

Heppner Gazette Times

THE HEPPNER GAZETTE,
Established March 30, 1883;
THE HEPPNER TIMES,
Established November 18, 1897;
CONSOLIDATED FEBRUARY 15, 1912

Published every Thursday morning by
CRAWFORD PUBLISHING COMPANY
and entered at the Post Office at Heppner, Oregon, as second-class matter.

JASPER V. CRAWFORD, Editor
SPENCER CRAWFORD, Manager

SUBSCRIPTION RATES:
One Year \$2.00
Three Years 5.00
Six Months 1.00
Three Months75
Single Copies05

Official Paper for Morrow County

| 1937 | | MARCH | | | | | | 1937 | |
|------|------|-------|------|------|------|------|------|------|--|
| Sun. | Mon. | Tue. | Wed. | Thu. | Fri. | Sat. | Sun. | Mon. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | |
| 28 | 29 | 30 | 31 | 1 | 2 | 3 | 4 | 5 | |

The Last Bulwark.

President Roosevelt's plan to reorganize the Supreme Court through forcing retirement of judges past seventy years of age and appointing men more in sympathy with his desires provides one of the gravest tests of constitutional government in the history of the United States.

The plain issue is whether tripartite government with its system of checks and balances as provided for in the Constitution shall stand or whether the executive shall have the power to nullify effectiveness of the other two branches and thereby open the way to absolute dictatorship.

The Supreme Court today stands as the last bulwark between the liberties of the American people and the will of a dictator. However much confidence the American people may have in Franklin D. Roosevelt—he who promised in campaign speeches that the sanctity of the Supreme Court would be preserved, and that any attempt to amend the Constitution would be done in the manner provided by the Constitution—they should think seriously upon this action.

Behind the smoke screen of propaganda being used to force the reorganization plan through Congress, there are facts definitely ignored by proponents. One of these, and really the only one that matters, is that the Supreme Court does not have the power, and has never exercised the power of acting arbitrarily upon any act of Congress. The only way in which the Supreme Court has ever passed upon the constitutionality of any law is through the process of appeal of an individual case which came to it through the lower courts. In such instances they have checked the law involved against constitutional provisions and have said that the law either did or did not conflict with those provisions.

President Roosevelt has made no "bones" about the reason for his reorganization plan. He wishes Congress to pass laws which the present Supreme Court has ruled unconstitutional. He chooses the reorganization route rather than go to the people with necessary amendments to the Constitution. The amendment route, he says, would be long and tedious, and it is doubtful whether satisfactory amendments could be written.

On the face of his position, President Roosevelt admits weakness in his proposed legislation. If "satisfactory" amendments to the Constitution could not be written, and if the course he expects to follow would not stand the test of the necessary time to let the people decide, then that course may not be the proper course.

The President has failed to show that there is a crying need for speedy action. In the recent election campaign he pictured the country in a rosy condition. In the face of improved conditions on every hand, it is harder now to find excuse for this high-handed procedure.

He has failed to give evidence that

any Supreme Court justice over seventy years of age has not acted capably in any matter. The present court has kept up with the heavy demands New Deal legislation has made upon it. In some instances—as in the NRA decision—the verdict of unconstitutionality was unanimous; so that his accusation of one or two men holding up the wheels of progress is not justifiable.

There is, in the final analysis, only one conclusion. Mr. Roosevelt intends to run the country as he thinks it should be run, and anyone who crosses him is wrong. He is not willing to tolerate rights of minorities as provided in the Constitution he so recently pledged himself to uphold; and in his alignment of class against class he shows no recognition of the fact that these classes are interdependent, that the welfare of the one depends upon the welfare of the other.

A similar attempt to bring the supreme tribunal of the land into disfavor was once made by another Roosevelt who later backed up from his position. Of that attempt, Frank H. Short, noted California attorney, made comment back in 1906 pertinent to the present situation, from which these excerpts are taken:

"Colonel Roosevelt seems to assume that while other generations were profoundly wise they were not comparatively so, and that all human intelligence of the irresistible and unanswerable sort came into the world some fifty years ago. . . .

"Such changes, innovations and devices have no more to do with the powers of government, and have no more connection with the rights of property, than has the invention of the aeroplane the effect of replacing the Ten Commandments. . . .

"It is now argued that because of a change in condition and the development of values and uses not known, . . . a right of government fixed by unamended law is to be swept aside merely because one individual thinks it would be better for the great mass of mankind to take from the one and bestow upon the other. . . .

