

CITY EDITION

La Grande Evening Observer

THE WEATHER OREGON: General cloudy to night and Thursday, probably rain in northwest, warmer in east portion tonight.

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LA GRANDE, OREGON WEDNESDAY, FEBRUARY 20, 1929.

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NUMBER 131.

HARD FOUGHT COURT CASE NEARS CLOSE

Attorneys Finishing Arguments in McCoy Trial This Afternoon

NIGHT SESSION HELD ON TUESDAY

A. A. Crader Will Not Be Sentenced Until Jury Reaches Verdict, Court Officials Say

The court bailiff reported at 3 o'clock this afternoon that the McCoy case was expected to reach the jury before 4 o'clock.

A hard fought circuit court case was drawing to a close early this afternoon. Following the noon recess the court again convened at 1:30 o'clock and Henry Hens, defense attorney, was before the jury, concluding his final arguments. The battle is between the state and Rutherford M. McCoy, of Imbler, charged with burning with intent to injure an insurer.

The court room during the entire time of the trial has been well filled, largely with people from Imbler. McCoy's wife and two of his children, Mar and Birdie, are also in attendance.

At the night session Tuesday testimony for the defense was finished and the court adjourned until this morning.

State's Charges The state claims that McCoy and Allen A. Crader together planned and executed a scheme to get insurance money by burning a building, known as the old box factory at Imbler.

The state's case was to the effect that McCoy bought from the Menefee Lumber company the building and ground for the sum of \$200 and then transferred it to Crader, and Crader in turn gave McCoy a mortgage back for \$2500. The two then arranged, it is alleged, to have the building insured in the sum of \$3000, the policy issued to Crader, and some time thereafter the building was burned by Crader, the fire occurred on August 30, 1928.

Two written confessions, one by Crader and one by McCoy, were admitted in evidence. Crader pleaded guilty and testified for the state.

The Defense Claims The defense claims that the building was worth \$2000 and that Crader was to expand about \$1000 on it, making it a frostproof apple warehouse, and that the transaction was all regular. It is also claimed that at one time Crader said to McCoy, "If the building should burn, who would get the insurance money?" McCoy said that \$2500 would come to him on the mortgage and that the balance of \$500 would go to Crader, and he would have the land, and at another time that Crader told McCoy he had a notion to burn the building and collect the insurance, and that McCoy said, "Don't you do it; if you do you will get into trouble," that McCoy admitted his signature to the signed statement, but that he was under duress; that he got to get away from the officers, and that he did not and did not read the statement; and that

MRS. SANDERS PASSES AFTER LONG ILLNESS

Mrs. Edith Sanders, 29, passed away at the Grande Ronde hospital late yesterday after a lingering illness. Funeral services will be held tomorrow afternoon at 2 o'clock at the Summerville chapel with burial in the family lot in the Summerville cemetery. The body is at the Snodgrass & Zimmerman mortuary.

Mrs. Sanders was born June 7, 1899 in Oregon and spent most of her life at Summerville, where her many friends were saddened by her death. She leaves her husband, Herbert, and four children, Genevieve, 19; Arthur, 17; Nadine, 7; Robert, 4; her mother, Mrs. Combs, of Summerville; one sister, Mrs. Mable Ray, of Elgin; and three brothers, Leonard and Lester, Leale, of Ponderosa, and John Leslie, of Summerville.

WEATHER TODAY

7:30 a. m.—29 above. Condition: cloudy.

WEATHER YESTERDAY

Maximum 41, minimum 18 above. Condition: partly cloudy.

WEATHER FEB. 20, 1929

Maximum 48, minimum 17 above. Condition: clear.

Gas War Results In Two-Cent Cut Over West Today

Retail Price in La Grande Now 22 Cents; Portland Protective Association in Quandary

The gasoline price war, which is now in progress over the Pacific coast, had an effect in the La Grande price today, when dealers announced a two-cent reduction, bringing the retail quotation down to 22 cents.

The cut is general with several companies here announcing the two-cent drop in prices.

GAS GROUP IN QUANDRY

Portland Retail Gasoline Dealers' Protective Association is in a quandary. After having promulgated an order that members must adhere to the 19 1/2 cent per gallon price established yesterday, and threatening severe action against any dealer who cut his prices further, the association was faced today with a slash by General Petroleum to 17 1/2 cents a gallon.

