

Sherman County Journal

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CLUB WORKERS

Anyone overhearing the discussion about club work in Sherman county by club leaders Friday night would have necessarily reached the conclusion that 4-H club boys and girls in this county are fortunate. Serious thought has gone into the plans for club work and is still going into it.

There was nothing in the meeting to show that leaders of club children have succumbed to the present day tendency to depend on government to the exclusion of self, or that they have come to believe that there is no future for progressive and well planned agriculture on Sherman county farms. They might joke about the absence of rainfall and wonder, jokingly, about the road they would choose to walk on, but when it comes to planning the type of education they wish their boys and girls to have all this is forgotten.

They plan, and plan systematically; they plan to meet the present economic situation, not some theoretical situation they hope might prevail by the time the project is completed. It appears that club work might bring pure bred sheep to this county in greater numbers, something that several years of sheep raising has so far failed to do in any great numbers. It may develop a forage crop industry which will fill a long felt need. It may bring about the teaching of practical subjects in the schools and the planting of wind breaks and decorative trees around the farms home some of which have stood for fifty years and more without the saving shade of a single tree.

There's nothing wrong with the spirit of the men in agriculture, if these be an example. Those who tell the farmers from political platforms and for political purposes that they are a downtrodden race should hear them talk seriously. The farmers are going to go right ahead and feed this country on better beef, better pork and better wheat and they are going to be paid for it, too.

NEEDED REFORM

Suggestions for the reduction of the cost of legislative sessions in Oregon have been made by Representative Hill of Lane county. It is time that such suggestions were made and this means as good a point as any from which to start a general discussion of means of conducting the legislature with a smaller overhead.

Mr. Hill holds that fifteen or twenty stenographers could do the clerical work of all the members of the house. This is perhaps true, but few legislators would care to have their letters written by one who might be induced to reveal the contents in case of controversial legislation. Perhaps a better scheme would be to insist that all stenographers hired be efficient and that they also act as clerks of the committees of which the legislators are members.

If the hiring of the other help used around the halls could be given to some state office, like the secretary of state, instead of being allowed to be a political football it would add something to the economy of the sessions also in all probability. There is an opportunity to do a public service by changing the system now in vogue.

THANKSGIVING

We have to be thankful for: living in the Oregon county that has the highest spendable income accompanied by best living standards; a comparatively low tax rate compared to other sections; a per capita bonded indebtedness of around \$120 or about two-thirds that of the remainder of the state; some of the best wheat land that lays out of doors (or indoors for that matters).

For centuries people fought for freedom from governmental oppression. The world's famous liberals were men who tried to give more liberty. Nowadays they call a man a reactionary unless he believes the government should do everything. How times have changed.

The guy that wrote the line "Into each life some rain must fall" never heard about the seven-year-olds in Sherman county.

Boys named Pershing are now playing high school football. Does that make you feel old?

Well, we are staying by the holidays set by our ancestors even if we have varied to a considerable extent from their moral code.

Note for Portland: Budgets, easily made are hard to collect on, but those that are made after opposition and labor are lighter on the taxpayer.

If there was a white cross erected along the highways at every point where someone met death our roadways would soon resemble the fields of Flanders.

People's Column

To the Editor of the Journal: It is desired to refer to that part of your report last week of the County Budget meeting which stated that those who favored the inclusion in the budget of the appropriation to the Inland Empire Waterways Association had held that a tax levy was the only equitable way of raising the money for the promotion of the development of water transportation that would benefit every citizen in the county in direct proportion to his taxes.

Tax levy facts in the county do not support such a stand. As between land owners, whether they operate their farms or lease them, and non-owner operators, the proportion to be paid by each will run approximately as in the case of a certain average sized farm in the Grass Valley district. With this farm, the taxes on 800 acres and the improvements amounted to \$310.14 this year, while the lessee of it was assessed exactly \$20.00. Therefore, if of the \$500.00 item set up in the budget for promoting water transportation there should be levied next year against this farm and its operator the sum of \$3.30 in taxes, the owner would pay \$3.10 and the Lessee 20 cents thereof, which is a ratio of about 16 to 1. One offhand might say that the lessee would receive twice as much benefit from a lowering of freight rates as would the owner, but that hardly is so as out of his two-thirds share of the crop, the lessee reserves some grain for seed and feed. On a basis of grain shipped by each, the benefit of lower rates would likely run about as 40 to 60 to owner and lessee respectively.

Very truly yours,
James B. Adams
Moro, Oregon, Nov. 25, 1935.

In Other Days

From the Observer Nov. 30, 1906 Mr. and Mrs. J. N. Fordyce entertained their relatives "from the country", Mr. and Mrs. G. N. Crossfield and Mrs. Amos, at a turkey dinner yesterday. The party attended the ball in the evening at Elrod opera house.

