

BRIEFS IN BANKS NEW TRIAL PLEA CITE 8 ERRORS

Copies of the brief in the appeal to the state supreme court in the case of L. A. Banks, former local orchardist and agitator, serving a life sentence in state prison for second degree murder, have been received here.

The brief outlines eight assignments of errors of the court in the conduct of the trial, most of them technical.

Limitation by a court ruling of defense alienist in giving testimony, is one ground. The brief contends that a court ruling restricted the defense alienist to testify only on whether Banks was sane or insane, when the alienist should have been allowed, the defense holds, to give evidence whether Banks knew the difference "between right and wrong."

The alienist held that Banks at the time of the shooting was suffering from "transitory mania."

Alleged hostility of the two juriffs in charge of the Lane county jury in charge during the trial is cited. Alleged remarks of the juriffs in the presence of the jurors, is held prejudicial.

Introduction by the state of the pistol found under a ladies' coat, on a davenport in the Banks home, several hours after the murder is also held prejudicial to the defense.

Conduct of the assistant attorney-general, when he characterized Banks "as a moral coward hiding behind the skirts of his wife."

The state's answer to the brief will be filed within the 60 days granted by law. Assistant Attorney General Moody will have charge of this phase of the appeal.

Preparation of the state's brief will start as soon as Moody's health will permit. He is still convalescing from a prolonged illness.

Crater Lake Christian Endeavor held an executive meeting in the Phoenix Presbyterian church, Sunday, with 22 officers present.

Main topic for discussion was registration for the state convention to be held in Salem, April 19 to 22. Vera Wright was appointed registrar of the local union with assistants in the other cities of the union.

Irving Ella will take charge in Grants Pass and Norman Fraley in Medford.

The idea of note books for each union meeting was brought up and Opal Rush was selected to take charge of all reports. The note books are to be used for monthly and quarterly reports so there will be a definite and correct record of the past history of that office.

Reports of the annual state executive meeting held in Portland the first of every year were given by Norman Fraley and Marian DeVries attended the meeting in the Y. M. C. A. building with Helen McClay presiding.

The theme of the meeting was, "Better C. E. Work."

In the absence of the secretary, Elaine DeVries was appointed secretary pro tem.

There were representatives from many points of the union: Applegate, Ashland, Grants Pass, Phoenix and Medford.

Explaining the benefits of a sales tax for Oregon, and discussing various phases of Jackson county government, Judge E. B. Day spoke informally at last night's meeting of the Business and Professional Women's club at the city hall.

Musical selections by the following were enjoyed during the evening: Miss Marjorie Pater, violin solo; Miss Imogene Wallace, piano solo; Mrs. Elsie Carleton Strang, vocal solo.

Mrs. Maude K. Chapman was chairman of the program, and refreshments were in charge of Mrs. Roy Buckingham. Special guests were Judge Day and Mrs. Day, Dr. R. E. Green and Mrs. Given.

McCooey Successor?



Frank V. Kelly (above), leader of the fourth assembly district in New York, was mentioned as one of the men most likely to succeed to the Brooklyn democratic leadership made vacant by the death of John H. McCooey. (Associated Press Photo)

The action is based upon the creation in July, 1930, of the Medford Water Power and Development company. Its main purpose was to bring water from Squaw lake for mine development and to furnish irrigation water. The plan never materialized.

The deed to the property was allegedly transferred. Now a decree of the court declaring the Sterling Mining company sole owner is sought.

Frank J. Blakeley appears as president of the Sterling company.

The answer recites much of the history of the Sterling mine—one of the chief gold-bearing properties in southern Oregon. Until recently it was mined by groups of prospectors.

A California group is now reported interested. The mining company, first formed June 7, 1877, was later acquired for operation by the late S. S. Bullis, and Blakeley, with an incorporation under the laws of Delaware.

At one time, Jeff Heard, a leader of the "boom days," was superintendent of the property. Generally regarded as a paying property, it has played a leading role in the mining history of this section.

With the depression and the rising price of gold, the Sterling district teamed with prospectors, who panned the "diggings" with varying success. The increased price of gold, the past three months, has brought the mine into life again.

