

The Weather
Forecast: Partly cloudy and at times unsettled tonight and Tuesday; cooler tonight.
Highest yesterday 102
Lowest this morning 66

MEDFORD MAIL TRIBUNE

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Thirtieth Year MEDFORD, OREGON, MONDAY, JULY 15, 1935 No. 97.

BANKS GRANTED PARDON HEARING



News Behind The News
By Paul Mallon
(Copyright, 1935, by Paul Mallon)
WASHINGTON, July 15.—What President Roosevelt told Mr. Ickes at lunch the other day will remain forever a secret between them. Mr. Ickes cannot be expected to tell. Mr. Roosevelt, however, has too much regard for the feelings of the bad boy of his official family.

As a matter of fact, no word from either was necessary. The look on Mr. PAUL MALLON Ickes' face spoke for them. It was so obvious that all present agreed the cabinet mischief maker had been taken on another trip to the woodshed for a corrective lesson.

The trouble he got into by trying to muss up the senate Virgin Islands investigation seems to be generally regarded as sufficient cause for as much paddling as Mr. Roosevelt thought necessary to administer.

This semi-public action has encouraged nasty rumors that the president and his interior secretary are about to part company. In fact, factious insiders already are speculating about the letter which the president will send to Ickes accepting his resignation.

They say it will come from what now is known as "The Ickes-of-death" form letter file. It was from this file that President Roosevelt lifted the letters he sent to General Johnson and others who have slipped on the deck of the ship of state and have fallen, or been pushed out, or "Dear Friend Harold" will say out, "Dear Friend Harold" will say out, "Dear Friend Harold" will say out.

Mr. Ickes is the only cabinet officer who has talked back to the president. In private, Mr. Roosevelt has taken more from him than from any other official. All the White House gang knows this.

The reason is that Mr. Roosevelt admires Mr. Ickes' courage as a fighter and his honesty. The fact that Mr. Ickes is generally fighting a friend of the president and usually is on the wrong side of the question does not change the situation—at least it has not so far.

President Roosevelt knows that his interior secretary will always insist on sticking his neck out at the world, that he will usually get punched in the nose, but he likes his bad boy just the same.

So far, Mr. Ickes has been on the mat with Messrs. Hopkins, Wallace, Farley, Hurlis, Moffett and most of the senators and congressmen. While he has not yet won a fight, his hope never diminishes.

What makes Mr. Ickes unpopular among many new dealers is the suspicion they have that he has presidential aspirations. This may not be true, as far as he, personally, is concerned, but certainly it may

be true. Mr. Ickes is the only cabinet officer who has talked back to the president. In private, Mr. Roosevelt has taken more from him than from any other official. All the White House gang knows this.

MRS. POMEROY IS PRIME MOVER IN SLAYERS BEHALF

Governor Promises Investigation—Petitions Signed By 120—Dean Morse Quoted As Scoring Trial.

SALEM, July 15.—(AP)—Governor Martin today granted the request for a hearing in the case of L. A. Banks on August 2, after a revival of the move for a pardon for the convicted murderer from Jackson county was launched here today by Mrs. Ariel B. Pomerooy of Central Point.

Banks, former Medford editor, is serving a life term at the penitentiary. He was convicted May 21, 1933 for the slaying of George Prescott, Medford.

Mrs. Pomerooy appeared before the governor with petitions urging the executive to give an answer by August 3 whether or not he would investigate the Banks trial looking toward a pardon. In reply the governor said:

"I can give you my answer now. As governor of the state I have the right to pardon, and I will investigate the case in my own way. Surely I will give you a hearing at any time you want one. You may have a public hearing if you wish. I will give my time to listen to your delegation."

The petitions presented today had 120 names representing the counties of Jackson, Marion, Yamhill, and Multnomah. It was announced by Mrs. Pomerooy that the investigation was suggested by Dean Wayne L. Morse of the University of Oregon law school, who, she said, characterized the trial as an injustice, and the probe should be

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10,000 CHINESE PERISH IN FLOOD AS DIKE BURSTS

HANKOW, China, July 15.—(AP)—Chinese advisers estimated 10,000 persons perished today when the flood waters of the Han river surged through a dike near Hanyang and overwhelmed a large area of the thickly populated countryside.

