

The Weather
Forecast: Fair tonight and Friday;
not much change in temperature.
Temperature:
Highest yesterday 75
Lowest this morning 37

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Twenty-ninth Year

MEDFORD, OREGON, THURSDAY, APRIL 5, 1934.

No. 12.



By PAUL MALLON
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WASHINGTON, D. C., April 5.—The Blue Eagle has sounded lately as if it was getting ready to bite someone. Industry also has been squawking in a tone indicating it might take a few bites out of the Blue Eagle.

There will be no biting. Despite all the screeching you have heard, tempers on both sides appear to be well under control. That code was imposed on the coal industry because it had to be done. That industry is unique. It is demoralized by cutthroat competition. There was not a chance of the operators ever getting together. The more sensible among them agreed that the only thing for the government to do was to step in and bite them.

Another screech was let out when the millers tore up their proposed code and went home. That incident made it appear that the millers were starting out as an industry to fight the NRA.

That is another fight which will never occur. The inside split came when the millers' representatives charged that the government operatives were putting some things into the code at the last minute that did not belong there. Before the millers packed their bags to go home it was agreed that the government would draw up two or three different codes and send them around by mail.

The millers can vote their choice by return mail. All parties seem to believe there will be a code agreed on within the next 60 days.

At any rate, the millers cross their hearts and swear that a fight is the last thing in the world they want. Industry will never confess it openly, but as a general principle, it does not hate these codes nearly as much as it makes out. The steel industry, for instance, will flutter its feathers against letting the A. F. of L. organize its labor, but it would not want to surrender its code today.

These current incidents, which are being played up as major battles, are largely haggling over terms. Business is always for getting the best of the bargain for itself. So are the government operatives. Some times fighting comes down to the point where one side tears up the papers and walks off, as if angry. Negotiations are usually resumed when both sides cool off.

Certain government operatives in the NRA were talking that very matter over recently among themselves. An outsider sat in on their gabfest, listening to them argue about how they might jockey a certain industry into accepting the government's terms.

Finally the outsider suggested: "Why don't you just offer the best terms possible, and if the industry does not accept, tell them to go to hell?"

"Yes," replied a government agent, "but after you tell them to go to hell, then what do you do?"

"That is the fundamental question. The government does not want a fight; it wants a code. It has the power to impose codes and to license industries, but everyone knows such action would bring on a national fight over the NRA to the bitter end."

Neither side wants to get near the bitter end just yet.

Despite all reports to the contrary, the government is going to ask congress to renew the licensing provision of the NRA. It expires in June. The licensing power has never been used. There was no intention that it shall be. Yet it has been a good weapon in the hands of the government for haggling purposes. The haggling does not want to lose it.

Even those in the administration who opposed the provision in the first place are now convinced that the NRA should keep the weapon.

There is a lot of backstage talk about some of the misgivings, brain-trusters, or Anthony advocates, getting requests now for their resignations from government service.

That possibility was mentioned by an influential administration authority recently in a private conversation. He was talking more for effect than in seriousness. Nothing will be done about it.

The effect will be that the boys under fire will drop their cudgels and look innocent for a while until the fire dies down.

The boys who keep an eye on such things whisper that Henry Ford is obeying the automobile code as much as or better than if he was in it. The idea is he could not afford to take a chance on being caught violating it.

Those who know say it costs close to \$150,000 a year to run a yacht like Mr. Astor's *Nourmahal*. It is air-conditioned throughout, has a wood-burning fireplace in the living room and carries a crew of 40. A double bottom makes it safe and a gyroscope stabilizer device keeps it from rolling.

A banker once asked J. P. Morgan about the cost of keeping a steam yacht he intended to buy. Mr. Morgan replied: "More than you can afford." The banker drew back and asked: "How do you know I can't afford it?" Morgan replied: "Because if you have to worry about what it will cost you to run it, I know you can't afford it."