The protective association is now marking time, waiting to learn whether the other oil companies will meet the situation. The Standard Oil company this morning had "no confirmation of a two-cent cut."

The Shell company had "no official advice."

In response to the question of whether its price had dropped two cents, a Union Oil company official said "not that we know of."

The Richfield Oil company had "no confirmation I know of."

Associated Oil said there was "no change."

The Texas company alone had followed General Petroleum into the battle and retail station operators.

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Choral Society Pantomime Here Tomorrow Night

Tickets are selling rapidly, and the final dress rehearsal will be held tonight, and the stage is nearly set for the rising of the curtain tomorrow night at 8 o'clock at the Lutheran church when members of the Lutheran choral society will present their pantomime of hymns.

The program is to be given in costume and with lighting effects. The numbers follow:

"No Room in the Inn," Mrs. H. R. Ostland and choir singing. Characters: Mrs. Ben Turner, Ben Turner, Fred Matthews Jr.

"There Were Shepherds," choir, characters: Carl Larson, Carl Johnson, Woodrow Ostland, Miss Lina Lottes.

"Sweet Hour of Prayer," choir, characters: Mrs. H. R. Ostland, and children Charlotte and Fernande.

"Lead Kindly Light," choir, Anna Lottes.

"The Lord Is My Shepherd," Duet: Anna Lottes and Lina Lottes, the Rev. Leif H. Aves.

"Thy Will Be Done," Solo, Mrs. Ernestine Stitzinger. Characters: Ben Turner, Mr. and Mrs. Poirnander, Walter Ostland, Lottie Ostland and Charlotte Ostland.

"Rock of Ages," choir, Lina Lottes.

"Holy Bible," Fred Matthews and choir.

"The Church in the Wilderness," choir.

"Out of the Depths," choir, Mrs. Jess Poirner.

"Rugged Cross," solo, Ben Turner.

"Abide with Me," choir, Mrs. Frank Hanson.

"The Dream City," Walter Poirnander and choir, Anna Lottes and Lina Lottes.

"The Resurrection," choir, Lina Lottes, Mrs. H. R. Ostland, Mrs. Ben Turner.

"Peace Perfect Peace," choir, Miss Lina Lottes and Emma Wurl.

SIX MINERS DIE IN TRAIN WRECK TODAY

About 200 Others Injured in Accident Near Hollis, Illinois

SCORES HURT IN NEW YORK MISHAP

Train Loaded With 900 Passengers Catches Fire in Hudson Tube, Causing a Panic

PEORIA, Ill., Feb. 20 (AP)—At least six miners were killed in a train wreck today and about 200 others were injured, some so seriously they may die. The accident occurred near Hollis, Ill., five miles south of here. Four cars of an 11-car Peoria Terminal Railway train carrying 900 miners went over a 25-foot embankment.

One of the cars caught fire from an overturned stove but the fire was extinguished. One miner probably was fatally burned when he was knocked unconscious and fell across the stove. He was rescued.

The train was known as miners' train No. 1 and was bound for the Crescent coal mines 15 miles south of here. Engineer E. O. Fisher, chief said "not that we know of."

The Richfield Oil company had "no confirmation I know of."

Associated Oil said there was "no change."

The Texas company alone had followed General Petroleum into the battle and retail station operators.

(Continued on Page 5)

MISS GLASSOW TO FEATURE PROGRAM

O. S. C. Director Will Give Health Talks During Homemakers' Meet

Ruth B. Glassow, zealous director of physical education for women at Oregon State college, will feature the program of the Homemakers' department of Union county, economic conference this year, giving her health talks—starting at 8 o'clock at each of the three sessions, Monday afternoon and both morning and afternoon of Tuesday, at the Salsajawa hotel.

No more popular speaker goes forth from Corvallis on extension service this year, according to Mrs. Jessie D. McComb, state leader of home economics extension, who largely planned the local program, and will be here to preside and direct it.

First Trip to La Grande "Because Miss Glassow's job is right here on the campus, we can borrow her only occasionally," writes Mrs. McComb. "She has never been in Union county for us before, and may not be again."

Miss Glassow, wherever she appears, is besieged with requests from conference-goers for private interviews on health and beauty problems. Anticipating the same active interest from Union county women, she has reserved an hour of her program time for counsel.

