

8 PER CENT TAX OPPOSED IN SUIT

Law Held Violation, Test Case to Be Taken to the Supreme Court.

Leon B. Baketel, financial editor of the Morning Oregonian, writing for his paper, says:

A suit, direct to the supreme court, to test the constitutionality of the 8 per cent tax law, will be filed some time after Friday of this week and will be in the hands of Sidney Graham, attorney.

This was decided upon at a meeting Tuesday, attended by a group of prominent citizens. A committee was named to decide upon the course of procedure, ways and means, and the man in whose name the suit will be filed.

The basis for the attack on the law may be summed up in three words—violation of contract.

Bonds issued by the state under the old law called for payment of taxes and the payment of 1 per cent interest a month and a 2 per cent penalty if delinquent.

The new law changes all this and merely cites that unpaid taxes will draw interest at the rate of 8 per cent per annum.

While the supreme court has held on two different occasions, that interest and penalty are no part of taxes, nevertheless it was obligatory on the part of the state to live up to its contract. It may be said, however, that no bonds issued under the old law will be considered in the suit to be filed, but it will be based solely on the premises that it is in violation of contract.

The condition facing the taxpayer today is simply this. Should the present 8 per cent law be declared unconstitutional, then there would be a reversion to the old law, and this would mean that property owners who have not paid their taxes would be required to pay 1 per cent interest a month and a 2 per cent penalty. Further, it is pointed out, the longer taxes go unpaid the more the interest and penalty will amount to, for 1 per cent a month means 12 per cent annually and the 2 per cent penalty will be added.

There was a feeling at the group meeting that Oregon never would cease having to fight tax legislation until some man, pre-eminent in the study and solution of tax problems, such as Calvin Bullock New York, was called in to make a study of the tax muddle in this state and then formulate a plan which could be laid before the legislature for its enactment. The general opinion was that nobody within the state could accomplish what an outsider would be able to.

The Baptist Dinner

The annual dinner given by the ladies of the Baptist church was a real success in every sense of the word. The affair was given in the dining room of the church and the tables were attractively decorated with clusters of yellow and white chrysanthemums. A bevy of attentive ladies served and the delicious menu was much appreciated by those who attended. The guests were further regaled by a splendid musical program which included four numbers by the Adams high school orchestra consisting of 23 pieces; two vocal numbers by Mrs. James Cresswell; violin solo, Wayne LaFave, accompanied by Miss Hilda LaFave; piano solo, Miss Betty Eager; double vocal duet, Mrs. Ross Payne, Mrs. Floyd Pinkerton, Mrs. Clarence Zerbe and Mrs. Ed Montague; violin duet, Thea and Wayne LaFave, accompanied by Miss Hilda LaFave; vocal duet, Elaine Tubbs and June Thompson, accompanied by Annabel Payne. The ladies are pleased with the \$40 proceeds of the dinner and wish to thank all those who attended and assisted in making it a success.

Moved to Pendleton

H. H. Lawrence, wife and children moved from Athena to Pendleton Sunday to reside. The condition of Mr. Lawrence, who is in very ill health has not improved in the least since he returned from Portland several weeks ago. He is forced to give up his position with the Union Oil company here. It is reported that Leon Kretzer, former Athena boy, who is employed for the Union Oil company at Pendleton, may be selected as manager of the Athena plant.

Search Is Legal

A game warden or any other officer charged with enforcement of the game laws can lawfully search a hunter's camp, such as is usually established on a hunting trip of short duration, without a search warrant, Attorney-General I. H. Van Winkle held in an opinion handed down. The opinion was requested by the Oregon state game commission.

Student Doubles Perplex Teachers In Class Work

The old feature about a record-breaking number of twins is out of date at Washington State college, "Doubles" are the vogue now.

