

# WATER DUTY DECREE FILED

## Irrigators Are Granted Double Amount

### Seepage Losses Arranged So Users Will Benefit By Reducing Them

The supplementary decree in the matter of the determination of the duty of water for the lands watered by the Deschutes river has just been filed by Circuit Judge T. E. J. Duffy. The court decree fixes the duty of water at approximately 5.46 acre feet about twice as much as was previously allowed. It is higher than the duty fixed in the findings of the state engineer's office but accepts without change the seepage losses fixed by the state engineer.

In the court decree made last week seepage losses are included with water allowed per acre at the point of diversion. Users may therefore benefit directly for any reduction of seepage losses which they may make.

While formal notice of appeal from the decree has been given by the Kin Falls interests, it is not believed this will be perfected. The taxpayer stated he was well pleased with the court finding following the announcement last week.

In fixing the duty of water per acre and the seepage losses allowed by decree provides:

"The court so finds that the amount of maximum use as fixed by the former decree, or in any modification thereto, should be extended as shown below as they or either of them pertain to the hereinafter named irrigation projects, and that the duty of water and the transmission losses should be designated in a definite period of time at the point of diversion and it is therefore:

"Ordered and decreed that the percentage of the transmission losses of water that may be diverted from the river or stream for the Kin Falls Irrigation company is hereby determined and fixed at sixty per cent; for the Central Oregon Irrigation district, 45 per cent; for Deschutes County Municipal Improvement (Tumalo) district, 45 per cent; for the Deschutes County Reclamation and Irrigation company (Swalley), 43 per cent; for the Kin Falls Land Co., none; for the Kin Falls Power company, none; for the Kin Falls County Improvement district number 1, in the Pilot Butte canal between North canal dam, Oregon, and the diversion weir of the Crook County Improvement district number 1 near Crooked river, 35 per cent, and it is further:

"Ordered and decreed that the transmission losses of water herein set shall be included in the amount of the duty of water for the canal described in second feet at the place of diversion and the same shall not be increased or decreased from the amount of losses herein fixed and it is further:

"Ordered and decreed that the duty of water together with the transmission losses for the said projects be and the same are hereby fixed in second feet for the projects involved in this proceeding in accordance with the following:

(Figures following months indicate cubic feet per second per acre diversion.)

"Arnold Irrigation Co. transmis-

# Victim and Heroine in Madman's Attack



Here are two feminine principals in the attempted assassination of President-elect Franklin D. Roosevelt at Miami, Florida, the heroine, Mrs. W. F. Cross, whose seizure of Zangara's right arm thwarted the assassination of Roosevelt. Left, a victim, Mrs. Joe H. Gill, critically wounded by a bullet. Photographs by telephoto from New York to San Francisco.

...sion losses, 65 per cent; April 1/51, May 1/39, June 1/18, July 1/18, Aug. 1/18, Sept. 1/29, Oct. 1/51; total acre feet at river, 15.43.

"Central Oregon Irrigation district transmission losses, 45 per cent; Apr. 1/80, May 1/60, June 1/28, July 1/28, Aug. 1/28, Sept. 1/80, Oct. 1/80; total acre feet at river, 9.92.

"Deschutes County Improvement (Tumalo) transmission losses, 45 per cent; April 1/80, May 1/60, June 1/28, July 1/28, Aug. 1/28, Sept. 1/80, Oct. 1/80; total acre feet at river, 9.92.

"Deschutes County Reclamation Co. (Swalley) transmission losses, 43 per cent; April 1/83, May 1/62, June 1/29, July 1/29, Aug. 1/29, Sept. 1/62, Oct. 1/83; total acre feet at river, 9.59.

"Kin Falls transmission losses, none; April 1/50, May 1/109, June 1/51, July 1/51, Aug. 1/51, Sept. 1/109, Oct. 1/50; total acre feet at river, 5.44.

"Cline Falls Power Co. transmission losses, none; April 1/50, May 1/109, June 1/51, July 1/51, Aug. 1/51, Sept. 1/109, Oct. 1/50; total acre feet at river, 5.44.

"Crook County Improvement District No. 1 (Lone Pine) transmission losses, 35 per cent; April 1/37, May 1/109, June 1/68, July 1/68, Aug. 1/68, Sept. 1/109, Oct. 1/37, total acre feet at river, 4.20.