Ernest W. Gibson (above) of Brattleboro was elected to the Vermont senate seat made vacant last fall by the death of Porter H. Dale. Gibson resigned after 10 years in the national house to become a senate candidate. (Associated Press Photo)

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MEDFORD GIRLS TO CORRECTION HOME IS ORDER

Buelia Thompson and Helen Cassidy, 16, local girls, were yesterday ordered committed to a Portland institution by County Judge Earl B. Day.

The action followed a hearing before the court last week.

The two were charged with theft of money and a coat from guests during a dance at an establishment near Gold Hill, ten days ago.

Neither of the girls, the testimony showed, were regular attendants at school.

The girls testified they attended a dance in this city and then journeyed to a dance at Gold Hill with two middle-aged men, whose names they said they did not know.

The girls said they accepted a drink of whiskey from the grey Lotharios. At Gold Hill they met two high school boys they knew as "Louis" and "Virgil," who escorted them to the highway resort. The youths drove the girls back to this city.

In the case of Abbie Glibride, 17, recently committed to the same institution, notice of an appeal to the circuit court has been filed. Manzie Bieden, 29, is held for action by the grand jury following a justice court hearing for allegedly contributing to her delinquency.

It is alleged in the appeal that the commitment was against the will of the girl and is for the purpose of preventing her testifying in behalf of Bieden, before the grand jury.

The girl in the justice court and juvenile court hearing defended him and denied any wrongdoing.

The action of the court was taken following a conference with the three sisters of the girl, and, because it was felt it was better to have her detained in a home, than in a county jail cell, awaiting further action in the Bieden case.

Each acting president, newly appointed, will be solely responsible for the administration of his own institution. They are C. V. Boyer of University of Oregon, and G. W. Peavy of Oregon State. They will be responsible to the chancellor alone, and he to the state board.

The presidents will have a wide measure of authority, and although inter-institutional deans and directors will report directly to the chancellor on cross-campus functions, other deans and directors of each will be under the direct control of Boyer and Peavy.

The petition of a group of university students that membership in the student body be made optional, was denied by the board. In presenting the proposal for exemption, some students charged that the board has no legal right to enforce student association membership.

Although the request of a group of university students that a \$1000 bonus be awarded Prince Callison, football coach for the excellent showing this season, was tabled, it was reported that Hugh Rose, graduate manager, is now negotiating with Callison for a new contract at a considerable increase in salary, and that Lon Stiner at Oregon State will receive the same treatment.

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Markets

Livestock. PORTLAND, Jan. 30. — (P) — CATTLE: 35; calves 10; about steady. Cows, good common and medium, \$2.35-3.75; low cutter and cutter, \$1.25-2.35; bulls, cutter, common and medium, \$2.00-3.00; vealers, good and choice, \$3.00-6.50; cull common and medium, \$2.50-5.00.

HOGS: 900; steady, unchanged. SHEEP: 25; steady to strong, unchanged.

Portland Wheat. PORTLAND, Jan. 30. — (AP) — Table: Open High Low Close. May 75 76 75 75 1/2. July 74 75 74 75. Cash: Big Bend bluestem 76. Dark hard winter, 12 pct. 81 1/2. 11 pct. 78. Soft white 73. Western white 73. Hard winter 73. Northern spring 73. Western red 73. Oats: No. 2 white 23.00. No. 2 E. yellow 23.25. Millrun, standard 19.00.

Today's car receipts: Wheat 32; barley 1; flour 5; corn 1; oats 1; hay 4.

Portland Produce. PORTLAND, Jan. 30. — (P) — BUTTER: Prints, extras, 22 1/2 c; standards, 22 c. BUTTERFAT—Portland delivery: A grade, 19-20 lb; farmer's door delivery, 16-17 c; sweet cream 5c higher. EGGS—Pacific Poultry Producers' selling prices: Fresh extras, 18c; standards, 16c, medium, 15c dozen. Buying price by wholesalers: Fresh extras, 18c; first, 14c; medium, 12c; undersize, 10c; pullets, 10c dozen. WOOL—1934 clip, nominal; Williams valley, 32-25c lb; eastern Oregon, 29-25c lb; southern Idaho, 16-20c lb. Cheese, milk, country meats, live poultry, onions, potatoes and hay, unchanged.