"Shows, Feet and Health" is her subject for Monday afternoon. Tuesday morning she will talk on "Posture, Exercise and Health."

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Elgin Woman Dies, Funeral Friday

Mrs. Vesta Ann Wolfe passed away very unexpectedly at an early hour yesterday morning at her home at Elgin. The body is at the Snodgrass & Zimmerman mortuary today and funeral services will be held at Wallowa Friday afternoon at 2 o'clock. She will be laid to rest by the side of her husband, George W. Wolfe, in the Wallowa cemetery.

Mrs. Wolfe was born Aug. 11, 1878, and was 50 years, five months and 22 days of age. She is survived by two sons of Elgin.

New Basketball Rules Explained; Good Sportsmanship Is Stressed

With the sub-district basketball tournament scheduled in La Grande Friday and Saturday at the La Grande gymnasium, the following rules will be played at Union the following week, school officials, referees, Hi-Dads and others interested are stressing the importance of good sportsmanship on the part of both players and spectators.

The basketball rules committee considers the development of sportsmanship the main objective in all games and contests and has adopted the following code: keep the rules, keep faith with your comrades, keep your temper, keep yourself fit, keep a stout heart in defeat, keep your pride under in victory, and keep a sound soul, a clean mind and a healthy body.

Urged to Learn Rules Spectators are urged to learn the rules of the game and are particularly urged not to make irritating or abusive remarks from the sidelines to players or officials.

At the request of Hi-Dads and school officials, James Rosenbaum, La Grande referee, has prepared a summary of new rules, which are as follows:

1. A player shall not hold, trip, charge or push an opponent when-

er or not either player has possession of the ball, or block an opponent. In any of the foregoing cases the offender shall be charged with one personal foul. A player who has made four personal fouls is automatically disqualified and shall be required to leave the game.

2. The principal change in the rules this year is that concerned with the "dribble." A statement has been added to the rules which emphasizes the responsibility of the dribbler in dividing personal contact. If the dribbler's path is blocked he is expected to pass or shoot; that is, he ought not to try to dribble by an opponent unless there is a reasonable chance of getting by without contact. This is not intended to free the defensive players from responsibility. It is the duty of both players to avoid contact but more attention is to be directed to the dribbler's responsibility. In attempting to stop a dribbler the defensive player must play the ball.

"Guarding from the rear" is condemned as the most flagrant violation of hoop code. A player is in the act of guarding from the rear if he reaches for the back of the player's feet.

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Committee Adds \$4,820 To East Normal Measure

Total Appropriation Now Sought \$84,780; County Fair Bill Is Favorably Reported

SALEM, Ore., Feb. 20 (AP)—When Representative Wheeler reported on the bill for the new Eastern Oregon normal school, making the total \$84,780, House bill 517, providing appropriations for county fairs, was approved after cutting out the Union livestock show and the Union county fair, otherwise provided for and changing five appropriations of \$500 each to \$1000 each.

Dr. J. J. Jardine, experiment station director for the college, was found about the capitol and was endeavoring to enlighten the members when adjournment was taken.

Weatherproofing said the absence of the figure from the budget showed bad bookkeeping and bad business. He said he wasn't charging the college with stealing anything, but that it had "covered up" from the committee.

"We can't act intelligently on this," he said, "until Jardine tells us what was done with this."

Injection of this subject interrupted discussion of the majority and minority reports of a sub-committee that investigated the University of Oregon and the State college. Representative Angell read from the majority report, which Senator Elliot and Representative Johnson of Roseburg, county, the minority report. Angell showed prejudice in favor of the university. This was disclaimed by Angell, who said he had embodied in the report much verbatim matter prepared by Johnson.

The committee approved an addition of \$4,820 to the appropriation for the new Eastern Oregon normal school, making the total \$84,780, House bill 517, providing appropriations for county fairs, was approved after cutting out the Union livestock show and the Union county fair, otherwise provided for and changing five appropriations of \$500 each to \$1000 each.