"It is further ordered and decreed that the quantity of water appropriated by the Crook County Improvement district number 1 is insufficient to properly reclaim and irrigate the entire project, 2520 acres, and that the water may be applied to a less area provided that the total quantity diverted from the Deschutes river at the North canal dam shall be equal to but not exceed a sufficient amount to deliver at its weir during the irrigation season the quantities measured in second feet set forth above.

"It is further ordered and decreed that the basis for determining the quantity of water for irrigation to which an appropriator or user whose rights are herein involved in the proceeding, may be entitled, at any time, shall be the

# BORDER RAIDS ARE REPORTED IN JEHOI

## Major Offensive of Japan Not Yet Under Way

(Continued from page one)

Kailu, Chaoyang, Peipao, and Naling areas, all on the eastern Jehol frontier.

Japanese airplanes resumed bombing of Kailu. The Chinese commander there last Saturday answered a Japanese ultimatum to get out by raiding Japanese outposts between Kailu and Tunghiao. Governor Tang Yu-Lin of Jehol province said Kailu was reduced to ruins by the Japanese raids.

**Major Drive to Come**

There was no confirmation of reports of the start of the Japanese offensive either at the Japanese legation here or at headquarters of Marshal Chang Hsueh-Liang, commander of the Chinese armies in north China.

An official dispatch from Cheng-teh, capital of Jehol, said Japanese and Manchoukuo troops concentrated at Tunghiao were expected to attack Kailu Wednesday. The dispatch described extensive preparations of the Japanese for war.

Destruction of the bridge on the Tahushan-Tungliao railway, the day's most important development on the Jehol frontier, was accomplished by Chinese operating from Kailu under General Liu Chen Tung. The Chinese engaged in a brief skirmish with Japanese after destroying the bridge and then withdrew.

An official Japanese announcement said a manifesto declaring Japan's intention of pacifying Jehol would be issued before the start of the general offensive. Ultimatums to the Chinese also were expected before the Japanese strike.

The Chinese continued to harry Japanese communications on the eastern frontier tonight while the Japanese were kept busy trying to suppress bands of guerrilla raiders.

**PLAN BOYCOTT**

Nanking, China, Feb. 21.—(UP)—Boycott of Japanese merchandise and labor will be sought by China as the result of Japan's refusal to accept the committee report of the assembly of the league of nations, a government spokesman informed the United Press today.

The government, playing its last card in an attempt to thwart impending general warfare, will apply to the league for permission, under its covenant, to declare employment and economic sanctions against Japan.

The application will be presented:

to the assembly immediately, the spokesman said.

Under plans of the intended boycott, China would bar Japanese goods and labor, and probably order the discharge of Japanese now employed in China, it was understood.

Mukden, Manchuria Feb. 21.—(UP)—Japanese troops began attacking Chinese forces entrenched near Nanking today after an all night battle near Chaoyang, in northern Jehol province, reports received here said.

Japanese military authorities here denied that clashes of the past 24 hours were part of Japan's impending general offensive to annex Jehol to Manchuria.

It was claimed that last night's battle near Chaoyang was started by Chinese soldiers who began sniping at Japanese soldiers moved into the area in preparation for the general offensive in Jehol.

A Japanese spokesman announced that Japan has 100,000 Manchoukuo and 50,000 Japanese soldiers concentrated along the northern and eastern borders of Jehol awaiting orders to advance. It was indicated the advance against the large army Marshal Chang Hsueh-Liang, young Chinese generalissimo, has ready to defend the province would begin within 48 hours.

It was also charged the Chinese are erecting fortifications at several points along the Peiping-Mukden railway. Most of the Japanese troops movements along the eastern border of Jehol province are being made over this railway.

Officials of the Nanking government were momentarily expecting receipt of word that the Japanese drive had been started. They saw no hope for a last minute conciliation.

Most of the Chinese populace appeared optimistic today. However, no one seemed willing to predict a Chinese victory in the struggle for possession of Jehol. It was believed the morale of the large army Marshal Chang Hsueh-Liang will direct in defending the province was unusually high.

There have been no signs of dissension among leaders of the more or less independent armies who have moved their troops into Jehol to give China a united front against the Japanese army. Lack of harmony between the various "war lords" has hampered the Chinese defense in the past.