Thirteen young people attending the State college may meet their namesakes any day on the campus for there are 26 in all. Elizabeth Phillips of Harrington and Elizabeth Phillips of Bluestem may sit side by side in the classroom, and Esther Olson of Twisp and Esther Olson of Pullman no doubt have mix-ups regarding their correspondence. When the instructor calls on John Clark of Olympia, it may be John Clarke of Pullman who answers, "Here."

The two Maurine Martins enrolled at Washington State probably have a terrible time figuring out which is which, for they both enrolled as freshmen, both listed in the college of sciences and arts and both give Pullman as their home town.

Other doubles listed in the student directory are the Roy Olsons, the Ruth Johnsons, the Arthur Hugheses, the Mary Halls, the Don Monks, the George Smiths, the Gladys Andersons, the Howard Johnsons, and the Harold Browns.

One young fellow who won't meet a double is William J. Cherniaskevsky of Seattle, who is credited with the longest name in the student list. Three-letter names win the "shortest" honors with several scattered through the directory. Alt, Bue, Boy, Sen, Uno, Woo, Enz, Gay and Hsu are included.

Athena-Pendleton Foot- ball Game Nets About \$80

A Pendleton team overloaded with a galaxy of husky reserves proved to be too much for the lighter Athena team in Sunday's benefit game for the unemployed at Pendleton.

Athena held the ex-college and high school players in the first half and also in the last quarter, but in the third period Pendleton went over for two touchdowns, one on a pass to the five yard line where the ball was bucked over, and end runs were responsible for the second score. No extra points. Score 12-0.

Athena played the faster game and threatened on different occasions, but could do nothing against the Pendleton line which held when in home territory. About \$80 will be turned over to the Pendleton relief committee for the unemployed from the net proceeds of the game. The attendance totaled about 300. The lineup: Athena—Jack Moore, Eldon Myrick, Arthur Crowley, Dean Pinkerton, Stafford Hansell, Wilford Miller, Melvin Coppock, Cecil Pambrun, Oral Michener, Bryce Baker, Lee Foster, George Pambrun, Dalberth Taylor, Norman McIntyre and Arthur Taylor. The Pendleton squad had Perard Moens, King, Simonton, Guyll, Strobble, Rosenberg, Toner, Stearns, Johnson, Ray, Schannep, Beltz, Kidder, Johnson, Moyer, Young, Kearney, Erwin, Garrison, Greer, Carden and Harthrong.

Members of the Odd Fellows and high school bands furnished music for the game.

McKinzie Chapter O. E. S.

McKenzie Chapter O. E. S. held its regular meeting Wednesday night with seventeen members present. Usual business was transacted and following this session the chapter adjourned for a social hour during which bridge was enjoyed. Three tables were in play, Mrs. M. L. Watts receiving high score, Mrs. B. B. Richards second and Mrs. W. S. Ferguson the consolation. Mrs. W. P. Littlejohn and Mrs. Henry Dell were hostesses and served dainty sandwiches and coffee, carrying out a yellow color scheme in table appointments.

Larger Counties Advocated

One-seventh of the nation's income goes for taxes and one person out of 11 holds a government job of some kind, Leonard E. Read of Seattle, assistant manager of the western division of the United States Chamber of Commerce, said at the weekly Walla Walla chamber of commerce meeting. Read urged increasing the size of the counties in the nation, saying that "we are living in an electric-light age and using candle methods."

Edmund Potts Seeding

Edmund Potts finished seeding fall grain Tuesday at his ranch near Helix. He will sow the remainder of his crop next spring to Federation. Weed growth prevented his seeding the whole of his ranch to fall grain, a condition which generally prevails in the Helix district this season.

Builds Pole Fence

Bryce Baker has built a pole fence around the lots he owns between Second and Third streets. He further improved the property by moving a barn onto it which he purchased from Mrs. Berlin. He now has a suitable place for several head of stock.

