

CHANGE FUNDING IS GRANTED

JUDGE LUSK UNDECIDED AS TO WHERE TRIAL OF PRISONER WILL BE HELD

Time is Agreed Upon—Mrs. Emma Fowler Will go Before Jury on Mar. 9 on Charge of Larceny of Public Money—Large Crowd Fills Court Rooms to Hear Arguments on Defense Motion.

Judge Hall S. Lusk, assigned to hear the case of the state vs. Emma Fowler, charged with larceny of public money from the city of La Grande, shortly before noon today granted the defense a change of venue and then set the time for trial as Monday, Mar. 9.

Judge Lusk has not decided where the trial will be held but an announcement is expected to be made within a short period of time, possibly late today or Monday.

The court room was crowded this morning to hear the arguments on the defense motion asking a change of venue for the trial of the former city treasurer of La Grande, who is charged with larceny of \$112,202.02.

Henry Hess, of the firm of Green and Hess, attorneys for the defendant, presented his affidavits supporting his motion for a change of venue. The affidavits, stating that in their belief the defendant could not secure a fair and impartial trial in Union county because of alleged prejudice, were signed by a large number of citizens of La Grande, North Powder, Elgin, Union and residents of the county. Mr. Hess contends that the prisoner has been pre-judged by the newspapers and the public in this county, and many of his affidavits and newspaper clippings were introduced to support this contention. His presentation took 50 minutes.

District Attorney Carl Helm spoke for about 15 minutes and presented a number of affidavits supporting his claim that the trial should be held within this county.

In his statements, Mr. Hess also quoted numerous passages from law books to support his contention that change of venue should be granted when there is any doubt as to whether defendant may secure an impartial trial in any locality. He read a number of press clippings from the Observer and other newspapers in which statements attributed to A. B. Chivers, city manager, Mr. Helm, and "officials," were made concerning the alleged shortage of money from the city treasury. He also called attention to a number of citizens held in La Grande last night.

The arguments did not start until 10:20 o'clock, but the court room was filled at least 15 minutes before 10 o'clock, the crowd remaining until court adjourned, shortly before noon.

Removal of the trial from the La Grande court takes away a case that is the first in many years here that has attracted capacity crowds to the court room. Interest has been unusually high throughout the proceedings in the case.

Judge Lusk announced this afternoon that if the Fowler case is tried in the circuit court at Baker.

DEATH TAKES MRS. A. MOORE IN PORTLAND

Word was received here today of the death in Portland on February 26 of Mrs. A. B. Moore, wife of Ass. B. Moore, 1609 Fourth street, La Grande. Mrs. Moore had been in poor health for some time, and a few weeks ago went to Portland for treatment.

Mr. and Mrs. Moore came to La Grande from Portland about a year ago when Mr. Moore was transferred to this city as forekeeper for the O. W. R. & N. They have been active members of the local Baptist church and have made many friends who will deeply regret the passing of Mrs. Moore.

She was the daughter of Catherine Lehmann and the late Christian Lehmann, of Portland, and the sister of W. H. Lehmann of San Diego, Cal.; E. Lehmann of Seneca, Kan., and G. A. Lehmann and Mrs. S. E. Funk of Portland. Friends are invited to attend the funeral services which will be held from the chapel of Edward Holman & Son.

Tourney Drawings To Be Held Here

The drawing for places in the championship basketball tournament at Union next Thursday, Friday and Saturday will be held in the La Grande high school building at 8 o'clock Monday, Mar. 2. It was announced today. So far only three teams have definitely qualified for the play—Wallowa, Joseph and Union. The Union team is in separate sub-district and does not compete in elimination tournaments this year. The drawing Monday evening is open to the public.

SENTENCED

WEATHER FOR WEEK
Far western states: The outlook is for unsettled weather in Washington, Oregon and Idaho with occasional precipitation. Normal temperatures.

WEATHER FORECAST
Oregon: Partly cloudy and occasionally unsettled tonight and Sunday, probably rains in the northwest portion. Moderate west winds.

WEATHER TODAY
7:30 a. m.—33 above.
Minimum: 31 above.
Condition: Cloudy.