Chicago Wheat. CHICAGO, Jan. 30. — Open High Low Close. May 92 1/2 93 1/2 92 1/2 92 3/4. July 91 1/2 91 1/2 91 91 1/4. Sept. 92 1/2 93 92 1/2 92 1/2.

Wall St. Report. Stock Sale Averages. (Copyright, 1934, Standard Statistics Co.) January 30: Ind'l R's U's Total. Today 101.8 51.6 78.7 90.0. Prev. day 100.8 50.2 77.4 88.9. Week ago 99.2 49.7 77.8 87.8. Year ago 82.4 29.3 89.8 85.4. 5 yrs. ago 213.3 139.2 222.9 202.1. (1926 average equals 100). *New 1934 high.

Bond Sale Averages. (Copyright, 1934, Standard Statistics Co.) January 30: 20 20 20 60. Today 78.0 83.4 84.4 81.9. Prev. day 77.5 82.8 83.8 81.4. Week ago 77.3 81.9 83.2 80.8. Year ago 64.8 65.1 83.5 71.1. 5 yrs. ago 89.0 103.1 99.1 97.1. (1926 average equals 100). *New 1934 high.

NEW YORK, Jan. 30. — (AP) — Led by the rails and industrials, stocks advanced at a fast pace today following final congressional action on the president's gold bill. Many industrial broke through their 1933 highs before easing under profit taking. Gains of 1 to more than 2 points predominated. Turnover, approximately 4,500,000 shares, the largest aggregate since July. The close was firm.

Today's closing prices for 32 selected stocks follow: Al. Chem. & Dye 156. Am. Can 100 1/2. Am. & Pgn. Pow. 10 1/2.

REAINED APPETITE AND WEIGHT WITH KELLOGG'S ALL-BRAN. Cereal Relieved His Constipation.

If you are a sufferer from headaches, loss of appetite and energy, sleeplessness, or any other of the frequent effects of constipation, read this enthusiastic letter from Mr. McIntyre:

"For a long time my system was not in very good working order. But since eating Kellogg's ALL-BRAN, I have regained my appetite and my lost weight. And my system is in good working order. Kellogg's ALL-BRAN sure does the trick."

Mr. J. A. McIntyre, 160 Ruscomb St., Philadelphia, Pa.

Tests show Kellogg's ALL-BRAN provides the "bulk" needed to relieve ordinary constipation. It also contains vitamin B and iron for the blood.

You'll enjoy this delicious and healthful ready-to-eat cereal. Serve it with milk or cream—or use often in cooking.

Just eat two tablespoons daily. Chronic cases, with each meal. If not relieved this way, see your doctor.

Kellogg's ALL-BRAN is all bran with only necessary flavoring added. It contains much more needed "bulk" than part-bran products. Made by Kellogg in Battle Creek.

A. T. & T. 118 1/2. Anaconda 16 1/2. A. T. & S. P. 72 1/2. Bendix Avia. 23. Beth Steel 47 1/2. California Pack'g. 26 1/2. Caterpillar Tract. 30. Chrysler 37. Coml. Solv. 36 1/2. Curtiss-Wright 5 1/2. DuPont 101 1/2. Gen. Foods 26 1/2. Gen. Mot. 40 1/2. Int. Harvst. 44 1/2. I. T. & T. 16 1/2. Johns-Man. 63 1/2. Monty Ward 28 1/2. North Amer. 13 1/2. Penney (J. C.) 80 1/2. Phillippe Pet 18 1/2. Radio 8 1/2. Sou. Pac. 30 1/2. Std. Brands 25. St. Oil Cal. 42 1/2. St. Oil N. J. 47 1/2. Trans. Amer. 7 1/2. Union Carb. 49 1/2. Unit. Aircraft 36 1/2. U. S. Steel 67 1/2.

