

The Weather  
Forecast: Fair tonight and Saturday. No change in temperature. Temperature. 99  
Highest yesterday 99  
Lowest this morning 88

# MEDFORD MAIL TRIBUNE

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Twenty-eighth Year

MEDFORD, OREGON, FRIDAY, AUGUST 11, 1933.

No. 121.

## BANKS RETRIAL MOTION DENIED

### Comment on the Day's News

By FRANK JENKINS.  
REVOLUTION, or at least near revolution, is spreading in Cuba—which doesn't sound so good. It was war that got us into our present business difficulties, and more wars won't get us out.

STILL you can't blame the Cubans too severely. Under President Machado, who is a good deal of a tyrant, conditions have finally got so bad that to those who have to endure them it begins to seem that they can't get any worse.

ON the first day of the Cuban disorders, 26 persons were killed. But listen: On the same day on which the Cuban troubles started, they held an election in Kentucky. As an accompaniment of that election, FOURTEEN persons were killed. We have troubles of our own.

BUT enough of wars. Let's turn to something more cheerful. The Pacific Builder, published in San Francisco, reports that in 1933 Pacific coast cities building in July increased 62 per cent over July of last year.

Reversing the usual seasonal trend, building in July of this year was ahead of building in June. Usually June materially exceeds July.

THAT certainly sounds good. When people start putting up buildings, which are a permanent investment, it is a pretty sure sign they are getting their confidence and their courage back.

When people generally get back their confidence and their courage, the end of the depression will be here.

A SURVEY of the turkey situation by the Portland Journal indicates a SHORTAGE of from 25 to 30 per cent in the turkey crop of the Pacific northwest this year.

The losses are heaviest in Idaho, where the crop, probably, will be only about half of last year's. In Oregon as a whole, the reduction will be around 20 per cent.

Poor hatches and difficulties in brooding, due, possibly, to the cold, wet spring, appear to have been responsible for most of the loss.

IT sounds odd to talk of a poor crop as a good thing, yet that is about what it amounts to this year. It is the poor wheat crop over the country as a whole that is responsible for the higher prices, because of promised reduction of the carryover. We must get rid of this carryover before we can expect fair prices for wheat.

Reduction of the turkey crop, similarly, will help to boost the price, which last year was discouraging low.

MORE good news: Henry I. Harriman, president of the United States chamber of commerce, predicts a business revival for this fall that will re-employ SEVEN MILLION persons before 1934.

THE way to bring back prosperity is first to put people back to work and second to pay them GOOD WAGES.

Paying wages has to come second, because before employers can pay good wages they have to earn the money with which to pay them.

Wages, we must always remember, can come ONLY out of profits. There isn't anywhere else for them to come from.

'Young' Lady of 63 Wields Mean Club In Golf Tourney

REGINA, Sask., Aug. 11.—(AP)—A "young" lady of 63, Mrs. T. McClelland, of Weyburn, Sask., is the heroine of the opening day's play in the annual Saskatchewan ladies' golf tournament.

While friends of her own age were content to settle with a bit of knitting on the club porch, Mrs. McClelland marched out and battled Mrs. Perry, of Regina, in the first round. She came from behind to square her match at the 18th but lost out one down on the first extra hole.

Mrs. McClelland is a great-grandmother.

### APPEAL TO HIGH COURT MAY NOT BE MADE IS HINT

Sentence To Be Pronounced On Prescott's Slayer Monday Is Announcement By Judge G. F. Skipworth.

EUGENE, Aug. 11.—(AP)—Llewellyn A. Banks, Medford publisher, will be sentenced in circuit court here Monday, August 14, for the second degree murder of Constable George Prescott of Medford. Time for sentence had been unofficially announced for Friday morning, but Judge Skipworth had not set the time in open court.

Judge Skipworth also overruled the defense motion for a new trial. Attorney Frank J. Loneragan for the defense announced that no decision had been made as to appealing from the judgment of the court after sentence is pronounced.

Banks' motion for a new trial, denied this morning by Judge Skipworth was based upon allegations of prejudice, misconduct of bailiffs in attendance, and errors at law. Banks, it is said, alleged that a woman bailiff had unduly influenced the jurors during the progress of the trial.

Assistant Attorney General Moody is in Eugene, attending to other matters in connection with the local turmoil.

