

HEPPNER HERALD

6-1-24
S. E. Notson

VOLUME IX

HEPPNER, OREGON TUESDAY, MARCH 13, 1923

NUMBER 46

MEN HELD ON LIQUOR CHARGE ACQUITTED

CONFESSED OWNER OF PLANT GIVES OFFICERS SLIP

Jury Sustains Plea That Other Men Were Innocent Visitors at Camp.

The moonshine raid made early last week by federal prohibition officers from Portland and Deputy Sheriff Chidsey, netted exactly nothing in the way of convictions when the case was placed on trial in Justice Cornett's court last Thursday. Ivan Leathers, of Hardman, and Will Wehrli and Ora Hawk, of Condon, were placed on trial on a moonshine charge but there was no evidence adduced showing that they were in any way connected with the illicit operations and the jury promptly acquitted the three men.

As related in the Herald last week, Otto Leathers assumed full responsibility of ownership and operation of the plant when the pinch was made and told the officers that the other three men were at the camp as casual visitors and were in no manner connected with the illicit operations. He then proceeded to extricate himself from his present difficulties by the simple expedient of pouring out most of the two gallons of "evidence" the officers had captured, taking the "worm" and cap of the still which had also been retained as evidence, getting on a saddled horse and blithely riding away. All this happened, it appeared from the evidence, while Chidsey was trying to get the cold car engine started and the federal sleuths were snuggling themselves in the rear seat of the car trying to keep warm. Under the circumstances, it may be assumed, Otto concluded he got away while the gettin' was good and he got.

At the trial Thursday Ivan Leathers testified that he was on his way to the John Day river to visit his uncle on a business mission and that, knowing the Condon men had gone into that neighborhood to hunt, thought he would stop at their camp to see what success they were having. He reached the cabin about an hour before the posse appeared. He told a straightforward story about how he came to make the trip at that time of night and was substantiated by Claire Ashbaugh and L. E. Knighten, who were with him when he started. He also proved by these witnesses that he left Hardman before the sheriff's party arrived there from Heppner, thus discrediting the theory that he went to the camp to warn his brother of the impending raid. Peter Prophet and Mrs. A. L. Ayers, of this city, also went on the stand as character witnesses for Mr. Leathers both giving him a high

rating as a law abiding citizen of high moral character.

Wehrli and Hawk testified that they went into that section to hunt and that they accidentally met Otto Leathers on the trail and that he invited them to his camp to stay offering to go hunting with them Sunday and show them where the game ranged. They absolutely denied having any interest in the plant or having in any way assisted in operating it. Their story also sounded straightforward and was partly corroborated by that of John McDonald, proprietor of the hotel at Hardman, where they stopped on their way in to the mountains. L. E. Fowler, county judge of Gilliam county, Leo Shelly, garage owner, Lester Wade, stockman and merchant, J. D. Weed, lawyer and United States commissioner, all of Condon, and Elmer Booher, farmer and neighbor of Mr. Wehrli who himself owns and operates a 1000-acre wheat ranch, appeared as character witnesses for the two men and all testified to their good standing in that community as law-abiding citizens.

Wehrli is a rather sober looking individual but while on the stand he showed a keen bit of humor from which the crowd got a big kick. After telling his story to the jury, Cal Sweek, his attorney, asked the question: "Have you ever been in trouble before, Mr. Wehrli?" "Well," replied the witness, hesitatingly, "I'm married." Bill probably confused the past with the future and was thinking about what might be coming to him when he got home from that trip.

C. L. Sweek, of the firm of Woodson & Sweek, appeared for the defendants and District Attorney Notson appeared for the state.

It is understood that this case would not have been brought to trial because of insufficient evidence had it not been that the federal officers, after allowing the real owner and operator of the still to escape, insisted that unless the state agreed to prosecute the other men would be taken to Portland and brought before the federal court. Whether this arrangement was intended as being in the interest of justice or to make a record for somebody in the Portland office is not known. Be that as it may, however, the net result of the raid seems to be about as follows: A considerable expense bill for the taxpayers to settle; two gallons of moonshine wasted, and one perfectly good altered moonshiner at large equipped with a worm and cap ready to set up business in a new location. Truly the prohibition law and its enforcement is a wonderful piece of machinery.