Members of a Chinese motorboat crew who saw the bursting of the dike while crossing the river brought back a vivid eyewitness account of the disaster.

"It was a horrible sight," one of them said. "A wall of water literally leaped through the breach, sweeping everything before it—houses, livestock and humans."

The survivors must have been pitifully few for the people were taken utterly by surprise and had no time to seek safety.

Two-thirds of Hanyang itself, adjacent to Hankow, was estimated to be under water. The remainder of the city is situated on hills to which much of the populace fled while the water boiled and eddied about their homes.

The Han river flood has far outstripped in severity the previous rain-stopped of this river, the district, which survived the disasters of 1870 and 1931—lying shattered by the seething torrents.

Swimmer Drowns in Jackson Hot Springs Pool

Strikes Again?



William Dainard, alias William Mahan, sought as a principal in the Weyerhaeuser kidnaping, who is believed by officers to be the bandit who shot and killed two policemen while fleeing after robbery of the Orting State bank, near Tacoma today.

KIDNAPER'S WIFE AWAITS SENTENCE WITH RESIGNATION

TACOMA, Wash., July 15.—(AP)—The assertion that "Life is nothing without Harmon, anyway," came from 19-year-old Margaret Wailey, convicted Weyerhaeuser kidnaper, today as her counsel planned further legal battling to keep her from prison, already decreed for 45 years for Harmon Wailey, her husband.

Motions for arrest of judgment, as well as for a new trial, are to be argued before Federal Judge E. K. Cushman on Wednesday, the date he had set for imposing sentence on the girl, convicted by a jury late Saturday morning.

The other is on the count charging they conspired to kidnap and transport him out of the state while negotiating the ransom payment.

The minimum sentence is in the judge's discretion.

In view of the 45-year sentence Judge Cushman imposed on Wailey when he pleaded guilty to the same counts and attempted to take all the blame from his wife, government and defense attorneys do not believe a life sentence is likely.

Twice during her arraignment last month, Mrs. Wailey tried to plead guilty and wept when Judge Cushman entered a not guilty plea for her.

The basis of the legal move for a new trial will be Dore's contention that the Lindbergh law is unconstitutional, on the grounds that congress can legislate "only on facts, not on presumption." Associate Counsel O'Brien said, "The law is based on the presumption that if a kidnaped person is not freed within seven days, he has been taken across state lines."

No confirmation was available today of widespread reports since the trial closed that William Dainard, alias Mahan, the alleged "brains" of the \$200,000 snatch, was nearing his trail's end, and that department of justice agents expected an early capture. Agents here declined to comment.

12,040 Motorists Are Given Permits

SALEM, July 15.—(AP)—A new high record was established in the state motor vehicle operators division Saturday when a total of 12,040 drivers' licenses were issued.

Approximately 340,000 applications had been received out of an estimated total of 425,000 motor vehicle operators in the state.

BANDIT BELIEVED TO BE MAHAN KILLS TWO OFFICERS

BATTLE FOLLOWS HOLDUP OF BANK AT ORTING, WASH.

TACOMA, July 15.—(AP)—A man who today shot two police officers to death and escaped after robbing the Orting State bank, 18 miles southeast of Tacoma, was believed by officers here to be William Dainard, alias William Mahan, sought as a Weyerhaeuser kidnaper.

Frank Chadwick, chief of police of Puyallup seven miles southeast of Tacoma, and one of the best known police officers of western Washington was instantly killed, and Harry Storem, Puyallup policeman, was so badly wounded he died 15 minutes later, following the gun battle near Sumner shortly after noon today.

The two men were slain when they attempted to arrest a bandit who had just held up the Orting State bank.

The bandit, playing a lone hand, had gone into the Orting bank a few minutes before noon and held up the teller, grabbing \$500 in currency which the teller had in his cash drawer.

The bandit turned and fled with the money to a car which he had left at the curb. He jumped into the car and was on his way out of Orting before civilians on the street realized what had happened.

