

Sherman County Journal

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One Year SEPTEMBER 6, 1935

HOO RAY

"It was a good show." "It was a nice program." These are the usual comments on the program at the Sherman County Fair held last week end.

For a group of people who have been out of practice at giving such exhibitions and spectators who had not recently seen a fair here it was carried off very well, indeed. Race and rodeo events followed one another with little delay; the judging events came before the grandstand on time and were watched with attention. There was no rowdism or trouble. Not an arrest was made.

Exhibits were of the best. Sherman county may still boast of the quality of its horses, its cattle and its smaller livestock. The class of seven two horse teams judged on Friday contained teams that would rate prizes in any fair in the northwest. Exhibitors, fair board members and entertainment managers may well feel proud of the show for their efforts have been found good by the final judges—the spectators.

HONEY IN THE MOUTH

We have not read the now locally famous book, "Honey in the Horn," by H. L. Davis, former resident of The Dalles and winner of the Harper prize. If and when we do considerable quantities of salt will be a side dish. It may be alright to call attention to the minor weaknesses of the pioneers of this section of the country but it smacks of untruth to infer that such weaknesses were the outstanding characteristic of our first settlers. Mr. Davis adopts this attitude in his earlier stories.

It is perhaps true that when some of the pioneers visited a settlement such as The Dalles, in the early days they made a certain sort of whoopee that was both rough and tough. It was merely evidence that they had been a long time away from civilization and the fellowship of their kind. It is unfair to judge any people by their celebrations and overlook their daily toil.

Several of Mr. Davis' earlier stories are about the early day freighters of this section of Oregon. He tells of their campfires their earthy stories and their drinking and overlooks entirely the daily job of piloting long rocky trails in winter mud and summer sun.

It is our contention that any man who could drive ten horses, jerk line, and three wagons loaded with wool or produce, fifteen or twenty miles a day, sleep under the wagon at night, cook his own food, pasture his horses at night and round them up in the morning, keep on good terms with marauding Indians, evade occasional bandits and deliver his load intact at the end of the two months journey was pretty much of a man even if he did take on a little whiskey the next day.

The pioneers might not have been perfect, but if courage and resourcefulness are major virtues, they possessed two of the qualifications of perfection. The pioneer ideal of freedom despite physical danger is still the American ideal and a great country has been built on it. It should not be changed because a writer discovers that some of them were rough at their play.

He WHO LAUGHS LAST

The state planning board has issued its report without making any definite recommendations. It does, however, give the impression that a new site should be selected for the capitol. Reasons given are that the old site is too small for a group building plan and it would be impossible to make state buildings show up on the site.

The report has been widely distributed throughout the state. It may be seen at this office and many others. To date the discussion on this subject has been carried on by architects and others interested in a new location. As the date for the special session approaches it is time that the people, who in the long run will pay for the new structure, make their wants known on the subject.

How in heck is a dance that will permit two men to dance with one girl going to do anything to reduce the number of "wall flowers"? The pretty, plump and pert misses will always have a couple of boys.

SCHOOL AGAIN

The recent disturbance on the otherwise smooth surface of school affairs in this county has to do with a problem that has been debated for several years. We refer to the price that should be set for the instruction of children from rural school districts who come to the town schools.

In several of the schools there has been no charge made when the practice was started. Grass Valley always made some charge for this service. Lately all the schools have set a price of \$25 per year per child.

The cost of educating a child in the grades in this county is about \$65 per year varying a little with the school and with the year. How much this has been reduced since the rural districts began sending their children to town and making classes larger has not yet been determined. It is safe to assume that some cost reduction has been made on account of larger classes.

Farmers often feel that inasmuch as the town schools are paid for the education of high school children they should be willing to instruct grade youngsters with a very moderate charge. The residents of the town districts, which also contain some farming land, point to the fact that millages are always higher in the town districts.

Non-high school districts paid last year 2.9 mills for high school tuition in addition to their special tax and this raises their total millage to a nearer comparison with the high school districts. For instance in that year Grass Valley was high in total millage with 13.63. Rufus was second with 13.13. Wasco had 13.03. Kent 12.13 and Buckley a rural district, had a millage of 10.83 and Rosebush, another transporting district, had a millage of 10.53. Fairview had 9.63 and Wedford 9.13 while Moro, due to a small levy due to no payment on debt service had only 8.33.

