

Heppner Gazette Times

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DISTRICT ATTORNEY UPHOLDS LAW WRIT

Would Sacrifice His Life for Constitution, Lions Told.

FOES VOCIFEROUS

Those Who Want Democracy Over- thrown Do Talking; Ed Dick, Jr., Tells Applications.

An impassioned and forceful plea for upholding the constitution of the United States was the contribution of S. E. Notson, district attorney, before the Lions club Monday noon luncheon in commemoration of National Constitution week. A short, well organized talk on applications of the constitution was also given by Ed Dick, Jr., high school student.

The Lions voted to enter a skit on the library stunt night program, October 17, in charge of E. F. Bloom, chairman, Jasper Crawford and J. O. Turner. Dr. L. D. Tibbles, local osteopath, was introduced as a guest, and the club was pleased to have F. A. McMahon, state policeman who has been ill for some time, with them again.

Much talk is heard these days that the constitution has outlived its usefulness, one speaker recently likening it to a stage coach in a day of airplane travel. Such talk comes from a comparatively few opponents of the constitution and not from the mass of people who are its friends, Mr. Notson said.

He cited Gladstone as saying the constitution is the greatest instrument ever penned by the hand of man. While based largely on the old English common law, the foundations of the constitution can be traced back to the Grecian empire when the principle of restriction of majorities was first recognized, and even to the laws of Moses, the speaker said.

"The principles inculcated in the constitution were written there by the blood of men sacrificed in many wars, and on these principles lies the justification for democracy. I for one would sacrifice my life before I would see the constitution overthrown," the speaker asserted.

"Those who would overthrow our constitution are not in favor of democracy. They are advocates of either Fascism or Bolshevism, representing either those who believe the masses to be downtrodden and who desire a benevolent dictator, or those who desire class rule."

As the oldest written governmental document of its kind, the speaker praised the system of checks and balances incorporated in the constitution, which delegated powers to each the administrative, legislative and judicial departments of government intended to be unapproachable upon each other. He quoted a former president of the German republic who spoke before the American Bar association five years ago, as saying that the greatest thing about the constitution is its creation of an independent judiciary.

Any interference with this department of government by either the administrative or legislative departments is a direct attack upon American democracy and spells the doom of this democracy if permitted, the speaker asserted.

The speaker cited ways in which the constitution may be frustrated, as has been suggested or is being done in practice. An attempt has been threatened to increase the number of members on the supreme court from nine to twenty-one. By thus "packing" the court it would be possible for the administrative department to control the court, he said. One of the intentions of the constitution is now being frustrated by administrative control of the legislature through the handling of political patronage, in which the administrative department bargains for legislative support through permitting senators and representatives to name political appointees. The constitution gives the executive department the appointive power, and that power should remain in that department, the speaker asserted.

Not even a town postmaster should be recommended by anyone, except it be the folks at home, he said.

In his talk, young Dick cited that the first tests of the constitution were made during the time of John Marshall as chief justice of the supreme court from 1801 to 1835. In that period many test cases came before the supreme court for decision, and the force of the constitution was evidenced.

Among cases decided by Marshall in that period were several that have stood the test of time. Four of these were cited by Dick. One established the right of the federal government to supersede the acts of legislatures. One secured the right of contract by prohibiting any laws to be passed which would impair that right. One gave the federal government control over all waterways of the country. Another prevented the levying of unfair or discriminatory taxes.

Harry Wells has assumed the position of clerk in the Dix grocery.

Oregon Dairymen to Get Cash for Cleaning Herds

Provisions of the Jones-Connelly bill passed at the last session of congress provide Oregon dairymen with the first opportunity they have ever had of ridding their herds of animals afflicted with Bang's disease (contagious abortion) while being paid indemnities against excessive loss, say officials of the dairy department at Oregon State college.

This law, which considers the eradication of this disease to be a public health measure, is being administered by the bureau of animal husbandry of the United States department of agriculture, in cooperation with the state colleges and the state departments of agriculture.

In Oregon the work will be under the leadership of Dr. S. B. Foster, representative of the B. A. I. in Portland. Plans are now completed to cover the state county by county, giving farmers an opportunity to sign the contracts with the government under which they will be paid for disposing of reacting animals.

Under the new federal plan, those who sign the contracts will agree to have their herds tested free of charge, and, in case reactors are found, will dispose of them and clean up the premises in an approved manner, and will continue the testing at intervals after the clean-up is made.

