

CITY
EDITION

La Grande Evening Observer

THE WEATHER

OREGON—Fair tonight and
Thursday with fog on coast; warmer
in the interior Tuesday; normal
humidity. Gentle variable winds.

VOLUME XXVII

MEMBER ASSOCIATED PRESS

LA GRANDE, OREGON, MONDAY, AUGUST 27, 1928.

MEMBER ASSOCIATED PRESS

NUMBER 6

SPECIAL TAX
REQUIRED FOR
COURT HOUSEJudge Knowles Gives Ob-
server Legal Side of
Proposed BuildingSAYS IT IS NOT
SERIOUS OBSTACLEThinks Time Ripe for
New Structure—Would
Not Need to Be a Large
One.That funds for a new court house
would have to be raised by a spe-
cial tax levy covering one or more
years was the opinion of Judge J.
W. Knowles given to the Observer
today when his views were
sought on the new court house
project.It would be impractical to
issue bonds and finance the con-
struction of a court house in this
manner, according to the judge,
but he does not see this as a serious
obstacle and thinks that this is
the time for the county to pro-
vide itself with a new building.
Judge Knowles also holds the op-
inion that a relatively small build-
ing would be sufficient—that the
day of large and showy court
houses is past.Discussing the legal phases of
the question he says:Under section 10 of the consti-
tution of the state counties are
prohibited from incurring indebted-
ness exceeding \$5,000, except to
purchase insurance or to pay in-
terest on bonds or to build or main-
tain permanent roads within the county.
It will be noted that the construction
of a court house is not one of the
excepted cases. Section 11 of the
constitution which was adopted by
initiative amendment by the electors
at the general election held in
November 1914 provides among
other things: "Unless specifically
authorized by a majority of the legal
voters voting upon the question
neither the state nor any county,
municipality, district or body to
which this power is given, shall
have been delegated shall in
any year, so exercising that
power as to raise a greater amount
of revenue for purposes other than
the payment of bonded indebted-
ness or interest thereon, than the
total amount levied by it in the
year immediately preceding the
year in which the payment of
bonded indebtedness or interest
thereon plus a ten percent there-
of." It is his opinion that under
the above constitutional provision
that in no case either with the vote
of the people or otherwise can a
county exceed the constitutional
limitation of indebtedness of \$5,
000 except to suppress insurrection
or to build or maintain permanent
roads within the county. However
by a vote of the electors authoriz-
ing the same a county can levy a
tax each year to create a fund for
the construction of a court house,
the construction of the same to be
paid entirely from the funds so
raised.The building recently damaged
by fire was not conveniently ar-
ranged for a court house. In all
modern court houses the hall is on
the upper floor. This is for the
protection of prisoners who have the
handling of prisoners and prevents
the escape of prisoners. Provisions
should be made for holding the
jury together during the night. Or-
times a long, drawn-out case comes
to the jury late in the evening and
in case the jury does not readily agree
on a verdict sleeping accommoda-
tions should be provided for the
jury in the court house. If juries
agree upon the verdict it saves the
county considerably in expense in the
retention of cases especially cases that
it takes several days to try. I have
tried cases where the jury did not
agree on the verdict until after 26
hours of deliberation.Whether the legal voters of a
county authorize the erection of a
new court house or whether the old
court house is to be renovated the
people can rest assured that
County Judge Couch and Commis-
sioners Ledbetter and Stevens will
carefully look after and guard their
interests.A juror is human and if com-
pelled to stay up all night, he or
she is not likely to be very agree-
able the next morning."Until County does not need a
large court house, built more for
show and spectacular effect, than
convenience, and the voters of the
county will not authorize the con-
struction of such a court house at
this time when they are already

(Continued on Page 5)

Baker White Pine
Has Agreement
With Stoddard Co.BANKER, Ore., Aug. 27. (Special)
The Baker White Pine Lumber
company lock factory and planing
mill, closed along with the saw
mill August 15 by creditors. It was
announced yesterday following an
agreement between the Stoddard
interests and officials of the com-
pany.The lock factory will run night
and day and the planer will also
operate on a double shift. It is
believed orders are received to war-
rant such action. It was announced
by Charles H. Minnabach of Port-
land, receiver of the company. The
turnover of the plant will be fixed
on today, but actual operation
will not be resumed until Tuesday.
The saw mill and logging outfit
will remain idle, at least for some
time.