Ordinarily there is three or four mills difference between high school districts and non-high districts. Several of the districts now transporting children could save money by holding schools again, but the quality of instruction is considered better in larger schools and few are willing to get along with a one room school.

There is undoubtedly a price that the rural districts would be willing to pay and that the town school could afford to accept that would be satisfactory to all concerned. Drastic changes in the school system would in the long run lead to more harm than good and should not be resorted to unless all attempts at cooperation fail.

It may be that the eventual end of the constant changes now being wrought in small schools will be consolidation within each county, but it is too early to predict such an outcome. There is sentiment now that favors larger high schools and few parents wish their children to go to smaller schools of any kind. Some system that will give the children the best opportunity and will be fair to the taxpayer as well, can be developed—and will be.

When times were good people used to pick hops as a vacation. Now it appears that they won't pick them at all. How the hop men must be praying for good times.

ALMANAC



"It is better to seek advice at the beginning than at the end."

- SEPTEMBER
1—Spain cedes all of Florida to England, 1783.
2—Eugene gets patent on his successful Kodak, 1888.
3—First Continental Congress meets at Philadelphia, 1774.
4—Fog of record density envelops Salem, Mass., 1881.
5—China revolts against its emperor, 1911.
6—Mendez founds the city of St. Augustine, Fla., 1565.
7—The colonies are re-named the United States, 1776.

STATE AFFAIRS

(Continued from page one)

the session last week.

Oregon will do its own inspecting of trucks and busses passing through this state on interstate runs, according to E. A. Landis, supervisor of transportation. Under a new legislative act which became effective Monday state police will inspect all trucks and busses within 24 hours after they enter the state, regardless of any inspections which may have been made by officials of Washington or California.

Careless smokers are responsible for from 105 to 116 fires in Oregon every month during the summer, according to Hugh H. Earle, state fire marshal.

County planning boards, which have now been set up in most of the counties throughout the state, possess only advisory functions. This point was explained by Governor Martin this week in a letter to the Lane county planning commission.

"The functions of the county planning commissions are primarily to formulate plans and recommendations for the future development of their county," the governor explained.

"County planning commissions have not been asked to approve or reject projects, but to act as advisors to the PWA and WPA by giving their comments, suggestions and recommendations on the project."

The last legislature refused to authorize the creation of county planning boards. These groups as now constituted are purely voluntary but are given a color of authority through appointment by the governor.

Formal application for a federal grant of \$600,000 for the constructing and remodeling of Oregon armories was filed with the WPA this week by Major General George A. White, commander of the Oregon guard, under authority of a resolution by the board of control. Tentative plans call for the construction of new armories in 15 cities and the reconstruction of existing armories in 12 other cities. In cities for which new armories are approved the community will be expected to provide a suitable site.

Cities on the list for new armories include LaGrande. The Dalles, Grants Pass, Hillsboro and Forest Grove. Reconstruction of existing armories is proposed for Marshfield, Medford, Dallas, Woodburn and eight other communities.

The State department of agriculture is moving against quack veterinarians who are said to be operating throughout the state. Within the past two months two men have been arrested in Jackson county for practicing veterinary medicine and surgery without a license. One arrest has been made in Washington county and one in Yamhill county. Other arrests are expected to follow soon, according to Dr. W. H. Lytle, state veterinarian.

Fifteen unemployed Oregon artists are to be provided with temporary jobs reproducing the portraits of former Oregon governors. The work will be done under the WPA program with the state supplying the paint, brushes, canvas, and frames at a total cost of \$2025.

In Other Days

From the Observer Sept. 8, 1916
Carroll Sayers, a graduate of Moro high school, expects to leave for Corvallis, where he will attend O. A. C.

Mrs. Mary L. Ragsdale is having a new porch built on to her residence on the north and east sides.

Threshing was again under way in this vicinity of Sherman county Tuesday, after two days let up by reason of the heavy rain of Saturday and Sunday.

Geo. Wall and Son, proprietors of the Early Flour Mill, is offering to grind your wheat into flour and mill feed while you wait, the charge being a percent of the wheat. A number of farmers have had flour made from their wheat at this mill, and it has always been good grade.

From the Observer Sept. 7, 1906
J. J. Thompson expects to locate in Portland. They received the insurance on the property lost by the San Francisco disaster, but it only a fraction of what they really lost.

Mr. and Mrs. Van Winkle and R. L. Campbell and family have left Grass Valley for the hop fields of Lynn and Marion counties.

