

CITY
EDITION

La Grande Evening Observer

THE WEATHER

Oregon: Fair tonight and Saturday but with valley fog and rain, not much change in temperature. Gentle variable winds.

VOLUME XXVIII

MEMBER ASSOCIATED PRESS

LA GRANDE, OREGON, FRIDAY, DECEMBER 27, 1929

MEMBER A. B. C.

NUMBER 111

ANNEXATION
PETITION IS
DENIED, FILED

City Dads Wield Powerful
Weapon Against Ex-
pansion Move.

SURPRISE ACTION
TAKEN LAST NIGHT

Filing of Petition Makes
it Part of Permanent
Property and Records
of Municipality.

Wielding a surprise weapon for the first time since the annexation campaign gathered momentum in this community, the city council last night threw a definite and sizeable obstacle in the way of citizens desiring an election before May 1 to extend the city limits to include property on which approximately 1,200 or more people now make their homes.

The move came out of a clear sky, and was as much a surprise to the commission as to others. Finding the petition 11 names short of legal requirements, the commissioners voted to deny the petition and place it on file.

Definitely "Kills" Petition
The denial of the petition, if the number of names proved to be insufficient, meant, however, that the surprise action was the placing of the petition on file. The petition now becomes part of the city records and can not be returned to the chamber of commerce, who circulated it, for additional names. If an election is called to vote on the annexation question, an entirely new petition must be drawn up and circulated.

City Attorney George T. Cochran reported to the commissioners, after the result of the checking of the names was announced, that the city executives had the right to place a denied petition on file, permitting it to become a part of the city's permanent records.

Commissioner Sturgis, at a moment when the audience could have heard a pin drop in the commission room, then A. T. Hill, president of the commission, asked Mr. Cochran again about the provision, seeking verification. In his reply, Mr. Cochran said that this was within the power of the commission, adding during the discussion, that steps such as this were not always taken.

"The petition would make it mandatory for us to call an election," Mr. Hill reminded his hearers.

Again there was a pause, and Commissioner Victor Melville made the motion. Commissioner Charles Phayle seconded it, and within a moment the petition became "dead," as far as using it again is concerned.

40 Signers Ineligible
Previous to this Mr. Stevens, city recorder, reported that 352 names are required to give a petition power to cause the commission to call an election. When handed in, the petition carried 391 names. Forty-nine signers were found to be ineligible, and one signer withdrew his name, leaving 341 eligible signers, exactly 11 less than required.

Questioned by a reporter, Mr. Cochran said that, if the election was to be held before May 1, it would be necessary to file a new petition with the commission not later than Wednesday, May 19, allowing a week for checking and 30 days for the issuance of an election call, plus two or three days for sending the results to the secretary of state.

Stark Action Before Census
The reason for wishing to hold the election before May 1, according to the supporters of the annexation movement, was to include the new territory in La Grande's population as appearing in the 1930 census. The government

(Continued on Page Four)

SCHOOL VOTE
IS UNDER WAY
IN LA GRANDE

The school district election, being held at Central and Greenwood schools today for the purpose of passing or rejecting a proposal to increase the amount of the tax levy for the year 1930 by more than six per cent over the amount for the last year, began at 2 o'clock this afternoon with the opening of the two polling places. Voters may cast their ballots until 7 o'clock this evening, after which the polls will be closed and counting of votes started.

WEATHER TODAY
7:30 a. m.—29 above.
Minimum: 27 above.
Condition: partly cloudy.
WEATHER YESTERDAY
Maximum 47, minimum 32 above.
Condition: Partly cloudy.
WEATHER DEC. 27, 1929
Maximum 57, minimum 32 above.
Condition: cloudy, rain .64 of inch.

Four Fined \$15
For Driving Car
With 4 In Seat

Amount Raised \$5 in
Cases Before City Judge
Last Night—Alley
Parking Cases Heard.

A few weeks ago several fines amounting to \$10 were assessed in the La Grande city court to persons found guilty of driving a car with more than three persons in the driver's seat. This was considered "stiff" by some at that time, but observers said that it was the start of a real effort to enforce this section of the city ordinance and their operation.

Last night, however, the ante was raised an even \$5 and four persons, charged with having too many over the 12-year limit in the driver's seat, were fined \$15.

