

## JAPAN STAYS AWAY

Invitation to Nine-Power Parley Is Rejected

TOKYO, Oct. 27.—(AP)—The Japanese government today rejected Belgium's invitation to attend the nine-power conference at Brussels Nov. 3 to discuss the Far Eastern crisis. The rejection was not unexpected. It had been foreseen generally by the press. The leading Minsato and Sanyaku parties, as well as other political groups in the lower house, had agreed that a "polite rejection" of the invitation was "preferable."

The Japanese reply saw in the Belgian invitation "some connection with the League of Nations, which already has given moral support to China."

## U. S. TROOPS ON GUARD DURING BATTLE

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The British immediately ordered their troops to act in self-defense if such an attack were repeated. United States authorities said 50 caliber anti-aircraft machine-guns, making up part of the armament of the Sixth regiment of marines, had not been set up yet. They hoped it would not be necessary to bring them into play. Admiral Yarnell's plea against a military emergency was taken as flames penetrated the settlement at one point and by mid-afternoon had consumed a square block of closely-packed houses on Tibet road. All available foreign fire engines deployed along Soochow creek, which flows between Chapei and the international area, to keep the blaze from spreading.

Settlement authorities were optimistic of success because the wind was from the east, blowing the flames parallel to the settlement boundary. Should the wind veer to blow from the north, the settlement would be in danger of destruction.

Tonight promised to be one of the most uneasy since the Shanghai warfare started.

The fires were started by both

## BANNER BOOSTS PUGET SOUND

Henry Banner, pioneer local insurance man, who recently returned to Clay Center, Kansas, for a visit, was asked so many questions about the Pacific Northwest that he decided to give his impressions in print—"to save time." A copy of his printed letter, which he distributed among friends and others at Kansas, where he lives for thirty years, has been received by Herald V. Gannon, president of the Chamber of Commerce, to whom Mr. Banner referred all persons interested "in general or in particular about our lovely land."

Mr. Banner's boost, under the title "Why I Like the Puget Sound Country," follows in part:

"I like the beautiful vistas of land and inland seas. The delightful air that sweeps from the 'salt chuk,' tempered by the warm Japan current, or flows down from the wooded slopes of the misty Cascades, carrying the fragrance of the green pines."

"I like the absence of extreme temperatures. The restful sight of a country always green, the peaceful pastoral scenes with herds of contented cattle."

"In the mornings I like to awaken at dawn to a gentle rain, without demonstration, has fallen throughout the night. I like the tumbling streams of soft water that

are hurrying everywhere to their little bays."

"I like the marvelous and almost unbelievable growth of fruit and garden vegetables, the fabulous yields of hay and grain. The delectable and easily procurable wealth of ocean foods, the cods, halibut, trout, clams, oysters and salmon."

"I like to wander the fern-bordered paths beside the gurgling mountain streams that sing beneath the great moss-draped fir, spruce and hemlock that were there and growing when Christ was on earth."

"I like to know that from absolute sea level in two hours I can stand on the snows of the glacial epoch, or in another half hour drop over the Cascades and into climate very similar to your own Kansas country. A country where, however, they regulate the rainfall by irrigation and the home of contented and prosperous people."

"I like our wonderful roads, our fine schools, our new buildings and modern cities. I like Puget Sound because it is the Californians' vacation ground when they have harvested their tourist crop."

"Maybe you would not like this land—some do not—but I, having only one life to live, am certainly delighted with it all."

Chinese and Japanese. Chinese put torches to buildings to cover their retreat from positions they had held for more than two months. Japanese did likewise to drive Chinese rear-guard snipers from barricades and blasted ruins.

Flames first broke out in Chapei at dawn, when Chinese began their general retreat. In the afternoon the northern and western skies were clouded with black smoke. Over an expanse of six or seven miles, towers of flame shot skyward.

West of the settlement, fires broke out near Shanghai-Nanking railway tracks, further encircling the foreign area.

British and American defense forces guarding settlement borders against possible military emergencies became fire guards as well. As the flames roared on, Chinese warplanes strafed retreating Chinese with bombs and machine-gun bullets. The Japanese announced their forces had occupied Chapei, but said a number of isolated Chinese units remained.

Creek Divides Armies

Just west of the settlement boundary, Chinese and Japanese armies faced each other from opposite banks of winding, muddy, Soochow creek. During the night and day of fighting which Japanese occupied Chapei—China's Alcatraz—Chinese were driven across the Shanghai-Nanking railway and down the northwest boundary of the foreign area.

Generalissimo Chiang Kai-Shek's warriors dug in along the southern bank of the creek, prepared to force Japanese to wage another major engagement.

British defenders closed barbed-wire gates and refused to permit any more refugees fleeing from Japanese to enter the settlement. Thousands of Chinese surged against the barricades, screaming in terror, but British declared opening the railway would imperil the settlement.

Nationals Warned

Because machine-gun fire endangered the settlement's Western border, the British counsel general warned all British nationals to be ready to evacuate dangerous territory. American officials were considering possible similar action.