Orting bank officials called up the Puyallup police station and Chadwick and Storem drove at once toward Orting to waylay the bandit.

They met him directly in front of the C. W. Orton ranch outside of Sumner. When they attempted to stop the man he fired upon them with a .38 calibre Colt revolver.

He then dashed on in his car in the direction of Puyallup, but not before other spectators to the gun battle had been able to obtain a description of the car. The man was driving a 1931 sedan (Buick) either dark blue or black in color, and bearing the King county license A-26308. The plates had evidently been stolen from a car of another make.

When Pierce county deputy sheriffs reported that the description of the man tallied closely with that of Mahan, they also disclosed that the method of the bandit in holding up the bank tallied closely with that of Mahan in previous crimes.

Captain Yorle of the King county sheriff's office in cooperating with Pierce county deputies in the case, declared his belief that the man might be Mahan.

It was recalled that Mahan had been suspected of being one of two men who held up the Eatonville bank two years ago. No one has ever been apprehended for this crime.

INFURIATED WHITES LYNCH TWO BLACKS

COLUMBUS, Miss., July 15.—(AP)—Two negroes, identified as Bert Moore and Dooley Morton, were lynched today eight miles from Columbus by a mob of infuriated white citizens.

RAINS AND BREEZE COOL AREA, HEAT MARK SET SUNDAY

Mercury Reaches 102.2 First Time This Year—Lightning Sets Eleven Fires On Sunday Night.

Rain accompanying a thunderstorm that struck the higher part of Jackson and Klamath counties last night served to cool the valley to some extent from oppressive heat that boosted the mercury yesterday to a new 1935 record for Medford of 102.2. The mark was 2 of a degree above the previous record for the year of 102 reached June 3.

Lightning and a general but whiffy northwest wind increased the forest fire hazard Sunday night, according to the forest service and 11 small fires within Rogue River national forest started by lightning were reported this morning.

Five of the fires were near Besse Rock in the Innishob district, three were in the Applegate country and the rest were reported on the east slope of the Cascades. The state fire patrol reported one fire started from lightning, and expected more to show up during the day.

CCC men ready to camp within Rogue River National forest were being held at Camp today as a precautionary fire measure.

The storm struck between 8 and 10 o'clock, bringing with it a cooling wind of about 15 mile-per-hour velocity that swept across the valley in gusts toward the northwest. Although the valley pear crop is nearing the stage where there is danger

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SPANISH WAR VETS MEET IN ROSEBURG

ROSEBURG, Ore., July 15.—(AP)—Meeting here under a blazing sun which brought forth many reminiscences of experience in tropical countries during their period of military service, approximately 600 Spanish war veterans of Oregon opened their 27th department convention business sessions here today.

The convention formally opened Sunday afternoon, with an inspection and picnic at the U. S. veterans administration facility and a memorial service last night at Liberty park where the address was delivered by Rev. I. G. Shaw, department chaplain.

At 8:30 a. m. today the veterans and their ladies paraded from headquarters to their respective meeting places, the colorful parade being led by the Roseburg school band.

Shower Relieves Salem Torridity

SALEM, July 15.—(AP)—A brief but heavy shower falling here early this morning brought at least temporary relief from the excessive heat of the past two days. The temperature rose to 106 degrees Sunday, slightly less than Saturday's high of 106.8, the hottest day here since July 1927.

ELECTRICAL DISPLAY BREAKS EUGENE HEAT

EUGENE, July 15.—(AP)—A spectacular electric storm broke the heat here last night, bringing .58 of an inch of rain and cooling the atmosphere.

Claims Gold Find



Tom Lyle jingled gold nuggets in Nederland, Colo., as he told of making a rich discovery on Old Bald Mountain.—(Associated Press Photo.)

KIWANIS SPEAKER URGES MILITANCY IN AMERICANISM

"Education is the only way to fight communism," said Allen. He pointed out that there was no occasion for the public to become incensed because communists make speeches on street corners, when they know that the constitution grants "free speech."

"The danger is not in the communistic employment of the liberty of speech granted in the constitution; it is in the abuse of that liberty. Liberty is not license. The framers of the constitution realized that there would be abuses of all the privileges granted, and they provided for the punishment of the abuses."