WEATHER YESTERDAY
Maximum 43, minimum 30 above.
Conditions: Traces of snow, moisture .06 of inch.

WEATHER FEB. 28, 1930
Maximum 37, minimum 19 above.
Condition: Partly cloudy, traces of snow, moisture .01 of inch.



CHICAGO, Ill., Feb. 28 (AP)—Alphonse Capone, the scar-faced "big fellow" of Chicago gangs, was sentenced to six months imprisonment in Cook county jail. It was the first sentence passed upon Capone in Chicago.

Wallowa, Joseph Qualify To Play In Union Tourney

La Grande Must Win Two Games Today to Avoid Elimination—Tigers Play at 3:30.

Wallowa and Joseph qualified for play in the district basketball championship tournament at Union as a result of games played in the sub-district tourney in the L. D. S. Recreational hall here yesterday. Wallowa defeated La Grande 30 to 18 and won from Cove 31 to 14, while Joseph defeated Elgin 30 to 10 and scored a 24 to 18 victory over Enterprise. These two teams will meet for a tournament championship game at 9 o'clock this evening.

The third team to play at Union will be La Grande, North Powder, Cove or Enterprise. Elgin and Imbler were eliminated yesterday by losing two straight games.

The schedule for today follows: 2:30 p. m.—Enterprise (lower eliminated); 3:30 p. m.—La Grande vs. North Powder (lower eliminated); 8 p. m. winners of 2:30 and 3:30 games (loser to be eliminated, winner to participate at Union); 9 p. m.—Wallowa vs. Joseph for sub-district title.

Tigers Eliminate Imbler
La Grande made a poor start against a fighting Imbler team yesterday afternoon, and the visiting quintet was leading 12 to 6 at the end of the first quarter. In the second quarter the Tigers, led by Willie Torrence, scrappy center, tied up the score and forged ahead by a point at half time. In the last half the Tigers found themselves and bewildered their opponents with a display of speed and strength that accounted for enough baskets to make the final score 47 to 27. Conley, Shepherd and Torrence led the La Grande scoring with Woodnell accounting for five of Imbler's 20.

The sportsman displayed in every game yesterday was of a high order—better than ever—with the high school boys in the stands. From a few of the spectators, this

(Continued on Page Four)

VETERANS RUSH TO SECURE LOAN

Many Local Ex-Service Men Expect to Borrow on Their Certificates.

(By The Associated Press)
The mobilization rush of 18 had its peak today as veterans of the first world war rushed to the La Grande branch of the United States Veterans bureau during the first hour of the business today, and the line increased hourly.

The New York regional office was forced to call police reserves. Offices throughout the nation sent rush telegrams to civil service eligibles to report at once for duty.

MANY TO BORROW HERE
Rough estimates made today in La Grande were that between 150 and 250 ex-service men probably would borrow money on their adjusted service certificates as authorized by congress yesterday.

The mobilization rush of 18 had its peak today as veterans of the first world war rushed to the La Grande branch of the United States Veterans bureau during the first hour of the business today, and the line increased hourly.

The New York regional office was forced to call police reserves. Offices throughout the nation sent rush telegrams to civil service eligibles to report at once for duty.

MANY TO BORROW HERE
Rough estimates made today in La Grande were that between 150 and 250 ex-service men probably would borrow money on their adjusted service certificates as authorized by congress yesterday.

Harry A. Starr Is Called Beyond Snow Threatening Train Schedules

Harry A. Starr, age 38, passed away at a local hospital this morning after an illness of about three weeks. He is survived by his wife, Mary Starr, and one sister, Mrs. Walter Ross, of Prairie City, Ore. Mr. Starr was born Aug. 8, 1892 in Baker, Ore., and lived in La Grande for the past five years. He was a member of the Episcopal church. The funeral will be held Monday afternoon at 2 o'clock from the chapel of Walker's Funeral Home. Rev. M. G. Tennyson, rector of the Episcopal church, will have charge of the services and burial will be in the family plot in Union cemetery.

ART TREASURE MARRED

AUGSBURG, Germany (AP)—A fire extinguisher, hung beneath a valuable painting in the Maximilian Museum here, has gone out and has squirted a much chemical on the canvas that there is doubt whether it can be restored.