SAN FRANCISCO, Jan. 30. — (P) — First grade butterfat 22, f.o.b. San Francisco.

Silver. NEW YORK, Jan. 30. — (P) — Bar silver firm, 1/2 higher at 44 1/2.

Export Wheat. PORTLAND, Ore., Jan. 30. — (P) — The Emergency Export corporation today offered 78 1/2 cents a bushel for soft white wheat for foreign shipment.

Dance at Rogue Elk Saturday night, February 3.

Careful Fuel Oil Delivery when you want it. Call 519, Eads Transfer.

HITLER DISCLAIMS GERMANY INTENDS VIOLATE AUSTRIA

restitution of Germany's honor and equality. "By fighting for equality, Germany desired also to contribute toward improving world economic relations."

"Germany desires peace with all nations, but we have not with that the difference between our political conception and that of other peoples led to heaping upon the German people many unjustified reproaches and to meeting them with distrust."

"We hold that it is each people's trial which for centuries was an integral part of the German empire. "No revolutionary ideas were ever slotted at the frontiers as the French revolution has shown."

Must Bear Consequences. "If the present Austrian government thinks it necessary to suppress this movement forcibly it is its own affair, but it will have to bear the consequences."

"Austria cannot expect German guests if the latter are looked upon as unwelcome—no more than Germany could expect American or British guests if they were to have their national emblems and flags torn down while they were visiting Germany."

"Germany cannot tolerate such humiliating treatment." Then Hitler exclaimed triumphantly: "All Germans now traveling abroad, except emigrants, are national socialists!"

The second half of the chancellor's speech was devoted to his foreign policy. Equality Paramount. "As honest adherents to a real policy of reconciliation," he declared, "we believe we would contribute most to real peace by insisting upon the

own business to determine its own domestic life." The declaration of Austro-Germany relations was followed by a tribute to Premier Mussolini of Italy and to Italy herself.

To Joseph Stalin, head of the communist party, Hitler addressed an admonition. He said: "Just as little as in Russia would be tolerated a German national socialist tendency, will Germany tolerate a communistic tendency or even communistic propaganda."

Break the Tyranny of UNCONTROLLED COLDS



To PREVENT many colds ... VICKS NOSE DROPS. To RELIEVE a bad cold ... VICKS VAPORUB.

At that first "stuffy" feeling, use Vicks Nose Drops, the new aid in preventing colds. Used in time, they help you to avoid many colds altogether.

At bedtime, massage throat and chest with VapoRub, the modern method of treating colds. All night, its poultice-vapor action gives soothing relief.

FOR INCREASED RESISTANCE TO COLDS: Follow the simple health rules that are part of Vicks Plan for better Control of Colds. The Plan, as proved in extensive clinical tests, greatly reduces the number and duration of colds. Full details in each Vicks package.

VICKS PLAN FOR BETTER CONTROL OF COLDS

Dollar Day Specials Tomorrow Last Day of Our Great 4 Day \$ Sale!

Wash Dresses. For the last day of our great 4-day \$ Sale we offer a splendid group of Women's and Misses' Past Color Wash Dresses at 2 for \$1.00.



Your Choice 2 for \$1.00. Girls Wash Frocks. In the Junior shop on the second floor, a last day sale of girls' fine quality Wash School Dresses at \$1.00 each. These attractive Frocks are in various printed styles selling regular for \$1.35. The sizes are 7 to 16 years. Your choice \$1.00 ea. Mann's 2nd Floor.

\$ Day Sale of Rollins Silk Hose. Tomorrow in the Hosiery Department, a \$ Day Sale of Women's and Misses' genuine "Rollins" Service and Chiffon Full Fashioned Silk Hose at \$1.00 pair. These famous stockings come in sizes 8 1/2 to 10 1/2 and are offered in all shades—A Real Hosiery Value for one day only.