Fire destroyed the Klondike store and post office Monday morning. The property belonged to A. B. Potter, who has conducted a profitable trade there for nine years past. The loss falls heavily upon him, and the neighborhood cannot afford to be long without the conveniences of the store and post office hence it is quite likely that Mr. Potter will soon rebuild and renew trade.

Grandma Cushman is spending her Thanksgiving outing with her daughters in Portland, Mesdames Laura and America Moore. George Wilkerson, who is farming in Gilliam, with headquarters in Rufus, was on a business trip to Moro last week, buying considerable while in the city, including a complete set of harness at Heydts.

From the Observer Dec. 1, 1916. M. A. Bull has been appointed agent in charge of the W. W. M. Co. warehouses at Moro in place of T. C. Lee, who resigned to try farming.

Fred W. Hutchcroft is busy this week moving his household goods to the Wm. Morrison place, formerly farmed by W. C. Miller. Mr. Hutchcroft is new to the farming methods of eastern Oregon coming here from Yamhill county.

The real estate agency of Alex Hunter, has sold the laundry property owned by Chas. Bullard to W. H. Helyer of Kent, who buys the residence for his mother. This necessitates another move for F. H. Pownder and family.

The weather man gave Sherman county a coat of wet snow for Thanksgiving morning. All gone by noon, but the crops are benefited.

ALMANAC

- You're no Gentleman? More goes to the making of a fine gentleman than fine clothes.
- NOVEMBER 26—First airplane wedding, Bayville, N. Y., 1929.
- 27—Magellan finds Atlantic-Pacific passage, 1500.
- 28—First automobile race, speed 7 1/4 miles per hour, 1895.
- 29—Louisa May Alcott, favorite novelist, born 1832.
- 30—First U. S. "steam" laundry opens Pittsburgh, 1865.
- DECEMBER 1—Helium gas first used in dirigibles, 1921.
- 2—Pres. Monroe promulgates his famous doctrine, 1823.

Chiefs of the Young Democrats



Here are the president and vice president of the Young Democrats Clubs of America who were elected at a meeting in Milwaukee, Wis. They are Frank Wickham of Sioux Falls, S. D., and Mrs. Louise Galleher of Leesburg, Va.

STATEHOUSE GOSSIP

Continued from page one. tion, has been appointed state director of Americanization by the new state Americanization commission created by the last legislature. Mrs. Mabel A. McInturf of Marshfield is chairman of the new commission.

Storm clouds are gathering over the state liquor control organization again. Predictions are that a shake-up of the organization will be put into effect before the first of the year. At least one change can be expected in the personnel of the commission itself while a number of republicans in the ranks of the organization is said to be slated for sacrifice to make room for deserving Democrats who have been howling for a slice of patronage every since the present administration went into office. Already it is known, some of the underlings have been notified that their services are no longer required.

Trouble in the upper strata of the organization is understood to center around a case of too many bosses. While Jack Allen, Pendleton democrat, is supposed to be the administrator, it is young Eugene Kelly, Portland republican and assistant administrator, who has been actually "administering" the affairs of the commission, a situation which makes for anything but harmony in the organization. Those who pretend to be in the know say that Allen has been ready to quit and return to the more peaceful pursuits of his own private business at Pendleton but that Governor Martin has insisted that he stay put.

The present situation on the liquor board is admittedly intolerable but whether Allen will be thrown overboard in an effort to restore internal harmony or Kelly will walk the political plank and with him at least one member of the commission remains to be seen.

In the event voters of Oregon again defeat the sales tax, the state's needy aged will have to be cared for from relief funds according to state officials who have made a study of the situation. While the state stands to lose all federal aid for old age pensions because of failure to the legislature to finance this activity—except for the proposed sales tax—there will be approximately \$5,500,000 available for relief of the needy, including an unexpected balance of approximately \$3,000,000 in liquor profits diverted to relief purposes by the 1935 session, \$1,000,000 diverted from the general fund to relief needs by the special session, another \$1,000,000 of county funds levied for old age pensions but sidetracked to general relief needs by the legislature, and \$500,000 remaining of the \$1,000,000 appropriated for relief of indigents by the regular session.

Wayne Morse Explains Legal Aspects of Times

In a very real sense, the doctrine of judicial supremacy makes it possible for us in this country to experience a social revolution through the orderly processes of law to the extent that our courts adjust constitutional concepts to social demands.

Such adjustments are going on at the present time in a dramatic fashion, and we are all familiar with the part that the supreme court is playing in that revolution.

However, the recent decisions of the court on constitutional law issues, especially the decision in the Schechter poultry case declaring unconstitutional much of the N. I. R. A. have brought forth again certain proposals aimed at limiting the doctrine of judicial review.