Navy Acquires a New Radium "Eye"



Following closely upon the discovery of serious cracks in the sternpost of several new cruisers, comes the announcement of a radium "eye" which is being tested at the naval research laboratory at Washington for the detection of internal cracks in large castings. The photograph shows the apparatus in use in a big gun mount. The lead case box, containing the radium, which is held by the man on the right, is placed on the tripod within the mount. Photographic films are placed opposite the suspected point on the outside of the casting and the radium radiations pierce the metals, registering any flaws upon the sensitive films.

WINS AIR DERBY



Mrs. Phoebe Omile of Memphis, Tenn., who won the women's division of the air derby from Santa Monica, Calif., to Cleveland, and also won the sweepstake handicap contest.

Halloween Prankster Is Shot and Assailant Held

Walla Walla.—Lawrence Cummins, 16-year-old Halloween prankster, is in St. Mary's hospital and Mose McGrew, Touchet resident, is in the county jail as a result of a clash at McGrew's place late Saturday night. According to Deputy Sheriff Elmer Johnson, Cummins committed an act of vandalism on the McGrew place. As he did so McGrew stepped from behind a truck and fired a shotgun.

Seventy-seven shots entered Cummins' back and legs while others sprayed a nearby dance hall where a crowd was gathered. Young Cummins' condition is serious but will not be fatal unless complications follow.

A charge of first degree assault has been filed against McGrew, who acknowledged that he was several years ago an inmate of the state reformatory at Monroe.

All-County Tournament

The Hermiston Golf club has extended an invitation to the Athena club to attend an all-county tournament to be held on the Hermiston course, Sunday, November 8. All clubs in the county have been invited to participate. Inquiries at the Hermiston hotel by those not knowing the location of the Hermiston course will elicit desired information. Athena club members who intend going to Hermiston, should register at Watkins' Pharmacy not later than today.

Football Player Hurt

Arthur Crowley has returned from Mission where he has been visiting his parents since Sunday. During the play of the Athena-Pendleton football game Sunday Arthur was painfully hurt, his ear being almost torn off. The wound bled profusely and it was found necessary to take several stitches to mend the injury. It is thought a cleat of one of the football shoes caused the damage. The patient is improving and it is hoped that the stitches may be removed today.

Move Here From Weston

Mr. and Mrs. Hyatt and two small daughters of Weston have moved into the I. B. Phillips house on College street. Mr. Hyatt is employed on the new highway in LaMar district.

Boy Killer Wins Favor With the Officers of the Walla Walla Penitentiary

A Walla Walla dispatch of recent date says: If Herbert F. Nicolls Jr., 12-year-old slayer, can be brought to manhood a useful, law-abiding citizen, officials of the Washington state penitentiary will do their part to a man.

Herbert's respectful attitude, his keen mentality, his quick answers to questions and his ready adaptability to his surroundings already have won good will of institution employes from Superintendent Clarence Long, down.

"It's too early to know whether the boy will warrant the confidence which all of us are placing in him," Long said. "We are going to do everything possible to give him a chance. He could be in many worse places than here."

C. L. Ross, librarian, who, like Long, has raised a family, has been assigned to look after Herbert's schooling, details of which will be arranged soon. The boy has convinced officials he reads and writes better than the average sixth grader, although in appearance he strikes some as about a good-sized nine-year-old.

"Herbert is getting plenty to eat, perhaps too much," Long said. "He'll get things boys need for growing, such as milk, fruits and vegetables. The steward sees that he gets plenty." Herbert has been fingerprinted and photographed. The usual convict head shave, however, was spared him.

Dominoes and checkers and some books have helped to pass the time for young Nicolls, whose exercise period in the front court will be taken daily with a guard. He will seldom see or be seen by inmates, but despite this, Herbert has assured officials he is contented.

Farmer Held Without Bail

Moses McGrew, Touchet farmer, will be held in the Walla Walla county jail without bond until Lawrence Cummins, 16, recovers from birdshot wounds allegedly inflicted by McGrew on Halloween. Sheriff McIntyre said first-degree assault charges are pending against the Touchet man. The youth, who, McGrew said tipped over an outhouse while the farmer lay in wait for pranksters, has 77 bird shot in his body.