Ways and Means Committee Talks Prison Management At Session

SALEM, Feb. 28 (AP)—Charles A. Vasaly, head of the Minnesota reformatory at St. Cloud, may be invited to come to Oregon for a few weeks to give the state the benefit of his advice relative to prison management from a reformatory angle. This was advocated by Senators Isaac E. Staples and W. H. Strayer at the meeting of the ways and means committee of the legislature last night. Staples, who is personally acquainted with Vasaly, considers him outstanding in the United States in his line of work.

Methods of eliminating what is considered a serious fire hazard at the prison had the attention of the committee members Friday night. This involved improvements in the plant and some plan for changing the parole system so the congested population might be relieved by the release of 200 or more prisoners.

While various improvements were urged the committee got no further than approving the requested budget appropriation of \$616,450 and a decision to ask the attorney general to draw up a bill for a state parole board organized on a different basis from the present board. The existing board comprises two persons appointed by the governor and the gov-

(Continued on Page Five)

State Rests In Trial Today Of 'Bridge' Slayer

Mrs. Myrtle A. Bennett, 35, Charged With Killing Husband After a Game of Cards.

KANSAS CITY, Feb. 28 (AP)—The state rested today in the trial of Mrs. Myrtle A. Bennett, 35, for the slaying of her husband, John G. Bennett, following a bridge game quarrel.

Photographs showing the interior of the Bennett apartment in which the slaying occurred September 29, 1929, were introduced as the prosecution concluded its direct evidence.

Defense counsel, headed by ex-Senator James A. Reed and J. Francis O'Sullivan, declined to say whether the widow, thus far a silent and at times tearful spectator, would be their first witness.

The defense allegation that the death of Bennett, a wealthy business man in an apartment the night of Sept. 29, 1929, was accidental was challenged in the testimony of Mrs. Anne Rice of West Frankfort, Ill., his half-sister.

While the defendant watched her intently Mrs. Rice said Mrs. Bennett had told her she would "keep the motive secret" until after the trial. She asserted Mrs. Bennett had said: "Nobody but me and my God knows why I did it. But I'll tell you, Annie, when this is all over."

Reed protested the introduction of the testimony of Mrs. Rice, a surprise to the jury, and requested questioning that she suffered from deafness.

A mock battle between O'Sullivan and Reed, a prosecutor 20 years ago in the courtroom in which he now is fighting for a woman's freedom, drew from Stanley M. Hall, deputy coroner, the statement the two shots fired accidentally.

Willette Henry, negro maid, testified she heard four shots.

George R. Woodman, patrolman, testified that he saw Mrs. Bennett and hysterical beside her husband's body, exclaimed:

Superintendent Of Lumber Mill Shot to Death

PORTLAND, Ore., Feb. 28 (AP)—J. W. Bevis, superintendent of the Inman Poulson lumber mill, was shot to death and George Martin, foreman, seriously wounded, when a discharged workman ran amuck in the mill yard today.

The workman, Albert Gilbert, was under arrest.

Entered the mill yard, where Martin shot as he grappled with Gilbert following the encounter with Bevis.

Roy G. Bevis, a saw filer and son of the superintendent, said police he saw Gilbert coming out of his father's office. He said Gilbert remarked "you'd better go in and look at your father."

Several hundred workmen in the yard saw Martin shot as he grappled with Gilbert following the encounter with Bevis.

Officials of the mill said Gilbert had been employed there for the past 12 years but was discharged a few days ago.

Luper's Attorney Outlines His Plan

SALEM, Feb. 28 (AP)—Oscar Luper, Dallas, Texas, engineer under indictment here on a charge of larceny of public money, stated today he would attack the validity of the indictment.

Luper's attorney, J. M. Luper, stated here today that he would attack the validity of the indictment. Luper is charged with larceny of public money, stated today he would attack the validity of the indictment.

Luper's attorney, J. M. Luper, stated here today that he would attack the validity of the indictment. Luper is charged with larceny of public money, stated today he would attack the validity of the indictment.

California's Gas War Is Continuing

LOS ANGELES, Feb. 28 (AP)—The Standard Oil company of California announced a four-cent reduction in gasoline prices today to meet competition of independent service stations. The cut followed a two-cent reduction earlier in the week and brought the price of Standard gasoline here to 14 1/2 cents.