Defense Counsel Loneragan's announcement that no steps had been taken to appeal the case to the supreme court, after pronouncement of sentence came as a surprise in some sections here. An appeal would entail an expense of close to \$1000.

The court found that all of Banks' allegations in the new trial motion were baseless.

Banks is expected to be removed from the Lane county jail to the state penitentiary, shortly after passage of sentence.

"MILT" MILLER RECEIVES PLUM

PORTLAND, Aug. 11.—(AP)—Real estate assignment was expressed here today by Milton A. Miller, former state senator and collector of internal revenue under the Wilson administration, when he was advised by newspaper men this morning that he had been appointed collector of customs for Oregon.

Miller had not been advised from Washington, D. C., of his appointment at the time word of the selection was received by newspapers here.

"Well, well," he told a reporter over the telephone. "I wonder how that happened." He explained the appointment came as a complete surprise, but he hastened to add: "Of course I am very much pleased. That is a very fine appointment. The job carries a salary of \$8,000 a year.

CHEESE MAKERS HOURS ARE SET

WASHINGTON, Aug. 11.—(AP)—Operation of four industries under modified presidential re-employment agreements—boot and shoe, drug, cheese, and cotton batting—were authorized today by Hugh S. Johnson, national recovery administrator.

These codes thus will be in effect pending hearings, after which final stipulations are drafted for promulgation by the president.

For the cheese industry the maximum work week for plant and factory employees is fixed at 48 hours, and for accounting, clerical or office employees, the later averaged over a 60-day period.

Salaries of employees in communities of 25,000 to 250,000 are to be paid not less than \$14 per week. In towns of less than 2,500 population wages are to be increased not less than 30 per cent, provided this shall not require wages in excess of \$12 per week.

GEOLOGISTS EXAMINE FORMATIONS AT LAKE

Twenty-five European geologists, delegates to the international geological congress held recently in Washington, D. C., are at Crater Lake today, having arrived at the scenic wonder from Los Angeles Thursday.

The scientists enjoyed the boat trips to the lake and examined formations adjacent to the rim road. They will leave late today for Bend to continue their trip about the United States.

### BASEBALL

American	R	H	E
Washington	4	11	1
Boston	4	10	2

Thomas, Burke, Russell, Stewart, Whitehill, Crowder and Sewell; H. Johnson, Piggars, Brown, Andrews, Welch and Perrell.

National	R	H	E
Detroit	0	7	0
Chicago	2	7	0

Marberry and Hayworth; Lyons and Berry.

National	R	H	E
Chicago	8	11	0
Pittsburgh	3	9	0

Bush and Hartnett; French, Hoyt, Chagnon, Harris and Grace.

### RELIEF GROUP HAS LIST OF WORKERS IN NEED OF JOBS

The Jackson county relief committee is in a position to furnish private and public employers with any number of men, it was announced today by the chairman, Alfred E. V. Carpenter. Anyone in need of workers is asked to phone 524 or to call at the relief headquarters in the city hall.

The committee will give out lists of men, with their classification, send them out on the job, or arrange for interviews with the employers at the relief headquarters, complying with whatever arrangements the employers desire.

The list of employees seeking work includes men of all trades, varying from steam engineers to gardeners.

An announcement was also issued by the relief committee today regarding treatment of transients. The public, in the committee's statement, is asked to aid no transients seeking help, but to refer all to the relief headquarters in the city hall. There the history of each case will be investigated in keeping with the demands of the federal government.

### BAKER CO. MINE BRINGS \$100,000

PORTLAND, Aug. 11.—(AP)—The purchase of the Bull Run mine near Unity, in Baker county, at a price of \$100,000, was announced here last night by A. G. Duncan Crux, Vancouver, B. C., attorney.

Seven mining claims and a 30-ton mill are included in the property which was purchased from Frank McCulloch, O. M. Balaey and Edward Sullivan.

The mine, Crux said, is producing \$100 in gold a day. He said he will spend about \$10,000 at once to increase the mill's capacity, and may bring production to \$400 a day.

The attorney said the transaction was financed entirely by private Vancouver capital and that no stock will be for sale.

### ENGINEER TO EYE LOAN PROJECTS

PORTLAND, Ore., Aug. 11.—(AP)—Before any further action can be taken on the proposed expenditure of nearly \$20,000,000 of federal public works money for projects in Oregon, a supervising engineer must be appointed for this state by the national recovery administrator.

These codes thus will be in effect pending hearings, after which final stipulations are drafted for promulgation by the president.

