

BARNHART PASSES AT HOSPITAL

Wound Inflicted During Scuffle With Wife Proves Fatal OPERATION FAILS TO PREVENT DEATH Woman Exonerated of Criminal Intent by the Story Told by Barnhart on Death Bed.

Joe Barnhart, who was shot, officials say, in a struggle with his wife at their home Sunday evening, died at the Grande Ronde hospital just before daybreak this morning as a result of the gunshot wound. Physicians operated on Barnhart yesterday afternoon in an effort to save his life but were unsuccessful. The man gained partial consciousness after the operation but did not show any signs of recovery. At the time he was shot he was in an intoxicated condition and physicians say that this was in the main responsible for his death.

When first taken to the hospital Barnhart was conscious and would not submit to an operation. Thus precious hours were lost before his condition became so serious as to make an operation imperative. Barnhart consented to the operation about noon yesterday when his wound had given him intense pain for some time.

Wife Released. Rose Barnhart, wife of the deceased, who was held by the authorities for her part in the shooting was released this morning. On his death bed Barnhart told a story which coincided with his wife's account of the struggle which culminated in the fatal shooting, thus exonerating her from the blame.

Barnhart had had no communication with his wife after the shooting and his story, which was in the main the same as that told by Mrs. Barnhart, was accepted by the authorities as the correct account of the occurrence.

Barnhart said that his wife was attempting to take the child away from him when the shot was fired which pierced his abdomen and which later caused his death. The shot was said to have been entirely accidental and not through deliberate intent on the part of Mrs. Barnhart.

No funeral arrangements have been made. Barnhart's father will arrive in La Grande this evening and the plans are being held indefinite until his arrival. The body is at the Snodgrass and Zimmerman undertaking parlors.

CHERRIES FEW; QUALITY GOOD The Grande Ronde valley may not have had a large crop of cherries this year, comparatively speaking, but a visitor to the Durand and Erickson warehouse on Jefferson avenue where most of the cherries from Imbler, Elgin and nearby districts are being packed, literally seen cherries everywhere.

Wheat Yield Menaced By New Disease

Mysterious "Take All" Is Found in Fall Wheat; Hard Federation Fields Not Affected.

Although the Union county wheat yield has not been injured to any appreciable extent, yet the crop is now in such a condition that continued hot weather without rain will cut down the total number of bushels, according to H. G. Avery, county agriculturist, who has just completed a survey of conditions in this territory. Wheat has ripened very rapidly this year and some of it has burned slightly. Another unforeseen enemy to the wheat has appeared in the form of a little-known disease, Take All, which has infested some of the best wheat growing fields in the Imbler and Allet districts.

Disease Little Known. This strange malady about which little is known occurs in but three places in the United States. It affects the plants just where the stem leaves the ground and in extreme cases causes the wheat to fall over so that it cannot be harvested. The winter wheat only is susceptible to the ravages of Take All. Hard Federation and other hardy spring wheat are not affected. In some fields the disease is estimated to have affected 20 per cent of the grain. No remedy for it has been discovered.

Crop Outlook Fair. In general the crop in the valley is better than it looks, particularly in the Hard Federation fields. This variety is deceptive in that it yields a better crop than one would think from appearances. Most of the wheat that is burning is on alkaline land and other.

Gossett to Play With Douglas, Arizona, Team Tom Gossett, playing manager of the Pirates, left this morning for Douglas, Arizona, to play baseball with teams in Arizona and Mexico. Tom will finish out the season there with a number of his old friends and expects to return to La Grande some time in October to locate here.

The Evening Observer Corporation Completed The incorporation of The Evening Observer Publishing company, now owning and publishing The Evening Observer, was completed yesterday with the transfer of the business from F. B. Appleby, sole owner previously, to the corporation formed for that purpose. Corporation papers were filed in May and F. B. Appleby, Jerome C. Appleby and H. F. Matthews are the stockholders and president, vice president, and secretary-treasurer respectively. In the new company the company is capitalized at \$50,000.

TWO WEDDINGS. Two weddings took place in the office of the justice of peace yesterday with his honor, Hugh E. Brady, performing the ceremonies. Virgil Daniel of Baker and Mildred George of Union and Norman W. Wells and Edna Nickerson of Union county were the principals.