(Continued on Page 5)

BREAKS BACK IN
35-FOOT FALL AT
NORTH POWDERHarry McMillan of North Pow-
der, in the Grande Grande hos-
pital suffering from a broken back,
McMillan received the injury Sat-
urday when he fell 35 feet from the
top of a haystack where he was
working in North Powder on the
Hilly ranch.His condition is said to be sat-
isfactory.Interviews On
Court House
ProposalA group of five La Grande phy-
sicians, dentists and four lawyers
interviewed today on the local con-
troverly regarding the building of
a new court house to take the
place of the present one which was
partially destroyed in a fire last
Wednesday reveal the consensus of
opinion among these men to be
largely in favor of the building of
a new court house rather than the
repairing of the old one.A new angle of the controversy
is brought out by a statement by
R. J. Green, attorney, who says: "I
have heard a good many competent
carpenters and construction men
about town express the opinion
that it is extremely doubtful if the
old court house will be safe even
after it is repaired. Due to the
damage caused by the fire and due
to the antiquity of the building,
the walls are weakened and whether
or not they could be made safe
for habitation is a question."The building is not modern in
any respect. Its only redeeming
feature is that it is a building,"
continued Mr. Green. "It is not
situated in the proper location and
is practically impossible to heat in
the winter. It seems to me to be
practically unreasonable to attempt
to repair it."Dr. Ray Murphy, dentist, said:
"I think a new court house should
be built. There is no question but
that we need such a new build-
ing."Dr. Richardson expressed the
view that "A new court house
would be a nice thing to have, but
looking into consideration the present
financial situation of La
Grande it would seem better to re-
pair the old building. However, if
the people are willing to tax them-
selves for the erection of a new
building, I would in no way con-
demn the proceeding. It seems
logical to work until some future
time when the finances of the
county are in better shape."That Union county should have
a new court house is the opinion
of H. L. Hess, attorney. Mr. Hess
believes that it should be built in
the business section of town.An objection has been raised
to building the courthouse in the
business district because of traffic
inconvenience, which would reach
the court room. However, Mr.
Hess does not believe that would
be a handicap. He finds that many
of the court houses in Idaho coun-
ties are being built in business dis-
tricts. The Washington county
court house in Oregon is in the
business section. He said: "If we
lost any part of the records now
kept in the court house which is
not fireproof, that loss would prob-
ably cost more than a new build-
ing would cost."R. J. Kitchin, attorney, said "A
new court house will have to be
built some time or now is the best
time to build it."Dr. F. L. Kistner, physician,
said: "I favor the construction of
a new building providing it can be
constructed without too much of an
increase in taxes. If the amount
can be spread over a period of
years so that the burden will not
come all at once, I believe the
court house should be built."Dr. J. L. McElhenny, dentist,
is of the belief that "Under the
present financial stress, it would
be better to keep the present build-
ing. As for the location of the
present court house being used for
a junior high school building, I
think that is impractical because
of the location. A school house is
needed at this address rather than
at the present courthouse location.
The schools in that vicinity amply
provide for the student needs," he
said."I am in favor of building a new
court house providing it is a good
one."

(Continued on Page 5)

Baker White Pine
Has Agreement
With Stoddard Co.BANKER, Ore., Aug. 27. (Special)
The Baker White Pine Lumber
company lock factory and planing
mill, closed along with the saw
mill August 15 by creditors. It was
announced yesterday following an
agreement between the Stoddard
interests and officials of the com-
pany.The lock factory will run night
and day and the planer will also
operate on a double shift. It is
believed orders are received to war-
rant such action. It was announced
by Charles H. Minnabach of Port-
land, receiver of the company. The
turnover of the plant will be fixed
on today, but actual operation
will not be resumed until Tuesday.
The saw mill and logging outfit
will remain idle, at least for some
time.

(Continued on Page 5)

Baker White Pine
Has Agreement
With Stoddard Co.BANKER, Ore., Aug. 27. (Special)
The Baker White Pine Lumber
company lock factory and planing
mill, closed along with the saw
mill August 15 by creditors. It was
announced yesterday following an
agreement between the Stoddard
interests and officials of the com-
pany.