At the White House Easter egg rolling there was a magician who rolled a movement of his hat. There is a movement about to get him in the brain trust.

MINE SQUATTERS RESTRAINED FROM STERLING'S LAND

Question of Ownership Only Consideration Says Court—New Company Plans to Develop Mine Property

An injunction enjoining and restraining "gold mine squatters" from further operations on the Sterling mine property, was granted this morning by Judge H. D. Norton in favor of the Medford Water Power and Development company.

The Sterling mine was recently purchased by an eastern syndicate and according to Attorney Porter J. Neff, they plan immediate working and development of the property. The syndicate representative, DeFord MacCormick, is in charge now.

The injunction suit was filed against E. E. Banks and 70 who have been engaged in prospecting on the property for periods ranging from four years to three months.

According to Attorney Neff, a six-ounce nugget was found by one of the squatter prospectors last Saturday. At the prevailing fixed price of gold its value is close to \$200.

The injunction came up for hearing last Friday and the court delayed a decision to enable the defense to produce evidence in support of its contention that the land the squatters were working, was county-owned or homesteaded land. The mining company held that the land belonged to the Sterling company.

The defendants further stated that they had been granted permission to mine the land by Fred J. Blakeley, former lessee of the mine. The plaintiff held that any promise or understanding with Blakeley was not binding upon the new operators.

The court held that the only question, was who owned the mined land, and showing of a title was necessary by the squatters, not to come under the trespass provisions.

Attorney Porter J. Neff this morning said that the prospectors had "evidently struck a pretty rich streak," and that "thousands of dollars had been removed in the past three or four years."

The squatters themselves said they were "making only a bare living and the best of luck is not much."

With the start of the depression in 1929, gold mining was revived and dozens of people went to the hills with pans and shovels to seek a livelihood. At one time it was reported 500 people were engaged in gold prospecting in the Applegate district, and the Applegate river and tributary streams were lined with camps.

Many came from outside states. The Applegate mining activity was followed by a renewal of gold mining in Jacksonville, a half dozen rigs being set up on the lots of the pioneer town.

Dr. J. J. Emmens, prominent Medford physician, suffered a very slight stroke of paralysis the first of the week, while vacationing in the south. It was learned here last night, and is now receiving treatment in the Scripps Memorial hospital at LaJolla, Cal. His condition last night was reported much improved and his return to Medford is expected in about two weeks.

Mrs. Emmens and sons, Tom and Bob, are with him in the south.

Dr. Emmens left Medford for a vacation trip south several weeks ago upon the advice of Dr. Phillip King Brown of San Francisco and Drs. Knox and Rockey of Portland. He was then suffering from complications resulting from an attack of influenza, which the southern climate was expected to benefit.

CALL, Colombia, April 5.—(P)—Newton C. Marshall of Milwaukee was reported found alive today, the only survivor of an airplane crash on March 10 in the Andes.

The report of the discovery was made officially by the Boliver-Valle department.

It was said that five bodies were found in the cabin of the airplane, the Von Krohn of the *Scandia* airline.

Details of how Marshall may have survived three weeks in the jungle after the crash were not immediately available.

Sues Producer



Marjorie Whiteis (above), known on the screen as Marjorie Gay, sued Harry Joe Brown, motion picture producer, for \$100,000, charging breach of promise. The trial was held in Los Angeles. (Associated Press Photo)

SALLY EILERS ON WITNESS STAND IN HEART BALM SUIT

LOS ANGELES, April 5.—(AP)—Blonde Sally Eilers, movie actress and ex-pat, was called to the witness stand today in superior court as a witness for Marjorie Whiteis, who is suing Miss Eilers' husband, Harry Joe Brown, for \$100,000 damages, alleging breach of promise to marry.

Her testimony was confined to two words: "Sally Brown," she said, when she was asked her name.

Then Judge Arthur Keeton ruled that she need not testify concerning an interview with her that appeared in a motion picture magazine.

She was excused from the stand. At this, the attorneys for Miss Whiteis rested their case.

