mr. Hitler to change his mind about blowing up Europe. Also the situation was so black it called for soft words.

The biggest inside reason was Russia. The Russian-German trade is one of the most important factors in European economics. Success at Geneva would not be worth a little unless Russia was in on it. With an ally in Moscow, the world could circumvent the ill-tempered Mr. Hitler.

That was the reason you saw the Roosevelt note addressed to Moscow.

Much was made of the fact that the note to Moscow was technical diplomatic recognition of the reds.

## LIONS TOLD PLANS OF FOREST CORPS TO PROVIDE JOBS

Major Clarence H. Armstrong of the Civilian Conservation Corps headquarters, recently opened here, was chief speaker today at the Lions club luncheon at the Hotel Holland, and outlined briefly the activities of the United States army being carried on in connection with the reforestation work.

The present war is one against depression, he explained, and the campaign to conquer the enemy is as arduous as any waged against a physical foe.

"We have an amazing amount of work to do," he stated, "but it is our job and we're going to accomplish it."

Captain Hebert and Lieutenant Green were also guests at the luncheon today.

Fred Miller, blind musician, who is on a concert tour of the coast, entertained the Lions with a group of piano, guitar and vocal numbers, which were much enjoyed. He opened his program by singing "Mother MacInnes," and continued with a "long poem" of his own composition and Metcalfe's "Absence."

Numerous committee reports were made during the luncheon hour. President L. Pennington outlined the Rocky Ann park project, first sponsored by the Lions club, and Carl Stewart reported progress of the Lions relief kitchen, where 50 persons were served yesterday. Reports were also made by Lions E. M. Wilson and H. T. Hubbard.

A committee to prepare a stunt for presentation at the state convention at Roseburg next month was appointed by President Pennington and includes Leonard Brophy, Gerald Barr and C. L. Hopkins.

## THREE KILLED BY JEALOUS HUSBAND

ANACORTES, Wash., May 22.—(UP)—Accusing his wife of unfaithfulness and trying to steal his property Henry L. Cassidy, 49, allegedly shot and killed her and two male companions in his auto camp grounds last night.

Mike Cassidy, 52, his brother, died instantly. Ed Bennett, 48, a friend, died a short time afterwards and Mrs. Cassidy died in a hospital late today.