

LaGrande Evening Observer

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MUCH MOOTED CASE DECIDED

BOLTON & BODMER WIN SUIT IN ACTION TO RECOVER NEARLY FOUR THOUS FROM BANK

DECISION RETROSPECTIVE AND WINNERS MUST DO PART.

One of the prominent tangles growing out of the local bank failure decided on consideration sufficient is finding.

Circuit Judge J. W. Knowles today handed down a decision in the bank case of J. P. Phy, trustee in the estate of J. W. Scriber, bankrupt, vs. Bolton & Bodmer, local implement dealers.

On Saturday before the Farmers & Trader's bank failed, Scriber transferred to Bolton & Bodmer a certificate of stock valued at \$1,000 in the Oregon Life Insurance Co., and promissory notes amounting to \$2,438.60 given by the Elk's building association making a total of more than \$3,400, to secure a deposit that Bolton & Bodmer had in the bank at that time amounting to \$6,589.85.

Judge Knowles held in his decision that as the certificates of stock and promissory notes were given by Scriber to Bolton & Bodmer in order to keep them from withdrawing their deposits from the bank, that this is a sufficient consideration, and that the plaintiff cannot recover the same.

He decided, however, that when the deposit of Bolton & Bodmer had been settled in full, that they shall surrender and pay over to Mr. Phy the balance in their hands.

NAMPA FULL OF BOOSTING

LOCAL BOOSTER MANAGER HOME FROM NAMPA IDAHO.

Found a Hustling Town with Hustling Businessmen all Hustling Together.

Publicity Manager Fred B. Currey is home from Nampa where on Monday night he organized a businessmen's association similar to the one in existence here. He found Nampa a hustling town of 6,000 with 23 blocks of paved streets and carrying out likely plans of boosting. The business men treated the local booster with more than ordinary attention and consideration and he is still discussing to his friends of the business spirit prevailing there. Fifty members are already enrolled and a publicity manager is to be hired at once.

All of one day was spent in Boise by Mr. Currey as a guest of Mr. McLain formerly of La Grande.

Another Good Program.

Another good program at the Star is what every one you meet says, so if you haven't seen this one don't fail to go this afternoon or evening. The story of the father is an exceptionally fine story well written and the acting is far above the ordinary. The film will hold your attention throughout its entire length, which is one thousand feet, and along with two others good features make it well worth your time and the price of admission, 10 cents.

DEBATE POSTPONED AGAIN.

Triangular Affair Cannot be Held on Coming Friday But Hence.

It has been found necessary to again postpone the triangular debate between Enterprise, Elgin and La Grande, which was set for Friday of this week after having once been postponed. Next Friday night a week hence, is the date now set upon for the event.

CONVERTED THEN DIES

SENSATIONAL DESTRUCTION OF LIQUOR PRECEDES DEATH.

Death Calls a Liquor Dealer of Carson City, Nevada, Who Had Just Turned a New Leaf.

Carson City, Nevada, January 12.—Word has been received here today that Joseph Kelly, a wealthy liquor dealer, who piled his stock of liquors in the street and burned them after he had been converted in a recent revival meeting that was being held by a Los Angeles evangelist, is dead at the sanitarium at Belmont, Cal. Heart disease is given as the cause of his sudden death. His friends declare that he has developed a symptom of great mental strain since he was converted and made the spectacular destruction of his saloon stock and fixtures, several weeks ago. Kelly is said to have destroyed liquor worth fully \$2,500 and thousands of cigars in the presence of fully three thousand spectators in the most prominent business section of Carson City.

QUARREL IS DISASTROUS

HOMESTEADING OF A FEW ACRES STARTS FATAL QUARREL.

Employe Shoots But It is Said to Have Been Done in Self Defense.

Butte, Mon. Jan. 12.—In a quarrel over homesteading a few acres of ground in a field of Cyrus Spangler, a well known stockman, Lawrence Boland, a ranch hand, was shot to death by Spangler today. Boland was employed by Spangler on his ranch near Butte and had gone to the field to help Spangler set stakes. A dispute arose during which Spangler declares his employe drew a revolver. The stockman said that he fired the first shot at Boland in self defense. Boland was instantly killed.