The four who were fined \$15 were: Forest Parker, W. L. Koyler, H. G. Hetrick and W. J. J. Dobbin. Parker, police said this morning, intends to serve his fine out in jail.

Fined For Alley Parking
In addition to these fines, Judge Humphreys fined the following \$15 each for parking in alleys: Dave Steward, Lehi Wright, C. L. DeGreener, C. Agnos, Clyde Bloom and Paul Tetreau. Three drivers of cars that were listed on the same charges, that of parking in alleys—failed to appear for trial. Police said that the cars were registered to A. C. Crowell, of Hephner; Dr. Webster Ross, and Theo. Keefe, of Elgin.

Earlier in the week Leighton Graham was fined \$5 for failing to stop at a stop sign.

Program Given
For Concert In
Church Sunday

The program for the sacred band concert to be given Sunday evening at 8 o'clock in the First M. E. church, at Fourth and Spring, was announced today by Director Andrew Loney Jr.

The concert is sponsored by the La Grande Ministerial association. The program follows:

Prelude by band, first movement of Beethoven's "Moonlight Sonata."
Prayer by the Rev. J. George Wala, Presbyterian church.
Congregational singing, "All Hail the Power of Jesus' Name," with hand accompaniment.

Band: excerpts from "Tannhauser" by Wagner, (a) "Pilgrims' Chorus"; (b) "Evening Star."

Overture "If I Were King" by Adam.
"Cantata" by Hoff.
Vocal solo "The Holy City" (Stephen Adams), by Paul Knaut.

Suite "Peer Gynt" by Grieg: 1. Morning, 2. Sea's Death, 3. In the Hall of the Mountain King, "Toreador" by Lohengrin.
Closing hymn, "How Firm a Foundation," by congregation.
Benediction, the Rev. V. E. Hall, First M. E. church.
Postlude by band, "Onward Christian Soldiers."

Sentenced to Jail
On Pistol Charge

Ira Stiles was fined \$50 and sentenced to 29 days in the city jail by Judge C. M. Humphreys in the municipal court last night. The complaint charged Stiles with "having in his possession and carrying concealed upon and about his person a deadly and dangerous weapon, to wit, a .25 caliber Colt automatic pistol, on Depot street."

Reckless Driver
Pays Fine of \$75

Charged with reckless driving, Otto Williams was fined \$75 in municipal court last night by City Judge C. M. Humphreys. The complaint charged him with reckless driving of a motorcycle on Fourth street and Jefferson avenue.

Find Stolen Car;
Man is Arrested

Stolen from Oscar Holston, of La Grande, a car was recovered in Unatilla, Ore., last night through the efforts of the Unatilla yardmaster, who had been notified by local police of the theft. Reports received here stated that a man was arrested at the time of the recovery of the car and that Sheriff Tom Gurdane, of Pendleton, will return the car and the prisoner to Pendleton today.

ESCAPE INJURY

SAN FRANCISCO, Dec. 27 (AP)—Two pilots and eleven passengers of a northbound Western Air express monoplane escaped injury when a landing gear struck a "soft spot" and collapsed while taxiing to a hangar after landing at the municipal airport. The plane fell over on a wing, snapping it off.

FAIR CHARMER



Helen Stevenson, daughter of Dr. and Mrs. H. F. Stevenson, pioneer residents of El Paso, Tex., likes her pets—and here are some of them. She maintains a "snake zoo" in the basement of her home. When in high school, Miss Stevenson and her snakes attracted almost as much attention at football games as the players themselves.

190 MILLIONS IN
TAXES REFUNDED

When Treasury Makes
Mistakes in Calculations,
It Admits Them.

WASHINGTON, Dec. 27 (AP)—Sometimes, even that master of arithmetical calculation, the United States treasury, makes mistakes; but when it does, it admits them.

Today, it made known an error of \$190,000,000 in the collection of last year's taxes and, in its annual announcement of tax refunds, admitted that restitution in amounts ranging upward to \$25,000,000 was being made to corporations and individuals.

Among the western states, California with its wealthy motion picture and subsidiary interests, was predominant among the refunds, although Miss Pickford was the only cinema actress mentioned. In the middle west, Illinois furnished the government's greatest refund burden, while Pennsylvania and New York were outstanding in the east. Florida was the heaviest beneficiary in the south.