In return the government agrees to have the animals appraised that are found to be reactors and to pay the difference within certain limits between such appraisal value and the amount the animal brings for slaughter. The amount of cash the government will add to the "salvage" value of an animal is \$20 for a grade and \$50 for a purebred.

The blood samples will be tested in the laboratories at Oregon State college where veterinarians many years ago worked out one of the first successful methods of controlling this disease in dairy herds.

Oregon is already in the forefront of the states in Bang's disease control work, thousands of herds already being accredited disease free under a plan administered by the state department of agriculture.

Speakers Arranged for Institute Next Week

Speakers for the annual teachers institute to be held in Heppner next Thursday have been announced by Mrs. Lucy E. Rodgers, county school superintendent. Included are Dr. C. A. Howard, state superintendent of public instruction; Dr. Rudolph Clemens, the new president of Whitman college, with M.A. degree from Harvard who has served on the faculties of Purdue, Northwestern and Chicago universities, whose topic will be "American Education in 1934"; Miss Peterson of Eastern Oregon Normal school, "Music in Rural Education"; Miss Cornelia Tomes of the Pendleton city schools, "Methods in Teaching Arithmetic and Remedial Work in Arithmetic"; Bert Evans, Heppner high school, will conduct section dealing with correlation of English with other subjects in high school.

Group singing will be led by Laurel Beach of Lexington high school, and F. T. Brumbaugh, county superintendent of schools in Wasco county, The Dalles, will represent the Oregon State Teachers association.

SARAH DELILA SUTTON. Sarah Delila Sutton, 72, died last Saturday at the home of her son, Monte Bundy, four miles below Heppner on Willow creek. She had been ill for a month. Graveside services were held Tuesday afternoon at 2 o'clock at Pendleton. Joel R. Benton, Christian minister of Heppner, officiating. Mrs. Sutton was born at Dayton, Wash., January 23, 1862, the daughter of William and Hanna (Critchfield) Winnett. Surviving relatives are Grace Mayer, Pendleton and M. E. Bundy, Lexington, daughter and son; and two sisters, Mrs. Mary Ritchie, Hermiston, and Rose Brooks, Dayton, Wn.; the brother, P. L. Winnett, Dayton, Wn., and 12 grandchildren.

STOCKMEN IN TOWN.

Jim Johnson, prominent cattleman of the Middle Fork section, and his brother, Felix Johnson, also well known as a stockman, of the Galena county, were attending to business in John Day yesterday. They said the feed was fairly good over in that part of the county, and both seemed optimistic in spite of the depressed market for cattle at the present time. The Johnson brothers have always been progressive and have worked for roads and other things. Jim now has a highway through his place, the Pendleton-John Day, and can get out more easily—John Day Ranger.

TAX PAYMENTS GOOD.

Taxes amounting to \$48,615 were turned over to the county treasurer by the sheriff's office, representing largely the payment of third quarter payments for the current year. Of the amount \$37,833.87 was a check from the Oregon-Washington Railroad and Navigation company for its third quarter taxes. Paying of taxes has been quite brisk, the sheriff's office reports.

TO SCRIP HOLDERS.

The Heppner Sheepskin Scrip trustees have money now on hand for redemption of any outstanding scrip which holders may wish to redeem, says Dean T. Goodman, chairman. Scrip for redemption should be presented to Len L. Gilliam, secretary.

20 CARS AND BAND TO VISIT JOHN DAY

Large Caravan Set to Participate in Heppner Day at Fair.

DERBY HONORS CITY

Local People Contribute \$100 for Prize; Cars to Assemble at Mt. Vernon at 10 A. M.

Twenty carloads of local people with the Heppner school band will carry Morrow county greetings to the Grant county fair Saturday in return for the fine attendance of Grant county people at the recent Heppner Rodeo and to help celebrate Heppner day at the fair. One of the main features of the day will be the staging of the Heppner derby at the fair rodeo for which local people contributed \$100 as prize money.

While R. C. Phelps, chairman of the committee on arrangements, has the promise of at least 20 cars, it has been impossible to contact everyone who may intend to make the trip. For the information of those who have not been contacted, it is announced that all local cars will assemble at Mt. Vernon at 10 o'clock, forming a caravan to go on into John Day.

The distance to John Day via the Heppner-Spray road, the best route, is 123 miles. It is nine miles from Mt. Vernon to John Day. To make Mt. Vernon by 10 o'clock, cars should leave Heppner between 6:30 and 7 at the latest.

Local people will have the opportunity to greet Art Minor and family at Mt. Vernon. Mr. Minor, Morrow county pioneer, runs the general store at Mt. Vernon.