Union County Pioneers Meet at Park Thursday The people of Union county are not merely requested but are urged to arrange their affairs so as to be able to attend the Annual Union County Pioneer meeting at Riverside park Thursday, was the announcement made by the committee in charge of the pioneer day program this morning.

Union county 1925 are featured; local butter is made from local cream; local flour is made from valley wheat; local bread is a distinct valley product. And all of these cost no more than other brands. Buy local products and be loyal to your own industries.

COUNSEL OBJECTS TO PRAYER

Darrow and Malone File Protests with Judge Raulston

JURIST OVERRULES BOTH OBJECTIONS

Reverend Stribling Then Offers Prayer, Opening Third Day in Evolution Trial.

COURT ROOM, Dayton, Tenn. (By the Associated Press)—As the court was about to open for resumption of the Scopes evolution trial today, Clarence Darrow filed a formal objection with the court to opening the sessions with prayer in the jury's presence. Darrow said: "I do not object to anyone praying in private but I do object to this court being turned into a meeting house."

Judge Raulston responded: "I don't want to be unreasonable in anything, but I am responsible for the conduct of this court. I overrule this objection."

Malone Also Objected. Dudley Field Malone also objected to the opening prayer. Malone said: "As a member of the counsel for the defense who is not agnostic, I desire to add my objection to the daily prayer being offered here when it has not been an exacting and unbroken custom in the past." He said the prayers offered here had been largely argumentative and should be excluded. Raulston said he had uniformly followed the custom of opening court with prayer when a minister was available but had cautioned the ministers called upon to pray against referring to this case in the prayer.

Common Practice. "I pray myself, and often invoke the blessing of God on my endeavors. I practice it on the bench and off. I therefore overrule the objection," Raulston said.

Reverend Stribling, of the Dayton Cumberland Presbyterian church, then offered prayer and the court session proceeded.

BENEFIT SHOW IS TOMORROW The benefit showing of the motion picture, "The White Monkey," will take place at the Arcade theater tomorrow afternoon and evening. The show is being given for the benefit of Al Barth, La Grande catcher who was hit in the head by a ball pitched by Foster Baker a week ago last Saturday.

The benefit committee in charge of the showing feel that there has been some misunderstanding regarding the division of the funds. The committee has taken over the entire showing and has contracted to pay the management of the Arcade 25 cents for each person who attends the performance.

Spending Money For Food Grande Ronde valley residents are sometimes forgetful in their purchase of food products of a duty to themselves in buying products grown and produced in the valley.

Clarinet Player Will Locate in La Grande Harry C. Price, who is one of the best professional clarinet players in the northwest, according to director, Emory of the La Grande band, is going to locate here the last of this month. He has been playing with the famous Lumberjack band in Bend, Ore., of late.

FIRST EVOLUTION TRIAL PHOTO



The opening of Scopes evolution trial at Dayton, Tenn. First arrow points to William Jennings Bryan, star prosecutor; second arrow to Trial Judge John T. Raulston; third arrow to Clarence Darrow, defense star, and fourth arrow to Dudley Field Malone of the defense counsel. In the background are newspapermen, other members of the defense and prosecution and the jury panel. Scopes is seated at the table. Picture rushed via airline by NEA Service.

AVERILL NEW GAME WARDEN

PORTLAND, Ore. (By the Associated Press)—State Game Warden Burghardt, M. L. Ryckman, superintendent of hatcheries and Otto M. Jones, director of the educational department, were removed by the state game commission at a session here late yesterday. E. F. Averill, of Pendleton, was named to succeed Burghardt as warden and will assume his duties about August first.

The commission's action followed Governor Pierce's appointment earlier in the day of W. L. Finley as a member of the commission. It was announced that the removals were made in the interests of harmony.

SOUSA TOO YOUNG FOR GOLF PLAYING, HE SAYS NEW YORK (AP)—John Phillip Sousa, noted band master who in 29 years old, regards himself as too young to play golf.

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Wheat Shows Heat Damage In Oregon

PORTLAND, Ore.—All Oregon spring planted grain crops suffered from weather conditions during June, says E. L. Kent, statistician, United States Department of Agriculture. The fore part of the month was cool, with considerable rain, which put the crops in poor condition to withstand the heat of the latter part of the month.

