

BEN GEARY HELD BY GOVERNMENT AS FIRE SETTER

Bound Over To Federal Grand Jury—Claim Offense Committed August 20—Four Incendiary Blazes Reported.

Charged with a crime against the federal government, that of setting or causing to be set a fire in timber, underbrush or grass on the public domain, Benjamin Geary, 40, resident of the Elk creek district, was bound over to the federal grand jury yesterday on a \$1000 bail, following a preliminary hearing before U. S. Commissioner Victor A. Tengwald. Geary is charged with setting a forest fire near his house at the mouth of Flat creek on August 20, last.

District Ranger J. P. DeWitt charged that the fire had been set in two places, and had spread over five acres in a thick stand of Douglas fir. The blaze was in state land, but very nearly entered national forest boundaries, burning at a rate of one mile per hour before it was brought under control, DeWitt said.

Four more fires were set Friday night near the mouth of Middle creek, a short distance from the fire set August 20, which are now being investigated by federal officers. As Geary was in jail at the time, these fires had no bearing on his case. The "sets" were about 100 yards apart, and had spread over half an acre before the fire was controlled by 28 CCC men from Upper Rogue camp.

Geary was arrested Friday on a warrant issued by the U. S. commissioner, by federal forest service law enforcement officers who have been investigating the case. He was committed to the county jail upon failure to secure bonds set at \$1500, pending his appearance Saturday.

Testimony was presented by witnesses at the hearing that Geary was intoxicated on the night of August 20, and that the accused had made statements to the effect that "the forest should burn because I can't get a job."

L. W. Ash, forest guard stationed in the Elk creek district, stated that Geary came to his station at 7:30 the evening the fire was set, driving a Chevrolet, and that he was intoxicated. Ash said Geary made threats with a knife and vowed that he would use a gun on any interferer, but later broke the knife blades off in the car door, after kicking out the windshield and breaking the steering wheel.

Another of Geary's neighbors testified that he went to the Geary house about 10 p. m., accompanied by two others, and had a conversation with the accused. Geary told them there was a fire on Flat creek, the witness stated, and that it "was in a bad place, and they will have a hell of a time putting it out." When Geary's brother Sam, said something to the effect that Ben set the fire, the witness averred, the accused offered no argument.

Howard Ash, brother of L. W. Ash, another forest guard stationed on the creek, first reported the fire, and found two "sets." They were on each side of the creek in a place invisible to Geary's house, which was located on the road nearby behind a ridge.

W. F. Staley of Portland, forest service attorney, stated that Geary would have had time to leave his car, which was seen to apparently run out of gas on the road, or that Geary could have left his house and done the job.

James W. Miller, one of the witnesses, shortly after leaving the hearing, was threatened on the street near the city hall by the wife of the accused, who also attended the hearing. Mrs. Geary cuffed him in the face, Miller stated, and called him a "bar," whereupon Miller picked up his hat and went to justice court, where he filed a complaint. Upon pleading guilty, Mrs. Geary was released.

PENDLETON, Sept. 8.—(AP)—A strong wind was blowing from the west today cooling the atmosphere, but bringing some dust with it. Rain is badly needed before the start of fall plowing and seeding of wheat land.

ELKS CELEBRATE 25TH ANNIVERSARY SUNDAY, SEPT. 23

Medford lodge of B. P. O. Elks will, Sunday, September 23, celebrate the 25th anniversary of their organization. A stag party at the picnic grounds on the Rogue is planned, with old-time members forming an entertainment committee. T. E. Daniels, chairman, and Leon Haskins, assistant, have not yet completed arrangements but, at work to make the celebration an interesting one.

Forty-four charter members were in the lodge in 1909 when the local club was granted a charter, eleven of whom are still members. First officers of the organization who re-elected Daniels, exalted ruler; W. W. Eifer, leading knight; P. W. Hollis, loyal knight; C. S. Reamek, lecturing knight; D. B. Russell, secretary; Grover C. Corum, tiler, and John J. Wilkinson, treasurer. Trustees for lodge in 1909 were I. L. Hamilton, three years; A. A. Davis, two years; and H. von der Hellen, one year. J. G. Goble was exalted ruler, Fred Colvig, inner guard, and J. W. Jacobs, chaplain.

