

Grand Jury To Take Murder Case

NEWMAN AND MOORE ARE BOUND OVER

Expect Case Will Come to Trial During October Term of Court.

HEARING IS HELD IN JUSTICE COURT

Self-Defense Likely to be Plea of Prisoners; Both Men Have Records of Violations.

After hearing the testimony of five state witnesses yesterday in the justice court, Judge J. M. Moore, 22, and Jack Newman, 28, accused of the murder of Edden L. Smith, waived issuance of a statement and were ordered by Judge L. Denmark to be held over to await the action of the grand jury. They will be tried in the October term of court, it is believed.

Mr. Smith was shot to death near Hilgard on the evening of Aug. 4 when he was attempting to eject a transient from the train.

District Attorney Carl Helm called Leon Woodward, transient from Pine Valley, Okla.; R. L. Eggburn, special agent from the U. S. train; Sheriff Joe Breasher, L. L. Snodgrass and Dr. C. E. Branner yesterday as witnesses. Cross examination by H. L. Hess, who represented the young men in the preliminary hearing, indicated they will plead self defense. Witnesses who went to the scene of the shooting stated that the ground around the body indicated a scuffle. Moore's coat, which he made before District Attorney Helm and officers in Pendleton stated that he and Mr. Smith were scuffling when Mr. Smith's gun went off, the bullet grazing the right side of Moore's head, just below the hair line. Dr. Branner who performed the autopsy extracted three 32 caliber bullets from Smith's body. Moore carried a gun of that caliber, while Newman, his companion, carried a 38 which he had bought from Moore previous to the shooting. A .38 caliber shell was found near the pool of blood where Smith's head had rested after his death, Jesse Breasher testified.

Woodward Testifies
Woodward, arrested in Pendleton following the shooting, stated when questioned that he had heard and held a conversation with Moore about a transient having been hurt near Baker when thrown from the train. He had heard that Mr. Smith was ruthless in ejecting men from the train, he said, but had not heard that he was particularly violent.

Woodward joined Moore and Newman at La Grande and went to Hilgard with them on the train. The train stopped and someone shouted that the "bulls" were coming. Woodward stated that he ran toward the engine when he heard the warning, and later went back to the engine since he was on the opposite side of the car.

Newman joined Woodward after the train left Hilgard, the latter stated, and they went to the engine. He said because he had been "slipped" (Continued on Page Five)

\$200 FIRE IN HIGH SCHOOL BOILER ROOM

Damage amounting to around \$200 was caused in the boiler room at the La Grande high school yesterday afternoon by fire, caused from a blast with the train. The cause of the fire was not known.

The alarm was turned in at 2:45 p. m. and 800 feet of hose were laid and the flames, which were confined to the boiler room.

The loss is covered by insurance. It is reported.

J. T. Longfellow Returns to City

J. T. Longfellow, superintendent of schools, was back in his office today after an absence of more than two months during which he enjoyed a leave of absence to study at Stanford university. He returned yesterday accompanied by Mrs. Longfellow and their daughter, Patricia.

Preparations for the opening of school on Sept. 12 will be started at once and the teaching staff will be announced in the near future, he said today.

WEATHER FORECAST

Oregon: Fair tonight and Friday but fog on the coast; high temperatures in the interior; moderate northwest wind offshore.

WEATHER TODAY

7 a. m.—64 above.
Minimum: 53 above.
Condition: Clear.

WEATHER YESTERDAY

Maximum 87, minimum 51 above.
Condition: Clear, Range—36 degrees.

WEATHER AUG. 25, 1931

Maximum 91, minimum 51 above.
Condition: Clear, Range—40 degrees.

Hans P. Nielson, Contractor, Is Called Beyond

Death Takes La Grande Man Late Wednesday—Funeral to be Held Sunday at 2.

Hans Peter Nielson, prominent building contractor of La Grande for many years, died at the Grande Ronde hospital Wednesday afternoon about 4:30 o'clock. The body is at the Snodgrass and Zimmerman mortuary, a building which he constructed several years ago.

Death was the result of acute obstruction of the intestines. An operation was performed earlier in the week in an effort to save his life, but his condition did not improve sufficiently to escape death.

Funeral services will be held Sunday afternoon at 2 o'clock at the mortuary. Burial will be in the Masonic cemetery.

Mr. Nielson was born in Denmark Dec. 10, 1874 and was 57 years of age. In 1902 he came to America and located at Council Bluffs, Iowa, where he resided for 18 years. Then he came to La Grande and with his family, made his home at 805 Spring avenue. He was married 22 years ago.