Miss Eilers was attired in a black ensemble. Her black dress had a saucy white jabot at the rounded neck. Her black coat was quilted and the brim of her black felt hat drooped over her eyes.

EMMENS SUFFERS A SLIGHT STROKE

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TIDINGS CITY EDITOR TAKES NEW POSITION

ASHLAND, April 5.—(Special)—G. B. Boice, who has been city editor of the Daily Tidings for several months, left today for Medford, where he has accepted a position with the Shell Oil Co. M. Green will assume the position of city editor of the Daily Tidings temporarily.

WOMAN IS BURNED BY DYNAMITE ON STOVE

GLOOMY MENCKEN SEES BIG SMASH WITH NEW YEAR

Baltimore Sage Home From Cruise in Europe, Takes Hot Shot at NRA, Insull, Veterans and Clergymen

By MORRIS WATSON
NEW YORK, April 5.—(P)—Henry L. Mencken, the sage of Baltimore, returned from a Mediterranean cruise today sufficiently refreshed to take right smart cracks at the following:

- (1) The New Deal.
- (2) Insull.
- (3) The veterans.
- (4) Clergymen.

Coming up the bay on the liner *Europa* in sunshine, Mr. Mencken was pleasantly gloomy about almost everything.

He said he was for a planned economy. "If you can find somebody to plan it." But as to the New Deal, he referred to it as the running of a ship by the ship's barbers.

"My private opinion is that the big smash is going to come next year when the tax bills come in, when the people learn that the bills have to be paid," he said.

Visited Athens. Mencken visited Athens just after Samuel Insull, fugitive, left there. He sighed. "Athens is ruined," he said. "It has forgotten Socrates, and now it has only Insull, and he isn't there any more."

He referred to recent exposes of power utilities influence upon legislation as "spot," and averred that property had returned because, he said, "the thieves are getting back—the bogus war veterans are on the rolls again."

He said that during the cruise in the Mediterranean he tried to convert several clergymen to Christianity, but "it can't be done."

He also took time out to take a crack or two at the humanists.

All Men Moral. "All men are moral," he said. "Their systems differ, but universal opinion is agreed on the basic ideal. The trouble with the humanists is they assume that if a man does not have their standard he has no standards at all."

"But tell me," he asked, "what is doing in newspaper circles?"

He was told that reporters had organized a union. He snapped his fingers.

"I know," he said. "How is it getting along? Is it organized in Baltimore? Yes? I am going right down and join. I am eligible because I am not an executive officer of my paper. It is something I have always been." (Continued on Page Seven)

BRIDE OF HELMS BEING RETURNED

SAN FRANCISCO, April 5.—(AP)—Two Medford, Oregon, officers started north today with Mrs. Naomi Joyce Helms, 22, pretty five-day bride of Addison Helms.

Her honeymoon with her husband was interrupted here yesterday when local officers arrested her on a telegraphic warrant from Medford. The warrant charged her with grand theft and with being a fugitive from justice.

"I don't know what it's all about," she sobbed today as detectives hurried her on to the train. "I haven't stolen anything. They're just trying to break up our marriage."

Addison Helms left Medford yesterday with the deputy sheriff, who was to return Helms' wife of a few days from San Francisco. Helms arrived in Medford by motor Wednesday and conferred with the district attorney before going south.

Portland Borrowing Again

PORTLAND, Ore., April 5.—(AP)—After having been on a nominal cash basis since March 21, the city of Portland had to go to the bank Wednesday and borrow \$50,000 to meet its payroll to be paid today. The payroll total is \$115,000.

LA GRANDE, Ore., April 5.—(AP)—The western union meeting, Association of Brotherhood of Locomotive Engineers, and the G. I. A. will hold their 1934 convention in La Grande in July. It was announced today by officers of the La Grande order. Exact dates have not been agreed upon.