Dr. Ray W. Logan will remove with his family to LaGrande early in October.

Sheriff McCoy now has a lovely well of water water at his city residence, 19 feet deep. Mr. Stewart is the artist who produced it. Mr. and Mrs. G. M. Frost and baby boy, arrived Monday for a brief sojourn with relatives and friends.

HEADS A NEW BOARD



Theodore Krebs, professor of business economics at Stanford university, California, has been made chairman of a new federal central relief board that will function as a board of review to coordinate surveys proposed by federal, state and local governments as part of the works-relief program. Professor Krebs, who is a well known statistician, went to Washington last December to assist the NRA.

RACES AND RODEO

(Continued from page one)

Norfolk Jr. by a length. The Roman standing race, an exhibition event, showed some class riding by D. Newbill and N. Jones.

And yes, there was calf riding. The boys who were exhibiting their stock at the fair went for it like girls to finger nail polish and struggle to relate most of the boys stayed with their calves. One who was mounted on a husky black rode up the track to the water tank

before Carl Everett caught up with him. "Have I rode far enough?" he asked "Yes, unless you want to ride him home" said Carl and the boy unloaded. Once in a while the boys were dumped off, but many of them had been practicing since the announcement of the event and stuck on till the gun fired.

All told it was a good show. Events were run off in good time with few delays, something that was not thought likely considering that managers have not had an opportunity in late years to arrange such programs.

RANGE TEACHER

(Continued from page one)

"I consider R. E. Johnson to be ideally fitted to head this new undertaking. He was raised on a ranch and has ridden the range since he was 12 years old. After completing his course at Oregon State college he engaged in the cattle business with his father in Wasco county, but as a result of health conditions had to enter another line of work. His reputation as an outstanding range livestock authority extends throughout the northwestern states."

Mr. Brooke, who was recommended to succeed Johnson in Grant county, obtained his masters degree at O. S. C. and has since made an excellent record as assistant county agent, according to extension officials.

FAIR EXHIBITS

(Continued from page one)

from the International Harvester Company and Allis-Chalmers were flanked by drills, plows and other farm machinery to draw attention. McKean and Searcy displayed wheat treaters and other smaller implements and also showed several models of the International truck, including a school bus. The Sunset garage, through Melvin Schadewitz, had a display of the new Chevrolets.

Review of National History Shows Constitutional Changes

By James H. Gilbert

The question which the Supreme Court was called upon to decide in the famous gold clause cases was not new. In essence it was the same issue that confronted the court in several cases during the fiat money regime and depreciated paper.

In fact, the precise parallel of the devaluation is found in the Federal Act of 1834 by which the weight of the gold dollar was reduced by six per cent. So far as effects on debtor and creditor are concerned, a forty per cent reduction in the metallic content of the dollar is more important than a six per cent cut but there is no difference in principle or legal validity.

Finding difficulty in meeting its pressing obligations through tax revenues or the sale of bonds, the Federal Government in February, 1862, authorized the issue of \$150,000,000 of United States notes popularly known as "greenbacks". Although these notes were irredeemable and worth less than face value from the time of their issue they were made legal tender in the payment of all debts with the exception of import duties and interest on the public debt.

Apparently the government expected that the tariff receipts in gold would be enough to pay the interest on the bonded debt and the credit of the government would be improved by the device of gold payment in part.

As the volume of greenbacks increased by successive issues, prices rose and the value of paper money fell in terms of gold. Indeed at one time it took \$2.85 in paper to buy one dollar in gold.

In obedience to Gresham's law cheap money drove dear money out of circulation and in all parts of the United States except the Pacific Coast gold and silver even in the smallest denominations slipped quietly out of circulation.

In Oregon and California where gold and silver came in abundance from the mines and where custom favored the issue of hard money, specie remained the standard and the chief medium of exchange through out the Civil war. Greenbacks were used to some extent but at their market value in coin.

When green backs were worth 50 cents in gold a man with a ten dollar debt to pay had the option of paying a ten dollar gold piece or twenty dollars in United States notes. If he insisted on the acceptance of greenbacks at full face value he would be boycotted by the business community.

Long standing laws in Oregon have required the payment of taxes in gold and silver coin but tax collectors were continually under pressure to accept the depreciated notes in payment of tax bills.

The Sheriff of Lane county, finding plenty of greenbacks among his tax receipts, tried to pay the county's share of state taxes in the same medium. Refusal of state authorities to accept anything but

hard money carried the case to the United States Supreme Court in the famous case of Lane County v. Oregon.