Highway Robbers Still Free

State and county police at Pendleton were unable to discover any trace of three highwaymen or the automobile they are said to have used in the reported holdup of F. A. Cannon, a salesman, between Walla Walla and Pendleton. Cannon said the robbers took \$1,434 from him. Police said there were several points in the story which did not check.

Grain Office to Move

Announcement was made at Pendleton by Richard Rice, manager of the Farmers' National Warehouse corporation for the northwest states, that offices established there last June will be moved to Portland November 15. A branch office will be maintained at Pendleton. Economy of operations was given as the reason for the move.

Took Spuds to Walla Walla

Ray Hansell took a truck load of potatoes to Walla Walla Monday and found ready sale for them. They were of the Netted Gem variety and were raised on the Hansell mountain ranch, southeast of Athena.

Wheat Comeback Is Recovery Sign Says Farm Board

Believing that agriculture always leads industry into brighter business skies, the farm board is watching the wheat market closely.

What levels—high or low—it will reach in the immediate future neither Chairman Stone nor Carl Williams would guess, but they were optimistic and said the worst is over.

The chairman reiterates that wheat prices have been unjustifiably low in the face of bullish reports of short crops in European importing countries, reduced harvests in the southern hemisphere, adverse weather in the American winter wheat belt and uncertainty over Russia's export position.

"I can only hope," he said, "that the market rise will be continued. No one can predict what it will do from day to day. We certainly must look to a recovery of agriculture to precede a recovery in business generally."

Williams observed that while agriculture always has pointed to better times, cotton usually has been the leader. In this connection, he said, consumption figures tell the story and not prices. So far this year cotton consumption is 16 per cent greater than for the same period last year.

There was no indication whether the grain stabilization corporation was taking advantage of the market rise to sell some of the huge supplies of wheat accumulated last year.

Arthur P. Hyde, secretary of agriculture, said that rising markets for wheat and cotton indicate prices for those two crops have passed the bottom.

Designating the two crops as bell wethers of agriculture commodities, Secretary Hyde was inclined to a belief that their upturn may signal better times on the farm.

"The rising wheat prices certainly are not out of line with world conditions," the secretary said. "Acreage reductions in the southern hemisphere slackening of exports from Russia, damaged crops in Europe and our own poor southwestern outlook for winter wheat with a reduction of 16,000,000 bushels in the world's present visible supply tend to lead one to believe the surplus rapidly will disappear."

"Under those conditions, purchase of wheat at the present or even higher prices would appear a good investment."

Hallowe'en Party

Corn stalks, grinning jack o' lanterns and other reminders of Hallowe'en gave an eerie atmosphere to the attractive rooms of the Radtke home Saturday night when Miss Helen Hansell invited a group of friends to spend the evening. The guests were forced to enter the house by going through a window. Bridge and dancing were the diversions, and at a late hour the guests transformed themselves into "spooks" which played Hallowe'en pranks about town following which they reassembled at the Hansell home where appropriate refreshments were served. Those present were, Miss Lucille Winn of Adams; Misses Inez McClure, Adeline McIntyre of Pendleton; Mildred Hansell, Norman McIntyre, Dean Pinkerton, Athena; Lewis Pinson, Emil Geist and Roland Pierce, Pendleton; Bill Hodgen, Adams and the hostesses.

Weston Potato Show

Weston's annual potato show is being held today and tomorrow. In addition to potato exhibits the official premium list provides for prizes on entries of grains, peas, beans, corn, canned fruit and vegetables, sheep and pig exhibits by 4-H club members, and miscellaneous displays. Cash prizes offered by the show will be augmented by merchandise and service awards donated by merchants and business men.

Walla Walla Club Won

The Walla Walla country club golf team won from the Pendleton country club Sunday on the Pendleton course by the score of 75 points to 65, in one of the biggest tournaments of the season. Dr. H. M. Hanavan of the Pendleton club was low medalist of the day with a 78. For Walla Walla, Bill Barclay and C. P. Williams were low with 77's.