Tientsin, Feb. 21.—(UP)—The Japanese consulate today protested to Chinese authorities against the alleged construction of military defenses by China at Taku, on the Gulf of Chihli.

The protest was made on the ground the fortifications violated terms of the Boxer treaty.

**PARAGUAY MAY DECLARE WAR**

Asuncion, Paraguay, Feb. 21.—(UP)—The president has decided to call an extraordinary session of congress on Friday for the sole purpose of asking authority to declare war on Bolivia, it was announced today.

# HUNDRED KILLED BY GAS EXPLOSION

## Tanks in Shanghai Spread Blazing Gasoline

Shanghai, Feb. 21.—(UP)—Mangled bodies of approximately 100 victims of two exploding gasoline tanks at the Zung Dah rubber vulcanizing plant here were recovered late today.

Police expected the death toll to exceed 100 when all bodies have been recovered. Identification of most bodies was impossible. Most of the victims were girls who were employed in the plant.

It was reported that 160 girls were missing.

Cause of the explosion was not determined. The two tanks blew up with a terrific roar, spraying gasoline over workers and setting fire to the plant.

The shock of the blast crumbled walls of adjoining buildings and shattered windows of buildings several blocks away. The heat of the flames and choking fumes of burning rubber thwarted efforts of firemen and police to rescue many injured workers from the structure, and they burned to death.

The plant was reduced to a mass of smoking ruins.

Hospitals were filled with the injured, many of whom were expected to die; others, cut by flying glass and sprayed with flaming gasoline, were given emergency medical treatment in the streets and taken to their homes.

Property damage was expected to run into hundreds of thousands of dollars.

# Inaugural Coach Awaits As Legionnaires Appeal

(Continued from page one)

corner of Wall street and Greenwood avenue, a guard of honor guaranteed adequate to the occasion, and then the speeches in the Elks hall, beginning at 9:30 o'clock.

President Hoover's emergency man was busy writing his speech today. The sub for President-elect Roosevelt has his written—has had it, in fact, since 9 p. m., on November 8, 1932. The forgotten man is supposed to be preparing a speech, but the committee forgot to ask him last night how he was coming along. He had forgotten to come to the meeting, and the committee members seem to have forgotten his name and address, so his speech may not amount to much, after all.

**MAIL FRAUD CHARGED**

Portland, Ore., Feb. 21.—(UP)—The president and three firm members of the Willamette Valley Mortgage Loan company of Aurora, Ore., were arrested last night on federal grand jury indictments charging use of the mails to defraud.

Dr. B. F. Giesey, president of the loan company; William Phoenix, general manager; Gordon Watt, attorney; and Zeno Schwab, secretary, were taken into custody. Dr. Giesey was formerly president of the State bank at Aurora. Both bank and loan company are in the hands of receivers.

Indictments charge four specific instances of alleged fraud by use of the mails. A "mortgage racket" was conducted over a period of years, it was charged.

**BOY DIES OF FRIGHT**

Cleveland, Feb. 21.—(UP)—Ebert Holleran, 8-year-old schoolboy, whose body was found yesterday in a lonely ravine in Washington park died from fright caused by a fall down a steep embankment according to Coroner A. J. Pearce.

The youth, object of a nation-wide search for four months, was at first believed to have been murdered by a degenerate. Dr. Pearce, dispelled this theory after a closer examination of the body and returned a tentative verdict of "death due to natural causes."

Pearse said he believed Ebert, a timid youth, lost his way while returning from a playmate's home and wandered to the brink of the ravine as darkness set in. In his excitement, the child stumbled and fell down the embankment. Overcome by fright he was unable to rise.

# President-elect Who Escaped and Mayor Who Was Shot



Mayor Anton Cermak of Chicago and President-elect Roosevelt have been close political friends and this resulted in Cermak standing on the Roosevelt automobile at Miami, directly in the line of fire of the gunman who attempted to kill Roosevelt. Roosevelt (left) and Cermak are shown in one of their informal political meetings.

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# Police Dog Rescues Master From Blaze

New York, Feb. 21.—(AP)—A seven-year-old police dog today led her master from a burning shack and ripped the flaming clothes from his body after an explosion had covered him with ignited oil.

George Howell, 30, was mixing paints in the Lesser Motor Car company plant when the fumes exploded. Blinded by the flames, Howell staggered about until his dog, Peggy, closed her jaws on his wrist.