Some local people will already be in John Day. Henry Aiken, Rodeo president, and Edwin Hughes, newly elected Rodeo director, left Heppner yesterday to be on hand all three days of the fair. Mr. Aiken is assisting with the rodeo as a race judge, and Mr. Hughes as an arena judge. The Rodeo bucking horses are being used in staging the John Day show.

A large caravan from Pendleton, accompanied by a band from that place, is expected to attend the fair tomorrow in celebration of Pendleton day, with the band to remain over Saturday.

Word was received from Ross Maloney, fair manager, yesterday that ample provision will be made for all who go to John Day with the intention of staying over night.

IONE

By MARGARET BLAKE

Mr. and Mrs. Earl Morgan were surprised last Sunday when a large gathering of friends and relatives gave a pot luck dinner in the parlors of the Congregational church in honor of their twenty-fifth wedding anniversary. When the tables were spread with all kinds of good things to eat, and all the guests were assembled Mr. and Mrs. Morgan were sent for and entered the room to the strains of "Here Comes the Bride." Following the dinner the couple were presented with many gifts of silverware. Besides the honor guests those present were Mr. and Mrs. T. J. Davidson and daughter, Mr. and Mrs. Johnny Eubanks and son Billy, Bobby and Lloyd Morgan, Mr. and Mrs. Bert Palmateer and children, Mr. and Mrs. Russell Cox of Pasco, Wn., Mrs. H. O. Ely and daughter Margaret, W. G. and A. F. Palmateer, Mr. and Mrs. J. E. Crabtree and family, Mr. and Mrs. C. W. Swanson, Mr. and Mrs. Dwight Misner, Mr. and Mrs. George Krebs and family, Mrs. Lawrence Harmon of Walla Walla, Mr. and Mrs. O. L. Lundell and sons, Mr. and Mrs. Jess Dees and children, Mr. and Mrs. Walter Eubanks and son Billy, Mrs. Clarence Brenner and son, Mr. and Mrs. W. C. Crawford, Mr. and Mrs. Vernice Crawford, Mary and Hattie Van Schoick, Betty Jean Mankin, Mildred Lundell and Archie Munkers.

Mr. and Mrs. Garland Swanson spent the week end at Salem visiting friends and relatives. They returned home Monday.

Mr. and Mrs. Victor Rietmann and family motored to Arlington last Saturday afternoon to take Mrs. Esper Hanson to the train which she took to return to Portland after spending a week visiting relatives here.

Last Friday the first school assembly was held in the gymnasium. A number of songs were sung by the student group. Miriam Hale and Clifford Yarnell presented a short skit. The freshman class was given rules by which its members were to be governed until the time of their initiation next Friday night. Also each member of the class was called on for a speech before the assembly. It was announced that a football rally and bonfire would be held on the school grounds on Thursday evening.

Dr. and Mrs. F. L. Fennell and daughter Mildred of Portland arrived at the Heliker ranch last Wednesday for a short visit, bringing with them Miss Harriet Heliker who has been visiting in Portland.

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Corn-Hog Contracts Ready; \$8000 Expected

The corn-hog contracts are now ready for final signatures before sending the papers to Washington for the first payment. Members of the county allotment committee will be at Boardman all day for the convenience of Boardman and Irrigon signers. Saturday the committee will be in the county agent's office in Heppner to help with the sign-up of the balance of the corn-hog applicants. All papers must be sent to Washington next week.

Morrow county is not a large hog producing section, but benefit payments to farmers in this county will total over eight thousand dollars.

Much delay has been experienced in Oregon in working out of a hog quota for the state. The first quota allowed us by the corn-hog section in Washington would have necessitated a cut of over 50 percent. The extension service and the county allotment committees have brought forward a large body of evidence to show conclusively that such a reduction was grossly unfair. As a result of the delay farmers of Oregon will receive close to half a million dollars more than they would have received under our first quota. The delay has been irritating and puzzling to many, but the net gain to the farmers has made it distinctly worth while. The reduction in the final number of hogs allowed has been made by the county allotment committee in exact accordance with the number allowed on each contract by the federal authorities in grading the contracts to determine our quota.

DROUTH STOCK BUYING STARTS

County Quota Slaughter Sheep Set at 500 a Day; 71 Cattle Bought; To Be Shipped Soon.