Four citizens of Germany benefited substantially from the refunds, more than a million dollars going to each through the custody of alien property, for errors in tax collection on estates confiscated during the war.

Army Scene On
New Year's Eve
To Be Feature

A scene in an army camp "over there" on New Year's eve, with the doughboys putting on their own show, is to be the final number of the American Legion's Midnight matinee, to be held in the Arcade theater Tuesday at midnight, as 1929 comes into life.

Ballet dancers, Salome dancers, and other acts are included in the army scene and a particularly entertaining production is expected. Even the legionnaires admit that this act has "great possibilities."

About 29 will take part in the army camp scene, which will conclude the show.

CONFEDERATE VET DIES

CLOVER, Cal., Dec. 27 (AP)—Lewis Watson Harrison, 79, veteran of the Confederate army and a pioneer of Fresno county, died at his home here. As a member of the 1st Alabama cavalry, Harrison served as a "Confederate picket" during Sherman's march to the sea.

ASSESSOR IS ARRAIGNED

SALEM, Ore., Dec. 27 (AP)—C. C. Mahan, county assessor of Lake county, who has been in jail here for several weeks on a charge of issuing a check without sufficient funds, was arraigned in justice court yesterday. Mahan did not enter a plea, but asked further time to consult an attorney and the case was continued.

SUIT FILED
AGAINST LAKE
CORPORATION

C. A. Bingaman Takes
Action in Wallowa Court
to Foreclose Mortgage

ASKS FOR CHANCE
TO ENTER A BID

La Grande Man Seeks to
Recover About \$30,000
From Wallowa Lake
Wonderland, Inc.

Suit to foreclose a mortgage for \$25,000 principal, a year and a half's interest, and \$3,000 attorney fees has been filed in Elberton with the Wallowa county clerk by C. A. Bingaman against Wallowa Lake Wonderland, Inc., August J. Lange, John C. Macpherson, G. L. Larison, August Gumsion, Fred Dutt, R. F. Tyler, H. E. Dixon and the La Grande Grocery company, it was learned here today.

It is understood that these defendants hold a second mortgage on the property and it is rumored that the defendants will endeavor to foreclose on the second mortgage.

Asks for Chance to Bid
In the complaint the plaintiff asks for a chance to bid in on the property at the sale and if the bid is successful, to operate the establishment.

The money is due on a promissory note, which the defendants gave for a loan of \$25,000 on or about the 24th day of April, 1926, which was to run for 10 years with interest at eight per cent, payable semi-annually, it is alleged.

The plaintiff claims the covenants of the mortgage have been broken in two particulars: The defendants failed to pay interest October 24, 1928, and every subsequent payment up to and including that of October 21, 1929; they have failed to pay the taxes for the respective years of 1926, 1926, 1927 and 1928.

Cochran and Elberhard, La Grande, are attorneys for Mr. Bingaman.

J. B. CAMPBELL
RESIGNS POST
ON THE I. C. C.

WASHINGTON, Dec. 27 (AP)—Johnston B. Campbell, member of the interstate commerce commission since 1921, has tendered his resignation to President Hoover, and will retire from office as soon as a successor has been selected.

Commissioner Campbell, whose residence is in Spokane, Wash., will return to the practice of law.

He was selected for the commission service during the Harding administration, having been purchased by the western states, California with its wealthy motion picture and subsidiary interests, was predominant among the refunds, although Miss Pickford was the only cinema actress mentioned.

Classified as a republican, his official term on the commission had two years to run before expiration.

Mellon Criticized
By Senator Norris

WASHINGTON, Dec. 27 (AP)—The resignation of Secretary Mellon was demanded as the first step of a "relief" or prohibition enforcement today by Senator Norris, of Nebraska, a republican, who joined with Senator Borah, republican, Idaho, in condemning the personnel of the enforcement service.

"The Nebraska blamed 'politics' in the enforcement service for what he described as the 'failure' of prohibition. When asked where he would start in reorganizing, he replied quickly 'with Andrew W. Mellon.'"

Dehydrator Will
Re-Open on Dec. 30

The dehydrator operated here by the Ross Packing company, which was closed down last Saturday, will resume full operations on Monday, Dec. 30. It was announced today. The shutdown was for the Christmas week.