(Continued on Page 5)

Churches of City
Have Increased
Sun. AudiencesThe Rev. Parker Preaches
Farewell Sermon at the
Methodist Church in
Morning.With the reopening of fall activities
in La Grande, church attendance
along with other types of ac-
tivity has shown a noticeable in-
crease. At the Sunday services
yesterday La Grande pastors were
greeted by large congregations.
The outstanding event yesterday
in churchdom in La Grande was
the farewell sermon preached by
the Rev. Henry W. Parker, who
with Mrs. Parker is leaving to-
morrow for Boise, Idaho, thus ending
three years of work in the local La
Grande Methodist church.Mr. Parker has been granted a
year's leave of absence from Meth-
odist church work and will spend
the winter in Idaho and California.
La Grande people regret that Mr.
and Mrs. Parker are leaving, for
during their work in the city they
have made many friends.At the close of the Sunday ser-
mon service at the Methodist
church an informal reception was
held in honor of the Parkers.Mr. Parker made a few remarks
at the beginning of the sermon,
saying that he had enjoyed his
three years' ministry in La Grande
and commenting on pleasant as-
sociations he had found and the kind-
ly, friendly spirit he had found
prevailing in the community.Special music was featured dur-
ing the morning.At the Christian church last
night E. J. Gilstrap, representative
of the Eugene Bible university at
Eugene, spoke.MRS. ZURBRICK
WINS TOURNEY20 Fair Golfers Play in
First Women's Tourney
at Local CourseMrs. H. A. Zurbrick, shooting a
53 with a 27 handicap, won first
place in the nine-hole handicap
tournament for women that was
played at the La Grande country
club yesterday, successfully intro-
ducing women's competitive events
on the local course. Twenty women
participated in the event, com-
prising five flights of golfers, which
is considered a splendid showing,
demonstrating as it does that La
Grande women are taking a marked
interest in the game. Mrs. F.
L. Lilly and Mrs. J. J. Foley tied
for second place, shooting a 52 with
a 27 handicap, netting three 2's.
Mrs. J. C. Hines, with a 24 handi-
cap, and a 26 handicap, tied with
Mrs. A. W. Nelson, who shot a 49 with
an 11 handicap, for third place.
Mrs. Nelson had low medal score
for the day.The women players held their
tournament in the afternoon, when
the usual passivity would have
marveled to see a golf course on
which the men were outnumbered
by women players.The first prize, a pair of hose,
was donated by William Scott, a
resident of the city. W. C. Per-
kins and C. H. Reynolds donated
the two second prizes, three golf
balls each, and C. L. Larson don-
ated candy as the third prize.Men golfers of the club yester-
day played to qualify for the 18
men who will compete in the club
championship tournament.According to the qualifying
round La Grande golf champions-
hip played yesterday including a 25
shot in one round by W. C. Per-
kins, and 32 by Fred Kistner, and
an 80 by S. D. Greave.Fred Kistner hasn't been playing
for a number of years, says C. H.
Reynolds, chairman of the tourna-
ment, and it is gratifying to see
him making such a good record for
the first time.Mr. Perkins shot a 22 after a
poor first round, Mr. Reynolds says.

(Continued on Page 5)