The case was tried before the following jurors: Martin Reid, Jay Devin, Chas. Thomson, W. E. Mikesell, Jim Fitz and W. B. Barratt.

CARD OF THANKS

We desire to express our sincere thanks and appreciation for the kindness shown during the illness and death of our loved ones.

W. H. CLARK,
DELPHIA PETTYJOHN,
LAURA PETTYJOHN,
ALTA PETTYJOHN,
OPAL PETTYJOHN.

PATTEN PLEADS FOR JUSTICE FOR FARMER

PROSPERITY HELD RESTING ON PURCHASING POWER

Grain Expert Sees Trend Toward Higher Prices in Corn For Remainder of Year

Chicago, March 9.—James A. Patten, one of the most conspicuous figures in the grain trade of the United States, discussing today the financial and industrial situation of the country, had this to say about the position of the farmer:

"I believe that the whole question of a continued movement back to general prosperity rests upon a return to a proper relation between the price of farm products and the price of such commodities as the farmer needs to buy. There can be no general prosperity, or even continued class prosperity so long as the purchasing power of the farmer remains low, because of disarrangement of this fundamental economic balance.

"I regard corn as a keystone of the agricultural arch, and fortunately every condition appears at present for a price range for the rest of the year that will do much toward restoring the farmer to his position as the greatest single purchasing power in our population.

"The government report yesterday shows that corn supplies are down to an average of the past ten years, and are 226,000,000 bushels less than a year ago, and 478,000,000 less than two years ago. The question of value depends upon the relationship between supplies and needs, and from this standpoint the present situation is most encouraging. Last year we had a supply on March 1 of 1,313,000,000 bushels, and on November 1 there was carried over 179,000,000, showing a consumption between March 1 and the new crop of 1,134,000,000 bushels. In 1921 the consumption during the same period was 1,279,000,000. For the next two years, therefore, our average crop consumption, the greater part of which is represented by production of meat, was 1,206,000,000 bushels. It follows that our present corn reserve of 1,087,000,000 is less by 119,000,000 bushels than our actual consumption during the last two years.

LEXINGTON PIONEER WOMAN PASSES AWAY

Mrs. Eliza J. McAlister, pioneer woman of the Lexington district, died at the home of Mrs. Wm. Straight in this city last Saturday evening after a lingering illness. She was brought to Heppner a couple of weeks ago to be nearer medical attendance and her condition has been practically hopeless all the time. She was about 76 years old.

Mrs. McAlister came to this county from Iowa many years ago and has ever been held in high esteem among her friends and neighbors. She is survived by three sons: Harvey and Ray, of Lexington, and Marshall, of Portland. The funeral was held at Lexington yesterday.

COUNTY COURT HOLDS ONE DAY SESSION

BUT LITTLE IMPORTANT BUSINESS ON DOCKET

County Clerk J. A. Waters Tenders His Resignation to Take Effect April 1

Be it Remembered; That County Court met in regular session on Mar. 7, 1923, with all officers present.

Various claims were presented to the court and after due consideration the same were allowed, continued or disallowed as per notations on face of same.

H. A. Stewart was granted a dance hall license for the year 1923, at Dry Fork.

The resignation of Jap Walker as Justice of the Peace for Dist. No. 1 was duly accepted and the allowance of \$20 per month formerly made to him as Justice of the Small Claims Court was cancelled.

G. A. Bleakman was appointed Justice of the Peace for Dist. No. 1 to fill the unexpired term of Jap Walker, resigned, or until his successor is elected and qualified.

J. A. Waters, county clerk, presented his resignation to the court, same to take effect April 1, 1923, or as soon thereafter as his successor is appointed and qualified.

