

Clearing Skies Indicate Southland's Deluge Is at End; Two Hurt Here

Blue skies and bright sunshine here this morning belied weather forecasters predictions of more but lighter rains to come.

Torrance, even at the peak of the torrential deluge yesterday, went about its affairs almost without inconvenience and completely escaping the havoc wrought elsewhere in the Southland.

Only two casualties were reported in this area. A collision of trucks at Eshelman and Lomita boulevard yesterday morning gravely injured Peter Peters, 35, Lomita rural route mail carrier.

His assistant, Jay Gasser, 22, suffered minor injuries. Peters is at Torrance Memorial hospital in a critical condition from a skull fracture, internal injuries and fractured leg. He is unconscious most of the time.

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The south end of Lomita was submerged but streets were reported becoming passable today while residents attempted to clean up most of the mud and silt that covered their yards and walks. The flood turned 24th street into a river that effectively blocked traffic yesterday and streets on the west side of the community ran curb deep.

Many cars were stalled but most motorists did not attempt to get them out of the spots. This morning 24th street was passable. The water was rapidly going down.

Several families in Lomita were forced to evacuate their flooded homes and a number of houses had water four to six inches deep in them.

No trains have arrived here for more than 24 hours although this afternoon Pacific Electric officials were hopeful today that the line to Los Angeles could be opened through Gardena where the water ran too high yesterday to permit traffic with safety.

The Redondo P. E. line was reopened this morning for mail express, the route going to Moneta, where postal and express workers took off the local mail and brought it here by truck.

Mail and transportation service felt the brunt of the slashing rains that descended in cloudburst proportions here Tuesday night and yesterday. No mail other than local Los Angeles was received and today on account of disrupted traffic and Postmaster Earl Conner went to San Pedro yesterday to try to make a hookup for deliveries by truck from that city and Los Angeles.

One hundred men are ready to furnish any kind of flood relief necessary and plan to help in the work of the C. I. O. local steelworkers' lodge announced today following a meeting of the union members last night when the plan of (Continued on Page 4A)

INDUSTRY MAKING SALT PRODUCTS BUYS SITE HERE

Through the efforts of the Chamber of Commerce, Torrance gained another industrial plant this week which has possibilities of early development into a major concern. This is the American Magnesite company, manufacturers of such products as bath, Epsom and industrial salts.

L. J. Gilmeister, secretary of the chamber, interested the company, headed by C. E. Holmes, president of Los Angeles in locating in this city and J. C. Smith of the Torrance Investment company negotiated the transaction which sold the firm the former Fritz Manufacturing plant on 213th off Border avenue for approximately \$7,500.

The magnesite company will be housed in the 60 by 150-foot building located on three and one-half acres there.

According to Holmes, the company will employ 12 to 15 persons, experienced help who have been on the staff for some time. Later, as a contemplated expansion program gets underway, more employees will be added.

However, the firm does not contemplate hiring any more workers than its present staff at this time, Holmes pointed out. The American Magnesite company has developed a strong market for its high grade products and has control of an excellent source of raw material which guarantees its steady production, it is said.

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TORRANCE HERALD

Deiningner Quits Council; Rippy Out

Municipal Campaign Enlists Two More

With two more candidates flinging their hats in the proverbial political ring this week—making the number of April 12 election contenders four to date—the municipal campaign gathered momentum.

Kelsey Files Marsteller in For Council

A resident here since 1925, Lindsay B. ("Slim") Kelsey joined the caravan of candidates here this week when he filed a nomination petition for city councilman.

Kelsey, who has never held a public office before, said this week: "Having lived in Torrance some 13 years and being a taxpayer, I believe I know how the average man looks at city government. I want to bring to you municipal administration a mind open to the problems of the day without bias and without obligation to anyone. I am running my own campaign and basing my candidacy on a desire to do the right thing by Torrance and its present and future citizens."

Building Total \$32,400 in Feb.

Altho new construction here last month was nearly three times greater than February, 1937, the building permit total for the second month took an abrupt nose-dive from the record set in January when Torrance was second on the list of Southern California cities with its \$1,811,950.

Last month's building total was \$32,400 as compared to \$11,845 for the same month in 1937. The total for the year to date now stands at \$1,844,350. The first two months of 1937 saw \$52,875 worth of construction here.