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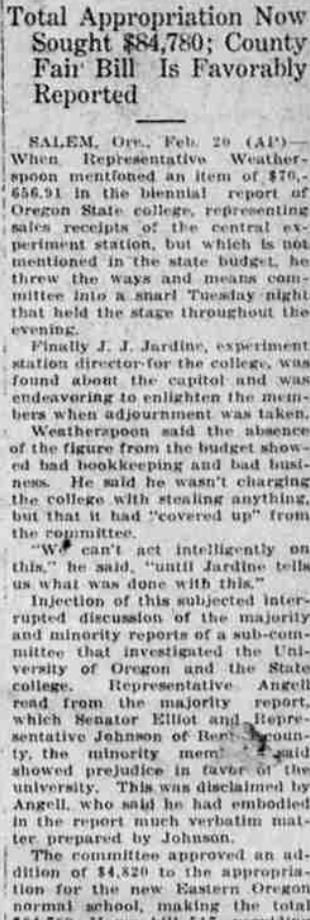
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THE FUTURE MRS. LINDBERGH



Here is the best picture ever made of Miss Anne Spencer Morrow, fiancée of Colonel Charles A. Lindbergh, a recent etching that was made for members of her family. This copy was obtained by The Observer and NEA Service from Mrs. Charles Cutler of Cleveland, Ohio, who is Miss Morrow's maternal grandmother. Very few photographs of Miss Morrow have ever been taken and this etching is the only one for which she posed only recently, is said to be the best likeness in existence.

Hoover, Coolidge In Conference This Afternoon

WASHINGTON, Feb. 20 (AP)—Hastening to renew his discussions with President Coolidge of subjects of interest to the outgoing and incoming administrations, President-elect Hoover made an appointment to see the chief executive at the White House at 3 o'clock this afternoon.

The conference was arranged for the White House proper instead of the business office, where the president usually greets his callers.

At his first conference of the day Mr. Hoover discussed with Senator Watson of Indiana, who will be republican leader in the next session, and Representative Tilson of Connecticut, republican floor leader, the most suitable date for calling a special session. It has developed that the date of completion of the tariff revision bill largely will determine the opening date of the special session.

After his visit to the Hoover home, Senator Watson, Mr. Tilson and Chairman Hawley of the house ways and means committee, conferred on the prospects of having the tariff bill ready earlier than April 15, the day previously mentioned for the calling of congress.

Chairman Hawley was of the opinion that the bill would not be completed before April 15 and that very likely the special session would be called for five days later.

Waltz, who had manifested an air of bravado throughout the trial and after his conviction, maintained his poise to the end. At one time, he said he guessed he'd go to sleep and leave a card for 12:30. He and Grecco played cards with two of their guards during the evening and listened to a portable phonograph which had been placed in their cell. Waltz smoked one

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Two Murderers Executed Today

CHICAGO, Feb. 20 (AP)—The execution of two youths in their teens early today introduced the electric chair to Cook county as the legal death device supplanting hanging.

Anthony Grecco and Charles Waltz died within 10 minutes of each other shortly after midnight for the murder of Patrolman Arthur Esau during a drugstore hold-up last April.

The executions were carried out with precision and were completed within 20 minutes after Grecco, the first to die, had been led into the death chamber, blindfolded, by two guards. Grecco, who was 19, was silent throughout the proceedings, but Waltz, a year younger, turned toward the chair and mumbled: "Never mind; I'm all right."

As he was strapped in the chair, he whispered: "Good-bye, folks."

Waltz, who had manifested an air of bravado throughout the trial and after his conviction, maintained his poise to the end. At one time, he said he guessed he'd go to sleep and leave a card for 12:30. He and Grecco played cards with two of their guards during the evening and listened to a portable phonograph which had been placed in their cell. Waltz smoked one

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Three Convicts Back In Prison In Columbus, O.

COLUMBUS, O., Feb. 20 (AP)—Three of five convicts who saved their way to freedom through the bars of Ohio state penitentiary yesterday were captured and returned to solitary confinement early today, less than 24 hours after their escape.

Pat McDermott, gunman of the Don R. Mellett slaying in Canton, and Mike Jacko, who murdered a Cleveland butcher, were cornered in a power house tower five miles north of here at midnight and captured by J. S. Crumley and Charles Williams, Franklin county deputy sheriffs. Joe Hosco, Cleveland robber, was taken a few hours later at a farm south of here by Deputy Sheriff John Guy. McDermott and Jacko are serving life terms.