British troops holding an outpost at a railroad bridge across Soochow creek, just outside St. John's university campus, fell back to a safer post near Jessfield park. The troops

reported a Japanese airplane had machine-gunned approximately 100 refugees streaming across the bridge, killing ten and wounding twenty-five.

An official Chinese headquarters communiqué tonight declared the "strategic withdrawal" from Chapei and Chapei had been carried out with minimum losses and Chinese troops were entrenched now in positions along the shoreline, beyond the range of Japanese naval guns.

Military observers found the battle line stretched from the edge of the International Settlement along the southern bank of Soochow creek westward at least five miles. There it turned northward across the creek toward Nanking.

University Destroyed

The racecourse grandstand and clubhouse were battered badly and Paktan university buildings were mere shells. Gigantic craters were blasted under barbed-wire entanglements. Unexploded land mines, left behind by the Japanese, made passage over the roads hazardous and frequently impossible.

As evidence the Chinese withdrew in an orderly manner, they had left behind no dead or wounded men and no supplies.

A two-hour survey of the Kiangwan area this afternoon revealed every house and building between the International Settlement and the Kiangwan racecourse had been damaged.

Directly across from the sector guarded by United States marines, a Chinese dare-to-die detachment of from 200 to 300 men engaged in a fight to the finish with Japanese. The Chinese lieutenant in command refused the offer of a British messenger, who had braved machine-gun fire to reach them, to permit the Chinese detachment to enter the settlement on condition they lay down their arms.

The lieutenant said he had no intention to withdraw and preferred to fight to the last bullet.

BOTH SIDES REJECT PEACE PLANS AT LABOR PARLEY

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It constitutes a rejection of the principle of industrial organization in mass production and other basic industries," Murray added.

The C.I.O.'s rejection of the A. F. L. proposal, the latter made at the meeting opened today, left the peace conference up in the air, with delegates undetermined immediately whether it would continue.

The federation's three-man committee, headed by George M. Harrison, president of the Railway Clerks, submitted that organization's proposal to the peace conference this morning.

It came as a counter-suggestion to the C. I. O. proposal of yesterday for establishment of an autonomous C. I. O. department in the A. F. L.

The A. F. L. proposal called for: 1. Return to the federation of all C. I. O. unions that once were A. F. L. members in good standing.

2. Conferences between all other C. I. O. unions and the corresponding unions in the federation, to try to work out a program for bringing the new C. I. O. unions into the federation upon mutually agreeable terms.

3. Settlement of all outstanding differences at the next A. F. L. convention.

4. Immediate dissolution of the C. I. O.

The federation peace plan answered Lewis' equally drastic peace proposal which A. F. L. leaders indicated privately they could not accept.

SAFETY TALKS HEARD

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The Pacific Coast Cement Company, Seattle; Mr. Tomlin, British Columbia Cement Company, Ltd., Victoria, B. C.; Mr. McIntosh, of the same company and city; Mr. Brewer, of the Spokane Portland Cement Company, Spokane; John Gleave, office manager Olympic Portland Cement Company, Bellingham; Mr. McDowell, Mount Vernon, department of labor and industries; Mr. Robinson, Olympia, department of labor and industries. All these men were introduced.

Curtis Speaks

Among the addresses well received was that of Mr. Curtis. His topic was "Facts About Our Accidents." Following his address, safety question boxes were conducted by employees of the Olympic Portland Cement Company. The question box for the Bellingham plant of the company was conducted by Charles Shepard, foreman; Joe Ristline, foreman, had charge of the quarry questionnaire, and Paul Kaylor conducted the question box for the electrical employees. Incidentally, the local company has not had a lost time accident this far this year. It has made an enviable reputation for safety operation throughout its history.

Remarks by James Westfield fol-

lowed the question boxes. Then came Mr. Borer's address.

Group singing was led by Paul P. Wells. He also sang a solo. The piano accompanist was Elliot Gilmore.

It was announced that November 25, the day preceding Thanksgiving, there will be held throughout United States and Canada meetings celebrating the twenty-fifth anniversary of the safety program.

## LOAN ACT HELD VOID BY HIGH COURT

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class. It clearly denies to that class the equal protection of the laws.

"It permits the classes excepted by section 14 the right to collect service and carrying charges over and above the lawful 12 per cent interest, and provides a criminal penalty for all others who do so."

Injury Is Same

The supreme court pointed out Governor Martin's veto of sections of the small loan bill had made it practically unworkable since he killed sections requiring licensing by the state, which in turn voided other sections.

Justice Robinson wrote the majority opinion, concurred in by Steinert, Main, Beals and Millard. Justice Geraghty wrote a concurring opinion and Justices Blake and Holcomb dissented. Justice Simpson did not sit on the case.

The two dissenting justices held the declaratory judgment law did not permit courts to kill laws, but only construe them. They charged the court overstepped its powers in throwing out the loan act.

DECLARATORY ACT HIT

OLYMPIA, Oct. 27.—(AP)—In writing the majority opinion which threw out the 1937 small loans act today, Justice Robinson went into the declaratory judgment law of 1935 with some criticism.