The higher court held that the State had a right to determine the medium in which taxes should be paid. The Federal law making greenbacks a lawful tender for debts, public and private, did not apply to state taxes. A tax is not a debt. The latter is an obligation voluntarily entered into while a tax is a coerced payment for public services.

Naturally the question of the legality of greenbacks as a tender for debts contracted prior to the date of issue was bound to arise.

At a time when only gold and silver were the only lawful tender, both parties to a contract expected settlement in specie. Creditors were reluctant to accept United States notes, at one time worth only 34 cents, in terms of gold, in the payment of debts originating before fiat money displaced the specie standard.

This issue came squarely before the courts in the famous case of Hopburn v. Griswold which arose in the state of Kentucky. Mrs. Hopburn had given a note to Griswold two years before the first issue of greenbacks, when "there was no lawful money which could be lawfully tendered in payment of private debts but gold and silver." Following the issue of greenbacks, Mrs. Hopburn offered in March, 1864, the requisite amount of United States notes. The State Court held the debt was satisfied in full.

The case came up to the Supreme Court which held that legal tender quality of the notes applied only to debts contracted subsequent to the issue and did not apply to pre-existing debts.

The clear intent of parties in the case of pre-existing debts was that payment should be made in gold or silver which had "intrinsic value" and not in United States notes that "had no intrinsic value" but "purchasing power determined by the quantity in circulation," the court held.

The forced acceptance of the United States notes at face value would infringe the obligation of contract which is contrary to the spirit if not the letter of the Constitution and would be contrary to justice and equity, it added.

Chief Justice Chase, who wrote the opinion, drew a sharp distinction between the power to issue legal tender notes and the power to coin money.

"It (the power to issue notes) is certainly not the same power as the power to coin money," he said. The practical import of this decision, if allowed to stand, would be to increase the long standing debts of corporations by about twenty per cent.

At the time the decision was handed down (1870) gold commanded a premium of twenty per cent. It was certain that influence would be brought to bear to secure a reversal.

What followed reflects in some

degree on the honor of the Court. The Court was in process of being reduced to seven members under the operation of a law of 1866 providing that no vacancy should be filled until the body was reduced to seven. This act was repealed and the number of judges increased to nine. Justices Strong and Bradley, whose stand on the greenback issue could have been inferred from previous decisions and opinions, were appointed to fill the vacancies.

In the legal tender cases that came before the court the decision in the Griswold case was violently reversed. The greenbacks were held lawful tender for pre-existing debts as well as those entered into after the issue was authorized.

A contract to pay money is a contract to pay not that which was lawful tender at the time the contract was drawn, but only that which is designed as money at the time of maturity and payment, the court held. The forced acceptance of paper, depreciated as it may be, does not infringe the obligation of contract, it said.

Even if it did the Federal Government is not bound by the Constitution from infringing the obligation of contract. This prohibition is clearly against the state and not the national government.

Another case decided in 1868 seemed more or less inconsistent with the stand taken in the legal tender cases. This was Bronson v. Rodes and involved the legality of a tender of greenbacks for a debt contracted in 1851 and specifically payable in gold and silver coin.

Rodes the debtor in the transaction, tendered the requisite amount in depreciated paper. At the time of the tender a dollar in gold was worth \$2.25 in terms of greenbacks. State courts had upheld the legality of the tender and ordered the cancellation of the mortgage involved.

On appeal to the Supreme Court the higher tribunal held that it was the "purpose of courts to enforce contracts according to the lawful interest and understanding of the parties" and that the clear intent of both creditor and debtor in 1851 was that the debt be discharged in gold and silver.

This contract was in reality "an agreement to deliver a certain weight of standard gold." It was in fact "not distinguishable from a contract to deliver a certain weight of bullion."

There were two standards in use at the time recognized by state and federal laws. Parties to the contract had chosen the specie standard in preference to the other.

As the Supreme Court faced the momentous gold clause decision the precedents were not very clear. If the tribunal followed the decisions in Hopburn v. Griswold or Bronson v. Rodes it appeared that Congress could not be sustained in abrogating the gold clause in billions of pre-existing contracts.

If, however, the court accepted the principle of the legal tender cases that a contract to pay money is a contract to pay whatever is money at maturity, whether it be depreciated paper or a devalued dollar, the way was open to sustain Congressional action.

