

Court suit....

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herty and the County Court has already notified the other defendants that the county is not in a position to prepare their responses nor to provide representation for their positions or interests as affected property owners. To date, the County has not been contacted by any of the property owners or their attorneys, so is not informed as to the actions they will take.

The County is presently collecting all the information available to it concerning the properties, the circumstances under which building permits were issued and the application of County ordinances. The County Court and District Attorney are also considering several connected legal and local government policy issues which appear to be presented by the case. These include:

1) If state law was violated, should County officials be responsible to identify and remedy those violations;

2) Who should be the proper parties to determine whether County ordinances were vi-

olated;

3) If County ordinances were violated, who should be responsible to decide whether the violation is one which justifies the time, cost and implications of remedial action—local elected officials, private property owners or Courts of superior jurisdiction;

4) Where more than one remedial action is available, should local officials have the discretion to decide which, if any, they wish to pursue;

5) Can the decisions of duly elected or appointed local officials in these matters be second-guessed and over turned in Courts of law, and if so, what are the limits of the authority, discretion and responsibility of local officials.

The County Court is hopeful that this case will help to resolve some of these types of questions. The role of the Planning Office and Planning Commission, and the administration of locally adopted ordinances of all kinds appear to be at stake.

Old brands give stockmen source of pride

by Elane Blanchet

Besides the practical use of brands as one method of identifying the ownership of sheep, cattle and horses, brands that have been used in stock raising families for generations are also a source of considerable pride.

State law requiring the recording of brands dates back to 1917 and the "Oregon Livestock Growers' Directory of Marks and Brands" published in 1918, lists 95 recorded brands for Morrow County, some of them still used in the

county by the same family. Others not listed were in use before that time but as one stockman put it, "They didn't used to be as particular as they are now."

Brosnan Ranch Inc., now operated by Jerry and son Eddie Brosnan, still use the 'Lazy B' brand recorded in the 1918 book on their stock. They have papers that show the brand was first registered in Umatilla County in 1880, by Jeremiah Brosnan, Eddie's great-grandfather who settled in the Butter Creek area in the 1870s. The 'Lazy B' was later

reregistered in Morrow County when it split from Umatilla County in 1885.

Most stockmen are much less certain about when their brand was first used and recorded.

Charley Daley said his 'DY' brand has been in the family over 60 years, first registered by his father James Daley, but he wasn't exactly sure when. The brand was selected for the first and last letter in the name Daley. Charlie said that his father wanted to get a JD brand but it wasn't available. No one is prouder of the

family brand than Homer Hughes who said their "Quarter Circle Heart" brand had been used in the neighborhood of 75 years, first by his father C.T. Hughes, passed on to brother Elwin and on to Homer when his brother retired. "It's one of the neatest brands anywhere," Hughes commented. "My father was offered \$150 for it back when \$150 was quite a bit of money." Hughes recalls that his father, quite a horseman, never needed to throw a horse to brand him, just blindfolded the animal

and he carried the "Quarter Circle Heart" before he quite knew what happened.

In 1918, sheep were the biggest stock business in Morrow County, numbering 166,050 (according to the brand record book) and worth \$549,641, as compared to 6,402 cattle (all kinds) worth \$22,617. There were also more horses than cattle in the county at that time, 7,966, worth over twice as much, \$464,596.

"cock-eye"—the tug end out of a harness—was registered by 1915 according to some papers recently found, but was probably used and recorded before that since George Curin's grandfather settled on the Currin Ranch in 1878. Around 1500 head of cattle now carry the 'cock-eye' brand.

A large collection of Morrow County brands hang in the Bank of Eastern Oregon in Heppner, collected by Manager Gene Pierce over the last

