

Sherman County Journal

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THE RIVER

It appears that those working for the development of the Columbia river have at last gotten out of the bush league stage and are ready to advance into a different class.

The above mentioned organization is led by a board of directors that command the respect of people throughout the district. It has a definite objective.

The program of the organization at the time of its birth included substitution of seagoing locks at Bonneville, which has been done, and the channel improvement of the river between Celilo and Umatilla rapids.

The next construction the association is asking for is the building of the Umatilla Rapids Dam and a dam on the Snake river to make river transportation possible as far as Lewiston.

A vast majority of the farmers of the inland empire have long held that navigation on the river was one of the most direct means of raising the price of their products.

The middle section of the river cannot expect to have a regular service unless the upper section is also usable. Boats that go to Lewiston will pass Biggs, both coming and going, and will be available for our use.

WE APOLOGISE

It is written: To err is human. Proof of the human quality of members of this staff was given last week by the commitment of a very grave error.

The error about which we are concerned was one that occurred in the "People's Column" in a letter written by Marshal Williams regarding the good sportsmanship of Sergeant Grimm of the state police.

Newspapers are given to error for they are slammed together in a feverish rush—even the little ones. There are from 12,000 to 15,000 words in an average issue of this sheet and while previous mistakes sometimes creep in the percentage is not so large and when it is considered that there is an average of five letters in each word it is surprising that we don't make more mistakes.

But that is a reason, not an excuse. We hereby apologize to Mr. Grimm, and to Mr. Williams. We haven't the temerity to talk to police officers that way.

A judge has recently said that he will let wives sentence their own husbands who are convicted of wife beating and has allowed one woman to name the penalty. She decided that she could and would get along without the company of her pugnacious husband for a period of one year.

party.

Everyone has noticed the preponderance of small cars among the bright and shining new ones that travel over the highways. That is, they are cars that were small when the name was applied to them some years ago.

The best remark on the Italian and Ethiopian situation we have heard was made by a Grass Valley man who said, "It'll work out all right. Italy will go to Africa and get more territory or it will lose a lot of men and won't need so darn much territory."

Maybe the county could get a monopoly on the slot machines and use them to collect taxes with. A whirl a day would keep the sheriff away.

The League for the Prevention of Noise is making a lot of it these days.

It is most fortunate that the St. Louis Cardinals didn't go ahead and sell a lot of world's series tickets.

This legislature will have something to decide. Who is a member of the legislature, where the state house is going to be and what it shall look like.

The dust was laid in part of the county last Friday when a series of little showers fell. At the station fifteen hundredths of an inch was recorded.

ALMANAC section with illustrations of a fish and a boat.

- 17—First air flight across U.S. 84 hours, 1911.
18—Start of the great Jay Cooke Panic on Wall Street, 1873.
19—"Dixie" is first sung in public at New York, 1859.
20—Women found their Equal Rights Party, 1848.
21—New York's Trinity Church is burned to the ground, 1776.
22—Virgil, famed Latin poet, dies, B.C. 19.
23—E. L. Ovington becomes first U.S. air mail pilot, 1911.

Eureka Lodge No. 121 A-F & A-M Moro, Oregon Meets the 1st and 3rd Thursday evenings of each month.

Moro Lodge No. 113, I. O. O. F. Moro, Oregon Meets 1st and 3rd Tuesdays in the I.O.O.F. hall.

Lupine Rebecca Lodge No. 116 Moro, Oregon Meets 2d and 4th Tuesdays of each month. Visiting members welcome.

STATE AFFAIRS

(Continued from page one) ballot at the Nov. 1936, election.

Shaniko, little Wasco county town which had 100 residents when the 1930 census was taken, is the envy of the state.

The city has no taxes, no debts, and is on a cash basis, F. P. Wagner, city recorder, wrote Secretary of State Snell. Shaniko has never had a budget and doesn't see why it should have to draw one up now to submit to Snell in view of a law passed by the last legislature providing for auditing of municipal accounts.

Governor Martin is getting ready to move again for the second time since the capitol fire. He and State Treasurer Holman and the board of control employees will move from the supreme court library to the fourth floor of the main office building.

The sensational Kellaher-Banks bribery case, involving an ex-state parole officer and a murderer, is before the Marion county grand jury. Dan J. Kellaher, Portland, former parole chief, was accused of agreeing to accept a \$50,000 bribe to obtain Banks' release from prison.

L. A. Banks, ex-Medford publisher, serving a life term in the penitentiary for the murder of George Prescott, Medford constable, has repeatedly sought release from prison.

Real estate is looking up, thinks C. V. Johnson, deputy state real estate commissioner. Oregon has 1500 persons in the business, some 12 1-2 percent more than the same time last year.

Wheat seeds that lay in the cornerstone of the burned state capitol for 60 years turned out to be dead. The state department of agriculture experimented on the seeds, hoping to rouse them back to activity.

"Increased speed has definitely boosted the percentage of fatalities in accidents on the open highway," reported Secretary of State Snell. Experienced drivers cause 85 percent of the accidents.

In Other Days

From The Observer Sept. 21, 1906. It is reported that O. L. Belash has purchased the Elwood Thompson farm near Spalding Chapel.

Writing from Denmark to Judge Bourhill, Peter Knudsen says, "I am not making as much money here as I did in Sherman county, but I am having a better time."

Wm. Booth and family now reside in Texas. Bill's first investment in Texas realty was 20 cents, made in Wasco, from which he has realized \$30,000 so far this fall and more in sight.

O. W. Axtell received some tomatoes from Albany last week that were prize takers. Two of them filled a 10-lb lard bucket.