Emergency cattle and sheep buying by the government has started in this county. Seventy-one head of cattle were purchased and will be shipped some time this week. For the sheep program the quota of ewes shipped from Morrow county has been set at 500 a day until further notice. Ewes condemned as too thin to warrant cost of shipping are not included in this quota. Over 2000 ewes have been purchased this week and less than 50 per cent have been in fair slaughter condition. This percentage parallels that in other counties where the government finds it to be an economic waste to send such sheep to slaughter plants.

Many changes have taken place in the whole plan since its inception. Originally thought to be a culling program, in effect, a production control measure, later information stresses the drouth relief features of the plan. Where sheepmen are replacing ewes offered for sale with a greater number of lambs the sale of ewes ordinarily is not caused by drouth conditions and such ewes are not yet being purchased.

All applications for sale of sheep to the government have been reviewed by a local committee of three men, Garnet Barratt, chairman, Ralph Thompson and Frank S. Parker. For the protection of the sheepmen the committee has felt it necessary to stick close to the intent of the program as a drouth relief measure. In the first letter sent from the county agent's office regarding the drouth purchases of cattle and sheep special attention was called to the paragraph on the purchase contract which makes "regulations and administrative rulings relating to emergency livestock agreements heretofore prescribed by the Secretary" part of the agreement. New rulings have already restricted the program. At any time new rulings may restrict placements of sheep. Until sure of its ground, therefore, the committee has felt it best for all concerned to proceed carefully.

HAS BLOOD POISONING.

Johnnie Farley, son of Mr. and Mrs. James Farley of this city and manager of Wilson's store at John Day, is confined to a hospital in Baker with blood poisoning in his arm, reported to have resulted from an inoculation of flu serum. D. A. Wilson went to John Day Sunday to take charge of the store during Mr. Farley's absence. Latest reports were that Johnnie was making good progress.

TO LOOK INTO ROAD MATTER.

Report of the second letting of state highway funds reported in the daily press Sunday did not include the Heppner-Spray road, as local people had been led to expect it would, reports W. T. Campbell, county judge, who expects to ask why of members of the highway commission while in Portland this week.

BRIDGE FINISHED.

The new bridge across Willow creek on Baltimore street leading to the schoolhouse was finished this week under the supervision of Jeff Jones, member of the streets and public property committee of the city. Mr. Jones expresses satisfaction with the job, which was done to replace the old bridge taken out by the cloudburst of May 29 last.

Mr. and Mrs. Jack Coblanitz and A. J. Westhoff have returned from Salt Lake where the gentlemen motored last week to meet Mrs. Coblanitz.

100 OUTSIDE CARS JOIN DEER QUEST

Invasion of Timber General as Season Opens Today.

FIRE ORDER ISSUED

All Hunters Must Register to Camp in Forest; Many Local Nimrods Take Exodus.

Twenty-two cars carrying outside hunters to the timbered region south of Heppner were counted as they passed through the city Tuesday. A few cars arrived the night before, and an increasing number pulling in yesterday and today is expected to swell the total to well over a hundred outside cars to make Heppner the port of entrance to the habitat of the famous mule-tail deer, for which the hunting season opens today.

Joining the throng of outside hunters are many local nimrods who made a general exodus from the city yesterday, and mayhap are this in printed prizes of the hunt will have reached town.

Red hats and shirts have been as conspicuous on the streets of Heppner the last two days as eyes on the tail of a peacock, and local stores and service stations have enjoyed an appreciable impetus to their business. More than one huntsman was seen gesticulating in an argumentative manner, but one didn't need to hear the conversation to tell that he was merely relating of the big fellow which he missed last year, or on being shot had slipped away. Certain it was, he was going to give that buck a chase for his life this time.

A general sigh of relief was expressed this week on announcement that there would be no interference with the open season on account of the dry condition of the forest. All regulations will be as usual with the single exception that all hunters desiring to camp within the national forest or tributary land are required to register at the nearest guard or ranger station, either federal or state. This restriction will be in effect until it rains sufficiently to make the forest reasonably safe from fire, announces F. F. Wehmeyer, local ranger in charge of the Heppner district of the Umatilla National forest.

Reports from the timber indicate that the deer are unusually plentiful this season due to the mild, open winter. People coming in from different sections bring the same report, so it may be expected from the large number of hunters that more than the usual number of deer will be exhibited on cars returning from the hunt.

The Green hardware store is local headquarters for a "big buck" contest sponsored by a leading ammunition company, where hunters who wish may register on the off-chance that their bag will claim the prizes offered.