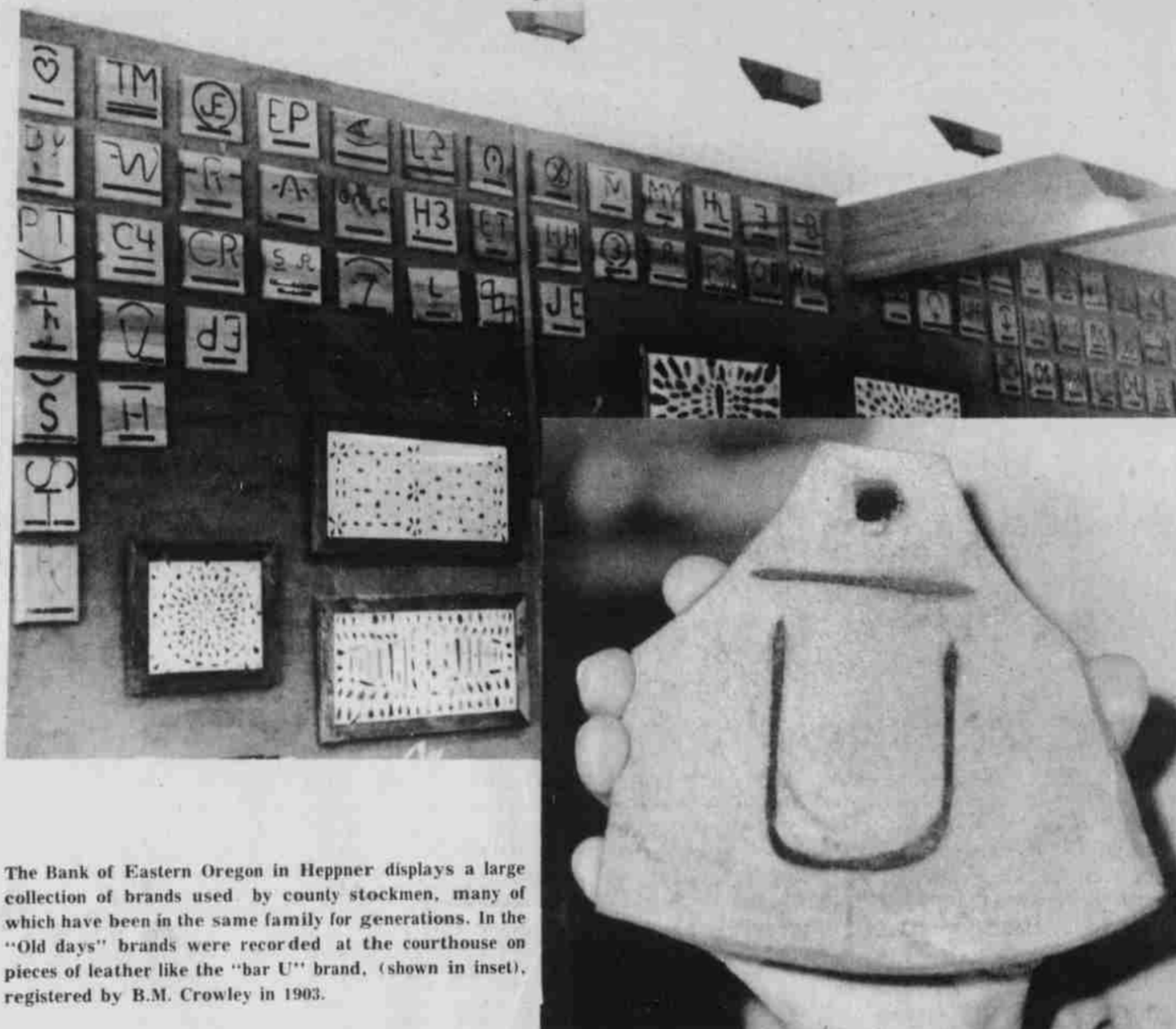
Sheep still carry "Horseshoe dot"

While the sheep population has been reduced to an estimated 20-30,000, 4,000 breeding ewes still carry the "Horseshoe Dot" of the Krebs Bros., which has been used by the Krebs family since around 1913. It was originally selected by brothers Henry W., George and John Krebs because of its versatility—it could be pointed in many directions to differentiate between different bands of sheep when brand registration requirements weren't so rigid. The Krebs lost the 'dot' in the "Horseshoe Dot", one of the oldest sheep brands in the county, for many years but were able to get it back at the last registration. In now appears on horse and cattle as well as sheep.

few years from his customers and any stockman who brings in his branding iron. Pierce has 120 brands all told, with about 90 displayed so far.

He has one brand he especially treasures, that of B.M. Crowley, on a piece of leather with the recording date of 1903 written on the back. Pierce said that all brands used to be recorded at the courthouse on such a piece of branded leather but that almost all of the leather brands were destroyed several years ago in a courthouse cleaning spree.

"I'd give anything to be able to have all those old brands," Pierce said regretfully, thinking about the loss that represented an important part of Morrow County heritage.



The Bank of Eastern Oregon in Heppner displays a large collection of brands used by county stockmen, many of which have been in the same family for generations. In the "Old days" brands were recorded at the courthouse on pieces of leather like the "bar U" brand, (shown in inset), registered by B.M. Crowley in 1903.

