Sherman County Journal

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FRIDAY, JUNE 16, 1933.

IT'S A GREAT LIFE IF --

A wheat farmer is certainly no liver of a drab existance. He has no complaint against the sameness of life, no protest that the world is uninteresting and unchanging. His conditions, financial, climatic and social, change rapidly enough to suit the most insatiable seeker after thrills.

A few hot days in June, a few hours soaking rain, a hot wind in Kansas or the Argentine, the failure of a bank or two, a national election, a new farm bill in congrers or any ene of them may alter his position entirely. From a holder of bonds and a free distributor of currency he may become a holder of debts and a distributor bad news. He may go to the field in the morning clad in sheepskin and woolen and come home at noon panting with the heat. It is an exciting way of life for no man knoweth what peculiar things the morrow may bring.

Any and everything may interest a wheatgrower. Many governmental policies have revolved around his problems. The state of foreign exchange, the abandonment of the gold standard, Indian uprisings that threaten the supply of jute, labor—skilled and unskilled, combinations of manufacturers, snow in the mountains, cutworms, market speculations all add their share to make an interesting and changing life for the wheatgrower.

It may be the present style to look with compassion on the plight of the raiser of wheat but the important thing is that the farmers do not follow the same course. They are used to changing conditions, changed situations and they know that if they are down today it may merely mean they will be up again tomorrow.

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GAINS AND LOSSES

The Morgan hearing has apparently brought the country to a unanimity of opinion about the gains and losses clause in the income tax law and it is freely prophesied that hereafter the law will make it impossible for anyone to offset gains one year by losses the next when making out an income tax statement.

Financiers have taken advantage of the clause as have smaller income tax payers, some of whom, no doubt, are cursing Morgan for his attitude. The fact that a taxpayer is permitted to offset one year's gains by losses sustained in another year has aided Sherman county farmers materially in reducing their income tax payments.

In case wheat should go up to a profitable price again it would help wheat growers if the clause were retained for the losses of these lean years might, to a certain extent, be used to lessen taxable income. Morgan lost his through stock and bond depreciation and the wheat grower lost his through wheat and land depreciation. Farming is a business that is subject to great variation of income and the gains and losses provision is of aid to those who make their income that way. The repeal of that clause will cause a howl from others beside Morgan.

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We hope the people will be able to see through the erroneous statements made by both sides in the sales tax fight, but if they do it will be a herculean job for most of the statements are either incorrect or are merely suppositions. General sales taxes do not tax according to ability to pay and they are a bar to business transactions. The Oregon bill was passed because the legislators felt that property should be releided. Voters must decide whether or not the end justifies the means. All this stuff about it being a permanent tax or about it preventing tax foreclosures is mostly bunk.

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It is reported that the president does not read his mail. He must owe the grocer.

—o—

Tut, Tut, the small boys are too young to be swimming naked. Wait until they grow up a bit and, if the present tendency continues they may gratify their ambition and still be iu perfect style.

—o—

Towns without banks are dickering for branches from Portland institutions. We hope thxy are as well pleased with the arrangement in a few years as they hope to be.

—o—

Some one is going to weep great salty tears over the farm refinancing sections of the new farm bill. It may be the farmers first, but not last. The heads of the several land banks couldn't have done a better job for themselves had they written it.

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Don't forgot the school meeting next Monday.

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Now then all together, "A little rain, please".

People's Column

To The Editor:

I have been hearing so many statements made as to my ideas and beliefs regarding the non-high school district that I would like to take this opportunity, through your readers column, to correct them.

I have never in my life made a statement in favor of the "County Unit System."

I am not in favor of closing any high school in Sherman county.

I do not believe in children being forced to attend any high school only the one nearest to them.

I do not represent or am I controlled by any group individual or clique in the county.

I have'nt any pet schemes, wild ideas to try out, or grudge to settle in school work.

I believe any town in the county is just as good as any other, and the people in one section of the county are just as good people and entitled to the same consideration as any other section.

It is my belief that every boy and girl in America should be given an equal opportunity for an education.

With due consideration for the taxpayer, and proper management, it is my opinion that every boy and girl in Sherman county can be given a high school education even in these times.

The schools of Sherman county should be maintained in accordance with our ability to pay for them. I believe, even in times like this, by cutting down to the real bread and butter of secondary education, we can still maintain our schools without taking the shirt off of the taxpayer's back.