Coincident with the open deer season is the season for hunting native pheasants and grouse, and those who forgot to take along some bacon may be able to supply meat for the camp table by knocking over a few birds.

PIONEERS IN PARADE.

David and William Hynd and Dee Cox were Morrow county pioneers who rode in a stage coach in the Westward Ho parade at the Pendleton Round-Up last Friday on special invitation of George Strand, parade director. M. D. Clark, Arden Wright, Jeff Jones, E. G. Noble, Bruce Kelley and Judge W. T. Campbell, other pioneers of this county along with David Hynd were honored by write-ups with pictures of each in the special Round-Up edition of the Pendleton East Oregonian, the material having been gathered and assembled by Josephine Mahoney, local correspondent for that paper.

Two Wheat Payments Due By Last of Next Month

With wheat contract compliance forms for nearly all Oregon counties completed and sent to Washington, second payment checks for 1933 wheat adjustment benefits in this state are expected to start from Washington any day now, says N. C. Donaldson, head of the AAA compliance work in this state who is stationed at Oregon State college.

Following a visit to the state by George E. Farrel, chief of the wheat section, all compliance forms were routed through Corvallis where clerks rechecked every county list before it was sent to Washington, thus eliminating numerous errors that would otherwise have held up payment.

By August 15 compliance forms from 15 county associations had been forwarded to Washington from the Corvallis office, as follows: Baker, Benton, Crook-Jefferson, Douglas, Gilliam, Lane, Linn, Malheur, Morrow, Polk, Sherman, Union, Washington and Yamhill. Marion, Deschutes and Clackamas compliance forms were nearly ready to go at that time, and the few remaining, including the large number from Umatilla and Wasco counties, were expected in a few days.

To speed up matters at Washington and avoid trying to adjust doubtful cases from a distance, the wheat section of the AAA is paying the expenses of E. R. Jackman, extension specialist in farm crops, to go to the capital and be there for about two weeks while the bulk of the Oregon forms are being handled.

"The wheat section takes the position that the money is in hand ready to be paid out to farmers, and hence those in charge want to do everything possible to speed up the detailed work so that the benefit payments will get to the growers just as soon as the necessary work can be rushed through," Donaldson explains.

Washington AAA officials have announced that no additional auditing will need to be made between the second payment on the 1933 crop and the first on the 1934. Getting out the first 20-cents per bushel payment on the 1934 crop will merely entail re-running the cards through the check-writing machines. Those in charge hope to complete that payment by the last of October.

Rodeo Organization Set For Next Year's Show

Henry Aiken will head the Heppner Rodeo again next year, with a large vote of confidence given his fine work this year, at the organization meeting at the Elks club last Monday evening. Called as a special meeting for the purpose of amending articles of incorporation and by-laws to effect a more efficient organization, the meeting resulted in fixing the date for the annual meeting within 30 days after the show each year to give more time in working out the details of the next show. The annual meeting was formerly held in June.

Seven directors were selected under the amended by-laws, from whom were named the association officers. Herb French was named vice-president; L. L. Gilliam, secretary-treasurer; Edwin Hughes, livestock director; Earl Eskelson, grounds director; Earl W. Gordon, concession director, and Louis Bergvin, publicity director.

The board of directors was vested with power to handle all details of the show and will appoint the various committees necessary to staging the show.

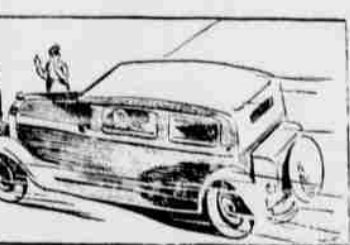
Discussion was had of staging a 4-H club fair in connection with next year's show and met with hearty approval.

OPENS HERMISTON STORE.

Ellis Moyer, clerk in the local J. C. Penney store for five years, has removed to Hermiston where he opened a young men's and boy's clothing store yesterday. The establishment is known as Moyer's and carries a line of stylish, up-to-date merchandise. Moyer made several trips to Hermiston preparatory to the opening of the store, having quarters renovated in the Shaar building on Main street.

"LET'S QUIT KILLING"

Alarming increase in Oregon's auto-accident death and injury record, which has impelled inauguration of a statewide 12-week safety campaign by the Oregon State Motor association, Parent-Teacher association, American Legion and other groups, continued during August, according to reports from the office of P. J. Stadelman, secretary of state.



Twenty-four persons were killed and 416 injured during the month in 1933 accidents, bringing the totals since January 1 to 190 fatalities and 3088 injuries in 13,068 accidents. These figures represent a 7.59 per cent increase in accidents, a 20 per cent increase in injuries, and a 26 per cent increase in deaths, over figures for the same period of 1932.