It was because the public did not realize the dividing line between the liberty of the freedom of speech and the abuse of it, that Allen took up the fight for education on the question.

He declared that there has been no other period in the history of the United States when an outside influence so threatened the democracy of our country as does the communistic problem today.

Present at the meeting was Dr. Edward Gray of Bend, district governor of Kiwanis, and Wilson George, his guest, who are in Medford in the interests of the state Kiwanis organization.

The picnic committee reported, through Everett Trowbridge, chairman, that several places had been considered for the annual Kiwanis picnic, and recommended Rogue Elk. The site was unanimously agreed upon by the members and it was decided that the date will be set next week.

MEDFORD WOMEN AGAIN HONORED

BAKER, Ore., July 15.—(AP)—C. A. Nichols of Salem was elected president, and Klamath Falls was selected as the 1936 convention city as Oregon Postal Clerks and Auxiliaries from many Oregon towns met here in their 32nd convention.

Other officers of the state association are: R. J. Caldwell, Klamath Falls, vice-president; Frank P. Fugle, Oregon City, secretary; Otto F. Ridd, Portland, treasurer; Walter Hanks, three-year term on board; Lloyd Durbrough, Salem, first vice-president; Walter H. Cole, Eugene, second vice-president; H. G. Glenn, La Grande, secretary-treasurer.

Mrs. Helen Neff of Medford was re-elected president of the Oregon clerks' auxiliary, and Mrs. Pearl Newland of Medford was re-elected president of the Oregon State Association of Letter Carriers.

G-C MEMBERSHIP CAMPAIGN OPENS TUESDAY MORNING

Meeting Tonight Will Perfect Plans For Two-Day Intensive 'Putsch'—Present Members Listed.

Chamber of Commerce directors, the membership committee, and a special group appointed by President B. E. Harder will meet in the chamber of commerce tonight to perfect plans for a membership campaign. It was announced this morning.

The campaign will start tomorrow morning and will be concluded by Wednesday evening.

"The income of our chamber of commerce is not commensurate with the services being rendered," stated Mr. Harder, "and unless we receive additional financial support, we shall necessarily have to curtail that service." Mr. Harder further stated "with over twenty committees continually working, the activities of our chamber of commerce have tremendously increased during the past two years. Naturally this involves additional expense although the organization is being run in a very economical manner."

At the last meeting of the board of directors, the membership set-up of the organization was completely changed and the board has approved an amendment to the constitution providing for three types of membership. First, the regular membership at \$25 per annum for business firms and executives. This membership has been in vogue for many years. One of the new memberships authorized is that of a farmer membership which can be obtained for \$10 per year. The latest membership authorized is one known as artisan membership at \$5 per year for em-

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EVERETT LUMBER MILLS REOPENED

SEATTLE, July 15.—(AP)—Everett, last of the big Pacific northwest lumber centers to resume operations as the 11th week of the lumber strike opened, saw a seven large cutting and treating plants "opened up" today with state patrol protection.

The tower of a large lumber plant, however, was dynamited at Tacoma, and a threatened severe clash at Longview averted only at the insistence of a few state patriots.

The strike situation in Seattle remained unchanged, with several mills in operation and the workers of another, the Seattle-Benton Mill company, meeting to vote on whether to go back to work.

Despite the various troubles, operators over the entire area insisted that the strike was nearing an end, as production was speeded up.

AMERICAN BLACKS TO BACK ETHIOPIA

NEW YORK, July 15.—(AP)—Today's increasing prospects of armed conflict between Italy and Ethiopia found Harlem grinding for participation in a defense of "Africa for the Africans."

The Pan-American reconstruction association with headquarters in New York's colony of 400,000 negroes announced plans for a "giant" rally in which residents will be given a chance to pledge their lives in the service of Emperor Haile Selassie of Ethiopia.

No date has been set.

WILLIAM SULLIVAN HERE ON VISIT IS ACCIDENT VICTIM

Body Discovered On Bottom After Several Minutes—Efforts With Inhalator Fail To Bring Life Spark.