Kingfish and Harrison Stage Senate Wrangle

WASHINGTON, April 5.—(AP)—Antagonism between Huey Long and administration leadership burst forth in the senate today with Pat Harrison of Mississippi saying "the opinion of the senator from Louisiana is less respected by the membership of this body as a whole and by the country than any other senator here."

The two outspoken legislators had been in several lesser disputes earlier at a senate finance committee hearing on the confirmation of D. D. Moore as internal revenue collector in Louisiana, opposed by Long. Edward Rignier, Moore's attorney, was invited by Long to "go outside" after Rignier had said of Jefferson

Wrist Watch Found By Mrs. Gardner In Shipment of Drugs

Mrs. Nancy Gardner of the Gardner Drug store can qualify as a lady Diogenes. While unpacking a shipment of goods from the Upjohn Pharmaceutical company of San Francisco yesterday, she found a valuable lady's wrist watch in the excelsior covering, where it had been lost by a woman clerk, who probably does not know where she lost it. It was evident that the wrist-watch had become loose from the strap and dropped. The silver wrist band was broken. Mrs. Gardner sent the trinket back to the drug firm in the hope they will be able to find the owner.

APPEAL OF BANKS IS ARGUED BEFORE SUPREME COURT

SALEM, April 5.—(P)—Arguments in the appeal in the case of L. A. Banks, now serving a life term in the state penitentiary for the slaying of Officer George J. Prescott at Medford on March 16 of last year, were heard before the supreme court here today.

Seven alleged assignments of error were shown. These included admission in evidence at the trial of certain articles found at the Banks home following the murder, refusal of the trial judge to give certain instructions to the jury, denial of a new trial motion and failure of the trial court to direct a verdict in favor of the defendant.

Banks was tried in Lane county under a change of venue, with Judge O. P. Skippworth presiding. The prosecution was handled by Ralph E. Moody, assistant attorney-general, while Frank Longman of Portland acted as chief counsel for the defendant, assisted by Attorney Charles A. Hardy of Eugene.

TWO INJURED IN BUNKER COLLAPSE

A rock bunker collapsed Tuesday night causing injury to two men and delaying the furnishing of rock for maintenance on state highway projects in this county, it was reported by the local state highway office today. The bunker is located near the Oregon Caves road junction.

H. E. Gale, state highway inspector, sustained a broken shoulder blade, broken ribs and eye injuries are feared. Gale was also thrown a considerable distance.

F. Piout of Roseburg, a worker, sustained minor injuries.

Truck Driver Yoder of this city left with a load a few seconds before the bunker collapsed.

12 CARS PEARS TOTAL FOR WEEK

Fruit shipments for the week ending last night, from this point, totaled 12 cars of pears.

The total shipments for the season now are 2000 cars of pears and 132 cars of apples. The season is nearing the end.

Pears in storage, as of last night, were:

Three cars D'Anjou; 102 cars Winter Nellis; 61 cars packed apples; 1572 boxes loose apples.

MILK MEN TO MEET AT C. OF C. FRIDAY

A meeting of milk distributors and milk producers will be held at the chamber of commerce, Friday, April 6th, it was announced today by H. A. Thierolf, chairman of the chamber of commerce dairy committee.

All producers of whole milk are asked to attend but not those who produce butterfat. Mr. Thierolf stated the meeting will commence promptly at 8:00 o'clock and it is hoped will be well attended.

FINGERPRINTS IN SLAYINGS TRACED

BREMERTON, Wash., April 5.—(P) Fingerprint work under way today promised to decide the importance of an arrest at Coeur d'Alene, Idaho, in the search for the slayers of six persons here a week ago tonight and the outcome was awaited with intense interest.

In his Seattle laboratory, Luke S. May, noted criminologist, had before him the fingerprints of Harry Kimble, 53, a self-asserted professional gambler, arrested at Coeur d'Alene, two days ago. May had also a large number of fingerprints taken from the death house, for comparison.

He has said he believed one of the slayers was seriously wounded in the terrific battle before the killings.