She tugged him toward a window and leaped through. Howell stumbled after her, rolling on the ground, his trousers ablaze. Disregarding the flames, the dog ripped the cloth until she pulled it from her master's legs.

"I'd be burned to a crisp right now," Howell said through his bandages, "if it hadn't been for that dog."

The highest weather station ever maintained was on the top of El Misti, a Peruvian volcanic mountain 19,200 feet above sea level.

**WASHINGTON'S BIRTHDAY**  
Matinee—Tomorrow—2 o'clock  
JOE E. BROWN  
"YOU SAID A MOUTHFUL"  
— CAPITOL —

**DON'T TRIFLE WITH COMMON CONSTIPATION**

Kellogg's ALL-BRAN Brings Relief

Constipation gets its grip on a person almost unawares. It often starts with such little things. Headaches. Listlessness. Bad complexion. Unpleasant breath. If unchecked, it may seriously impair your health.

Fortunately, you can avoid this danger by eating a delicious cereal. Laboratory tests show that Kellogg's ALL-BRAN provides two things needed to overcome common constipation: "bulk" and vitamin B. ALL-BRAN is also a rich source of iron for the blood.

Biological tests demonstrate that the "bulk" in bran is similar to that in leafy vegetables. Inside the body, it forms a soft mass, which gently clears out the intestinal wastes.

How much better than taking unpleasant patent medicines. Two tablespoonsful of ALL-BRAN daily are usually sufficient. Serious cases, with every meal. If not relieved this way, see your doctor.

Get the red-and-green package at your grocer's. Made by Kellogg in Battle Creek.

# England

**HORIZONTAL**

1 Last.

2 Prime minister of England.

3 The rainbow.

4 Game played on horseback.

5 Gem carved in stone.

6 Quantity.

7 Sleeveless garment.

8 Cheated.

9 Within.

10 Evergreen tree.

11 Razor clam.

12 Destiny.

13 Variety of ruby spinel.

14 Behold.

15 To combine.

16 Sweetheart.

17 Fence rail.

18 Deer.

19 Divine word.

20 Admitted facts.

21 Pedal digit.

22 Candle.

23 Vocal composition on a sacred text.

24 Half an em.

25 Cash.

**Answer to Previous Puzzle**

11 Guided.

12 To accomplish.

14 Part of a window.

17 To quote.

18 Form of poor relief (pl.).

20 Crown of the head.

21 Flavor.

22 Emergency debt relief.

23 Blaze.

24 Bugbear.

25 Tardy.

27 Midday.

28 Canters.

29 To mitigate.

31 Debarbs.

32 Pigeon.

34 Wik.

35 To stir.

37 Swamp.

38 Allusion.

39 Secular.

40 Gray.

41 Underanged.

42 To grow.

43 Golf device.

44 To harden.

45 Second note.

46 Chaos.

47 Missouri.

**VERTICAL**

1 A method of preventing action on passage of a bill in U. S. legislatures.

2 Metal.

3 Insects' egg.

4 Like.

5 To give way to dejection.

6 Beer.

7 Company.

8 Visual.

9 Backs of necks.

10 Last word of a 47 Missouri.

**WASHINGTON'S BIRTHDAY**  
You Can

**DANCE**  
**American**

Elks Hall, Wed. Eve., Feb. 22

YOU WILL ENJOY  
**FRED DALLAS AND HIS BAND**  
THE SNAPPY-HAPPY MUSIC MAKERS  
Follow the Feet of the Country—Dance American with the American Legion

PUBLIC INVITED  
50c A COUPLE

DANCING STARTS  
9:30 P. M.

# Luckies Please!

Albemarle County, Va.—home of the Virginia aristocracy and the world-famous Virginia tobacco

In every corner of the world, both here and overseas, wherever you find joy in life, 'tis always "Luckies Please!"

Only Luckies have such character...such mildness

"Character" — the character of Luckies' fine golden-brown tobacco. In the Southland, in Virginia, in Georgia, in North Carolina, in South Carolina, in Kentucky, they know that only the finest, most carefully selected tobaccos are chosen for Lucky Strike. And because these choice tobaccos are "Toasted"—purified by Luckies' exclusive process—Luckies are made truly mild. For these two reasons—Character and Mildness—"Luckies Please!"

because "It's toasted"

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