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### ECONOMIC DEATH FACES VIOLATOR OF N. R. A. PLEDGE

Revocation Of Blue Eagle Emblem Bodes Ill For Offender, Administrator Johnson Tells Reporters.

WASHINGTON, Aug. 11.—(AP)—A flat prediction that a case of revocation of the "Blue Eagle," emblematic of compliance with the National Recovery administration will arise and that it will mean "economic death" to the offender, was made today by Hugh S. Johnson, the N. R. A. administrator.

At his press conference, Johnson promised violators of modified presidential re-employment agreements would be disciplined if it were found they were not complying with their pledge to raise wages and increase employment by shortening work hours.

He added, however, that he intended to let the situation rest for a brief period in the hands of local committees.

"But the time is coming," Johnson said, "when somebody is going to take one of these Blue Eagles off of someone's window in a clear cut case."

"And that is going to be a sentence of economic death," the administrator added sternly, leveling his finger at newspapermen gathered before him.

Questioned concerning the status of intrastate utilities and similar businesses, Johnson said while they might not be within the regulative power of the National Recovery Act, the Blue Eagle would reach them.

He pointed out the possibility of strictly intrastate operations being beyond federal control is one of the reasons "for this Blue Eagle business."

"This Blue Eagle doesn't know anything about interstate and interstate commerce," the administrator said, "and I think it's working out pretty well."

### LEGIONNAIRES TO HOLD CONVENTION IN ASTORIA NEXT

KLAMATH FALLS, Ore., Aug. 11.—(AP)—Delegates to the American Legion convention voted unanimously this morning to hold their 1934 event at Astoria. The La Grande post, only other bidder for the convention, withdrew when the votes began piling up for the lower Columbia river city.

Fred E. Kiddle of La Grande, president of the state senate, told the Legionnaires his city would ask for the convention again in 1935.

Congressman James W. Mott, guest speaker, urged the veterans to carry on a campaign to educate the public against the national economy act which he said cut short veteran compensations.

He said congress would never have passed the act if it had realized the true meaning. Mott praised Senator Frederick W. Steiwer, who, he said, rose in defense of the Legion when he presented the Steiwer-Cutting act. This was defeated in the house.

Mott said the delay was caused by inopportune maneuvering to get the bill before congress.

Judge Alger Pee of Portland, Senator Steiwer, Jay Upton of Bend and General A. A. White were at the business sessions today.

The La Grande Legion drum corps last night won the Philip L. Jackson cup for the best drum corps in the annual convention parade, the first night parade in the history of the Legion in Oregon.

### Speedy Stars In Heavens Tonight Say Astrologers

NEW YORK, Aug. 11.—(AP)—If you wish to see what a speed of 144,000 miles an hour really looks like, turn out late tonight to look at the perzed meteors.

Reports of preliminary observations today indicate these annual meteors are on time as usual this year. Between midnight tonight and dawn tomorrow the earth is due to pass through the part of the perzed orbit where the meteors are most densely crowded.

Twenty to 30 an hour should be visible.

Although it was too cloudy in this section to see them last night, the first evening when considerable numbers were due, observers on Long Island report the few showers were sighted Wednesday night.

### UNIVERSITY CLUB BADLY DAMAGED BY MORNING FIRE

Roof And Upper Floor Ruined—Rosenbaum Gets Out Unharmed With Clothing And Affects—Will Repair.

Fire, thought to have been caused by defective wiring, greatly damaged the University club building at the corner of Main and Holly streets at 4:05 this morning, completely gutting the upper floor. The only occupant of the building at the time of the fire was A. S. Rosenbaum, who makes his home there. He was able to save all of his personal belongings.

W. I. Vawter said this morning that repairs to the building will be starting immediately upon completion of the insurance adjustment. He said no estimate had been made concerning the loss and the fire department said it had no figures to show the approximate cost of the fire.

The report of the blaze was turned in to the fire department by Bill Peck, city police officer. About seven volunteers aided the regular staff of firemen, and the spectacular blaze was under control in about an hour. Many residents appeared on the scene in sketchy clothing, attracted by the flames.

The fire also spread to the basement, a shingle falling down on the coal chute, it was believed by Mr. Vawter.

The two-story building, which was constructed in 1910 as the Vawter family home, is still owned by the Vawter estate, although it has been leased to the University club since 1918.