The following bills were allowed: Howard-Cooper Co., No. 4, \$60. W. L. McCaleb, Gen road, \$166.66. Wm. Furlong, Spl. 14, \$12.18. Frank Shively, H. bond, \$6. Standard Oil Co., No. 14, \$56.58. Howard-Cooper Co., 6-B, \$89.18. Chas. Elligott, Spl. 14, \$14.50. Glen Ball, Spl. 14, \$12.35. C. J. Anderson, Spl. 14, \$2.80. Geo. Ritchie, Spl. 14, \$14.85. Bert Mason, Spl. 14, \$3.25. Bristow & Johnson, Spl. 14, \$47.68. Martin Reid, 6-B, \$89.66. F. C. Maloy, 6-B, \$16.64. I. A. Dempsey, Gen Rd., \$39. J. W. Kirschner, Gen. Rd. No. 2, \$47.

C. V. Hopper, Gen Rd., \$16.05. W. H. Boardman, No. 2, \$26.96. Battery Service Sta., Gen., \$4.50. A. Z. Barnard, No. 15, \$2.50. Sam Smith, No. 1, \$10. F. A. Randall, No. 9, \$11. M. D. Tucker, No. 15, \$6. Moore & Anderson, Mkt., \$45.15. Arlington Bank, Spl. 2, \$44.20. Bank of Ione, roads, \$129.73. Farmers Bank, roads, \$329.08. First Nat. Bank, roads, \$1164.07. State Acc. Com., roads, \$29.51. B. T. Allstott, bounty, \$3. W. F. Koffer, bounty, \$4. B. H. Bessey, bounty, \$25. Glass-Prudhomme, office, \$121.61. Peoples Hdw. Ct. house, \$2.50. H. J. Cox, bounty, \$1. Bill Busehke, bounty, \$4. Ray Steers, bounty, \$7.

E. E. Rugg, bounty, \$4. F. D. Cox, bounty, \$3. H. J. Cox, bounty, \$6. N. F. Lawson, poor, \$30. C. B. Oral, sealer, \$10.78. C. C. Chick, physician, \$10. Sherman Shaw, caretaker, \$25. Daisy Becket, Widow Pen., \$25. Sadie Morey, widow Pen., \$25. Gladys Gibbons, widow Pen., \$10. Hazel Logan, widow Pen., \$17.50. Rebecca Knight, widow Pen., \$40. Amy McFerrin, widow Pen., \$17.50. F. J. Gordon, poor, \$25. Ida Fletcher, poor, \$15. Jess Kirk, poor, \$30. John Stout, bounty, \$4. F. M. Miller, bounty, \$3. Paul McDuffee, Sal., \$80. B. F. Allstott, bounty, \$4. John Kenny, bounty, \$7. W. W. Smead, Treas., \$12.22. Roy Brown, bounty, \$3. Alex Campbell, bounty, \$4. Heppner Lt. y W. Co., Ct. house, \$59.25. Lena S. Shurte, Supt., \$8. Heppner Herald, Cur. Ex., \$50.50. Gazette-Times, clerk, \$31.40. C. C. Calkins, Co. Agt., \$225. Kilham Sty. Co., surveyor, \$9.18. D. McNamee, poor, 10. Emanuel Hospital, poor, \$69.50. Pac. Tel. Co., Cur. Ex., \$44.50. Humphreys Drug Co., Cur. Ex., \$18.65.

W. A. Goodwin, Justice Ct., \$2.10. National Surety Co., bonds, \$17.50. Patterson & Son, poor, \$9.25. L. P. Davidson, Co. Ct., \$18.05. R. L. Benge, Co. Ct., \$16.80. F. Shively, Ct. house, \$2. Tum-a-Lum Lbr. Co., Ct. house, \$11.35. Martin Reid, Ct. house, \$2c. Glass-Prudhomme, office, \$92.84. Bushong & Co., office, \$143.29. Moore & Anderson, Ct. house, \$80.10. Geo. McDuffee, Prohi, \$100. H. R. Ahalt, rodent, \$44.64. S. E. Notson, Pro., \$36.70.