GOV. NORBLAD AT DESK

SALEM, Ore., Dec. 27 (AP)—Fred E. Goddard, Klamath county judge, has sent a telegraphic request to Governor Norblad for a date to discuss a matter which the telegram says is "of mutual interest to the state and to Klamath county." The message gives no further hint of the nature of the subject.

DOG STAYS WITH MASTER

HOLLISTER, Cal., Dec. 27 (AP)—Attracted by the frantic barking of a dog, neighbors found the body of Charles ("Pat") Smith, 63, pioneer Hernandez rancher, crushed under a fallen branch.

Secret Warning
By Marshal Foch
Revealed Today

French Presidents Cautioned Against Premature Evacuation of "Revengeful" Germany.

PARIS, Dec. 27 (AP)—Secret warning by the late Marshal Foch against premature evacuation of the Rhineland was revealed in the French chamber of deputies today and precipitated a parliamentary storm.

Aristide Briand, foreign minister, expressed amazement that he had known nothing of the document.

The marshal's warning was made in a note to President Doumergue and Premier Poincare in October 1926.

Mr. Briand reproached M. Reibel, former under-secretary of state for the liberated regions, for reading the note. He said it created a "sorry situation."

Germany "Wishes Revenge"
Marshal Foch's letter said that Germany daily was becoming a more populous and stronger "vanguard nation which wishes revenge."

"Guided by a temperament different from ours, for her might is right," he wrote, "she remains a redoubtable neighbor and peace will be maintained only by the risk she runs in revenge."

The letter declared that the Rhineland occupation guaranteed France's security but added that when the French troops return to their territory France would find herself in an exceptionally grave situation.

The letter continued to explain that as the French army was being reorganized and the frontier undefended the time of the evacuation provided for in the treaty of Versailles must be advanced.

Briand Indignant

Foreign Minister Briand, indignant at the interception of this secret document into the debate said to M. Reibel:

"You wished to defend the memory of Foch. He was a great soldier. The minister of foreign affairs who has his chief and with

(Continued on Page Five)

Bandit Killed,
Another Taken
To Frisco Jail

SAN FRANCISCO, Dec. 27 (AP)—One bandit was killed, another captured and a policeman wounded early today in a gun duel precipitated when the officer walked in on a holdup in a parking lot. Fourth and Stevenson streets.

The dead bandit, who was shot through the heart, is Neil Storm, 27, formerly of Oakland and San Diego. George Marchman, 30, is the wounded officer. He was shot through the groin. At Central emergency hospital it was said his condition is not serious.

The captured bandit gave his name as Leo Potts, 23, a former sailor. He surrendered after Marchman had killed Storm.

Police later took the wife of the slain bandit into custody. She told them Storm was "desperate because I and his baby were starving."

Belief In Bible Miracles Is Not
Necessary to Faith in God, Claim

BIRMINGHAM, Ala., Dec. 27 (AP)—(NRA Special)—Dr. Horace Calvin Day, 27-year-old professor of biology, who got separated from his job at Howard university because he expressed doubts about the truth of Biblical tales of miracles, is something of an unconstructed rebel.

Quitting Birmingham to take a position in Los Angeles, Dr. Day is in California where a professor can doubt anything he chooses. Dr. Day is sticking by his guns.

Indeed, before leaving he fired one or two extra rounds.

The trouble began when Dr. Day, addressing a chapel meeting at Birmingham's 88-year-old fundamental Baptist university, told the students not to take some portion of the Bible too literally. The uproar that followed led to the loss of his job.

Busy packing his household goods at his home here, Dr. Day elaborated on his views.

His God is "Logical"
"The God I worship is a logical God," he said. "To believe in any miracle would not be in keeping with the manifestations in nature of a logical-minded Creator."

"Everybody in nature and science points to God. The very seasons themselves and the way animals are prepared for them by nature points to some divine plan."

"But nothing points to the myths recorded in the Bible."

"To believe in God, it is necessary to believe in a lot of stories that came from goodness knows where and for goodness knows what reason."

Dr. Day insists that his remarks on that fatal day in chapel were not particularly incendiary. "Don't Be Too Literal"
"I just told them that some portions of the Bible must not be taken too literally," he said. "I said that it was impossible for a whale to swallow a man, and that if it had been possible poor Jonah would either have been mothered or killed by the whale's digestive juices."