Earl Tunny, president of the University club, said this afternoon that no location for the club headquarters had as yet been selected.

### PEN JOBS AWAIT BALLOT THIEVES

Walter J. Jones, former mayor of Rogue River, J. Arthur La Dine, former Banks newspaper aide, each sentenced to four years for ballot theft, and Wesley McKirkick, "captain of the Banks guards," sentenced to one year, on a guilty plea of ballot theft, will be assigned to work in the state prison Monday, according to Deputy Sheriff Phil Lowd, who returned today from escorting the trio to Salem with Jailer Fred Kelly. The report that state police assisted the sheriff's office in the removal was erroneous.

Jones, La Dine, and McKirkick joined Tom L. Brecheen in the "fish cell" where new prisoners are first placed for observation, and to study prison rules.

Deputy Lowd says the sentenced men "did not feel too good going up, but took it as graciously as could be expected." They were "dressed in" Wednesday evening.

As far as could be learned today, no effort is being made to secure the release of Earl H. Fehl, held in the Klamath county jail on a four year sentence. Fehl's time for filing of a motion for a new trial expires Thursday, August 17.

### COMMENDATION ON DAY APPOINTMENT

Letters of congratulation continue to pour in upon County Judge Earl R. Day from men high in the affairs of Oregon. The letters express the sincere hope that with the administration of Judge Day normally will speedily be restored to Jackson county.

The Banks-Fehl reign of terror attracted statewide interest, the volume of the letters and press comment indicate. State leaders watched developments in this county, with the realization that under irresponsible management the same thing might happen in their own counties. Upstate districts were particularly concerned.

Among those who wrote Judge Day were Ralph Hamilton, long prominent in state affairs; E. E. Cusick of Albany; Willard Marks of Albany, former president of the senate, and prominent Portlanders in all walks.

Scores of Jackson county people have come to the courthouse the past week to congratulate and pledge their support to Judge Day.

### TENNESSEE RATIFIES PROHIBITION REPEAL

NASHVILLE, Tenn., Aug. 11.—(AP)—Tennessee's vote in favor of erasing prohibition from the federal constitution was formally cast today at a convention of delegates elected July 30 when the state gave a majority of approximately 650 for repeal of the eighteenth amendment.

### Scene of Spectacular Fire



UNIVERSITY CLUB

### MEDFORD STORES AGREE ON HOURS IN NRA PROGRAM

A meeting of retail merchants was held at the chamber of commerce yesterday at which time definite store hours were adopted. It was announced this morning. The meeting was called as a result of information received by the chamber of commerce from Frank Messenger, administrator of the N. R. A. in Portland who informed the local organization that under the principles of the president's re-employment agreement store hours should not be cut. The majority of stores in Medford previous to the adoption of the president's agreement were operating 57 hours, but the arrangement during the past week has only permitted a 54 hour operation.

Many meetings of the retail merchants have been held during the past ten days but the hours adopted yesterday will be strictly adhered to and there should be no confusion in the minds of the shopping public from now on, it was said.

The hours as adopted at the meeting are as follows: Department stores, men's shops, ladies' ready-to-wear, shoe stores, and all specialty shops, 8:30 to 5:30, Monday to Friday, inclusive, and 8:30 to 5:30 on Saturday; hardware stores, 8:00 to 5:30 Monday to Friday, inclusive, and 8:00 to 5:30 on Saturday; barbers 8:00 to 6:00 on Monday to Friday, and 8:00 to 5:00 on Saturday; electric stores, 7:30 to 5:30, Monday to Friday, 7:30 to 5:30 on Saturday; cleaning establishments, 7:30 to 6:00, Monday to Friday, 7:30 to 6:00, Monday to Friday, 7:00 to 9:00 on Saturday, with neighborhood stores operating one hour more each day.

It was generally agreed among the retailers at the meeting that these hours would go into effect tomorrow, Saturday, August 12th.

### WORTMAN NAMED BANKS' TRUSTEE

J. F. Wortman of Phoenix was yesterday named trustee in bankruptcy for L. A. Banks, convicted slayer, his wife, Edith R. Banks, and the Suncrest Orchards, Inc. The selection of Wortman was made at a hearing in bankruptcy.

Wortman will assume trustee duties as soon as he qualifies.

The trusteeship will cover all assets upon which foreclosures have not been imposed.