Heppner Defeated

The Pendleton Buckaroos were held to one touchdown by the Heppner high school team, at Heppner, Saturday. Pendleton scored in the first half when Scriver got away for a thirty-five yard run. Try for extra point failed, Pendleton winning the game 6-0.

Wheat Pays Taxes

Better wheat prices during the last week have had a notable effect on tax payments, according to Lucille Sullivan, chief tax deputy for the Umatilla county sheriff.

Democrats to Rule in House Shouse Believes

The result of Tuesday's election was pictured by Jouett Shouse, chairman of the Democratic national executive committee, as a clear indication of "what may be anticipated for the national election of 1932."

In a statement through the Democratic national committee, Shouse said:

"Nowhere did the Democrats lose anything they had held, while the Republicans lost the 8th Michigan seat in the house of representatives which has been theirs for 30 years, and in addition lost one governorship—in New Jersey—certainly, another probably in Kentucky, where under the state law the count is not made until the day following an election."

"The majority of the house of representatives is definitely Democratic now and I think we are safe in assuming that any changes in that lineup will be merely in the direction of further Democratic gains."

"In short, the picture shows that the trend away from the Hoover administration, which was so marked in the election of 1930, continues and so gives a clear indication of what may be anticipated for the national election of 1932."

In addition, Shouse said, Democrats "have gained mayors and councils in various cities, notably in New York, Connecticut and Massachusetts, which have been under Republican rule."

A Small Vote Cast In Athena Municipal Election

A total of 19 votes was polled at the Athena municipal election, held Tuesday. This is perhaps the smallest number of votes ever cast at an election here, and was due perhaps to lack of publicity.

No notice was given The Press to announce holding of a mass meeting for the purpose of nominating candidates for the respective offices, a customary procedure in the past.

Following this oversight, The Press staff, including editor in chief, managing editor, news editor, city editor, reporter staff and the "devil" overlooked, forgot and neglected to inform the reading public that the city election would be held at the usual voting place, on the dotted hour, on the 3rd day of November, A. D., 1931, for the purpose of electing a mayor, three councilmen, recorder and treasurer.

But in spite of this vital omission the election was held and officers elected without opposition, as follows: Mayor, M. L. Watts; Councilmen, Max Hopper, A. M. Johnson, W. P. Littlejohn; Recorder, B. B. Richards; Treasurer, J. F. Kershaw.

Bowles Weds Girl and Seeks Refuge in Denver

The Denver Post says Nelson C. Bowles, Oregon capitalist, who was acquitted along with his ex-secretary Irma G. Loucks, several months ago of the slaying of his wife in Portland, sought refuge in Denver from the public eye over a month ago, it was revealed Tuesday.

The Denver Post said that Bowles is married and living in a fashionable residential district there.

"I have nothing to say about my wife," Bowles declared. "We came to Denver to make our home and we thought we had left our past behind."

When questioned about his wife's identity he refused to talk.

Weston Game Cancelled

The Athena-Weston high school football game, scheduled for November 13 has been cancelled and with the cancellation, the season ends for Athena. Weston cancelled the game and due to the fact that the Athena team was in a crippled condition, with three of the best players out of the lineup for the remainder of the season due to injuries, the decision was received with unanimous favor here.

Play Dates Postponed

The play dates selected for presentation of the school play, "Second Childhood," November 12 and 13, have been postponed to Thursday and Friday nights, November 19 and 20. The postponement was necessitated on account of injuries received by Ralph Moore, who has a leading part in the play. Ralph was hurt in the Touchet game and received serious injury to his knee.

The Salvation Army's soup kitchen at Pendleton is feeding on an average 50 men a day. Three meals a day are served and the men fed there, perform some manual labor for their meals.

A check for \$11,038.81 was turned over to the Umatilla county sheriff's office by the Pacific Telephone & Telegraph company, representing the personal and real property taxes of the company for the last half of 1930.