INSTRUCTOR HERE

WILL TEACH MUSIC AND DRAWING IN ALL CLASSES.

Gades and High School to Benefit by the New Department in the City's Schools.

Miss Crystal J. Baebler arrived last night from Detroit and will immediately assume supervision of instruction in music and drawing in the high school and all of the grades. Her work will be arranged so as to give all grades and the high school classes a course in the much needed phase of youth's instruction—music and drawing.

JUVENILE HAS NEW THEORIES

BOY BANDIT SETS EASTERN MEN TO THINKING ON REFORMATORY PRACTICE IN THE EAST

THOUGH A BOY COMMENCES A LIFE TERM IN THE PEN

Arraigns Authorities and Philanthropists for Giving to the Heathens When the Nation's Young are Suffering.

Ann Arbor, Mich. Jan. 12.—Robert McCormick the boy bandit, gave out a remarkable statement today which is engaging the attention of the professors of the state university, in which he lad arraigned the authorities for their methods in dealing with youthful prisoners. Young McCormick who has served two terms in the state reformatory was taken to the state prison today to begin a life sentence for the killing of Henry, a miner of Ypsilanti and a university student. Following are a few of his statements: "Why don't some of these christians who go down in their pockets for the purpose of Christianizing the heathen 'dig up' for the release of young boys from state institutions?"

"Most of these boys go to the reform school determined to turn over a new leaf." "Most of us are born on the wrong side of the street." Professors who have read the boys statements have familiarized themselves with the boy's case and say that he has in his plain way offered them a document that is full of possibilities for study on the part of sociologists.

BALLOON SINK INTO PACIFIC

"PEORIA" FIRST STRIKE BUILDING THEN SWERVES INTO OCEAN TO SINK

TWO SHOOT AWAY LIKE SHOT FROM A GUN.

Aviation Meet at Los Angeles Has a Great Many Excitements During the Day—Occupants of Runaway Heave Ballast.

Santa Monica, Cal. Jan. 12.—The balloon "Peoria" which passed over the city half an hour ago is drifting toward the sea and steadily sinking toward the ocean. The balloon is now off Point Duma and if the gas bag strikes the water it is not at all probable that the occupants can be rescued for some hours at least as the nearest life saving station is at Venice. The balloon was first observed drifting toward the Pacific in the direction of Huntington Park. It is about three-quarters of a mile above the water. The aeronauts were seen through field glasses frantically throwing out sand bags. Had they allowed the bag to settle it would have fallen into a zone of eastward air current and would have been carried back toward the land.

Balloon Strikes Building. Los Angeles, Jan. 12.—Like a shot out of a gun the balloon "New York" piloted by Clifford Harmon, bounded into the sky shortly before noon today and was soon drifting through the haze at an altitude of 1200 feet. The

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As soon as the data are available, the operation and maintenance choice will be fixed in proportion to the amount of water used, with the minimum charge per acre of irrigable lands whether water is used thereon or not.

THROWS BLAME ON THE GIRL

AT EVERY TURN SHE SHIELDS HER PARAMOUR IF POSSIBLE

He Claims to Have Been Hypnotized Into Running Away With a 17 Year-old Girl Will go Home Tomorrow.

Chicago, January 12.—Following the arrival today of Detectives Schallion and Emanuel of the Philadelphia Central office, Frederick Cohen, the writer who eloped from Philadelphia with Roberta De Janon the 17 year-old heiress to a fortune of \$10,000,000, has waived extradition and he will be taken back to Philadelphia late today or tomorrow.

Cohen and Miss De Janon left Philadelphia on December 19. After three weeks of wandering they reached Chicago, where they were located by the police. Since their capture, little Roberta declares that the fault of the entire escapade is hers. At every turn she tried to shield the old man who left his wife to accompany her. Cohen accepts the girl's sacrifice without a quail. He reiterated again today to the police that he only ran away with Roberta after she had threatened to kill herself if he did not take her away from home. He declared that he had been hypnotized into doing this thing for which he had no taste for what had been done but had been compelled to go with the girl through her influence over him.