(Continued on Page Three)

GREAT SALT
LAKE FOUND
BY EXPLORER

Expanse of Water in
Australian Desert Covered
with Crystal 'Floes.'

BILLIONS OF TONS
HELD AVAILABLE

Regarded as New Wonder
of World—Chemists
Hope to Discover Potash
in the Salt.

NEW YORK, Dec. 27 (AP)—A dispatch to the New York Times from Adelaide, Australia, today said that Cecil Madigan, Australian explorer, had verified existence of a vast salt lake which may be one of the wonders of the world.

The lake is known as Lake Eyre and is located in the middle of the sun-baked desert of Central Australia. Mr. Madigan believes the lake to contain limitless salt, with at least 3,000,000,000 tons in the northern part alone.

Should chemical analysis show potash in the salt, the Times said, the lake would be found to be enormously valuable. The explorer said there probably was no other lake in the world with a surface like that of Eyre, which is covered with encrusted patches of crystal salt, like ice floes on an Arctic sea.

Feared by Natives

For years cattlemen returning from the Central Australian desert

(Continued on Page Five)

Bids a Diamond
On "Red" Hand;
Has 13 Hearts!

HOSWORTH, Mo., Dec. 27 (AP)—Beside the riches of the hall of fame occupied by Roy Rogers and Fred Merkle, place Wes Stafford, hardware dealer, Stafford drew a perfect bridge hand in hearts—and bid diamonds.

His hand was "all red" so Stafford, the dealer, bid one diamond without inspecting his cards, only "just to get the game started."

The other three players passed. When Stafford looked again at his hand he found 13 hearts. He laid the ace of spades on the table.

Com' Stafford, his partner, record.

Klamath Girl Is
Kidnaped, Attacked

KLAMATH FALLS, Ore., Dec. 27 (AP)—Police were seeking today for three men who Wednesday night kidnaped a Klamath Falls girl, attacked her and left her at the city limits yesterday.

The girl was in a hysterical condition when found but told officers she could identify the men. She said they were intoxicated when they grabbed her in the street and forced her into their automobile.

Indeed, before leaving he fired one or two extra rounds.

The trouble began when Dr. Day, addressing a chapel meeting at Birmingham's 88-year-old fundamental Baptist university, told the students not to take some portion of the Bible too literally. The uproar that followed led to the loss of his job.

Busy packing his household goods at his home here, Dr. Day elaborated on his views.

His God is "Logical"
"The God I worship is a logical God," he said. "To believe in any miracle would not be in keeping with the manifestations in nature of a logical-minded Creator."

"Everybody in nature and science points to God. The very seasons themselves and the way animals are prepared for them by nature points to some divine plan."

"But nothing points to the myths recorded in the Bible."

"To believe in God, it is necessary to believe in a lot of stories that came from goodness knows where and for goodness knows what reason."

Dr. Day insists that his remarks on that fatal day in chapel were not particularly incendiary. "Don't Be Too Literal"
"I just told them that some portions of the Bible must not be taken too literally," he said. "I said that it was impossible for a whale to swallow a man, and that if it had been possible poor Jonah would either have been mothered or killed by the whale's digestive juices."

(Continued on Page Three)

Abolish Extra-
Territoriality
In China Jan. 1

Central Political Council
Makes Decision Today
—Rule Affects Status
of 15 Powers.

NANKING, China, Dec. 27 (AP)—The central political council in emergency meeting today decided to issue an official mandate January 1 declaring abolition of extra-territoriality in China.

The mandate will be divided in two parts. The first will declare that foreigners living in China shall in the future be subject to the laws of the central government and local authorities.

The second will declare immediate promulgation of a code governing law suits and involving Chinese and foreigners.

Extra territoriality is the term applied to the privileges enjoyed by persons and properties of many foreigners in China to be tried in courts of their own nationality. There have in all been 21 countries enjoying extra territoriality in China under treaties, although the status of several of these countries has been changed by developments of the past two years.

Germany, Bolivia, Persia and Chile and more recently Soviet

(Continued on Page Five)

LOWMAN COMES
TO AID OF GUARD

Action of Crew in Opening
Fire on Boat in Lake
Erie is Defeated.