Standard said the cut applied only to Southern California. A two-cent reduction, announced on Wednesday by Standard was put into effect throughout the state and followed by all major companies.

Standard officials asked if the cut was to meet "bootleg" gasoline prices alone replied that it also was timed at some brands of higher quality gasoline being retailed at the independent stations.

(Continued on Page Five)

ENGLAND AND ITALY AGREE ON NAVIES

Accord Will be Submitted to French Foreign Minister Sunday.

5-POWER TREATY IS POSSIBILITY

Arthur Henderson, of Great Britain, Expresses Himself as Hopeful of Solution.

ROME, Feb. 28 (AP)—Great Britain and Italy today reached an accord in principle for settlement of all naval problems left pending by the London conference of last year.

The accord will be submitted to the French foreign minister, Aristide Briand, in Paris tomorrow, and if he accepts it a five-power treaty carrying limitation of all categories of naval tonnage will emerge. Inasmuch as Foreign Minister, Arthur Henderson, of Great Britain, had already reached an agreement in principle with the French before initiating the conversations here, M. Briand's acceptance of the British-Italian accord was expected almost as a matter of course.

Mr. Henderson himself was so hopeful that he said a complete solution of the differences between France and Italy would be reached in Paris "if the talks there are as satisfactory as they have been here."

He left for Paris, with A. V. Alexander, lord of the admiralty, and British admiralty experts, two hours after the negotiations had been finished, and hopes tomorrow afternoon to obtain full agreement with the French. When that is accomplished the text of the new accord will be submitted to the governments of the United States, Japan and the British dominions signatory to the

(Continued on Page Four)

Bridge Plunges Into River; One Dead, 3 Injured

ASTORIA, Ore., Feb. 28 (AP)—Three men were believed to be recovering in a hospital here today from injuries received yesterday when a Neah river bridge which they were repairing collapsed and plunged into the river.

George Gould, 35, one of the workmen, was crushed and killed instantly by the falling timbers. His body was found several hundred feet downstream.

Nels Enevelson, 40, was unconscious when brought to a hospital here and aside from a broken right arm and fractured ribs the extent of his injuries had not been determined. Tom Orundson, 30, received possible injuries, broken jaw and ribs. Pete Peterson, 50, was badly bruised about the chest and his collar bone and several ribs were broken.

Four men leaped clear of the 120-foot span as it plunged downward 40 feet. They landed on the bank and were injured with minor bruises. Frank Kalm, another worker, jumped to a solid portion of the bridge and clung there until rescued.

The bridge, weakened by recent rains, had been closed to traffic for several days and repairs were to be made to permit light traffic until a new bridge could be constructed.

The men were cognizant of their danger but had expected some warning should the bridge collapse. There was no warning. The span tumbled slightly and with a crash of tipping timbers plunged downward.

Gould is survived by his widow and two children.

"Jack" Carlton Is Revealed as Woman

BLACKWELL, Okla., Feb. 28 (AP)—"Jack" Carlton, a cowhand employed several years on ranches in the vicinity of Midland, Tex., was revealed today as a woman.

Mr. J. L. Jones, head of Tonkawa, Okla. cattle, said he had accomplished what years of hazards on the range could not in forcing the "cowboy" to admit her identity. Grace Carlton, part white daughter of a Cherokee Indian woman.

Dressed in man's garments, Grace Carlton, "just wandered up this way" after losing a job in Texas. She said she was unable to find work and appealed to the associated charities for food. Questioning, Mrs. Jones said, ended a masquerade of fourteen years standing.

E. J. Fox, superintendent of the Ponca City five tribes agency, said he would investigate today to determine whether the woman was a ward of the government.

"Lame Ducks" Win Out In Congress

WASHINGTON, Feb. 28 (AP)—Congressional conferees today abandoned efforts to formulate a constitutional amendment fixing a new meeting time for congress.

The senate said house spokesmen refused to yield their respective positions and attempts to bring about an understanding were formally called off. The house insisted upon its provision limiting the second session of congress.