Lomita Mail Man Gravely Hurt In Crash

Enroute back from San Pedro where they had gone to try to establish an emergency mail route hookup, Postmaster Earl Conner and his assistant, Louis Deiningner, aided in extricating Peter Peters, Lomita rural route carrier, from the wreckage of his truck on Lomita boulevard early yesterday afternoon.

Badly injured, Peters was rushed to Torrance Memorial hospital in Stone and Myers' ambulance where he is in a critical condition as result of grave head injuries and a broken leg in addition to possible internal injuries.

McCALL NAMED CITY ATTORNEY TO CLEAR UP ELIGIBILITY QUESTION

No Precedent to Base Case, Rippy Holds

When asked by The Herald for his version of the municipal shake-up, former City Attorney Rippy said:

"The state law does not provide that city officials who are either employees, directors or stockholders in banks are ineligible to hold office. It does, however, prohibit any contract with a firm in which any city official is directly or indirectly financially interested and makes it ground for removal from office if any official shall willfully violate the same, such as by voting upon a transaction in which the official is financially interested."

"There are no precedents in this or any other state that hold that the law in question even applies to banks, and if it does so apply it will probably make it impossible for any city to do business with any bank within its boundaries, especially if the banks are chartered banks. The only bank case cited by O'Melveny, Tuller and Myers held that the law involved therein did not apply to banks. All precedents in California or other states apply to ordinary commercial transactions, wherein some city official undertook to do business with himself as an individual or employee of some firm with which he is connected."

"I have no vote on the city council, and never at any time undertook to influence or direct the city council in any of its activities. The funds of the city have been deposited in both banks of the city as a matter of course, and no question concerning this procedure arose until recently."

"At a recent meeting of the members of the city council, I learned for the first time that the city council desired my resignation as city attorney based upon the opinion of O'Melveny, Tuller and Myers to which I have referred. Since I had no vote or actual interest in the matter, and the question involving the validity of the procedure mentioned has not been referred to me until recently, I felt that there must be some other reason for desiring my resignation, and I, therefore, thought that the responsibility for vacating the office should be left with the council."

Snows Victims of Home Looter

Another home, that of the J. C. Snows at 1522 Beech street, was broken into and stripped of clothing and traveling bags whose purchase value was more than \$500 this week by apparently the same burglar who ransacked the Sonoma Rojo, Jr., residence at 2268 Sonoma avenue, last week.

Police believe that the marauder, who topped his thefts in the Snow home by nonchalantly eating food from the refrigerator as he went about his collecting, was as well acquainted with the lay-out of the Snow house as he apparently was of the Rojo residence. The way in which the robber entered the Beech street home Monday between 6 and 11:45 p. m., was the same as the manner in which homes in the Hollywood Riviera district were broken into.

Differing Opinions Emptied 2 Seats



MAYOR WM. H. TOLSON... technically cost him two aides

Served for Year And One Day



ROBERT L. DEININGER... won't be in April race

New Attorney to City From 'Deep South'

John E. McCall, the new city attorney, was born on a farm in Wayne County, Mississippi, Oct. 16, 1890. After attending elementary and high schools there in the country, he entered the State Normal College at Hattiesburg, Mississippi, in 1913. He attended there until 1917 when the war interrupted his studies and he joined the army in New Orleans, serving overseas for approximately two years.

After the war, he entered the University of Mississippi where he received his L.L.B. degree in 1921, and was admitted to the bar. He remained another year at this university, doing post-graduate work. He is a member of the Alpha Phi Epsilon fraternity, the American Legion, and other clubs and organizations. He was on the state executive committee of the American Legion, was commander of Post 30 at Oxford, Miss., for two years, and has since been active in the state and national Legion affairs.

Aided Governor McCall practiced law in Oxford until 1924, when he moved to New Orleans, where he had become interested in one Constance Lescales who is now Mrs. McCall and the mother of their two children, Edward, 12, and Patsy, six. Just before moving to New Orleans, the new city attorney was assistant campaign manager of Henry L. Whitfield, who was elected governor of that state. He was admitted to the bar in New Orleans, and practiced there until the spring of (Continued on Page 2A)

Quirk of Law Forced Action Mayor States

In a statement outlining the city council's attitude in respect to the replacement of the city attorney and the resignation of Councilman Deiningner, Mayor William H. Tolson said:

"The entire matter is one of fine legal interpretations of the state law and in no sense does it involve any actual wrong doing by anyone concerned. Nor has the fact that City Attorney Rippy and Councilman Deiningner were officers of the Torrance National Bank at the time that city funds were deposited there, been detrimental to the city's best interests as all public funds have been fully protected by bonds as required by law."