### ATKINS INFANT SON IS TAKEN BY DEATH

Douglas Gordon Atkins, infant son of Mr. and Mrs. George W. Atkins of Maple Park drive, this city, died at the family home Thursday evening at 7:30 o'clock after a brief illness.

Besides his parents, he is survived by several brothers and sisters.

Under the direction of the Pert funeral home, services will be conducted Saturday afternoon at three o'clock at the I. O. O. F. cemetery.

### TROOPS PROTECT CUBA PRESIDENT ON MOB THREAT

Machado's Party Drafts Counter-Proposal To United States For Peace—President Would Quit.

HAVANA, Aug. 11.—(AP)—An official of the Cuban army declared this afternoon that army units stationed in the Castillo de La Fuerza and at Cabana Fortress, near Havana, have revolted and taken over these two fortifications.

HAVANA, Aug. 11.—(AP)—Troops armed with machine guns and rifles surrounded the presidential palace this afternoon after reports had been received that a mob planned to attack it.

Streets in the vicinity of the president's residence were cleared. The special guards were placed after the executive committee of President Machado's own Liberal party had submitted to United States Ambassador Sumner Welles a counter-proposal for peace by which the president would surrender his office to General Alberto Herrera, now secretary of war.

The machine guns with which the guards were armed were moved out of the palace itself and were mounted at strategic points about the building.

HYDE PARK, N. Y., Aug. 11.—(AP)—President Roosevelt packed his bags for the return to Washington today, ready to act to end the Cuban political turmoil by whatever means developments made necessary.

In close touch with Washington and Havana he was determined to bring political peace to the island republic and, to all outward appearances, he expected an early show-down.

### MRS. WELCH OFF TO SEE FRIGATE

Mrs. Alice Virginia Welch, great-great granddaughter of Captain Isaac Hull, commander of "Old Ironsides," will leave this evening on the Oregonian to see the ship, a guest of the Medford Chamber of Commerce.

H. H. Lampan, formerly of Astoria, where Mrs. Welch was postmistress for 13 years, is a member of the Portland police department at the present time, and will act as escort for Mrs. Welch when she reaches the northern city in the morning.

Several special affairs are being planned by the Portland chamber of commerce for Mrs. Welch during her stay in the north. Mrs. Roy Buckingham is going north on tonight's train. Yesterday she telephoned Mr. Lampan and made arrangements for the reception.

### MISS VAN WIE AND ROBINSON IN FINALS

CHICAGO, Ill., Aug. 11.—(AP)—Miss Virginia Van Wie, Chicago national women's golf champion, will meet 22-year-old Lucille Robinson, Des Moines, in the finals tomorrow for the women's western golf championship.

### TAX EQUALIZATION BOARD WILL MEET

Under provisions of the new tax laws passed by the last session of the legislature, the Jackson county board of equalization will meet next Monday, August 14. This is a month earlier than under the old law. The board is composed of the county judge, the assessor and the county clerk.

Under the tax provisions, quarterly payments of taxes can be made instead of semi-annually. Quarterly payment dates are March 15, June 15, September 15 and December 15.

Under the new law, the budget must be completed by November 1 and the tax rolls turned over to the sheriff by February 15. Budgets for the road districts remain as in the past, with road elections held in November.

If a citizen pays his taxes 90 days ahead of time he is given a 2 per cent discount; if he does not pay them on time he is assessed two-thirds of 1 per cent interest at intervals.

### SANDERSON AWARDED ELKS CUE EMBLEM

R. L. Sanderson was awarded the silver medal today as winner of the three-cushion billiard tournament at the Elks' club.

Second prize went to Dr. R. E. Green. The championship is subject to challenge at any time.

### BAN SLOT MACHINES IN MARION COUNTY

SALEM, Ore., Aug. 11.—(AP)—Slot machines will be taken in Marion county and Salem, declared county and city officials today—after their attention had been called to the matter.



Will Rogers says:

SANTA MONICA, Cal., Aug. 10.—Now look out, Democratic administration, you are about to revert to the old Republican type. You are telling some Latin American country who shall be president and who can't. Now there is no doubt that Cuba is run "cockeyed," but what country ain't?

Now we get our sugar from Cuba and everything we do in Cuba is going to be misunderstood. So about the best thing we can do in Cuba is to let Cuba take care of Cuba. I don't care how little your country is, you gotta right to run it like you want to. When the big nations quit meddling, then the world will have peace.

Will Rogers  
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