"Why," he declared, "Roberta's father will thank me for keeping her from committing suicide. Roberta is ready to return home immediately. She declared today that the only thing that she cares for now is to go to her father and grandfather. She announced, however that she was ready to do anything she could to shield Cohen and stated that if it were possible that she would persuade her father to give him money for caring for her during their trip.

Acquitted but is Insane.

Willms, Cal. Jan. 12.—Alma Bell, who was acquitted on the charge of murder when she killed her false lover Joe Armes at Auburn, California, was reported yesterday to be going insane, appears to be perfectly well today. One of her brothers arrived here, she greeted him cordially asking about their mother and other members of the family. When she was told that her mother was not at all well, she said that she wished to go home. The girl became angry, later and on Monday was very despondent following a quarrel with Mrs. Denny whom she is visiting. She seized a pistol and threatened to kill herself and it was taken from her. Mrs. Denny ordered a young man who is a stranger in this neighborhood to go home, last Sunday when he called on the girl and remained until after midnight. This was the cause of the trouble.

Return from the Willamette

Court Stenographer and Mrs. H. R. Hanna and their baby daughter, Genevieve, have returned from a three weeks visit in the Willamette valley. At Eugene they visited with Mrs. Hanna's parents and at Salem they were the guest of Judge and Mrs. Robert Eakin, formerly residents of La Grande. Besides the two above towns they visited with relatives at Cottage Grove, Albany and Portland.

TESTIMONY BEING TAKEN

GOVERNMENT WILL CALL OF THOSE ACCUSED OR GUILTY OF LAND FRAUD AS WITNESSES

DEFENSE RELY PRINCIPALLY ON LAND OFFICE RECORDS.

Testimony Taken Today to Prove the Blue Mountain Reserve Was Gotten up For Fraudulent Purposes—Call Pioneers.

Portland, Jan. 12.—Binger Hermann faced the government today when John M. Rowland, a draughtsman of the surveyor general's office for the general land office department was called to the stand to show how Hermann, Mays and Meldrum, who was then states attorney general, met in the office of the latter to lay the plans for the Blue Mountain Conspiracy. When the court had adjourned at noon Roland had testified that he had made the maps for Mays and later for W. N. Jones, of the Blue Mountain reserve as it was asked to be withdrawn by Hermann, then land office commissioner.

It is evident from the opening statement of Henry this morning that Henry Meldrum former surveyor general who was convicted of making fraudulent surveys, S. H. Ormsby indicted for making fraudulent reports as a special agent; Dan Tarpley who dabbled in the Blue Mountain reserve deal, George Sorenson, under several indictments, F. Pierce Mays, already convicted of conspiracy in connection with the Blue Mountain reserve deal, and other well known land case defendants will be called as witnesses for the government.

On the other hand it is evident from the opening statement of the defense by Attorney Worthington, that the defense will rely largely on the records of the general land office and show that Hermann himself has nothing to do with the Blue Mountain conspiracy, it being Worthington's contention that "Hermann's record is as clear as sunshine."

MILITIA HAS MOB TO RULE

Jenna, Ills. Jan. 12.—Four companies of state militia arrived today and assumed charge of the situation which developed from the attempt to lynch three negroes who are charged with murdering Allen Clark a rural route mail carrier.

More than 300 men gathered yesterday and planned to attack the jail where the three negroes are being held awaiting trial.

Sheriff Mathis immediately telegraphed the governor and the troops were immediately ordered out.

Clark was murdered upon a train between this city and Burnside on Sunday night. He was set upon by three negroes who made short work of him.

Cause of the Fire

The fire in the Zuber house yesterday was caused by a man thawing out the pipes catching the building paper under the house on fire and its burning up between the partitions until it gained the roof, and was not caused by a defective flue as was thought yesterday. The house will be immediately repaired in La Grande, Ore. ready for occupancy.