During his residence in this city he erected several of the fine residential and business buildings of La Grande.

Mr. Nielson is survived by his widow, Christine Nielson; one daughter, Jennie Nielson; his parents, Mr. and Mrs. Nielson and one sister, Mrs. Council Bluffs, an elder brother at Council Bluffs; a brother at Arc, Minn., and a brother, Christian Nielson, of Chicago, Ill.

He was a member of the B. F. O. O. Elks lodge, the Odd Fellows, the Rebekahs and American Legion post No. 43.

Disposal Plant, Water System In Good Condition

Both the city water and the sewage disposal system of La Grande are in good condition at present, according to city manager A. McAllister, who reported on recent inspections during last night's meeting of the city council.

Mr. McAllister was host to Mr. Green, engineer of the state board of health, last weekend, the two visiting the Beaver creek intake and the sewage disposal plant just east of La Grande. "He advised me everything was in good shape," the city manager reported.

Mr. Green, while here, took samples of the city water and forwarded them to Salem for examination. "I received reports back from the health department showing the water in 'A' condition," Mr. McAllister said.

Most of the meeting was devoted to routine business matters. Cash on hand at the end of the week amounted to \$12,870.20, of which \$420 in the bank, \$494.00 in cash and the remainder in warrants.

Black Cherries Net \$20,000 To Cove Growers

(By Mrs. A. G. Conklin (Observer Correspondent))
COVE, Ore., Aug. 25 (Special)—Late harvest in the Cove section area that the black cherries netted the growers here about \$20,000. During the season, the payroll at the Mt. Fanny packing house was about \$2500.

Bing cherries netted the orchardists a little more than five cents and the Lambert man a little more. This survey does not include sale of Black Republicans or any of the red varieties.

Favors Portland For Regional Bank

SALEM, Aug. 25 (Special)—Selection of Portland as the regional home loan bank was urged by U. S. Senator Charles L. McNary, of Oregon, in a telegram to Frank W. Fort, chairman of the federal home loan bank board.

"Before leaving Washington I expressed to President Hoover the hope that Portland might be selected as the headquarters for the federal home loan bank in the region," McNary reads the telegram. "Your board has just placed Portland in the eleventh regional district and I hope you will considerably favorably Portland's location and availability for the bank."

Idaho Forest Fire Is Under Control

BOISE, Idaho, Aug. 25 (Special)—A fire in the Boise national forest was under control today after burning more than 800 acres.

The largest fire in Southern Idaho this season, it was brought under fire control with the assistance of cool weather and upwards of 100 fire fighters recruited from the district.

Whether the Challis forest will join the Boise forest as a closed area has not been determined by the superintendent.

The Boise forest was closed yesterday and will remain so until rain or cool weather abates the danger of new fires.

Old Certificate On Display Today

"History repeats itself," it is said. Roy Currey has on display in his office this week a labor exchange certificate which was used in 1926, similar to the certificates which are issued by the exchange of 1932. The paper, smaller than a "greenback," was issued for 5c.

HOLMAN NOT SUPPORTED IN EINZIG CASE

Governor Meier Refuses to Comply With State Treasurer's Request

OPEN BREAK SEEN BETWEEN TWO MEN

In Meantime, Hal E. Hess, Third Member of Board of Control, Silent as to His Views.

SALEM, Aug. 25 (Special)—A break between Governor Julius L. Meier and State Treasurer Rufus C. Holman, a Meier appointee, was definitely indicated here today as the result of Holman's open campaign to remove William Einzig as secretary of the state board of control. The immediate dismissal of Einzig was requested by Holman Aug. 18, in a short letter to the governor.

It was learned through the executive department today that the governor (Continued on Page Five)

YOUNG SINGERS TO HAVE CHANCE

La Grande Entries For National Radio Audition to Register Soon.

Young singers of La Grande and vicinity, who aspire to musical careers, are not to mention a chance at a cash prize of \$5000—will have the opportunity to make their dreams come true by enrolling before the end of September with a band.

The federation agreed to establish definite convention dates, effective at the next convention, to be held on the second Monday of August of each year.

Other resolutions were sent to the chair Wednesday, adding to the unprecedented accumulation. One favored organization of all crafts in Roseburg in connection with the convention, the fact that a high degree of vocal training or experience is not necessary for success. The sole aim of the audition is to select the most promising naturally-beautiful voices.