W. A. Goodwin, Justice Ct., \$2.10. National Surety Co., bonds, \$17.50. Patterson & Son, poor, \$9.25. L. P. Davidson, Co. Ct., \$18.05. R. L. Benge, Co. Ct., \$16.80. F. Shively, Ct. house, \$2. Tum-a-Lum Lbr. Co., Ct. house, \$11.35. Martin Reid, Ct. house, \$2c. Glass-Prudhomme, office, \$92.84. Bushong & Co., office, \$143.29. Moore & Anderson, Ct. house, \$80.10. Geo. McDuffee, Prohi, \$100. H. R. Ahalt, rodent, \$44.64. S. E. Notson, Pro., \$36.70.

BANK OF IONE ROBBED; ROBBERS YET AT LARGE

Robbers forced an entrance into the Bank of Ione last night, broke open the vault, rifled the safety deposit boxes and made their escape. Telephone and telegraph wires were cut and word of the robbery did not reach here until about noon. The treasure safe was in an inner vault and was not molested. No estimate of the loss has been given out by officials of the bank who are awaiting an insurance adjuster to check up. There is no clue to the robbers. The loss is covered by insurance.

Cramer's jewelry store in the Selling building, Portland, was held up by daylight robbers yesterday afternoon and \$20,000 taken.

Two men held up the St. Paul bank in Marion county, yesterday forenoon and took \$702.99. They were arrested an hour later in Newberg.

BROTHERHOOD HONORS WATERS AND BARRETT

FAITHFUL PUBLIC SERVICE RECORDS LAUDED

"Heppner's Heritage" Last Evening's Theme—C. A. Minor Reads Original Poem

The Brotherhood dinner at Hotel Heppner last evening was attended by about 75 citizens and was one of the most successful meetings yet held by that organization. The subject for discussion was "Heppner's Heritage" and Rev. Livingstone opened the discussion by pointing out several material matters the town should bestir herself about if she would hold her own against surrounding competitors. Several other members spoke along the same line. One of the pleasing and unique features of the meeting was an original poem read by C. A. Minor on the appointed subject for the evening in which he reviewed some of the town's past history and also gave some excellent counsel regarding our present and future.

S. E. Notson, when called upon to speak, revealed the real purpose of the meeting by paying a warm tribute of appreciation of the services of County Clerk J. A. Waters, who is also president of the Brotherhood, and W. B. Barratt, recently retired state highway commissioner. Mr. Waters recently tendered his resignation to the county court. Both of these men, the speaker said, have rendered signal service to the people of Morrow county and both are entitled to have our appreciation expressed while they are still living, rather than to have flowers laid on their caskets after they are dead.

Mr. Waters has been a most efficient and obliging official for eight years and he leaves the office by his own choice with the friendship, respect and esteem of every resident of the county, the speaker said. Mr. Barratt also has served his county, city and state well and as a member of the highway commission has secured for Morrow county the recognition she deserved at the hands of the state in road matters and what she was not receiving when he became a member of the commission. C. E. Woodson, C. L. Sweek, J. J. Nye, R. W. Turner, Judge Campbell and others also spoke warm words of appreciation of the work done by Messrs. Waters and Barratt. Both gentlemen responded with expressions of appreciation of the honor conferred upon them by their neighbors and associates.

The next meeting of the Brotherhood will be held April 9 when every member will be expected to relate the best story he knows.

A fine son was born to Mr. and Mrs. J. B. Calmus Sunday, March 4, and mother and child are reported doing well. The sacrament of baptism was administered Friday evening, at St. Patrick's church. Rev. Father Gies officiating. The youngster was christened John B. Jr.