WHEAT AND CORN PRICES SOARING

Millions Are Added to Farm Wealth In a Sudden Spurt of Prices.

Chicago reports the prosperity rally in the grain pits sent wheat prices soaring sensationally Wednesday, and added upwards of \$400,000,000 to the potential purchasing power of farmers.

Before a spurt in the last hour of trading, statisticians had estimated that the grain holdings of farmers had been increased in value by \$375,000,000 during the day. In the final hour an additional \$10,000,000 was added.

On the strength of the current boom optimism returned to the wheat states of the west and Midwest, where, only a few months ago, despair and bitterness reigned. Reports of improved business and extension of credits by farmers for the purchase of supplies were received from all parts of the wheat belt.

Many farmers announced determination to hold their wheat a while longer, hoping for \$1 a bushel.

Corn and oats followed wheat up the price incline. Corn closed from 2 1/2 to 3 cents higher and oats were from 1/2 to 1c higher. Closing figures were:

December wheat 64c, 2 1/2 cents higher than Tuesday; March 68 1/2c, 2 1/2c; May 69c; up 2 1/2 to 3 cents July 70, up 2 1/2 to 3 cents.

Not since federal farm board stabilization operations last spring held May wheat at a premium of 20 cents above July and forced May to sell at within a fraction of 70 cents had any wheat future been quoted at 70 cents or more.

Sudden resumption of general buying by commission houses and Chicago traders snatched the market out of a continuation of the recession started Tuesday and sent the price skyrocketing 3 cents from early lows within a few minutes. The boom lasted until the final gong.

Rebekahs Elect Officers

Circle Number 10, Women of Woodcraft met Tuesday evening at the Knights of Pythias hall. In addition to the usual business election of officers for the ensuing year was held and the result follows: Past guardian neighbor, Mae Douglas; Guardian neighbor, Luella Pinkerton; advisor, Fern Elder; magician, William L. Elder; clerk, Lola Payne; banker, Celia Harden; attendant, Mary McKay; captain of the guards, Minnie Jenkins; inner sentinel, Verda Miller; outer sentinel, Stella Keen; musician, Adele McEwen; managers, Sarah Gross, Stella Kershaw and Maria Pinkerton; flag bearer, Eva Zerbe; correspondent, Sarah Moore; physician, Dr. W. H. McKinney. A new member, Mrs. Ethel Swift was elected and will receive the degrees of initiation at the next meeting. December 1 when the Weston lodge will visit Athena and put on the work. Following the business session a social hour was enjoyed and the members were served with ices at Watkins Pharmacy.

The Three-Link Club

The recently organized Triple Link club held its first meeting at the home of Mrs. C. E. O. Montague Monday night with 18 present. Officers for the ensuing year were elected and are as follows: President, Mrs. Harvey Roseberry; vice - president, Mrs. Lloyd Michener; secretary-treasurer, Mrs. Roy Johnston. Plans for raising funds were discussed and it was decided to start a quilt which will be sold when completed. Meetings of the club will be held the first and third Monday evenings of the month. The next meeting will be held at the home of Mrs. Roseberry, Monday evening, November 16.

The Study Club

The Study club met at the home of Mrs. F. B. Radtke on last Friday afternoon when a specially interesting lesson was enjoyed. Roll call was answered with prominent New Yorkers, the study topic being that city. A well prepared paper on "Down Town" was given by Mrs. Frank Little, "Up Town" being described by Mrs. Louis Keen. New York state will be taken up at the next meeting which will be at the home of Mrs. Stella Keen on next Friday afternoon. Mrs. J. W. Pinkerton and Mrs. W. S. Ferguson will give information relative to the Empire state.

Store Closed

Bond Bros. store at Pendleton was closed Saturday evening and disposition of the business now depends on sale to be made by the creditors to the highest bidder after notice of sale has been advertised for ten days. It is understood here that Bond Bros. are negotiating for purchase of the stock.