WHEAT The large acreage of spring wheat due to the severe winter killing of the fall seeding, gave promise a month ago, of a yield nearly equal to a normal yield of winter wheat. But the dry weather began to affect the crop in some localities, as early as the first of

HUGE PROJECT IS DEDICATED AMERICAN FALLS, Idaho. (By the Associated Press)—With thousands of persons from all over the west present, Hubert Work, secretary of the interior, yesterday dedicated the mammoth American Falls dam on the Snake river. It will impound 1,700,000 acre feet of water for irrigation in the Snake river valley.

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JAMES DARWIN NEAR BOYCOTT

(By Alene Summer) DAYTON, Tenn. (NEA Special).—Business isn't as good as usual in the little general clothing store which Jim Darwin has run for some 25 years in Dayton Tennessee. There's a reason! Some folks who heard about the Darwinian theory that started all the "monkey business" in Dayton, got the notion that Jim Darwin was the man who did it!

It's in the Blood. And even the folks who know that Jim Darwin and Charles Darwin are not one and the same, are a bit leary of Jim's store—for "this evolution business" is in the blood.

He Founded Town. It was years and years ago that James Darwin, grandfather of Dayton's merchant, came to Rheo county from Virginia. Here Capt. W. P. Darwin, father of the merchant, was born.

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Fourteen Deaths from Heat Wave Reported CHICAGO. (By the Associated Press)—Fourteen deaths from heat have been reported through the middle west in addition to five persons killed by lightning and three drowned. Twenty or more are prostrated.

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XTRA

H. R. H. IN FIREMAN ROLE KAPUE, Rhodesia (AP)—The Prince of Wales played the part of a heroic fireman today when he assisted settlers in extinguishing a fire in the native wood and grass children's home at the Kapue Agricultural show. All children were rescued. The blaze started during a luncheon given in the prince's honor. He joined in the work, preventing the spread of the fire.

COOLIDGE HOPEFUL SWAMPSCOTE (AP)—President Coolidge hopes conditions will be such that a conference can be held in the near future for the discussion of extra territorial rights in China, as well as Chinese customs. Efforts of the American government to bring about such a conference, it was stated today at the summer white house, have been confined to an attempt to have nine powers signatory to the Washington treaty participate, and the United States has not entered an agreement with Great Britain and Japan regarding China. It was reiterated that the United States is seeking solely to have the Washington treaty obligations to China carried out on one hand and to secure from China protection for foreign lives and property on the other.

ATWELL ELECTED BY ELKS PORTLAND (AP)—William H. Atwell, Dallas, Texas, United States district judge of the northern district of Texas, was unanimously elected grand exalted ruler of the B. P. O. E. here today. Chicago was chosen for the 1926 convention city.

VILLA PASSES ON SAN FRANCISCO (AP)—Pancho Villa, flyweight champion of the world, died today following an operation from infection resulted from infected teeth.

E. MERRITT HERE. E. Merritt, with the federal extension department was in La Grande today conferring with H. G. Avery, county agriculturist.

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DECISION GIVEN ON SCHOOL ROW

Board of Higher Curricula Grants O. A. C.'s Major Requests

UNIVERSITY LOSES PRE-ENGINEERING

Pre-Medical Work Eliminated at College; Commerce, Business Administration the Same.

PORTLAND, Ore. (By the Associated Press)—The decision of the board of higher curricula affecting the future division of work at the University of Oregon and the Oregon Agricultural college was made public this morning by Dr. C. J. Smith, chairman. The decision shows little drastic change in either institution, although numerous adjustments were made in order to define the work.

Commerce School the Same. The school of commerce at the college remains the same as before and no material change was made in the school of business administration at the university. All courses asked for by the college and protested by the university were granted.

Consul Wants Investigation PORTLAND, Ore. (By the Associated Press)—A request for an official investigation of the deportation of 23 Japanese mill workers at Toledo, Ore., by a mob of citizens, was sent to Governor Pierce today by Acting Japanese Consul Okamoto.

BOARD ORDERS RATES PROBE WASHINGTON (By the Associated Press)—Taking cognizance of a petition from western railroad for rate increases, the Interstate commerce commission today ordered a special inquiry into agricultural and transportation situations in the west.

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English and Japanese Are Blamed For Big Row

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It probably is evident to most Americans now that Britain and Japan are usually to blame for the recent trouble in China.