"If conversion of trust property is commendable under a higher law, and for a greater good, who can say that it is not merely another and easy step to repeal of any other objectionable commandment or law that interferes with the greatest good of the greatest number, in the opinion of the greatest politician of a particular generation? . . .

"Fullness of heart and deepness of affection belong apparently to those who are either doing politics or doing nothing. . . .

"We have always known that there could be one man of a generation who knew more of many things than any other one man, but we have never before known that one man of one generation could know more of all things than all other men of that generation, and at the same time be equal to the task of reversing the precedent of the past, denying wisdom to our ancestors and hope of further intellectual achievement to posterity. . . ."

Relief in Time.

THIRTY-FOUR years ago this coming June 14th, a flood occurred at Heppner which shocked the world. The worst catastrophe of its kind in the history of the world considering lives lost in proportion to population affected it wrote the name of Heppner indelibly upon the roll of unfortunate communities.

Now, after thirty-four years have helped to clear the vision, there appears possibility that action will be taken to prevent another such catastrophe here. The secretary of war, after all preliminary red tape has been complied with, has submitted to the speaker of the house of representatives the approval of the board of army engineers for a \$5000 appropriation to be used in making a survey looking to construction of flood control dams on Willow and Rhea creeks.

The report carries recommendations of local interests, including use of the dams for storage of irrigation water up to May 15 each year.

While the program of work is still in the nebulous stage, it is encouraging that the first red tape has been cut to gain recognition from federal agencies including congress. Before the project is finally realized

there remains much work, and we in Morrow county who realize its importance must not sleep at the switch.

The benefits of the project are far reaching. Immediate construction of the dams will mean a sizeable payroll for several months to augment local business. Insurance will be given production of hay lands in the bottoms below the dams, as well as result in a sizeable increase in the hay crop, and should result in keeping much money at home that before has been spent on the outside for hay, as well as reducing the price of hay to stockmen. (A large amount of money was sent out of the county for high priced hay this winter.) Taxable wealth of the bottom lands will be increased, thereby lessening the tax load on other lands. All this, in addition to bringing relief from danger of future devastating floods, makes the project one of major importance. Wheels of progress grind slowly but, we hope in this instance, surely.

Engineers Approve

Continued from First Page
those here who have studied the situation believe the thing to do is to work for the survey appropriation.

Following are the letter of transmittal from the secretary of war to the speaker of the house of representatives, and the report of the chief of engineers: (The letter with accompanying papers was referred to the Committee on Flood Control on January 5, 1937, and ordered to be printed with illustrations.)

War Department,
Washington, December 11, 1936
The Speaker of the House of Representatives:

Dear Mr. Speaker: I am transmitting herewith a report dated December 10, 1936, from the Chief of Engineers, United States Army, on preliminary examination of Willow Creek, Oregon, a tributary of the Columbia River, with a view to the control of its floods, authorized by the act approved June 13, 1934, together with accompanying papers and illustration.

Sincerely yours,
HARRY H. WOODRING,
Secretary of War.

War Department,
Office of the Chief of Engineers,
Washington, December 10, 1936.

Subject: Preliminary examination of Willow Creek, Oregon, with view to the control of its floods.

To: The Secretary of War.

1. I submit for transmission to Congress my report, with accompanying papers and illustration, on preliminary examination of Willow Creek, Oregon, a tributary of the Columbia River, with a view to the control of its floods, authorized by the act approved June 13, 1934.

2. Willow Creek, a small stream in northern Oregon, rises in the Blue Mountains, flows generally northwest 70 miles to join the Columbia River 250 miles above the mouth. The upper basin is very rugged, but below the town of Heppner the topography is rolling. The basin has an area of 910 square miles and a population of approximately 2,500. Stock raising and the growing of wheat by dry-farming methods are the principal occupations. Irrigation is practiced to some extent along the valley. Rail and highway facilities appear adequate for present needs.

3. Floods in the Willow Creek Basin are caused by precipitation in the headwater areas. The flood of 1903 caused property damage estimated at \$250,000 and the loss of more than 200 lives. Lesser floods occurring in 1905 and 1934 also caused serious damage. Local interests have enlarged bridge openings and have done some channel clearing, but the work accomplished is ineffective for controlling floods such as that of 1903. Local interests desire the construction of two reservoirs, one above the town of Heppner to control floods from Balm Fork and upper Willow Creek, and a second on Rhea Creek below the mouth of Sanford Canyon. They believe that these reservoirs could be used for supplemental irrigation until May 15, the beginning of the cloudburst season, after which date storage would be available for flood protection.