Even prior to the gold clause decision, articles began to appear in leading American periodicals questioning the desirability of continuing to vest in the supreme court the sweeping power of judicial review.

There was open suggestion that attempts might be made to enlarge the court in order to bring about a reversal of such decisions, and historical precedent was cited for it.

Although it is true that both President Lincoln and President Grant have been charged by some historians with having packed the court in order to secure decisions desired by them, it is gratifying to note that President Roosevelt has indicated rather clearly that New Deal legislation must be adjusted in accordance with the constitutional interpretations rendered by the supreme court.

The view of the ultra conservative that such action would result in chaos or that it would even destroy constitutional government is a fear argument rather than a fact argument because it is possible to have a written constitution and still check the powers of the supreme court to declare acts of congress unconstitutional.

Thus, Justice Holmes has written, "The United States constitution would not come to an end if the court lost its power to declare acts of congress void."

However, any such change entails significant modifications in our theory of separation of governmental powers and on the basis of the long time record of the United States supreme court, I

think that we as a people should be most hesitant in checking the powers of that court.

Nevertheless, there is a great deal of merit in the criticism of those who claim that the present power of judicial review results in a great deal of waste.

Obviously, no business could succeed if it purchased expensive machinery, installed it and started to run it before it determined whether or not that machinery would manufacture the goods for which it was purchased.

In a sense that is what is now done in this country in regard to legislative machinery. It costs millions of dollars to put important federal legislation into operation.

Yet our system permits the supreme court to declare such legislation unconstitutional and thus in effect wipe it off the books at a great financial loss, not only to the government but to business men who have endeavored to adjust to it.

It has been suggested that one way to prevent such waste would be to create a separate department of the supreme court whose sole task it would be to pass upon constitutional questions involved in major legislation prior to its final enactment.

A proposal somewhat similar was submitted to the constitutional convention in 1787 by Randolph of Virginia and rejected by the framers of the constitution. The Randolph plan proposed to associate a certain number of the judges with the executive in the exercise of a revisionary power over laws passed by Congress.

However, that is not exactly the same plan as the proposal for a department to new judgments upon the constitutionality of laws of Congress in advance.

Some of the arguments advanced against the proposal for advisory opinions are that such a plan would be an encroachment upon the doctrine of judicial review and the independence of the court.

This argument is of questionable validity because under the proposal the court would have the same power that it now has to determine the constitutionality of acts of Congress, but when requested by the executive or the Congress it would determine the matter of constitutionality before the law is put into effect.

It is contended that such a proposal would in effect turn that department of the court into a legislative drafting bureau, but obviously this would not be the case because the decisions would not vary in form from those now given.

At the present time the court does not tell Congress how to make a certain act constitutional but rather tells Congress why a certain act is unconstitutional.

It is also claimed that the advisory opinion plan would be undesirable because decisions would be rendered upon the basis of

hypothetical cases, thus varying from the present well-established practice of determining constitutionality upon the basis of actual litigation.

This objection is of doubtful validity because many cases now are purely test cases of little consequence as far as the interests of the party litigants are concerned when viewed in light of the major constitutional questions involved.

The advisory opinion plan, on the other hand, would give the court greater latitude in rendering its constitutional decisions, in that all features of a given act could be decided as to their constitutionality while at the present time the facts of a given case often involve only a part of an act and so its constitutionality is decided piecemeal.

Perhaps a more valid objection would be that the proposal would involve a task impossible of performance by a separate department of the court, if all, or even most, of the acts of congress were to be submitted to the court in advance, let alone the acts of state legislatures, which might possibly be in conflict with the federal constitution.

If such a plan is to be feasible, it would have to be limited in some way so that only major legislation would be submitted to the court in advance.

If the power of judicial review is finally curtailed, the chief reason for such action will be the dissatisfaction of large numbers of our people with the delay, uncertainty, and waste entailed in the present procedure.

A perfected advisory opinion plan might prove to be an effective way of retaining the court's right to exercise the doctrine of judicial review and at the same time make possible the speedy adjustment of major legislation to the constitution.

If the principle of such a plan is sound and desirable, the mechanics for its operation should not prove difficult of solution.

GOVERNMENT JOB

Director, Division of Maternal and Child Health, \$6,500 a year. Director, Crippled Children's Division, \$8,500 a year, Children's Bureau, Department of Labor.

Farm agent, \$1,800 a year. Indian Field Service, Interior Department. Separate registers of eligibles will be established as follows:

General farming, stock raising under range conditions, irrigation farming, and dry farming.

Certain education and experience are required for these positions.

Full information may be obtained from the Secretary of the United States Civil Service Board of Examiners at the post office or courthouse in any city which has a post office of the first or the second class, or from the United States Civil Service Commission, Washington, D. C.

Dr. Viggo Haufelt Dentist
Will be at his Moro Office at the Hotel Moro
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