HEPPNER JUNIORS PUT ON HIGH JINKS STUNTS AT STAR THEATRE TUESDAY EVENING

Members of the Junior class, Heppner high school, put on an entertainment at the Star theatre last Tuesday evening that was, to say the least, unique and original in its conception and execution. Juniors are, by many persons, supposed to represent that period of adolescence which Samantha Allen described as the age when one does not know whether to call a boy Bub or Mister, a girl Miss or Sissy, but that situation did not in the least affect the ability of that particular bunch to deliver the goods in a way that carried the audience with them as a March wind carries a tumbleweed. They were evidently out to give the public a good 4-bits worth of laughing gas for 50 cents and—to make a long story short—they made good.

The first stunt was one intended to demonstrate the fact that the much maligned Ford fliver has a really human organism and that, contrary to general belief, it will run under any and all circumstances—if it is properly and persistently cranked. Barring a few chairs for seats, a piano stool which answered for a steering wheel, and a sure enough Ford hood which one boy on hands and knees wore as an overcoat, this particular Ford, even to the wheels, was built of juniors and a few tin cans. Farmer Cornstassel took his hull dinged and numerous family for a spin. Willie, his eldest son, being allowed, as a mark of special favor, to crank the

machine every time it stopped which was not seldom. When Paw stepped on Willie's toe and made him cry he comforted his son by saying: "Too bad, Willie, but I'll let you crank the Ford again," and the tear flow was at once checked.

Helen Weils made a great hit with the reading, "An Old Maid's Soliloquy," and so did Bernice Sigbee with her comparison of the modern flapper with our dear old grandmamma of long ago. Stanley Peterson also gave an excellent violin solo and there were some good songs by the class glee club.

The program was topped off with the old Virginia reel rendered by a company of blackface artists who put enough pep into the performance to run a battleship and, it may be said, that if any bunch of genuine Alabama coons could have done it better they would need to be lineal descendants of Africa's most blood-thirsty tribe of head hunters.

The entertainment was rounded out with the reel "The Bachelor Daddy," contributed by Manager Sigbee, and the trouble those five kids in the picture made for their bachelor dad caused many to wonder what they would not be capable of when they get to be juniors.

Miss Frazier, class advisor for the juniors, was also advisor for the entertainment which netted the class \$67 in coin of the realm.

OUR BACON AND SAUSAGE ARE MADE COUNTRY STYLE

Fish Arrive
TUESDAYS and THURSDAYS

Beef, Pork, Veal and Mutton

CENTRAL MARKET
G. B. SWAGGART

EXCESSIVE DAMAGES DEMANDED ON HEPPNER HILL MAY FORCE SELECTION OF NEW ROUTE SAY COUNTY OFFICIALS

That getting right-of-way for a county highway is just one darned thing after another is about the conclusion the county road department has come to about the proposed new 5-per cent grade up Heppner hill.

The route as finally surveyed and decided upon leads up the opposite side of the canyon from the present road, running through the Gemmill and Dutton ranches. According to the view of the county court the actual benefit to these properties should about overbalance any damage caused by the building, but it seems from a proposal filed with the court last Wednesday by Mrs. Gem-

mill, owner of the Gemmill property, that the owners take a decidedly different view. Added to the damage asked by Mr. Dutton for building through his farm the latest demand will swell the pre-construction cost of the road to about \$3,000.00, according to information given the Herald by county officials and this they consider practically prohibitive. An entirely new route is therefore deemed imperative if the improvement of that most important thoroughfare is to be proceeded with.

County Roadmaster McCaleb has always contended that the best route up the big hill would be found leading up the canyon coming in from the south through the Berry ranch but until now other officials failed to agree with his point of view. However, since the latest development regarding right-of-way cost on the other route they have decided that Mr. McCaleb's view may not be so far wrong and have ordered a survey made over the new route at once.

Mr. McCaleb is strongly of the opinion that the route to the south will be found superior to the other in many respects. That the required 5-per cent grade can be more readily obtained, that the grading will cost less and that the distance may probably be shortened. At any rate County Surveyor Kirschner has been instructed to make the new survey at once and if the route proves as favorable as Mr. McCaleb anticipates the road will be built that way.

50 GOOD CIGARETTES 10¢

GENUINE "BULL" DURHAM TOBACCO