Rubber Crib Sheets. In the Baby Shop Tomorrow a Sale of extra heavy quality Rubber Crib Sheets in the 27x36-inch size. These are in two tones of Pink and Blue and are specially made for the bassinet or crib. 59c 2 for \$1.00. Sale of Slips. Tomorrow in the Underwear Section a one day sale of Women's and Misses' Rayon and Silk French Crepe Slips at \$1.00 each. These are lace trimmed and come in Fresh, Tea Rose and White. Broken sizes. Regular \$1.39 Value \$1.00 ea.

Invitation. Consider this a personal invitation to a complete beauty analysis by Miss Lillian Gorton of the Biocena Laboratories, who is now in our Toiletries Section. Miss Gorton, an experienced skin authority, will give you a courtesy analysis, using Biocena a beauty aide and will be very happy to assist you in solving your own particular skin troubles. Make an appointment at once. MAKEUPS GIVEN IN PRIVATE! MANN'S

\$ DAY SALE OF TIES. Attention Men and Young Men — The Best Neckwear Sale of the year at Mann's. New shipment of regular \$1.00 hand made, wool lined, silk tipped Ties at 59c each or 2 for \$1.00. New colors in Dots, Plaids, Checks and Stripes are included in this Great Tie Sale — 300 to choose from.

59c ea. OR 2 FOR \$1.00. Real \$1.00 Values. Stripes, Checks, Plaids, Dots. Men's Section MANN'S Main Floor.

36-inch Stripe and Print Outing. \$ Day Sale of 36-inch extra heavy quality Striped and Printed Outing Plannel at 5 yards for \$1.00. This is the Outing much in demand for pajamas and night gowns. Wide selection of colors and patterns to choose from. Your choice. 5 yards for \$1.00. Famous "Wearwell" Pillow Cases. Another Super \$ Day Special! 5 genuine "Wear-Well" Pillow Slips for \$1.00. These are in the 42x36-inch size and sell regular for 29c each. Every one standard quality and guaranteed by this store. On Sale Tomorrow Only at Mann's.

5 cases for \$1.00. Fast Color Printed Percales. Extra Special Tomorrow Only at Mann's—A Sale of fine quality 80-square Past Color Print Percales at 5 yards for \$1.00. These are regular up to 25c yard and come in quite a large variety of beautiful printed patterns. Buy now for Spring Wash Frocks. 5 yards for \$1.00. Fabric Gloves. Special for \$ Day! Women's and Misses' Double Woven Fabric Gloves in slip-on and fancy cuff styles. Colors are Black, Brown, Blue and Eel Gray. They are washable. Table Covers. In the Notion Section tomorrow a \$ Day Sale of Elastic Corner Card Table Covers at 2 for \$1.00. Regular 79c cover in Green, Black, Orchid and White. Choice. \$1.00 pr. 2 for \$1.00. Mann's Department Store.

SALES TAX TOPIC OF DAY FOR B. P. W.

Explaining the benefits of a sales tax for Oregon, and discussing various phases of Jackson county government, Judge E. B. Day spoke informally at last night's meeting of the Business and Professional Women's club at the city hall.

Musical selections by the following were enjoyed during the evening: Miss Marjorie Pater, violin solo; Miss Imogene Wallace, piano solo; Mrs. Elsie Carleton Strang, vocal solo.

Mrs. Maude K. Chapman was chairman of the program, and refreshments were in charge of Mrs. Roy Buckingham. Special guests were Judge Day and Mrs. Day, Dr. R. E. Green and Mrs. Given.

CAMP KERBY CCC RANKED HIGHEST

With the ranking of the CCC camps in the Medford district announced by headquarters this morning, Camp Kerby, Company 1746, under command of Capt. Chauncey Pierce, was rated highest for the period from December 20 to January 20. The company will be given the district flag which is sent each month to the outstanding camp.

Camp Lower Pistol River, which rated highest the preceding month, was listed third this month, with Camp Applegate second.

Extra Good Quality DRY WOOD. 12 and 16 inch FIR and HARDWOOD. COAL Fuel Oil. Use ROYAL UTAH COAL for best results. ROYAL is clean and lasts longer. It pays to buy the best. F. E. SAMSON CO. Phone 833. 229 N. Riverside