Columbia Basin battles frosty lines

Columbia Basin Electric Cooperative experienced minimal damage and power outages from last week's heavy frost and freezing rain, but that was only because the utility's crews worked day and night scraping ice from lines.

Dave Harrison, CBEC manager, said outages occurred in the Condon and Fossil areas on Bonneville Power Administration lines.

Most of the icing was experienced in the Condon and Fossil areas although the Eightmile and Gooseberry areas south of lone also had icing problems. In addition to regular crews, CBEC brought in two linemen from Prosser and utilized vacationing high school students.

Where to write Federal

Following is a list of Oregon and Eastern Oregon public officials for the information of readers who want to communicate with them:

U.S. Sen. Mark O. Hatfield, Russell Senate Office Bldg., Washington, D.C. 20510. Member of Appropriations Committee, Interior Committee, Rules Committee and Indian Policy Review Commission. Portland office, Pioneer Courthouse, Rm. 107, 520 SW Morrison, Portland, Ore. 97204, phone 221-3386.

U.S. Sen. Bob Packwood, Dirksen Senate Office Bldg., Washington, D.C., 20510. Member of Finance Committee and Commerce Committee. Portland office, 1002 NE Halladay, Rm. 700, (P.O. Box 3621), Portland, Ore. 97208, phone 233-4471.

U.S. Rep. Al Ullman, of the Second District, House Office Building, Washington, D.C. 20515. Member of Ways and Means Committee. Salem office, 150 N. Church, Rm. 219 (P.O. Box 247), Salem, Ore. 97310, phone 399-5724.

State

Gov. Robert Straub, State Capitol, Salem, Ore. 97310, phone 378-3100.

State Sen. Ken Jernstedt (Morrow, Gilliam and other counties), 311 Pine St., Hood River, 386-1393.

State Rep. Jack Sumner (Morrow, Gilliam and other counties), Route 1, Heppner, 676-5364.

THE GAZETTE TIMES

Published every Thursday and entered as second-class matter at the Post Office at Heppner, Oregon, under the Act of March 3, 1879. Second-class postage paid at Heppner, Oregon.

The Official Newspaper of the City of Heppner and the County of Morrow

G.M. Reed, Publisher Dolores Reed, Co-publisher
 Terry M. Hager, Managing Editor
 Jim Summers, News Editor
 Eileen Saling, Office Manager
 Elane Blanchet, Reporter
 Gayle Rush, Composing Chloe Pearson, Composing
 Justine Weatherford Local Columnist

Salem Scene

Legislative Report from the State Capital EXCLUSIVE to Oregon's Weekly Newspapers from Associated Oregon Industries.

by Jack Zimmerman

A statewide plebiscite likely would produce a favorable consensus among Oregonians regarding their newly enlarged Capitol Building.

One year old this month, the Capitol wings—which effectively doubled the buildings' useable space—nonetheless remain a target for diehard detractors. Dogged by controversy since construction began Nov. 15, 1975, complaints reached a crescendo as lawmakers occupied commodious new quarters last January for the 1977 legislative session.

Early complaints involved the \$12 million-plus price tag. Antagonists pointed out the main building was erected at a cost of only \$2.5 million less than 40 years ago. And recalcitrant members of the House of Representatives gestured their objections by briefly delaying passage of the bill appropriating funds to pay for the addition.

Then there was the question of furnishings. The public—abetted by cooperative news correspondents—raised quite an uproar about everything from the color of carpeting to purple couches in lawmakers' offices. More complaints followed about potted plants and art objects. And to top everything, in the midst of Oregon's most serious drought in memory, the Capital City received a drenching downpour and the roof leaked—badly.

With the contractor's warranty period expiring this month, the roof still fails to hold back now-normal precipitation and some settling has caused embarrassing sags and cracks in both the parent structure and its offspring.

Those responsible for maintaining the edifice have no

doubts these problems will be solved, however. And it appears most folks have accepted floor coverings that resemble putting greens and consider purple among their favorite colors.

As the tempest subsides, it is interesting to learn similar controversies have risen regarding both of Oregon's previous Capitol Buildings. The first burned on the last day of 1855 while lawmakers argued about relocating the seat of government in Corvallis.

Hardly more than a year old, the two-story wooden structure succumbed to flames said to have been of incendiary origin.

A downtown Salem office building housed the Legislature for the next 20 years until a second Capitol was erected on the original site in 1876. Gov. W.W. Thayer claimed the \$325,000 structure—built with convict labor—was a false symbol of vanity. He claimed the state's wealth and population did not justify such a monument.