William Henry Sullivan, 35, of Portland, a brother of Jervise Sullivan of route 2 near Medford, was drowned at the Jackson Hot Springs swimming pool at about 3:45 yesterday afternoon according to a report from Frank Peri, county coroner.

Sullivan was said to have been seen diving, and it is assumed that he lost his breath on hitting the water, but no one witnessed the actual drowning. Reports of the pool attaches said he must have been in the water about five minutes.

The young Bricker boy, son of William Lee Bricker, former Boy Scout executive here, was the first one to see the body, on the bottom of the pool, it was reported. He called his father, who dove in and brought the body to the surface. Some pulsation was noted, and a call was rushed to Medford for the care department's inhalator, Dr. Edwin R. Durno of Medford, and firemen rushed to the scene, and worked over the man for two hours with no results.

According to Dr. Durno, Sullivan had been under the water about 15 minutes when discovered. Artificial respiration was administered as soon as he was taken from the water, and a large amount of water was taken from his lungs, but his pulse never rallied.

Sullivan was unmarried, and was visiting with his brother Jervise here. He has several other brothers in Portland, according to unofficial word received here today.

The body will be shipped to Portland tonight, according to the Peri funeral home. There will be no inquest.

BASEBALL

National

(10 innings)	R	H	E
Philadelphia	1	5	2
Chicago	2	5	3

Walters, Pezullo, and Todd; French, Warneke, Johnson and Ode, Hartnett.

American

(11 innings)	R	H	E
St. Louis	3	13	1
Washington	2	13	1

Andrews and Hemsley; Whitehill and Bolton.

Approximately 2,900 acres of farm land in Texas county, Oklahoma, has been contracted for terracing projects.

WILL ROGERS SAYS:

SANTA MONICA, Cal., July 13.—Now they find that Italy is after the trade of Ethiopia. The Japanese are in there. They are underselling everybody all over the world.

Well, a few years ago when we thought we had a patent on "mass production" we was underselling everybody. England wants Italy to lay off Ethiopia territory. Look at the map; they control three sides of Abyssinia themselves. They have already got theirs, so you see there is two sides to every argument; and it's all a matter of "who's dog is bit."

Will Rogers.
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SIDE GLANCES by TRIBUNE REPORTERS

Otto DeJarnett putting in a good word for the local eating club at the Doc Hamlet exhibition this afternoon, and getting a hand from the Doc himself on the 10th.

Roy Finch, out to gain the championship as the "fastest man on earth" by his own admission, setting out on a week's vacation equipped with all the paraphernalia for a week of active sport at Lake of the Woods.

A bicycle-built-for-two, manned by a giant and a small boy, swooping down the main thoroughfare passing kites with a contemptuous air.

A. H. Bennett being introduced at Kiwanis meeting as a "guest" when he is really a member, in subtle sarcasm at his "attendance."

Walter Carley missing a swell opportunity to Bessie Murchison on the big line that got away, by admitting that she broomed "sweeping 254 got that sweep broom" on stepping on it, and not to waste a 50 pound salmon hit it the head.

CONDITION S. S. SMITH CONTINUES UNCHANGED

The condition of S. Sumpter Smith, well known Medford resident who has been critically ill at the Community hospital since an operation Friday for an abdominal ailment, was reported the same today. He showed slight improvement Sunday, according to attendants.

BREEZE BRINGS RELIEF TO PARCHED PENDLETON

PENDLETON, Ore., July 15.—(AP)—A breeze came up here today, bringing some relief from the heat wave of the past two days which reached a maximum Sunday with a temperature of 112 degrees, the hottest since July 23, 1928, when the official reading was 114.

PORTLAND, July 15.—(AP)—Roland Rittel, 19, died last night from injuries suffered Saturday when the automobile in which he was riding, was crowded from the Columbia river highway near Wakekeena Falls. He suffered a skull fracture. Rittel was employed at Bonnersville dam.

Income Shares

Merland Fund, bid \$16.21; BAKED \$17.83.
Quarterly Income Shares, bid \$11.34; asked \$11.47.