(Continued on Page Five)

T. W. BOTKIN TO BE BURIED HERE FRIDAY

Thomas Walter Botkin, age 58, passed away Wednesday morning at a Walla Walla hospital after a long illness. He is survived by his widow and one daughter, Mrs. Ruby Zweifel, of La Grande, and by four brothers in West Virginia. Mr. Botkin was a member of the I. O. O. F. lodge of Hermiston and a veteran of the Spanish American war. He has been a resident of Hermiston for the past 22 years and was employed by the state of Oregon in experiment work at the state experiment farm.

The funeral will be held from the Chapel of Walkers, Funeral Home, Friday afternoon at 2:30. The I. O. O. F. lodge, of La Grande, will have charge of the services at the grave and burial will be in Masonic cemetery.

Rev. Oscar Payne, pastor of the Methodist church of Hermiston, will have charge of the services.

Court of Honor Is Farewell For Elmo Stevenson

Scout Leader to Leave Soon For Palo Alto—Awards Conferred on Boys Wednesday Night.

A court of honor which also served as a farewell function for Elmo Stevenson, scout leader, was held last night in the basement of the Methodist church. Mr. Stevenson will leave soon for California where he will study at Stanford university during the coming winter. Scouts and adult leaders presented the retiring leader with a camping axe. Norman Press delivered the presentation speech.

Mr. Stevenson leaves as a mountaineer to his untiring efforts to build up scout since the paid secretary was abandoned, the biggest list of trained leaders among the older boys that La Grande has and new leaders were urged by him to carry on their work since the responsibility is on them. A new troop will be formed on the North Side by the L. D. S. church and David E. Stoddard, new leader for the state, promised enthusiastic and close co-operation.

The organization of scoutmasters and assistants has been perfected and will conduct control. The meetings in various troop headquarters.

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Adjournment of Labor Convention Further Delayed

ASTORIA, Ore., Aug. 25 (Special)—A proposal to elect officers of the Oregon state federation of labor by direct vote from the floor of the convention, rather than by referendum after nominations have been made at the annual meeting, was before the federation convention here today and was expected to result in lengthy debate which would further delay adjournment, planned for tomorrow.

An unusually heavy program has put the convention considerably behind schedule. Yesterday's meeting was advanced an hour in an attempt to recover lost time.

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(Continued on Page Five)

Roseburg Man Hurt By Chip From Tool

ROSEBURG, Ore., Aug. 25 (Special)—Albert Wells, 21, homesteader at the Set Braughman settlement in the Coast Range mountains, reported yesterday evening to have been shot, was found this morning to be suffering from a wound caused by a chip which flew from a hammer he was using to repair his own tool.

The Gold Coast limited of the Los Angeles & Salt Lake railroad bound for Los Angeles, was halted while the train crew endeavored to put out the fire which followed explosion of the gasoline truck.

500 Purebred Rams Offered for Sale

PENDLETON, Ore., Aug. 25 (Special)—Approximately 500 pure-bred rams of all popular sheep breeds were on the auction block here today in the sixth annual Penitentiary ram sale sponsored by the Oregon Wool Growers' association. Wool men were here from many Pacific Northwest sections.

200 Return to Work In Oregon City

OREGON CITY, Ore., Aug. 25 (Special)—Two hundred employees of the Oregon City Woolen Mills, idle since the plant was shut down early this year, returned to their jobs today. Others will return next week.

A. R. Jacobs, president of the company, said two divisions of the mill will be kept steadily at work manufacturing men's suits, overcoats and topcoats to meet the demands of new orders being placed at the company's retail store in western states.

CLEMENCY GRANTED TO MADRID GENERAL SANJURJO

MADRID, N. J., Aug. 25 (Special)—The government tonight granted clemency to General Jose Sanjurjo, commanding general of the Spanish army, who had been sentenced to death earlier in the day for leading the recent monarchist revolt against the republic.

Announcement of the government's action was made by Premier Azana at the conclusion of a long cabinet session. The premier was surrounded by a great crowd and there was tremendous applause when he said that clemency had been granted.

Wheat Today

CHICAGO, Aug. 25 (Special)—Wheat traders struck today pessimistic and bearish crop reports today and swept over the market in a buying rush which lifted price levels 2 1/2 cents above yesterday's prices. Prices reached the best level since Aug. 16 and trade was heavy. Traders took their cue from advancing securities and cotton and feverishly bought wheat. A moderately easier Liverpool market was ignored as was unofficial estimates that the three Canadian provinces would probably harvest 450,000,000 bushels of wheat this year, compared with 284,000,000 in 1931. Corn was firmer with wheat, but failed to get much above yesterday's close, because of heavy cash bookings. Oats followed wheat and corn and provisions were higher with hogs and grain.