WASHINGTON, Dec. 27 (AP)—The action of a coast guard crew in opening fire on a boat on Lake Erie on which Eugene E. Downey Jr., of Buffalo, N. Y., was killed, was defeated today in a statement by Seymour Lowman, assistant secretary of the treasury.

Lowman, in the first utterance by a government official on the killing of Downey on Christmas day, said the coast guardmen were proceeding under a section of the tariff law which gave them full authority to stop any boat at any time in American waters for inspection.

The fact that no liquor was found in the boat had no significance, he said, "because there was plenty of time to throw the liquor overboard into the lake."

Lowman's statement termed the boat a "rum runner" and he said it failed to stop when signaled and when blank shots were fired as a warning.

"The rum runner showed no lights and failed to stop," he said. "The coast guard boat continued the pursuit but because of the obstruction of floating ice lost track of the rum runner and it was fully half an hour before they discovered her tied to the pier and it was found there was a wounded man in the boat, the other man having disappeared."

The assistant secretary, who is in charge of the prohibition enforcement activities of the treasury, said the case had been turned over to the United States district attorney at Buffalo and that the treasury would cooperate with local authorities to bring out all of the facts. Senator Copeland, of New York, had urged the state authorities be given jurisdiction.

Tunney Winner
In Breach Of
Promise Action

BRIDGEPORT, Conn., Dec. 27 (AP)—Judgment in favor of James J. (Gene) Tunney, former heavyweight boxing champion of the world, was given in superior court today in the \$500,000 breach of promise suit filed against him by Mrs. Katherine King Fogarty.

BRIDGEPORT, Conn., Dec. 27 (AP)—Judgment in favor of James J. (Gene) Tunney, former heavyweight boxing champion of the world, was given in superior court today in the \$500,000 breach of promise suit filed against him by Mrs. Katherine King Fogarty.

MANVILLE, Wyo., Dec. 27 (AP)—The city has defaulted on its bonds and property owners have been moving buildings out of town at the rate of two or three a week. Only 100 or so houses are left.

\$1300 in Fines Are
Levied in Baker

BAKER, Ore., Dec. 27 (AP)—Fines totaling \$1300 were levied yesterday by Judge John Tohner in justice court at Wainville against eight liquor law violators arrested by county and state officers.

In addition to fines one man was given 60 days jail sentence and his automobile driver's license revoked for one year. Only \$500 of total fines had been paid this morning.

DIE, BRIGGS DIES

KLAMATH FALLS, Ore., Dec. 27 (AP)—Dr. Clarence Edwin Briggs, 50, government dentist at the Klamath Indian agency for the past three years, died yesterday after a week's illness. He was born in Seattle.

(Continued on Page Three)

EDUCATIONAL
NEEDS GROW
OVER NATION

Little Red School House
Now as Antiquated as
Covered Wagon.

SO SAYS SPEAKER
AT TEACHERS MEET

Need of Better System of
School Financing for
Oregon Expressed by
Many Educators.

PORTLAND, Dec. 27 (AP)—The one-room schoolhouse, last survivor of the pioneer days in American education, furnished a pivotal point for two speakers at today's session of the Oregon State Teachers' association meeting here today.

The little red schoolhouse is as right as long as it doesn't pack too many grades within its walls. Said Dr. J. Cayse Morrison, assistant commissioner of elementary education of New York. Overconsolidation, especially in rural districts, has proven unpopular in New York, he said.

Lake Covered Wagon

The one-room school fitted the stringent pioneer times admirably but now it is as antiquated as the covered wagon. Dr. George Willard Frazier, president of Colorado State Teachers college, said. He declared the modern reformers of the curriculum are as much pioneers as any of Oregon's first settlers. Consolidation of rural districts, with intelligent supervision, was urged.

Need of a better system of school financing for Oregon was expressed by many prominent educators today. A personal income tax was recommended as the only way of reaching all branches of taxable income. A half-serious proposal to tax tobacco for the benefit of education received thunderous applause, although the speaker immediately qualified it by declaring his doubts whether the teacher "could sell a piece of legislation like this."

"Oregon has a bogus rather than a real state tax," declared Dr. E. O. Sisson of Reed college, when asked for an opinion. "The state