U. S. Bonds Go Fast
WASHINGTON, April 5.—(AP)—Secretary Morgenthau said today the first twenty-four hours indicated the treasury's exchange offering of a billion in 10-12 years 3 1/2 per cent bonds "will go over very well."

EUGENE CHARGES PLOT TO HAMPER ROAD TO HARBOR

Political and Commercial Intrigue Seen by Realty Board—Highway Commission Criticizes Stand

PORTLAND, April 5.—(P)—A charge of the Eugene Realty board, in a letter to President Roosevelt, that a campaign of political and commercial intrigue is being waged against the proposed highway from Eugene to Siuslaw harbor, was criticized here today by members of the Oregon highway commission.

Commissioner Carl Washburne of Eugene declared he felt the Eugene charges of intrigue were "very peculiar," as was publication of them on the same day that the highway commission was awarding contracts for three miles of construction on this road, known as "Route F," and for the construction of four bridges on the same highway.

"That," Washburne said, "is the best answer the commission can give to the charge that there is discrimination against route F."

F. C. Dillard of Medford was low bidder on \$18,651 on the construction of 1.28 miles highway roadbed and one trestle on the Austin Creek-Upper Yach bridge section of the Little Neustock highway in Tillamook county.

Three Portland contractors joined forces in submitting a low bid of \$885,040 for construction of the Oregon Coast highway Alsea bridge at Waldport. This bid was offered by Lindstrom & Pelgion, Parker & Banfield, and T. H. Banfield.

PLANE CYLINDER DROPS ON HOME OF POSTMASTER

With a cylinder falling 2000 feet from the engine of the monoplane he was piloting shortly after 5 o'clock last evening, Aubrey Sander of this city successfully landed the small plane in Chas. Gottleb's wheat field southwest of Medford, without injury to himself or passenger.

The cylinder whistled down to nick the roof of the home of Postmaster Frank DeSouza, 324 South Orange street, burying itself, smoking in the yard, just outside the front window, Martha DeSouza, sitting near the window, heard the noise, and seeing the smoking object in the ground, thought someone had thrown a bomb at the house.

Only the landing gear, damaged when the cylinder fell from the motor, was broken on the ship. Sander glided down to the field after the motor stopped in mid-air.

The name of Sander's passenger could not be learned today, but was said to be a man employed at the Sander ranch. The plane was dismantled this morning, and returned to the hangar at the Sander place.

GANGSTERS 'MOLL' ON POLICE GRILL

ST. PAUL, Minn., April 5.—(AP)—An Auburn-haired woman, parrying police questions with cryptic answers stood today before federal agents and possible capture of the notorious John (Wooden Gun) Dillinger.

The officers continued silent on the progress of their investigation; but reports were circulated that the woman is Bernice Norton, a friend of Evelyn Frechet, who, in turn, is a friend of Dillinger.

The woman occupied an apartment with Eugene Green, a Dillinger associate. Green was severely wounded and the woman was captured Tuesday night.

YOUNG REYNOLDS TO GET ESTATE SHARE

BALTIMORE, April 5.—(P)—A slight illness detained 28-year-old Richard J. Reynolds in Baltimore today. He came here yesterday to receive his share of his father's \$100,000 estate.

No information was given at the Safe Deposit and Trust company, trustee of the estate, whether approximately \$25,000.00 had been turned over to Reynolds under the terms of his father's will.

UTILITY REFORM BILL DIES IN N. Y. SENATE

ALBANY, N. Y., April 5.—(AP)—Governor Lehman's chief public utilities "reform" bill, intended to permit municipalities to go into the power business, was defeated by the senate today.

The vote was 22 ayes and 22 noes. Twenty-six votes were needed for passage.

NIAGARA ICE BRIDGE FINALLY BOWS TO SUN

NIAGARA FALLS, N. Y., April 5.—(AP)—The ice bridge below Niagara Falls, one of the leading winter scenic attractions, went out today after the longest stay on record. The ice mountains, huge piles of ice at the foot of the American Falls, still are in place, seemingly unaffected by the mild April weather.