Wheat closed fairly strong with most of the gain retained and 1 1/2 to 2 cents above yesterday's finish. Corn firm, 3/4 to 1/2 cent higher, and 4c advanced, and provisions 2 to 3c up.

FARM STRIKE WEAKENING IN SOME AREAS

TEMPORARY COLLAPSE IN PICKETING OCCURS TODAY ON THREE FRONTS.

HIGHWAYS OPENED BY USE OF GAS

Sixty-One Men Arrested in Council Bluffs and 12 of Them Given Jail Sentences.

At least a temporary collapse of picketing in connection with the farmers' non-selling campaign for higher prices occurred today on three fronts.

Near Council Bluffs, Iowa, all highways were closed today by the use of gas.

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One Killed, Two Seriously Burned

LYNNDELL, Utah, Aug. 25 (Special)—One man was killed and two others seriously burned in an explosion and fire that followed the collision of a gasoline truck with another machine on the highway near here last night.

Si Perkins, of Salt Lake City, riding on the gasoline truck, bound to Salt Lake City from Los Angeles, was killed. Charles C. Crowther, of Salt Lake City, driver of the truck, received serious head wounds, and James Evans and Clark Watkins, both of Ogden, who stopped to help light the fire, were seriously burned.

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Amelia Earhart Putnam Succeeds In Long Flight

NEWARK, N. J., Aug. 25 (Special)—Mrs. Amelia Earhart Putnam landed at Newark airport at 10:28 a. m., eastern standard time, today, completing the first transcontinental non-stop flight made by a woman, the established transcontinental speed record for women, there being official classification of women's records now, and also chalked up a new distance flight record for women, by extending the 2000 mile mark made last year by Miss Ruth Nichols in her Oakland, Cal.-Louisville, Ky., flight.

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The official time for her flight was 19 hours, 4 minutes and 56 seconds, or 1 hour, 24 minutes, and 7 seconds more than the transcontinental record of 17 hours, 36 minutes and 49 seconds held by Captain Frank Hawks. Mrs. Putnam left Los Angeles yesterday at 12:26:54 p. m. (P. S. T.).

Although she failed to better the record, the established transcontinental speed record for women, there being official classification of women's records now, and also chalked up a new distance flight record for women, by extending the 2000 mile mark made last year by Miss Ruth Nichols in her Oakland, Cal.-Louisville, Ky., flight.

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MARINE CORPS FLIERS KILLED IN NICARAGUA

MANAGUA, Nicaragua, Aug. 25 (Special)—Lieutenant R. P. Rutledge and Sergeant O. B. Simmons, U. S. Marine Corps, were reported as killed in an airplane crash yesterday while they were flying above the spot where three other marine corps fliers were down in the jungle.

These two had assisted in a search for the wreck of a plane which crashed several days ago. Lieutenant Rutledge crashed because of a failure of the plane or whether he had been shot down by insurgents. The bodies were said to have been recovered and are expected to be brought to Managua today.

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INMATING MINERS ARE TURNED BACK

NEW BELIEF

Lee and Bochkon Over Ocean On Flight to Oslo

Americans Take Off From Harbor Grace Early Today—Weather Favorable to the East.

HARBOR GRACE, N. F., Aug. 25 (Special)—Clyde A. Lee of Oshkosh, Wis., and John Bochkon, of Brooklyn, N. Y., took off at 5:02 a. m., eastern standard time (3:02 a. m. Pacific time) today for Oslo, Norway.

Their plane, The Green Mountain Boy, rose into a cloudless sky. Weather reports gave them a tail wind across the Atlantic and predicted clear weather on the other side except for some rain on the coast.

The fliers expected to make the 3150 miles to Oslo in 30 hours but they carried enough gasoline to stay aloft for seven hours beyond that time. Their route was through Ireland, Boston, England and Cuxhaven, Germany.

Cabin Doors Sealed
The call-down of The Green Mountain Boy were sealed to make room for emergency gasoline tanks and a hole was cut through the roof as a means of entrance and exit. Lee hoped the empty gas tanks would keep the ship aloft at least until the motor could be cut loose with a hook say they carried in the event they were forced down over the ocean.

With the weight of the motor gone, they thought they would be able to stay above water for some time. Provisions included sandwiches, 2 1/2 gallons of water, a quart of milk and a pint of coffee. Concentrated food tablets were taken in the event of an emergency.

Huntington Stays Behind
Hubert Huntington, navigator of the flight, stayed behind at Barre, Vt., to direct the fliers. It was Huntington who gave the final O. K. to the fliers to fly the Atlantic alone.