The others sought were William W. Young, sentenced to life for the murder of a Marietta, O., policeman, and James A. Walden, Cleveland robber reportedly wanted in Philadelphia for murder. Warden Preston E. Thomas fixed direct responsibility for the escape on one of two guards assigned to watch the cell tiers through the night. The guards, Charles Shively and J. B. Isaacs, were questioned at length by Warden Thomas and other state officials assigned to investigate the escape by Governor Myers Y. Cooper, who expressed the opinion that the other fugitive convicts would be returned in a short time.

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Impeachment Of Judge C. S. Hardy Is Recommended

Investigating Legislators Make Report; Aimee, Heading South, Accounts for \$2,500 Check

SACRAMENTO, Cal., Feb. 20 (AP)—The impeachment of Superior Judge Carlos S. Hardy of Los Angeles, was asked today in a report filed with the assembly by a special committee appointed to investigate charges of misdeemeanor in office.

SACRAMENTO, Cal., Feb. 20 (AP)—A resolution recommending the impeachment of Judge Carlos S. Hardy for misdemeanors in office will be presented in the lower house of the legislature today by the investigation committee, according to Walter J. Little.

Unanimous adoption of the resolution recommending Hardy's impeachment came as a surprise move by the committee last night. Charges in the resolution will permit the legislature to reopen the Aimee McPherson kidnaping case if it so desires.

Following the committee's decision to vote for impeachment, the members adjourned for dinner and were summoned together again later by Little, chairman.

Midnight oil was burned by the committee members in drafting the resolution that will open debate on the matter in the assembly proper where a vote to impeach must be taken.

Aimee Temple McPherson who gave Hardy a check for \$2500—the action on which the impeachment is largely based—was speeding south from Portland to Sacramento as the resolution was being drawn.

MEDFORD, Ore., Feb. 20 (AP)—Aimee Temple McPherson, evangelist, who passed through here last night on her way to California, said at Ashland that she had paid Carlos S. Hardy, jurist, \$50 a month over a period of four years for Angelus Temple radio talks and for church work. This she declared, accounted for the \$2,500 check given to Judge Hardy, who now faces impeachment action for accepting the money.

Mrs. McPherson expressed regret when informed that a California legislative committee had recommended that Judge Hardy be impeached.

The evangelist denied she was returning to California for the purpose of testifying in the Hardy proceedings, and said she was going direct to Los Angeles to "rest."

Johnson also said that the new bill would carry the referendum clause, which has not been attached to any of the other revenue measures.

Whether the grango will line up in support of the new bill has not been announced. So far this session the grango has advocated that the legislature keep its hands off the income tax problem, and its representatives have made it clear that they want to draw their own bill and lay it before the people through the initiative.

Sold tire trucks will not be permitted on the Oregon highways after July 1, 1931, if house bill 514 which passed the house this morning becomes a law. The bill passed by the house, originated in the two reads committee of the house and is the result of several years study by Emmett Howard of Lane, chairman on the roads and highways committee, and of several other committee members. A similar bill passed the house in 1927 and was defeated in the senate.

The senate today killed by indefinite postponement the Hall-Dunne resolution demanding that the Oregon voter organization and C. C. Chapman, its editor, be ousted from the capitol. Hall and Dunne charged Chapman and his crew with loitering.

Text Book Bill Passed After a one-sided debate Senator Fisher's bill providing for text book changes every ten years passed the senate. The bill is the work of E. H. Elliott and Miller voted against it. The measure would supplant the present law whereby one-third of the books are changed every two years. The Fisher bill applies to elementary and high schools. The education committee reported the measure out without recommendation.

With only two opposing votes, the Fisher bill passed the lower house Tuesday afternoon after 30 minutes of explanation and debate. The excise bill, the first of the major tax proposals of the property tax relief commission, taxes income of banks and other

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INLOW ON WAY TO EAST FOR THREE WEEKS

FENDLETON, Ore., Feb. 20—H. E. Inlow, president of the Eastern Oregon Normal school has left Fendleton for the middle west and east where he will study modern methods of instruction used in the normal schools there. Mr. Inlow expects to return to Fendleton in about three weeks.

While Mr. Inlow will visit many cities in the central states, he expects to spend most of his time at Cleveland, Ohio and New York. Mr. Inlow also intends to confer with several educators with the view of offering them positions on the faculty of the normal school.

Mr. Inlow returned last week from Salem where he had been in conference with Jesse Kover, state budget director, making and a tentative budget for the school for presentation to the legislature.