That building tended to suffer various stages of disrepair—beginning with an 1879 windstorm that stripped away most of its tin roof. A force of 40 men, armed with sponges, buckets and tubs, worked day and night to keep rain and melting snow from ruining the Senate Chamber.

That Gov. Thayer's sentiments were shared by others probably is partly responsible for the fact a decorative two-story portico was not added until the mid-1880s and the distinctive iron and copper dome didn't rise until 1891.

That building also was destroyed by fire in 1935 and construction of its present

replacement was accompanied by almost constant ruckus.

A citizen body, the Capitol Reconstruction Commission, was in charge and got off to a poor start by conducting its first meeting behind closed doors. Discussed was employment of a director and his salary—without the presence of reporters!

Then-Gov. Charles H. Martin earned the undying enmity

of some Legislators by proposing a site other than that on which the two previous Capitols stood. And when a citizen complained about the expensive chair furnished the Chief Executive when the building was finished, Martin blamed the Commission and invited the complainer to come sit in it any time he felt inclined.

Design of the present building was the result of national competition and the less-than-

Sifting through the TIMES

The first issue of the Gazette-Times in 1968 reported a hike in the postage rates. The cost for a first class stamp went up—up—all the way up to six cents.

Morrow County had snow on the ground ten years ago but residents weren't battling the cold like present residents were during the past week. Compare Monday night's low of minus seven degrees with that of 32 on the plus side exactly a decade ago. Precipitation in the county in 1967 measured only 8.64 inches compared to 13.69 last year, which, thanks to the last three months, is .1 inch above normal. Goodbye drought!

Some comments in an editorial reflect what was going on in both the nation and the county in 1968:

"If a poll were taken on what the American people most desire for the common good for 1968, there is no doubt that the vast majority would unhesitatingly name a satisfactory cessation of hostilities in Vietnam...Unfortunately, there is little hope, as 1968 starts, that another year will see the end of the conflict..."

"Except for this dark cloud over us, the New Year may be expected to be a real good one. There is no doubt that there will be more demonstrations, riots and racial flareups, but there are some signs these will start to taper off. There seems to be some tempering of the attitudes in the deep south as witnessed by the election of the first Negro to the legislature in Mississippi and his colleagues' acceptance of him."

"We wouldn't want to assume the role of soothsayer, but we tend to think the hippies will start to silently steal away as their fads run out and their stomachs get hungry..."

"Turning to the local scene, prospects look very good as this page of history opens...In just a few months the John Day dam will be completed...the new reservoir may open avenues

traditional product proved one of the most distinctive in the nation. Those in favor described it as a perfect combination of utility, stability and beauty. A well-known editor at the time was less complimentary. Calling it too severe, he wrote that it lacked the dignity of its predecessor.

Then, as now, Capitol adorn-

ments gave rise to continuing complaints.

Meanwhile, it appears public buildings just tend to provoke arguments. And in the case of Oregon's Capitols, the wrangling on the outside often rivals debates that accompany the lawmaking process within.

we can just conjecture about. Sale of the BLM land in the north end of Morrow County is the first step towards agricultural development under irrigation...The Port of Morrow may start to bear fruit on the new reservoir and some industrial development may start to emerge. The new Riverside High school will be completed and occupied..."

Taxes were on their way up according to the Gazette-Times during this week 30 years ago: "Land and timber owners of the county are due for a shock when the 1948 tax notices are received...Even the sage and sand acres in the northern part of the county having been raised from \$1.35 an acre to \$1.50. Timber land will be assessed at \$3 per acre, but a new rating system will bring more revenue on timber stands...Using the Base Line as the dividing point, all cultivated land south to the mountain grazing area has been raised from \$11.25 to \$15...graduating down to \$9 in the lighter wheat belt...Irrigated land in the Boardman-Irrigon area is assessed at \$22.50 per acre...It is estimated that the county's valuation will be raised at least by one million dollars under the new rating system, placing the assessed valuation at approximately \$12,500,000."

J.J. O'Connor, manager of the J.C. Penney company store, was elected by the board of Directors of the Heppner Chamber of Commerce to take over as Chamber president for 1948, succeeding Dr. L.D. Tibbles.

Morrow County was getting ready for a big rabbit drive this week in 1928, to take place on Sunday, Jan. 8, in the Alpine section at the lower Sand Hollow ranch of John Kilkenny. "This paper is requested to state by those in charge of the drive that there is to be neither guns nor dogs allowed, and it is to be conducted according to the usual rules governing such events, the object being to rid that section of all the rabbits possible in the time given to the work."