"It is merely a case of differing opinions on the interpretation of the law as interpreted by two lawyers, as so often happens. In order to be absolutely safe and relieve ourselves of any possible criticism no matter how trivial, the council felt it advisable to remove any city official who may be an official of the bank or any other concern with whom the city does business. Councilman Deiningner concurs in this opinion and has voluntarily offered to resign his post on the council."

"I believe every member of the council joins me in expressing sincere regret in losing the services of both Councilman Deiningner and City Attorney Rippy. We have all enjoyed working with them and they have both given valuable advice and assistance in solving municipal problems."

Gunman Works On Schedule

Periodic holdups of the Torrance Laundry and Dry Cleaning company's "call office" at Santa Barbara and Denker avenues in Los Angeles are getting monotonous. The third stickup by the same gunman at the same time occurred this week. A small amount of cash was taken. According to William Rojo, owner-manager of the laundry, the robber evidently operates on a schedule: He has held up the branch office on the same day of the week at the same hour of the day for three weeks.

"Next week we'll be ready to give him a warm reception if he comes," Rojo said.

TO REFORM TAXES A Los Angeles tax reform group, terming the present ad valorem and personal property tax "grossly inequitable," has offered articles of incorporation for filing.

SECOND COURT APPEARANCE IN 48 HOURS PROVES COSTLY

A "return engagement" is indicative of popular favor for a stage, screen or radio star. "Returning a call" is a social nicety, a courtesy to one's former host. But a "return appearance" in a police court is a signal for the judge to impose a stiffer sentence on the double offender. This was learned Monday morning by Alex. A. Roller, 29-year-old steel worker residing at Green court on Arlington avenue. He had been arrested Friday night for being drunk in an auto and for disturbing the peace. Saturday he was fined \$3 for the first offense, \$25 for the second and both fines were

Determined to live up to the letter as well as the spirit of the state law governing eligibility of municipal officials, the city council last Friday afternoon released Charles T. Rippy as city attorney and named John E. McCall, Los Angeles attorney and resident of Torrance, as the new appointee to the position paying \$175 per month.

For the same reason, Councilman Robert J. Deiningner, who was not present at the Friday session, has since tendered his resignation which will no doubt be accepted when the council meets next Tuesday evening. The unexpected action was precipitated by the receipt a few days earlier of an opinion by James L. Beebe, of the Los Angeles law firm of O'Melveny, Tuller and Myers, regarding the validity of contracts between the city and banks in which a public official is an employee, director or stockholder in the bank.

Rippy Changes Mind When Deiningner, who is cashier of the Torrance National Bank, was appointed a member of the city council Feb. 25, 1937, to fill out former Mayor W. H. Stanger's unexpired term, Rippy, as city attorney, held that Deiningner was eligible for the appointment.

However, claims were being circulated that this appointment was contrary to state law, and before Deiningner decided to become a candidate for re-election it was deemed advisable to secure an expert opinion on this matter. In this opinion given regarding Councilman Deiningner, Municipal Law-Expert Beebe contended that any contract negotiated between the city and the bank, any of whose officers were city officials, would not be binding. In order not to jeopardize the city's relationship with the bank, Councilman Deiningner immediately offered to resign, a year and one day from the date of his appointment.

As Rippy is vice-president and a stockholder of the Torrance National Bank, members of the city council felt that he, too, should resign. At first, Rippy agreed to tender his resignation at the Friday meeting. But after thinking it over, he changed his mind and offered to dispose of his stock in the bank and resign as a bank official.

This overturn on the part of the city attorney apparently was not acceptable to the council and, on motion by Councilman Powell, seconded by Councilman Hitchcock, the office of city attorney was declared vacant by unanimous action of the four council members present.

Rippy left the council meeting at this point in the proceedings and the council, again by unanimous action, appointed John E. McCall as the new city attorney. Councilman Deiningner was in Los Angeles on business and was not present at the Friday (Continued on Page 4A)

suspended on his future good behavior. Comes Sunday afternoon and Roller crashes into another car with his machine in the alley between Arlington and Portola off Torrance boulevard, wrecking a section of fence and falling to stop and render aid. He was found intoxicated again. Monday morning haled before Police Judge Robert Lessing for the second time in 48 hours, Roller pleaded guilty to all charges. This time he was fined \$50 or 25 days for drunk driving, \$25 or 10 days for failure to stop and \$25 for violation of probation. He was returned to jail.