Richard Dingle's crop off 500 acres netted 3676 sacks of No. 1 wheat and his unland orchard produced some excellent fruit, notably pears.

From The Observer, Sept. 22, 1916. Sheriff McKean has sold his Ford runabout to F. E. Fortner and has a five passenger Ford to take its place.

Max Pluemke, John Schassen and A. S. Johnson are Kentites attending the Round-Up from this county. Carl Peetz was seen on the streets Wednesday afternoon looking as hale and hearty as of yore, before his recent spell of illness.

Members of the city council have arranged for the immediate repair and widening of the relic of the flood waters at the foot of First street.

F. R. Axtell expects to leave soon for Kent where he has the contract to paint and finish the new home of Carson von Borstel.

Doris: "How did you learn to kiss so well?" Ted: "Oh, I used to blow a bugle."

ZELL'S FUNERAL HOME. Phone 345 The Dalles, Ore. GRASS VALLEY PHARMACY Phone 222

Kent Auxiliary Starts Winter Aid Campaign

On Wednesday afternoon, September 11, the American Legion Auxiliary of Kent its first meeting of the season. Eight members were present.

Plans were made for the dance supper for Saturday night and for an opening card party to be given on Saturday night, September 21st at the Legion hall.

Announcement has been made that the history of our unit is now complete in our own files. The Department of Oregon has had a complete copy of our history for some years but we failed to keep all our records.

During the next few months we are asking our hospital chairman to save chicken feathers to be used in making chair cushions for the veteran's hospitals in Portland and Roseburg. Anyone in the community, whether a member or not, having chicken feathers they wish to donate for this purpose may give them to Cassie Holmes, hospital chairman.

Review of National History Shows Constitutional Changes

By Wayne E. Morse. In order to understand attempts to advance social ends through law in the United States, attention is directed to two of our basic legal controls in America—written constitutions and the doctrine of judicial review.

There is every indication that in the months to come a battle royal will be waged over these legal strongholds and as in all wars, we can be sure that most of the combatants will not know what it is all about.

Although some other countries have written constitutions and a few written to the doctrine of judicial review, these two legal controls are developed most highly in America.

We speak of our government as one organized around a constitutional separation of powers among the three departments; the executive, legislative, and judicial. Undoubtedly the average layman and many lawyers think these departments as co-ordinate and equal. However, in a very real sense our government is one in which the judiciary reigns supreme.

The chief reasons for the vital difference are two: First: England has an unwritten constitution and America a written one.

Second: By long tradition and historical precedent the courts of England have been bound to accept the acts of Parliament as the supreme law of the land. In America the doctrine of judicial review has prevailed whereby the courts have exercised the power of declaring void acts of legislative bodies which in their opinion conflict with rights guaranteed in our written constitutions.

Legal historians seem to agree that although the doctrine of judicial review does not prevail in England, nevertheless its enunciation in England probably gave rise to its adoption in America.

Most influential statements of the doctrine in England was made by Lord Coke in 1610 in the now-famous Bonham's case. Coke as Lord Chief Justice of the court of common pleas found himself in conflict with the crown and with parliament as to the power of the courts to pass final judgment upon the validity of laws.

In the course of his decision in that case, Coke stated, "And it appears in our books that in many cases the common law will control acts of Parliament and sometimes place."

SILVER ANNIVERSARY PACIFIC INTERNATIONAL LIVESTOCK EXPOSITION with HORSE SHOW and RODEO. PORTLAND, OREGON October 5 to 12. 19 Shows in One—11 acres under one roof.

ment is well illustrated by the decision in Lee v. Bude and Torington Junction Railway Co., decided in 1871. In that case, Justice Willis states: "I would observe as to those Acts of Parliament that they are the law of this land; and we do not sit here as a court of appeal from Parliament. . . . If an act of Parliament has been obtained improperly it is for the legislature to correct it by repealing it; but so long as it exists as law, the Courts are bound to obey it. The proceedings here are judicial, not autocratic, which they would be if we could make laws instead of administering them."

The congregation of a little church gave a free-will offering of fifty dollars to their minister who had just joined the grand and glorious order of parenthood. The following Sunday before the service began, one deacon whispered to another: "I'll bet he thanks God for the money before he does the baby!" The minister arose to pray. "Our Father," he said, "we thank Thee for this timely succor which Thou hast sent us." The deacons couldn't decide who won the bet.

set up by several states in this country. In the second place, Parliament, by general enactments, has delegated large powers of a legislative nature to ministers and commissions of the government. These English ministers and commissioners for a long time have served as the "brain trust" of Parliament and around them has grown up a large body of regulation and orders, or administrative law comprising their rules, regulations and orders.

The great growth of administrative law in the United States during the last ten years has a long-accepted counterpart in England and English experience does not justify many of the fears of those who protest the growth of administrative law in this country.

In the third place, the fact of parliamentary supremacy has helped to make politics a learned profession in England with the result that many young Englishmen openly select politics as a career and train themselves for parliamentary service.

When we contrast that attitude with the typical American view of political life, we can understand better the reasons for placing final reliance upon our courts when it comes to protecting our constitutional rights.

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 N1/4NW1/4, Sec. 27, NE1/4NE1/4, Sec. 28, T. 4 S. R. 18 E., S1/4NW1/4, SW1/4, S1/4SE1/4, Sec. 4, S1/4SW1/4, NE1/4SW1/4, Sec. 3, and N1/4NW1/4, Section 10, Township 6 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.

Advertisement for Chesterfield cigarettes. Text: "Everybody knows the words... they Satisfy". Image of a man in a suit and a pack of Chesterfield cigarettes. Text: "They're a cheerful little earful. You'll hear where'er you go. For smokers say 'They Satisfy' And smokers ought to know".