Last but not least I do not think all knowledge will vanish from the face of the earth when I am buried but I do believe I can furnish the people of Sherman county with a little common sense in helping toward the education of our boys and girls.

Tom Fraser,
Zone 3

Grass Valley

W. C. Schilling drove to Portland Tuesday night with a truck load of spring lambs for the connoissuers of fine mutton in that city.

Mrs. Clara Peters is leaving this week for a visit to her folks in Iowa. She will be accompanied by her sister to Portland and will remain several weeks as she has not seen her parents for some years.

Fred Krusow has made his annual trip to the hot springs.

A couple of Indian ball teams will cross bats here Sunday, June 25, and the Grass Valley boys will play the second team of the Toppenish lads.

Gus Engstrom with his wife and daughter and son in law, Edgar Alley will leave soon for a trip to Missouri where Mrs. Engstrom's folks live. While Gus denies it he may have a look at the Chicago fair when he gets back in that section.

Mrs. Helene Lemley is in a hospital at The Dalles recovering from an operation.

Ocie Hammond, second son of Noah Hammond and wife who formerly lived here, visited for a few hours last week while on his way from his home in San Diago to Walla Walla to visit his parents. He works in a chain store.

Ted Peterson returned home this week for a visit with his mother. He has taken unto himself a wife during his absence.

Oscar and Charles Lemley and the eldest son of Aaron Noyse have returned from a trip to Burns and other central Oregon points.

Mrs. George Wilcox and Mrs. R. H. Johnson entertained the six year olds of the community Wednesday with a party at DeMoss park. It was a joint birthday party for Dean and Robert Jr.

Miss Georgia Blalock returned to The Dalles early this week to resume her work as student nurse at the hospital. She has been visiting with her parents during her vacation.

Henry Tetz and family came home Tuesday evening from Ridgefield, Wn. where they have been visiting Henrys parents.

Loren Beardsley has been in Condon for several days this week.

Mr. and Mrs. A. C. Adams, spent Sunday and Monday here as guests of the Shepards. Mr. Adams is secretary of the grain growers at Spokane.

Miss Maude Homewood left Monday for Pendleton to attend the state grange convention as a delegate of the Adel grange.

Base ball Dance Saturday night, the 17.th

Dell French and family spent Sunday evening here with L. R. French and family. He is teaching in Corvallis.

S. B. Holmes and daughter, Mabel, left with relatives last week for a trip to British Columbia returning early this week.

Bill Bardenhagen spent a week in Portland looking at the Rose show.

Lavonne Powell, daughter of Mrs. John Schassen, visited at the L. E. Clark home this week from her home in Portland.

Roy Barnett trucked a load of sheep to Portland this week.

August Wassemiller left Tuesday for the John Day country to look over some of the mining ventures in that part f the state.

J. W. Shepard and wife were in Portland Wednesday and Thursday on a business trip.

Ted von Borstel, Will Holmes and John Buether drove to The Dalles Sunday to take children to St. Mary's school for a two weeks course.

Earl King and wife were here for a few days from California to see Sherman county again after an absence of eleven years.

Hobart dismounted and tied his horse to the breeze. "Nothing much. A little smuggling, a little gun-running, a cattle raid to vary the monotony, a killing. Things are pretty quiet along the Border."

"What brings you up this way?" Antrim was suspicious as a predatory animal.

"I figured on giving you some sound advice, Mr. Antrim. You're trespassing on the Higuenes lands and Don Jaime Higuenes doesn't cheer for that. It looks like a private war to me; and as a ranger I prefer to stop a private war before it starts rather than after it's started. You're in the wrong, Mr. Antrim, and I advise you to pull out of here and not come back."

"You come to arrest me for trespassing," Antrim asked.

"No, of course not. You're grazing your sheep on state lands. I can't arrest you until you drive them on the lands owned by Don Jaime in fee simple—and those lands surround the water-holes whereby Don Jaime controls this range. Even then I'll not arrest you, because Don Jaime refuses to ask it or swear out a warrant. Says he likes to kill his own rats."

"Called me a rat, did he?" Antrim's cold, pale-blue eyes were very bleak.

"Not at all. That was just my way of expressing the situation. I was speaking in the vernacular. Don Jaime isn't very far from here, Mr. Antrim. He'd like to have one final talk with you. He isn't armed. Suppose you drop that gun you're wearing and walk out with me to discuss this situation with Don Jaime."