Huntington has charted the position of all ships along the Green Mountain Boy's route and he planned to communicate with the vessels by radio.

CREDIT PLAN IS BEFORE LEADERS

Secretary Mills Presents Program For Aiding Channels of Business.

WASHINGTON, Aug. 25 (Special)—Secretary Mills laid before a special committee of business leaders today a program for pushing national credit into the channels of business to make more jobs.

The tentative plan came from informal conferences of industrial captains, including Owen D. Young, of New York.

The twelve chairmen of the business and industrial committees of the federal reserve system assembled with Mills and other government leaders to go over the program, which is to be presented in open session tomorrow to more than 100 members of the industrial committee.

The business leaders entered the executive committee session at the treasury building in D. C. today. Mills promised a statement at the end of the day.

Daniel Willard, president of the Baltimore & Ohio railroad, attended as a representative of the railroad industry.

The executive committee broke up for lunch but a second conference was called for later in the day, after which a statement was promised by Secretary Mills.

The list of those invited to attend tomorrow's general meeting included 252 men from outside of Washington and 34 government officials.

Besides the regular twelve business and industrial committee members, the list included a number of other invited business leaders, including Myron C. Taylor, chairman of the United States Steel corporation, and Elsel Ford, of Detroit.

Mrs. Opal Hill Is Winner In 21 Holes

PEORIA, Ill., Aug. 25 (Special)—All square at the end of 18 holes, Mrs. Opal Hill, Kansas City, snatched a one up victory over Joan Armstrong, Chicago, in a 21-hole quarter-final match for the women's western golf championship today. Mrs. Hill is the defending champion.

Two Negro Bank Robbers Killed

LOS ANGELES, Aug. 25 (Special)—Two negro bank robbers were shot and killed by a bank manager and H. R. Reed, police, yesterday evening Wednesday when five negroes attempted to hold up and rob the Bank of America branch at Fifty-Seventh and South Broadway, W. Ord, the manager, opened fire, killing two and the other three fled after returning pistol fire.

Oregon Bar Will Invite Pat Hurley

PORTLAND, Aug. 25 (Special)—Members of the Oregon Bar association will hold their annual meeting Wednesday when five negroes attempted to hold up and rob the Bank of America branch at Fifty-Seventh and South Broadway, W. Ord, the manager, opened fire, killing two and the other three fled after returning pistol fire.

The baristers have invited Newton D. Baker, Patrick J. Hurley, secretary of war, and other prominent men to attend the meeting. Many of them will be in Oregon for the national American Legion convention held a week earlier.

DEFEATED BY 15 MINUTES OF GUNFIRE

15,000 Striking Miners and Members of Family Show No Resistance.

SEVERAL HURT BY DEPUTY SHERIFFS

Near Peru, Ill., However, 2500 Miners Effectively Halt Non-Union Operations.

BENTON, Ill., Aug. 25 (Special)—Bedraggled clusters of defeated men and women were all that remained today of the confident throng of approximately 15,000 striking miners and members of their families who attempted to invade Franklin county late yesterday to picket coal mines as a protest against lowered wages.

Fifteen minutes of gunfire and clubbing by approximately 600 deputy sheriffs brought an end to the attempted invasion, which leaders of the strikers had termed the "greatest labor march ever undertaken in the United States."

Nearly a hundred miners suffered battered heads and six persons were injured seriously enough to require medical treatment, including two with minor bullet wounds.

Gunfire Scatters Invaders
Fleeing pell-mell when the firing began, the invading strikers deserted approximately 200 of their automobiles and trucks at the scene of the onslaught. In the hurry to escape, automobiles were driven into ditches or plunged into the Mississippi river, the highway where the clash occurred, near the western boundary line of Franklin county.

Shots and pistols were fired at the fires of the automobiles, and trucks that led the advance of the nine-mile caravan and windshields were broken by clubs in the hands of the deputy sheriff. Some of the marchers were cut by flying glass, but the injuries of most of them were inflicted by deputies who climbed aboard the cars and pummeled the occupants.

No Resistance
The strikers whose leaders had insisted that the invasion would be peaceful, made no resistance. Bewildered by the din of gunfire and shouts they escaped quickly as possible and fled back into Perry county.

Later some of the straggling groups made camps along the highways. The main group of the routed marchers, however, returned to Pinckneyville, northwest of the scene of the defeat, and spent the night in the Perry county fairgrounds.

Some of the leaders said another (Continued on Page Four)