Charter members, all of whom were transferred from other lodges, were: T. E. Daniels, F. W. Hollis, J. D. Alwell, A. H. Miller, Wm. S. Crowell, W. W. Eifer, J. H. Cochran, R. F. Antle, L. E. Wakeman, C. W. Palm, G. L. Hamilton, J. Court Hall, H. L. Montgomery, J. W. Jacobs, J. F. Phlegar, Ed R. Van Dyke, E. D. Elwood, F. L. Colvig, E. C. Gaddis, D. B. Russell, John S. Orth, John J. Wilkinson, J. E. Eyerhart, H. E. Morrison, Martin J. Reddy, C. F. Burke, A. A. Davis, J. D. Heard, P. A. Hussey, E. B. Seely, Grover C. Corum, T. E. Pottenger, H. von der Hellen, S. G. Van Dyke, C. E. Whistler, R. J. Conroy, W. J. Martin, J. G. Goble, Geo. H. Merritt, L. L. Jacobs, C. L. Reamek, J. S. Vilas, O. C. Boggs and H. P. Meader.

Charter members still with the lodge are: T. E. Daniels, J. Court Hall, E. D. Elwood, E. C. Gaddis, John S. Orth, John J. Wilkinson, Grover C. Corum, T. E. Pottenger, O. C. Boggs, J. G. Goble and H. P. Meader. Present officers of the club are: H. N. Butler, exalted ruler; S. G. Elwood, leading knight; E. H. York, loyal knight; Robert Strang, lecturing knight; P. Wilson Wait, sequeir; Harry Marx, Leon Lawton, inner guard; Nick Young, tiler; Ernest Scott, secretary, and Jack Bierma, organist.

Present trustees are: Joe Fliegel, three years; Delroy Getchell, two years, and Ralph Koozer, one year. The house committee is composed of H. N. Butler, E. W. Winkle and W. A. Frazier.

SENIOR HI BOOK EXCHANGE DATES

With the senior high school book exchange open Thursday and Friday of this week, Miss Myrna Barrett, member of the faculty, has issued the following list of books that will be accepted at the exchange for sale: Twentieth Century Bookkeeping, complete sixteenth edition; Commercial Law, Burgess; Shorthand Manual, Gregg; Speed Studies, Gregg; Modern Progress, West, 1932 edition; U. S. History, File, 1933 edition; American Government, Haglund, 1931 edition; First Course in Algebra, Edgerton and Carpenter; Intermediate Course in Algebra, Edgerton and Carpenter; Modern Plane Geometry, Stone-Mallory.

New Chardanel, Groujean; Adventure Par Lectures, Bovey; New Elementary Latin, Ullman and Henry; Second Year Latin, Ullman and Henry; Third Year Latin, Ullman and Henry; New General Biology, Smallwood and Bailey; Elements of Physics, Millican and Gale; Introduction to Chemistry, Gordon; Composition and Rhetoric, Tanner; Units of English Book 2, Paul; English Literature, Long; Century Handbook of Writing; Grever and Jones; Adventures in American Literature.

Ed Johnson Shows Giant Watermelon At Peerless Market

One of the prize watermelons of the season is on display in the show windows of the Peerless Market at 14 North Bartlett street, according to an announcement yesterday by Ed Johnson, manager of the fruit and vegetable department of that concern. The giant striped melon weighs 45 pounds and was grown by George Chenchal, well known rancher on his farm near Trail.

The big watermelon will be displayed all day Monday at the Peerless Market, according to Mr. Johnson.

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No Dust—Less Soot—Lasts Longer
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Phone 229, 508 South Front

LAKE STAMPS NET 360 POUNDS MAIL

Eight pouches of mail totaling 360 pounds were received through the Medford postoffice Wednesday night from Crater Lake, Postmaster Frank DeSouza stated yesterday, as a result of the opening day sale of the Crater Lake national park 6-cent postage stamps.

Most of the letters sent from the lake postoffice were airmail, as the stamps may be used for airmail if letters are properly marked, and do not exceed the weight limit. Letters sent out on the north bound plane Thursday morning weighed 221 pounds, it was announced at the airport, while the south bound shipment totaled 139 pounds. The weight of the north bound mail was 200 pounds more than the average shipment. It is expected that the rush will continue for several days, several days.