"While the act does not provide that the courts shall share in the veto power of the executive, it prima facie appears to provide a procedure whereby they may declare an act of the legislature unconstitutional before it becomes effective."

"In the instant case, the small loans act was to have become effective on June 9. The governor vetoed sections of the bill on March 19. His veto of the sections rendered a number of other sections completely inoperative. The remainder of the act on June 4 was declared unconstitutional by the judgment appealed from."

"Hereto, an act duly passed by the legislature was sure to go into effect if it escaped the executive veto. If the judgment appealed from was affirmed, it is reasonable to suppose that in the future many legislative acts will be forced to undergo the scrutiny of the courts before they go into effect; nor persons interested in preventing such acts from becoming effective will be quick to invoke the procedure used in this action, and the courts will be sought to declare many a legislative act unconstitutional at the moment it has received the approval of the governor."

DIVISION OF TWO CITY WARDS CONSIDERED

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of the First and Second wards and the increasing of the number of wards from six to eight, it is argued. This would bring the new wards created to the approximate size of the present Third and Fourth wards.

Amendment Necessary

A reapportionment of wards or creation of two new wards could be accomplished by a charter amendment as the general election of December 4, and there was some talk in city hall circles Wednesday of offering such an amendment to the electorate for decision.

Councilmen now receive \$25 a month for their services, but a charter amendment, if approved in December, will increase the stipend of councilmen to \$60 a month. One councilman complained some time

## LINDBERGH CHATS WITH ECKENER



LIGHT CONVERSATION appeared to occupy Col. Charles A. Lindbergh (left) and Dr. Hugo Eckener (center) when the American ace and Germany's veteran zeppelin skipper met at a meeting of the German aeronautical society in Munich. Mrs. Lindbergh accompanied the flier.

ago that his gasoline bill, incurred in attending to business in his ward, exceeded his salary.

Registration books at the office of Comptroller Harry A. Binzer will close on November 4 until after the general election in December. Transfers from one city precinct to another city precinct may be made up to and including November 18. Persons residing in the county outside the corporate limits cannot transfer into the city after November 4, however, as such a change calls for an original registration.

The registration total of 16,500 reached Wednesday is more than 1,500 above the peak registration reached in December of 1935.

If a charter amendment increasing the salaries of elective heads of city departments is approved at the general election, the new mayor of Bellingham will find himself in the smaller salary bracket, it was pointed out Wednesday. No change in the present salary of \$200 a month for the mayor is proposed, but the charter amendment would send the salaries of all elective department heads above that figure. Several appointive department heads will receive \$200 a month or more next year under raises recently approved by the city council.

The mayor's position has never been considered a full-time job, however, although some maintain pending water development and industrial development will impose a heavy call on the time of the incoming executive.

ASSESSOR ADVISED

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order of levy and that you should proceed under same as such, in the manner provided by law."

Another opinion from the county attorney's office advises the as-

## Initial Shipment of Logs Fom Galbraith Camp Expected Soon

That the first train of logs from the Kulshan camp of Galbraith Bros. will not arrive in Bellingham Thursday, as had been expected, was the statement made Wednesday by A. C. Bowen, chief dispatcher of the Bellingham division of the Chicago, Milwaukee, St. Paul and Pacific railroad. The initial shipment cannot be made before next week, he was informed. The logs will come from the St. Paul and Tacoma Lumber company's timber holdings.

Bowen reported the completion of a new water tank at Kulshan to provide water for locomotives. Water will be available Saturday. It will be pumped by the Puget Sound Power and Light company.

Maple furniture is both inexpensive and easy to care for.

## CHAIRMAN CHOSEN

Lynden Minister Heads County Red Cross Drive

Wm. J. Pluff, Whatcom county roll call chairman for the Red Cross, said Wednesday that Rev. D. Holbeck, of Lynden, had accepted the general chairmanship for the county outside Bellingham. A number of subcommittee chairmen are to be appointed. In the interest of the call, Will D. Pratt, secretary, and Palmer C. Lee went to Blaine and vicinity Wednesday.

Mrs. L. K. Plumb, executive secretary of the Whatcom chapter, said that the ladies' auxiliary, the Veterans of Foreign Wars had made a number of sheets for the Red Cross. They will be for local emergency use.

## BOOK SALE

Tomorrow hundreds of new books go on sale at great savings. This is a special collection just received and includes many current best sellers as well as old favorites. Come early!

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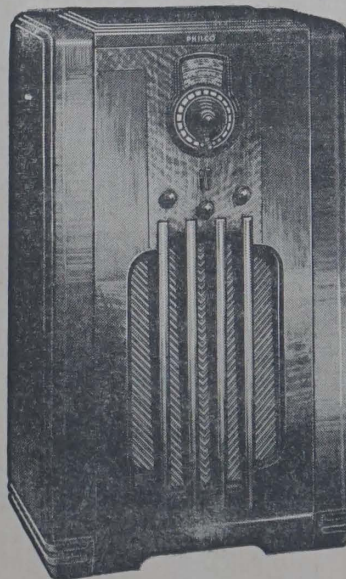
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