Miss Hendrickson
Leading In RaceMiss Mary Vaughn Hendrickson,
with 2,772, is leading in the Labor
day queen contest, the committee
announced. Miss Doris Warner,
with 2,665, is second. Miss Thelma
Spencer, with 2,213, is third. Miss
Louise Harpeth, who has 1,945, is
running fourth while Miss Doris
Cade, with 2,850, Marjorie Gore,
with 2,726, Vivian Hansen, with 3,
579, Barbara Hatt, with 2,450,
Dorothy Shanks, with 2,275, follow
respectively.Entries for both hiking contests
to take place Labor Day, are com-
ing in in steady shape.200 Attend Moose
Picnic At ElginThe Moose picnic held yesterday
at Elgin was a decided success.
About 200 members of the order
from La Grande and Elgin were
in attendance at the picnic, which
was an annual affair. A program of
sports music and speaking was en-
joyed.RAIL MEETING
CONVENES IN
LEWISTON, IDA.Case Is Said to Be An
Unique One in Rail-
road AnnalsHEARING CALLED BY
FEDERAL WORKERSRailroad Men Come from
All Parts of Country to
Discuss Problem in All
Its Phases.LEWISTON, Ida., Aug. 27. (AP)
—Hearing on a complaint by the
public service commissions of Idaho,
Washington and Oregon, asking
the interstate commerce commis-
sion to order the Union Pacific
to extend its line from Home-
stead, Ore., to Lewiston, Ida., be-
gan here today.Commissioner Frank McManamy
and Examiner Frank Rogers of the
federal body called the hear-
ing. There appeared to represent
the three states Judge J. C. Denny
of Olympia, Wash.; H. H. Corcoran
of Salem, Ore.; and Judge Will H.
Gilson of Boise. The first of Cle-
land and Clifford of Olympia, and
Judge Charles T. McCarthy of
Boise, are counsel for the plain-
tiffs.Because the case involves princi-
ples that have come up for the
first time before the interstate
commerce commission railroad of-
ficials from far and near were
present at the hearing.Among them were W. E. Co-
man, Seattle, vice president of the
Northern Pacific road; A. Tinsley,
assistant vice president of the
North Pacific, St. Paul; L. H. Du-
pont, assistant western counsel
for the Northern Pacific, Seattle;
H. E. Lonsberry, general freight
agent, Union Pacific System, Port-
land; F. N. Finch, superintendent
of W. E. & N. unit of the Union
Pacific, Portland; A. C. Spencer,
Union Pacific counsel Portland.Also H. C. Baldridge, wife of the
governor of Idaho, and Victor
Shaw, secretary to the governor,
were here for the hearing.The late Charles Francis Adams,
who was president of the Union
Pacific System in 1884, when the
route under discussion, down the
Snake river, was first surveyed,
was an interested spectator.Lindy Arrives
Unheralded at
Medford, Ore.MEDFORD, Ore., Aug. 27. (AP)
—Now sequestered, according to
the best information available, at
the summer home of Andrew
Weiss and Harry Scott on Rogue
River, Colonel Charles A. Lind-
bergh today maintained about him
the usual secrecy that attends his
plans. He landed at the Medford
airport yesterday at 4:30 p. m.
Weiss and Scott, residents of San
Francisco, are close friends of the
first transatlantic flier. Col. Lind-
bergh was accompanied by three
unidentified companions.The coming of the flier was un-
heralded. Ten minutes before his
arrival airport officials were notified
he would land, and a large
mobster bearing a California li-
cense, parked at the edge of the
landing field. Col. Lindbergh in
his silver-winged monoplane, cir-
cled over the city. Attracting only
slight notice. He landed and a
casual visitor at the field greeted
him.Alfred in a rumpled grey suit,
and without a tie, Lindbergh ex-
claimed from his cabin. He assisted
helpers to trundle the big plane into
a hangar and requested that the
ship be serviced at once. He said
he would return tomorrow or
Wednesday, ran over to the
waiting automobile and was driven
away. With a smile he dismissed
all queries regarding his plans.The automobile in which the
flier departed was identified as be-
longing to Scott.

DROWNED IN CLACKMAN

ESTACADA, Ore., Aug. 27. (AP)
—Archie Tilden, 19, drowned in the
Clackman river near here today
when he slipped from a log house
from which he had been fishing.

(Continued on Page 5)

Union Boasts Healthy Triplets Born
To Mr. and Mrs. Chester CourtwrightA healthy set of triplets—born
yesterday morning to Mr. and Mrs.
Chester Courtwright, have not
left the home today and made
only two parents' but all Union
"The proud folks in the world."Two little girls, one weighing
five pounds and the other five and
one-half, and a husky boy weigh-
ing seven pounds, were born at
midnight in checkered sheets at
the farm home of Mr. Courtwright
who is a wheat grower and is well
known in the county.Neither remember instances of
multiples in their families before.
Mrs. Courtwright is 27.
The new trio and the mother are
doing splendidly today, according
to reports from Union.

MISSING FLIERS

Here is a new picture of Bert Russell (right) and Parker
Chumey, missing aviators, posed in their Arctic flying clothes
just before they hopped off from Rockford, Ill., for Stock-
holm, Sweden. Mystery surrounds the fate of their monoplane,
the Greater Rockford.STORMS KILL TWO;
DO HEAVY DAMAGEGouldsburst Isolates New
York Towns—Cyclone in
Arizona Causes LossELLENVILLE, N. Y., Aug. 27.
(AP)—The neighboring village of
Spanandah and some other places
were isolated today because a Sun-
day cyclone of an hour's dura-
tion converted Round Creek into a
surging river which leaped its
banks and spread over an area
twenty miles long and seven miles
wide.Two motorists were drowned as
the waters swept across the high-
way. They attempted to ford North.