Oregon Weather
Fair tonight and Friday, with occasional fogs on the coast; light local frosts east portion Friday morning; moderate northerly wind offshore.

PORTLAND, Ore., April 5.—(AP)—Harry Powell, 71, died last night after having been struck by an automobile. His wife, Mrs. Hattie Powell, 70, was seriously injured. Witnesses told police the elderly couple became confused in crossing the street. They were struck by a car driven by O. A. Stephens of Portland.

Charges Kidnaping



Marjorie Crawford, aviatrix and film actress, entered a complaint in Los Angeles against R. C. Dowling, screen actor, charging he forced her to accompany him to Yuma, Ariz., where he attempted to force her to marry him. Dowling voluntarily returned to Los Angeles. (Associated Press Photo)

EUNICE LUMSDEN, BELOVED PIONEER, PASSES, AGED 97

Mrs. Eunice Maria "Grandma" Lumsden, beloved Medford pioneer, died at an early hour this morning at the home of her daughter-in-law, Mrs. H. U. Lumsden, death destroying one of her fondest hopes, which had been to reach her centennial, just three years distant.

Mrs. Lumsden celebrated her 97th birthday last August, and had enjoyed good health until a few months ago, when strength seemed to desert the Viking-like spirit, which had carried her through many illnesses that previously threatened her life. The hope which carried her through the trials of pioneer days and the horrors of several wars, to which she sent brothers, husband and grandson, suddenly ebbed away and relatives realized that death was going to conquer the very little woman, whose smile was known to Medford's oldest and youngest settlers.

Mrs. Lumsden was born near Dayton, O., in 1836, as Eunice M. Hutchison, oldest in a family of 12 children. In Indiana in 1858, she was married to D. J. Lumsden, who preceded her in death many years ago. Four children were born to the union and all of them have also crossed the great divide. Mrs. Lumsden lived on a farm until she was married, and later resided in many states, in city and in country. She traveled to Minnesota with her husband in 1858 behind a team of oxen. Her husband, two brothers and two brothers-in-law fought in the Union army during the Civil war. Her husband also fought in the Indian war, and her grandson, Treve Lumsden, formerly of this city, in the World war.

She was never a particularly sturdy life; she was a very small woman, was terribly frightened by Indians, she used to recall, and did all of her years the things which brought pleasure to her in life, leading among them cultivating friends.

She knew many sorrows and endured many hardships, but always continued to make new friends until the end.

(Continued on Page Nine)

TAX COLLECTIONS SHOW INCREASE

Tax collections by the sheriff's office up to April 2, from January 1, totaled \$53,500.97. The total for the last six months of 1933 (July 1 to December 31) was \$43,184.29. This is an increase of \$10,316.68 for a three-month period of this year.

This means that the tax delinquency rate for 1934, in the final accounting will be reduced from 1933, when it was about 42 per cent.

The tax collections by years, since January 1, are as follows:

1933	\$397,000.00
1932	57,122.21
1931	37,114.92
1930	9,783.62
1929	1,902.65

PORTLAND, Ore., April 5.—(AP)—Word was received here today of the death in an automobile accident last night of Superior, Wis., of Henry Turrib, 70, for many years prominently in lumber circles in Oregon, Idaho, Minnesota and Florida. He was killed while driving to Duluth to attend the funeral of his daughter.

WILL ROGERS SAYS:

BEVERLY HILLS, Cal., April 4.—See where the president is prolonging his fishing trip, going to stay away from congress till they get about a dozen bills, then come back and veto 'em all at once.

It's going to be pretty tame for him when he gets back. He has been used to fishing for real fish, like the broadbills and the swordfish; then come home and have to bait his hook for some little post office worms and fish for mudcat congressmen and eel senators.

Will Rogers