Beginning September 23, law enforcement agencies throughout the state will concentrate on motorists who violate the right-of-way laws during the ensuing two weeks. Following two-week periods will see concentration of enforcement on

failure to heed signs and signals; driving while intoxicated; turning right or left from wrong traffic lanes, and driving with defective mechanical equipment. Speeding has been the subject of the two-week drive which started the campaign September 9, and since officials declare most serious accidents result from this cause, the program of education and enforcement of laws against fast driving will be continued during the five other two-week periods.

"Let's Quit Killing" has been selected as the slogan for the drive. City police, county officers, and state policemen under Charles P. Fray, superintendent of state highway police, are enlisted in the program.

ANDERSON CLEARED OF LARCENY CHARGE

Jury Returns Verdict for County Clerk After Nine Hours.

TRIAL LASTS 5 DAYS

Judge Knowles Says Statute Limit Three Years; State and De- fense Attorneys Plea.

"We the trial jury duly empaneled to try the above entitled action find the defendant, Gay M. Anderson, not guilty," signed Lee Howell, foreman.

These words of the jury brought to a close the case of State of Oregon vs. Gay M. Anderson at 9:30 o'clock Friday night, acquitting the county clerk of the charge of larceny of public monies. The verdict was given after the jury had been out since 1 o'clock that afternoon.

Opening with the examination of 25 veniremen Monday, Sept. 10, and up till noon of the next day before the jury was finally empaneled, the trial was marked Tuesday afternoon by examination of state's witnesses and presentation of exhibits on behalf of the state. Further taking of testimony for the state continued Wednesday, featured by the testimony of V. G. DeLap, accountant, chief prosecuting witness on whose audit of Anderson's books was based the state's case, prosecuted by Francis Wade, assistant attorney general.

Directed Verdict Denied.

Court took recess at an early hour Wednesday afternoon on plea of Frank Lonergan, defense attorney, that he had not had sufficient time in which to digest DeLap's testimony. Court reconvened at 9 o'clock Thursday morning when Lonergan waived the right of cross examination and entered motion for directed verdict on three counts, one, that the indictment was insufficient in that it failed to stipulate the nature of the monies alleged to have been misappropriated; two, that the state's evidence was insufficient to justify the returning of an indictment; and, three, that the exhibits produced were outlawed by the statute of limitations.

Arguing of the points at law, during which time the jury was dismissed from the court room, consumed the time till shortly before noon Thursday when Judge J. W. Knowles of La Grande, hearing the case, overruled the motion of Lonergan and remanded the case to the jury.

The defense case was presented beginning at 1 o'clock Thursday with testimony of character witnesses and of Anderson himself. State's prosecutor then plead the state's case before the jury, and J. J. Nys, assisting with the defense case, made a short plea, before recess was taken until Friday morning.

Completion of the defense plea by Lonergan, and the court's instructions to the jury took up Friday morning's session.

Instructions Given.

Judge Knowles cited the law governing the case and instructed the jury that exhibits representing any transactions more than three years previous to the time the indictment was issued were outside the limitations of the statute and were not to be considered as evidence in the case.

Francis Wade, the prosecuting attorney, made a logical resume of the state's case in his plea to the jury, given without impassioned oratory. He related that a competent auditor had searched the records of Anderson's office, so far as there were records, and where no records existed had uncovered evidence of transactions which showed Anderson to be short in his accounts. To substantiate the reliability of the audit, whether or not the competence of the auditor might be questioned, he said uninterested witnesses had been brought from near and far bearing records and other evidences of the monies paid the county clerk on behalf of Morrow county as the auditor claimed. He said the state had showed where those amounts had been deposited to the county clerk's account in the bank, and that the amounts so uncovered considered, the auditor's report showed Anderson's turnovers to the county treasurer to be short some \$3000.

Evidence Reviewed.

He said the state had showed that Anderson admitted receiving the monies, some of which Anderson could not explain. He accused Anderson of "playing horse" with the auditor, in reciting that Anderson had offered his cooperation to the auditor, but after revealing to the auditor the cash on hand and signing a statement as to the amount, he later turned over \$900 to the county treasurer which he told the treasurer had been in the vault of his office for some time. The time which Anderson said the money was in the office vault, Wade said, included the time when Anderson signed the statement as to the amount of cash on hand in his office which did not include the \$900.

The prosecutor further said that

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