(Continued on Page 5)

SECOND ARREST
LIKELY IN N. Y.
WRECK INQUIRYNEW YORK, Aug. 27. (AP)—
A second arrest appeared probable
today in the investigation of the
Times Square subway wreck which
caused sixteen deaths and injured
is reported in another.District Attorney Jacob Thawton
has summoned several witnesses to
his office today for questioning.
"This inquiry will be pushed
right through," he said, "to a dis-
tinct conclusion. We have three
weeks until September 17, when
William Baldwin, the maintenance
man charged with homicide, will
receive a hearing in court."It was William C. Lancaster,
chief engineer of the transit com-
mission, who indicated the second
arrest would be made."There were two men, not one,
of some failure," said Col. Lancaster.
The maintenance man, Bal-
dwin, and his helper, Carr, should
have spotted the wreck. They had
plenty of time and could, so it is
felt, the human element failed
there."In the second place, he said,
some one operated the valve that
forced the switch on the third car
of the subway train was passing
over it, causing the wreck.The statement made was that yester-
day at Elizabeth Island, 17
of Rockaway Beach, in Borden's
hospital. The body had been flown
by airplane.Hysteria showed by seeing the
wreck victims brought on a heart
attack that proved fatal last night
to Mrs. Joseph Lockridge, 61, former
or dramatic and versatile actress.In the second place, he said,
some one operated the valve that
forced the switch on the third car
of the subway train was passing
over it, causing the wreck.The statement made was that yester-
day at Elizabeth Island, 17
of Rockaway Beach, in Borden's
hospital. The body had been flown
by airplane.Hysteria showed by seeing the
wreck victims brought on a heart
attack that proved fatal last night
to Mrs. Joseph Lockridge, 61, former
or dramatic and versatile actress.Minister Hurls
Second Tirade
At Alfred SmithThe Rev. Straton of New
York, Says U. S. Fac-
ing Worst Crisis Since
Civil War.NEW YORK, Aug. 27. (AP)—
The Rev. John Roach Straton, in
a sermon at Cavalry Baptist church
last night repeated his assertion
that Governor Alfred E. Smith is
"the bitterest foe in America today
of the forces of moral progress and
true political wisdom."Governor Smith challenged the
statement when it was first made
by Dr. Straton from his pulpit
three weeks ago and requested to
be permitted to reply in Cavalry
church. Dr. Straton replied that he
was willing to meet the governor,
but later insisted that the meeting
could not take place in Cavalry
Baptist church."Not since the days of the re-
volution and the civil war," Dr.
Straton said tonight, "has this
country faced so perilous and im-
portant a political, moral and reli-
gious crisis as that of the present
hour.""Smith's wilful kicking over of
his party's liquor plank and his in-
stitution of his own nullification
program prove that he is politically
a lawless scoundrel.""In the light of his own record
on moral issues, and the proved
enemies of the law and the
lost camp followers—gambling,
prostitution and crime—I declare
here that because of his prominent
position now as a presidential can-
didate, Alfred E. Smith is the bit-
terest foe in America today of the
forces of moral progress and true
political wisdom.""To this assertion in a former
sermon Governor Smith took ex-
ception by saying that I had borne
false witness against a neighbor
and 'trailed' him as governor. This
is neither false witness nor
'traiding,' but is God's solemn
truth.""Was it a coincidence that after
elaborate preparations for a work-
ed up impression before the assem-
bled multitude and indeed all Amer-
ica, the sidewalks of New York
dropped the clouds also drop-
ped water and instead of the can-
didate ascending like the con-
quering hero the grand stairway
in front of the capitol as the man-
aged band played 'hail to the chief'
the sidewalks of New York
planned, the hero had to retreat
into the confines of that assembly
room where he had voted so often
against righteous reform laws and
delivered his speech in defiance to
the constitution of his country and
the expressed will and wish of the
righteous and enlightened citizens
of this republic in what was to all
intent and purposes in the light of
tremendous preparations of the
week."Texas Democrat Pledges Smith
FALLS, Tex., Aug. 27. (AP)—