U. S. LAND OFFICE at The Dalles, Oregon, August 23, 1935.

NOTICE is hereby given that John C. McKinnon, of Kent, Oregon, who on June 7, 1927, made Homestead Entry under Act Dec. 29, 1916, No. 025402, for NE1/4 NW1/4, Sec. 27, NE1/4, Sec. 28, T. 4 S. R. 18 E., SW1/4 SW1/4, S1/2, Sec. 4, S1/2 SW1/4 NE1/2 SW1/4, Sec. 3, and N1/2 NW1/4, Section 10, Township 5 South, Range 18 East, Willamette Meridian, has filed notice of intention to make final Proof, to establish claim to the land above described, before Register, United States Land Office, at The Dalles, Oregon, on the 3rd day of October, 1935.

Claimant names as witnesses: J. E. Norton, of Kent, Oregon. Benjamin Boswell, of Kent, Ore. Roy L. Robinson, of Portland, Oregon. John N. MacInness, of Kent, Ore. W. F. Jackson, Register.

NOTICE TO CREDITORS

All creditors having claims against the estate of J. Arthur Butler, deceased, are hereby notified to present them, in proper form to the undersigned, the duly appointed executrix of the last will and testament of J. Arthur Butler, deceased, at Wasco, Oregon, within six months from the date of this notice, to-wit: August 23, 1935.

Pearl Irene Butler. Geo. G. Updegraff, Attorney for Executrix, 8:23, 30, 9:6 13, 1935.

NOTICE OF SHERIFF'S SALE IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF WASCO

The Oregon-Washington Joint Stock Land Bank of Portland, Oregon, a corporation, Plaintiff, vs. William K. Ketchum, Lena W. Ketchum, Charles H. Brune, Elizabeth H. Brune, Albert Hill, Edith Hill, The First National Bank of The Dalles (Oregon), O. A. Carlson, as Receiver of The First National Bank of The Dalles (Oregon) and County of Wasco, a Municipal Corporation of the State of Oregon, and The Federal Land Bank of Spokane, a corporation, Defendants.

By virtue of the writ of execution and order of sale duly issued out of the Circuit Court of the State of Oregon for the County of Wasco, on the 5th day of August, 1935, pursuant to a decree entered in said Court June 8th, 1935, in a suit wherein The Oregon-Washington Joint Stock Land Bank of Portland, Oregon a corporation, is plaintiff, and William K. Ketchum, Lena W. Ketchum, Charles H. Brune, Elizabeth H. Brune, Albert Hill, Edith Hill, The First National Bank of The Dalles (Oregon), O. A. Carlson, as Receiver of The First National Bank of The Dalles (Oregon) and County of Wasco, a Municipal Corporation of the State of Oregon, and The Federal Land Bank of Spokane, a corporation, are defendants, said writ being directed to me commanding me to make sale of the real property hereinafter described, I will on Saturday, the 7th day of September, 1935, at 10:00 o'clock a. m., at the front door of the Court House of Sherman County, in the City of Moro, State of Oregon, offer for sale and proceed to sell to the highest bidder for cash in hand the following described real property, situate in Sherman County, State of Oregon, to-wit:

Northeast Quarter of the Northeast Quarter (NE1/4) of Section Thirty-four (34), Township Two (2) South, Range Fifteen (15) East of the Willamette Meridian, situate in Sherman County, State of Oregon, containing forty (40) acres, more or less, to satisfy the sum of Fifty-five and 60-100 Dollars (\$55.60), deficiency remaining upon said judgment and decree, after exhausting proceeds of sale of the remainder of the property included in said decree and order of sale, with interest thereon from July 24, 1935, at the rate of six per cent. per annum, together with the costs of and upon said writ.

HUGH CHRISMAN Sheriff of Sherman County, Oregon

Advertisement for Union Pacific Coaches. Features: ONE-WAY TO CHICAGO IN DELUXE COACHES. TWO FAST TRAINS DAILY. The PORTLAND PACIFIC ROSE LIMITED. Ar. CHICAGO - 9:50 A.M. Air-conditioned Coaches, latest type Tourist and Standard Sleepers, Dining, Observation-lounge car, Barber, Valet, Bath, Radio, soda fountain, Porter service and free pillows in Coaches. NEW LOW-PRICED MEALS for Coach and Tourist Car passengers on the PORTLAND ROSE. Breakfast 25c Luncheon 30c Dinner 35c. UNION PACIFIC