CAVES CITY BOOMS FOLLOWING BLAZE

Caves City, infant town at the junction of the Redwood and Caves highways, is again going forward rapidly, following the disastrous fire last spring, according to Elwood Hussey, head man of the community, who was in Medford last week buying equipment and supplies.

According to Hussey, many improvements are planned for the town, including a large water system. All the citizens are optimistic, due primarily to the great increase in tourist traffic witnessed this season. Situated as it is, at the junction of two important tourist routes, Caves City leaders expect the place to be the trading center for a large area which includes numbers of auto camps and other places catering to the vacationing public.

OLDEST PORTLAND PASTOR IS DEAD

PORTLAND, Ore., Sept. 8.—(AP)—The Rev. John James Staub, D. D., 69, dean of active Portland clergymen and for 42 years pastor of the Sunnyside Congregational church here, died last night. His ministry at the Sunnyside was described as the longest present-day pastorage on the Pacific coast.

About six months ago serious illness forced Dr. Staub to give up his work in the Sunnyside church of which he was the founder. He returned to his pulpit sooner than his physicians suggested and fainted while preaching a Sunday night sermon. Dr. Staub was born in Zurich Switzerland, in 1869. His family came to Oregon in 1887.

PORTLAND TRUCK STRIKE IS NUX

PORTLAND, Ore., Sept. 7.—(AP)—Considerable confusion existed here today concerning the possibility that truck drivers engaged in pickup and short-haul operations on the highways would go on strike unless their demands for a pay increase were granted. The drivers demand an increase to \$5.50 from \$4.50 a day.

George G. Cadwell of the Portland Seattle Freight Lines and chairman of the labor committee of the Allied Truck Owners' association, said a demand for the increase had been made on him verbally by the president of the local of the International Teamsters' union. On the other hand, the union office here said a strike is not contemplated. Assistants to the business agent and the secretary of the local union declared a strike is improbable.

New Hudson Sedan Model Shown Here

Medford people were interested yesterday in seeing the new Hudson sedan and the new Terraplane sedan which were being driven about town by representatives of the Eakin Motor company. The model, brought out from Detroit, Mich., by D. H. Bishop, is equipped with a built-in Zenith radio. The attractive streamline cars were cream colored with red wheels. They were driven about the streets all day Saturday.

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PAGE 10
(BACK PAGE)
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Announcement

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TURKEY PRICES WILL BE HIGHER IS EXPECTATION

By J. C. Leedy, Manager Oregon Turkey Cooperatives, Inc.

The 1934 turkey crop is more advanced at this date than in any recent year according to information received from sections of Oregon served by the Oregon Turkey Cooperatives, Inc. at Medford, Roseburg, Hermiston and Redmond.

Young tom turkeys weigh from 16 to 20 pounds in many flocks and young hens weighing from 9 to 13 pounds are not uncommon. The birds have grown well throughout the season and are now in a condition of flesh which promises that they will be ready for market in late October or early November if weather conditions are normal. Cool nights tend toward rapid feather development, making earlier picking and dressing possible, according to experienced growers.

Present indications are that the price of turkeys this year will be on a higher basis than prices which have prevailed during the past two seasons. Cold storage stocks have moved into consumption at a faster than normal rate and are not expected to be a retarding influence at the start of the marketing season in the autumn months. Competing meats, especially chicken and pork, are scarcer and higher in price. Power turkeys are being raised this year, particularly in the drought stricken states from North Dakota to Texas, noted for the production of large numbers of turkeys. Oregon seems to have a similar number of turkeys as last year.

The earliness of the crop, combined with the natural tendency of growers to market at the earliest possible moment to stop the feeding of higher priced grains, is causing serious thought on the part of the poultry trade. In some quarters fear is expressed that an over supply of dressed turkeys will be thrown on the October markets before the normal consumptive demand develops just previous to Thanksgiving. The Alaska, Honolulu and Manila trade can usually be supplied with a few cars of turkeys.