Congressman Tom Connally, an-
nounced for United States senator
in the Texas democratic run-off
primary Saturday, today pledged
his support to Governor Alfred E.
Smith in a message of thanks to
the voters. He also declared he
stood squarely on the Houston plat-
form.Senator Mayfield had the support
of his old enemy James E. Ferguson,
former governor, whom he de-
feated for the senatorial nomina-
tion six years ago. Ferguson had
campaigns for Col. Alvin Owsley,
past national commander of the
American legion in the first primary
but changed his support to
Mayfield when Owsley failed to
enter the run-off.Senator Mayfield said he would
make a statement late today.
R. G. Lee, Cisco, was nominated
to succeed congressman Tom Blanton.
Blanton was a candidate for the
senatorial nomination, but was
eliminated in the first primary.
The local Cisco highway
communion was more than a mile.Plane Crashed
In Washington
Harbor, ReportPORT TOWNSEND, Aug. 27.
(AP)—A report that the plane had
been found at Washington harbor,
northwest of here, with seven
bodies aboard, and coast guard
vessels on a wild goose chase this
afternoon. The report was proven
untrue.TREASURY DEFICIT
Forecast, First
Time Since WarWASHINGTON, Aug. 27. (AP)—
President Coolidge's hope for a
balanced budget on June 26, 1929,
apparently faces disappointment,
and the government for the first
time since the war, formally is
forecasting a deficit in the present
year.A report from the annual report
of Director Lord of the budget, the
figure on the red line side of the
ledger is expected to be \$24,238,
348 for the fiscal year 1929.The reason for the deficit,
which, if materialized, will dis-
place a once-expected surplus of
more than \$250,000,000 are given
by government estimates as ex-
penditures of money due in ex-
pected activities of business and a
prospective decrease in revenue.The trend toward reduction of
one side of the situation—decrease
in revenue—was attested to last
night in a report of the internal
revenue bureau, made public at
the same time Director Lord pre-
dicted the deficit. This report dis-
closed that tax collections in the
fiscal year ending June 30, 1928
were less by \$75,347,082 than in
the preceding year.PEACE PACT
IS SIGNED IN
PARIS TODAYWorld Statesmen Affix
Signatures to Document
Outlawing WarUSE BEN FRANKLIN'S
INK STAND TO SIGNAll World Breathes
Thanks as Momentous
Treaty Is Signed Amid
Regal Pomp.PARIS, Aug. 27. (AP)—The Kel-
logg treaty which renounced war
as a national policy was signed in
Paris today by most of the leading
nations of the civilized world.Significantly Dr. Stresemann, the
first German foreign minister of-
ficially received in Paris since the
war of 1870, was the first to sign
under the alphabetical rule applied
to the names of the signatory coun-
tries. The United States was con-
sidered as being called America in
order to make Secretary Kellogg
the second signer. Foreign Min-
ister Hymans of Belgium was third
and Foreign Minister Briand,
whose message to the American
people through the Associated
Press many months ago was the
origin of the pact which Secretary
Kellogg developed and expanded,
came fourth.When Foreign Minister Briand
had finished an address of welcome
and the pact had been read, both
were translated into English. This
took 43 minutes and then the
French foreign minister, after a
burst of applause, rose and invited
Dr. Stresemann to sign the historic
instrument.Dr. Stresemann rose straight to
his feet. He was quite pale,
but walked with firm step around
the big table to the inside of the
huge hall and seated himself at a
small table where the treaty, with
all the seals affixed, was lying. He
wrote his signature quickly with
secretary Kellogg's pen dipped in
the inkstand which served for the
signing of the first Franco-American
treaty negotiated by Benjamin
Franklin.The German foreign minister
blinked in the brilliant lights that
shone upon his face. When he had
signed, he rose amid more ap-
plause and returned to his seat.
Then at Foreign Minister Briand's
lead, Secretary Kellogg went to the
treaty table and signed. The others
followed in a steady procession,
each taking an average of 40 sec-
onds and the signing ceremony was
completed in 10 minutes.After Foreign Minister Hymans
had signed for Belgium and M.
Briand for France, Lord Cusheen-
don, acting British