"Reckon I can trust a ranger," Antrim replied, as Hobart exposed his shield. He hung his gun and belt on the projecting snag of a cottonwood and followed the ranger to where Don Jaime Higuenes waited.

"Well, Higuenes," Antrim saluted him gruffy.

"I've come to warn you not to attempt to water your sheep at any of my water-holes, Antrim."

"And if I do?"

"You'll fight to the death for the privilege."

"Well, I can do that, too. How do I know you own those water-holes?"

"You'll Fight to the Death for the Privilege."

"You have my assurance that I do. If you doubt that, look up the records at the county seat."

"Your surveys are wrong."

"I am not aware of that. Of course, if they are, you may water your sheep—after you've proved your statement. However, your argument is footless. You do not wish to believe me and I wouldn't believe you under oath. So suppose we have the county surveyor out here to resurvey all the lands I hold in fee simple. If he proves the old surveys to be erroneous, I'll pay his bill. If he proves them correct, you pay his bill, move out with your sheep and never come back."

"I'm not taking orders from any d—n greaser."

Don Jaime's white teeth flashed in a smile of vast amusement. "No intelligent man takes a civet cat in his hands, Antrim. I have warned you, in the presence of Captain Hobart, not to trespass on the lands I hold in fee simple."

Without a word Antrim turned and walked back to his camp.

"It's war," said Don Jaime Miguel Higuenes.

"The man must be a trifle insane, Don Jaime."

"Not at all. He's running a bluff because he thinks I'm weak. He is willing to be arrested for trespass, provided his sheep may drink. He will bail himself out of jail—all his men, too, and trespass again and again. The season is a dry one and the feed on his own range is depleted. He [illegible] through the summer some way and hold his flock intact. [illegible] Well, I'll ride back home and organize my defense."

"You'll do nothing of the sort, Don Jaime. I shall. As assistant general manager it is my duty to command. Besides, I know how. Your life is much too precious to risk it in a brush with these sheepmen. Arrest and trials will follow this fight, and if you are not alive to protect your men, who, then, will protect us? Who will bail us out of jail?"

Don Jaime smiled his lazy smile. It was easy to see he was very fond of the ranger. "There is sound reason in your argument," he admitted.

Hobart went on.

"Permit me to return to the hacienda and organize your forces, Don Jaime. Meanwhile, you ride on to Los Algodones and file my telegraphic resignation to the governor. Here it is. It requests immediate acceptance by wire. Wait for the answer. Meanwhile, make your arrangements to provide bail for twelve of your men. What men do you advise for this expedition?"

Don Jaime named them promptly.

"Now, then," Hobart continued, "we're going to lick the Antrim crowd, and some of them and perhaps some of us are going to get killed. More of them, I think. The survivors will prefer a charge of murder against any of the men they have recognized during the fight, and the bail will be about twenty-five thousand dollars each in cash or fifty thousand in bonds. We will assume that four of our men will be recognized. That means you must provide one hundred thousand in cash or two hundred thousand in bonds."

"I'm good for that in bonds."

"Well, then, make your arrangements in advance with the district attorney. You'll be in Los Algodones this afternoon, all night and tomorrow forenoon. Tomorrow afternoon you will ride back, with the sheriff, who will be on his way out to your ranch to arrest your men. You will have a perfect alibi, because this fight will have been pulled off in your absence, so you will be quite free to look after the comforts of your defenders."

Don Jaime pondered. He much preferred, when his men were in danger defending the master's interests, to share that danger with them. On the other hand he realized that the issue was not to be fought entirely at the water-holes; that in the courts he would be needed much more than in any other arena of battle. He knew Ken Hobart was talking sense, and that the sensible thing to do would be to heed his advice. So he heeded it. And in heeding it he experienced no qualms of conscience, no feeling that he was playing safe while others fought his battles.

"Very well, Ken," he agreed. "Enrico Caraveo, my riding boss, knows every foot of this range; once he locates the sheep he'll know what water they will try for this evening. The rest I leave to you. Perhaps you had better loan me your rifle, in case I should run into some of Antrim's herders after leaving you here."

He helped himself to the ranger's rifle and scabbard and fastened it along his saddle. It was a Mauser carbine, and the ammunition was carried in clips of five in pockets on a buckskin vest. Don Jaime donned the vest and, with a nod to the ranger, headed his horse across country in the direction of Los Algodones.