Over-Production Held World Wide

PARIS, Feb. 28 (AP)—The problem of over-production of wheat is not European but world wide, delegates of the European conference to devise plans for marketing future crops decided today.

The conference, which was called by the commission studying Aristide Briand's plan for an European union, ended its labors today.

OPEN DEBATE IN HOUSE ON POLICE BILL

Provides For Consolidating Five Enforcement Branches in Oregon

2 TAX MEASURES BEFORE SENATE

Indications are That Both Bills Will be Passed Without Very Much Opposition.

SALEM, Feb. 28 (AP)—Debate on the state constabulary bill was started in the house before noon today after the lower branch had approved a series of appropriation bills and passed the bill prohibiting the use of cloamargine or other butler substitutes in state institutions. The state police bill had previously passed the senate, and provides for consolidating five enforcement branches, traffic, prohibition, fire, fish and game departments under one constabulary system. It is the last of Governor Julius L. Meier's measures yet to be acted upon.

The senate was making progress on its 48 proposals to be considered on the legislature's eighth day over the 40-day limited session. The house also approved the measure calling for a special election July 14 on the intangibles tax if a referendum is invoked on the act. The lower branch has 25 bills for consideration.

Quiet is Disturbed
Quiet of the house was disturbed today by the remarks of Representative Arthur McPhillips in opposing the bill regulating the manufacture, sale and repair of bedding, which, among other things, provides that certain unsterilized articles must be dyed yellow.

"If you are going to require yellow dye for articles of this kind, why not carry the idea further and paint automobiles, not yet paid for, homes against which mortgages have been placed, and other things," he asserted. Representative Homer D. Angell contributed to the argument by inquiring if McPhillips would include windows.

The bill was killed by a 31 to 26 vote.

House Approves Bill
Though opposed by the ways and means committee, the house approved a bill providing for cooperation with the federal government in the \$15,000 for the investigation of surface and ground water resources of Oregon in making topographical maps.

(Continued on Page Five)

WOMAN SLAIN BECAUSE SHE WAS "IN KNOW"

NEW YORK, Feb. 28 (AP)—The New York American today printed a letter indicating that Vivian Gordon, vice graft witness, was slain because she "talked too much."

The letter, addressed to "Mrs. Venida Bleshoff," her legal name, was written by Vivian Gordon, who where her body was found, the paper said, and was made public by District Attorney Charles McLaughlin.

It was quoted thus: "Get the name: 'If you don't keep your mouth shut you won't have to. There are ways of fixing people who talk too much. This is the only warning I'm going to give you. 'You know who—'"

The permanently and oddities of spelling were checked against letters found in her apartment, the district attorney said. The writer wrote "moth" for "mouth" and dispensed with apostrophes in colloquial terms.

NEW YORK, Feb. 28 (AP)—Two men were in jail throughout Western sections of Michigan today as authorities sought the slayers of Vivian Gordon, prospective witness in a vice graft inquiry who left a slayer.

After examination before a Bronx grand jury, John A. Radeoff, Miss Gordon's attorney, and Sam Cohen, an ex-convict, were held in \$50,000 bail each as material witnesses on the demands of District Attorney Charles McLaughlin. Both were mentioned in her diary as men she feared.

Wheat Today

CHICAGO, Feb. 28 (AP)—Confronted by predictions of big deliveries of wheat Monday on Chicago March contracts, wheat fell today to the lowest prices yet in 1931.

The market was affected also by indications that foreigners were considerably upset over the fact that export wheat from the United States would hereafter compete with wheat from other countries.

The influence of European markets was accentuated, too, by widespread beneficial moisture throughout Western sections of the United States which, with storm coming eastward, wheat closed irregular, 1 1/2 cents lower to 3/4 advance, corn 1 1/2 up, 3/4 gain, oats 1/2 down to 4 1/2 up, provisions at a rise of 3 to 17 cents.

Ashes of Coos Bay Man Strown on Sea

MARSHFIELD, Ore., Feb. 28 (AP)—The ashes of W. A. Luse, 91, a resident of Coos bay for more than 70 years, were strewn over the waters in the lower bay off Charleston yesterday. Five children distributed flowers over the smooth water and watched them drift out to sea on the ebbing tide.

The service was at the request of the pioneer.