Our state organization, working through the regional group, the Northwestern Turkey Growers association, has made arrangements to meet any emergency which may arise. We have already secured the approval of a loan of \$500,000 from the Farm Credit administration through the Bank of Cooperative at Berkeley, California, and will be able to make advances to growers, and to store turkeys, if necessary, from the start of the marketing season. Storing turkeys in October is an unusual occurrence but before participating in a price cutting program not justified by the size of the turkey crop, we plan to do it to protect the growers' interests.

Water Arbitrator Named
SALEM, Ore., Sept. 8.—(AP)—The Salem city council in a special meeting last night chose John W. Cunningham, Portland engineer, as Salem's representative on an arbitration board of three, to decide a fair purchase price for the holdings of the Oregon-Washington Water Service company here.



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—says Billy Break O'Day.

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KELLY WRITES OF STATE BAR MEET, REFORM PLANNED

To the Editor:

The annual meeting of the Oregon Bar association in this city in point of attendance and enthusiasm, closed the most successful meeting in its history today. Four hundred members of the Oregon bar were in attendance and there were many visitors from other states.

The meeting was a joint conference of the Oregon Bar association and Pacific Coast Institute of Law and Administration of Justice. The latter organization was created two years ago and is being sponsored and financed by the Carnegie corporation. The primary purpose of the institute is to bring together each year on the Pacific coast for a conference discussion, members of the bench and bar and nationally recognized social scientists and legal scholars.

The Oregon bar is now devoting its energies to reforms in both criminal and civil procedure and to this end a year ago induced Governor Meier to appoint a committee of 15 lawyers and judges and five of the state's distinguished lay citizens to make recommendations for the improvement and simplification of legal procedure.

This committee, headed by Hon. George Rossmann, supreme court justice, is now considering 22 proposals, the more important of which are as follows:

1. Equalize the number of preliminary challenges allowed to the state and the defendant. (Under the present law the defendant has two challenges to the state's one).

2. Permit less than 12 jurors to return a verdict in criminal cases (May 18, 1930, this was passed by initiative measure in all except capital cases).

3. Permit criminal prosecutors to be instituted by information as well as indictment. (This proposition was defeated by the voters of the state July 21, 1933).

4. Modify the privilege of self-incrimination so as to permit the district attorney to comment on defendant's failure to testify.

5. To require notice of appeal in criminal cases to be filed in supreme court and require all orders for extension of time to be obtained from

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that court. (A survey of criminal cases brought to that court shows that delays are occasioned by dilatory tactics under the present law before the supreme court has been given jurisdiction).

6. In order to improve the personnel of the jury, repeal virtually all of the existing law granting exemptions from jury service.

7. Permit appeals in criminal actions not as a matter of right, but only after prima facie cause has been established.

8. Render inadmissible a confession unless made in the presence of the accused's attorney. (This is aimed at third degree methods).

9. Strengthen the law against perjury. There were also recommendations for civil procedure reforms of a technical nature.

The American Bar association, just adjourned in Milwaukee, made six recommendations for reforms in trial of criminal cases. Please take note that Oregon has already made two of these reforms and that three of the remaining four have been recommended by the bar association.

Many Medford attorneys are attending the session. Seen about the hotel lobbies are A. E. Reamek, George Roberts, E. E. Kelly, F. J. Newman, Don Newburn, Joe Fliegel, Bill McAllister, Bob Hammond and Otto Frohnmeyer.

College professors are also much in evidence. Here is one that was of the bar spring on a group of professors. "A Scotchman was being operated upon. Alarm broke out in the hospital, and the surgeon who had just succeeded in removing the patient's brain, left the surgery to ascertain the extent of the fire. When he returned the patient was gone but the brains were still on the table. Two years later the surgeon found his patient teaching in a small college."

An impassioned orator was reaching a climax at one of the meetings and inquired in a belligerent voice, "Where are the ten tribes of Israel?" Whereupon Barney Goldstein rose up in the rear of the law and replied, "Here we are, practicing law." This interruption and the consequent explosion was too much for the orator who to great relief of the convention, did not further pursue his irrelevant inquiries.

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LEGION NOMINATIONS CLOSE MONDAY NIGHT

Final nomination of officers will be made at the Monday evening regular meeting of Medford post of the American Legion. Considerable interest is being taken this year in the selection of officers to guide the world war veterans' organization during the ensuing 12 months and keen competition is expected in the election.

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