It was some months since he had ridden a horse. For many years his trips around his ranch, between his ranch and the county seat had been made by automobile. He paused now, thinking of the twenty-mile ride back to the ranch; deciding he would spare himself that hardship he shouted to Hobart:

"Ken, send one of the boys into Los Algodones with the motor and the horse trailer attached, to bring my horse and me home."

"Seguro," Hobart shouted back.

CHAPTER III

Don Jaime rode his horse along the side of the valley, gradually climbing to the summit of the hilly range on its southern boundary. Here he paused and looked off to the rolling lands below. They were dotted with sheep, standing in long rows a dozen deep, head to head, cropping the dry feed to the grass roots and trampling the roots with their sharp small hoofs.

It was true that the lands whereon the Antrim sheep grazed were not the property of Don Jaime Miguel Higuenes. They were state lands (for Texas never surrendered her public lands to the federal government) and, undoubtedly, Antrim had as legal a right to graze his sheep there as Don Jaime had to graze his cattle. Nevertheless, by custom and usage, it had come to be known as the Higuenes range. Don Jaime's grandfather had purchased with cheap land scrip the acreage along the watercourses and around the springs, and by this control of the water the Higuenes dynasty had for generations exercised nominal control over the public lands adjacent thereto. And, since this was a common practice, regarded as an adroit business move but never as a wanton usurpation of the public domain, cattlemen and most sheepmen had respected the Higuenes control.

For the grass on this controlled range the Higuenes family paid nothing. To the state's feeble charge of trespass by the Higuenes cattle, the reigning Higuenes had always replied with a polite offer to bear half of the expense of fencing the lands it held in fee contiguous to the state lands and thus prevent trespass. The state discovered that the expense of many miles of fence would not be warranted on the hypothesis that any revenue would subsequently accrue by reason of the sale of grazing permits on the fenced lands of the state, since, with the Higuenes family controlling all the waterways and water-holes, no man would be foolish enough to seek a grazing permit! Pending the adjustment of this ancient dispute therefore, the matter slumbered officially, and Don Jaime Miguel Higuenes neglected to fence his fee lands contiguous to the water; also he neglected to supply herders to confine his cattle to his fee lands, wherefore they wandered over the state lands at will!

Of this situation wily old Tom Antrim had decided to take advantage. His own range had been grazed over; it had been a dry year in his part of the county, he had the sheep on his hands, they were not ready for market, nor was he ready to accept the market price for unmarketable sheep. He had to maintain them, and in his dilemma he turned quite naturally to one of the earliest laws of human nature, to wit, that a desperate man is justified in taking desperate measures.

He was familiar with the law of trespass. If the owner of fee lands did not fence them he could not prosecute successfully the owner of loose live stock that wandered thereon! And Don Jaime Higuenes could not afford to fence the small acreage around springs and water-holes and the narrow forty-acre strips along watercourses, some of which went dry in the summer. If he did his own live stock could not get in for water!

Antrim reasoned he ran but one risk, and that was a battle to keep his sheep, not from trespassing on unfenced lands, but from drinking Don Jaime's water. However, there were many water-holes and many watercourses to guard, and perhaps Don Jaime would not guard them all; perhaps if Antrim appeared with a strong armed guard of herders Don Jaime would not force the issue.

These things Don Jaime Miguel Higuenes considered as he gazed over the country that, by hook and crook, had been sacred to four generations of his people. He had but one real advantage, one legal right. His fee lands were unfenced and hence a suit for trespass could not lie, but he did have the right to drive trespassing live stock off his fee lands before they should have an opportunity to drink. If held off long enough they would perish of thirst, and if while driving them off he and his men were attacked by the owners of the trespassing live stock they would be clearly within their legal rights if they defended themselves.

Don Jaime smiled. "Thrice doubly armed is he whose cause is just," he soliloquized. "Well, Senor Antrim has the surprise of his life coming to him this evening. He's staked everything on a lone ace—and I'm going to take the trick with a trump deuce."

He decided to bear off to the right and give the sheep and their herders a wide berth, for he had no intention of coming to grips with the enemy anywhere except on his own lands and in defense of his inalienable rights. So he turned down a long draw to the valley below. At the mouth of the draw he paused and dismounted, for the long trip downhill had revealed the fact that his saddle cinch was loose; it had slipped out over the horse's back withers.

To be continued.

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