4. The district engineer is of the opinion that the flood protection can be obtained only through construc-

tion of reservoirs and that a plan can be developed for their construction at a cost commensurate with the benefits expected. He considers the area worthy of further investigation and recommends a survey of Willow Creek and its tributaries for the purpose of determining the best plan of flood control for those streams. The division engineer concurs with the views and recommendations of the district engineer.

5. The reports of the district and division engineers have been referred, as required by law, to the Board of Engineers for Rivers and Harbors, and its report herewith concurs with the views and recommendations of the reporting officers. The Board finds that available data are inadequate for the preparation of definite plans and cost estimates and recommends a survey, at an estimated cost of \$5000, on Willow Creek, Oregon, with a view to the control of its floods.

6. After due consideration of these reports, I concur in the views of the Board of Engineers for Rivers and Harbors, and recommend that a survey of Willow Creek, Oregon, be authorized at an estimated cost of \$5000 for the purpose of developing plans and estimates of costs for the control of its floods.

E. M. MARKHAM,
Major General,
Chief of Engineers.

V. R. Runnion, auctioneer, announces he will cry a large community sale Saturday at Condon stock yards where a large number of stock will be sold.

Mrs. Edward Burchell and baby son are visiting at the home of Mrs. Burchell's parents, Mr. and Mrs. Pat Healy, coming up from their home at Corvallis.

Bill Doherty was in town Tuesday from the Alpine ranch.

The GOLDEN YEARS PLAN.

James J. Hill said: "If you want to know whether you are destined to be a success or a failure in life, you can easily find out. The test is simple and it is infallible. Are you able to save money?" If interested in Golden Year Plan see ALTA S. BROWN Agent Oregon Mutual Life Insurance Co. Heppner, Oregon

A. E. Porter and son Arthur were business visitors in the city Tuesday from Boardman. The younger Mr. Porter makes his home at Portland.

Mrs. Josie Jones went to Portland the end of the week for a visit at the home of her daughter, Mrs. Harold Stiles.

Herman Neilson was a business visitor in town yesterday from the Rood canyon farm.

Read G. T. Want Ads. You may find a bargain in something needed.

IDEAL TONIC FOR TIRED CHILDREN AND ADULTS



Builds Rich, Red Blood, Stimulates Appetite and Improves Digestion

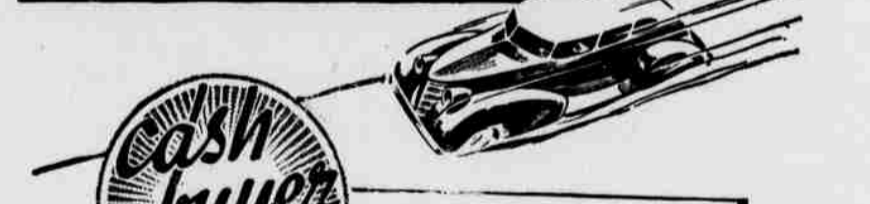
If your children are skinny and underweight, fretful and whiny, it may be because their blood lacks sufficient iron. The growing years use up terrific energy and weaken resistance. Pursang not only relieves this condition by correcting iron deficiencies and restoring the balance between white and red blood corpuscles. It also helps to arouse appetite and improve digestion.

Check up on your family's health. If your children are run down, or you yourself are below par, why not try the Pursang treatment for a while? Pursang every day before or after meals.

Humphreys Drug Co.

WE PAY SPOT CASH FOR CREAM and EGGS MORROW COUNTY CREAMERY CO.

Buying a Car?



Cash buyer PLAN FINANCE your automobile this NEW WAY that assures you

- ✓ Lowest financing cost.
- ✓ More convenient payments.
- ✓ Insurance placed locally (with your own agent or broker).
- ✓ Confidential attention to your affairs.
- ✓ Established bank credit for future needs.

Available to any individual having a satisfactory credit record and steady income, who can supply one-third the cost of his or her new or used car purchase either in cash or by the trade-in value of another automobile. This bank then supplies the balance needed to make a cash deal.

Before Buying a New Car or Refinancing Your Present One, Investigate This Plan at

★ HEPPNER BRANCH ★

THE FIRST NATIONAL BANK OF PORTLAND

"FIRST NATIONAL BANK WEST OF THE ROCKIES" MEMBER FEDERAL DEPOSIT INSURANCE CORPORATION