

## The Evening Herald

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TUESDAY, APRIL 23, 1929

### ARE WE FREE?

THINKING citizens cannot but  
view with alarm the growing  
encroachment of the federal govern-  
ment upon the rights of the states,  
and the personal rights of the citizens  
who compose the states. There is a  
constant tendency of the federal  
courts to set aside the constitutional  
restrictions and justify the ends at-  
tained, regardless of the authority  
and legality of the means.

The procedure of the federal judi-  
cial and executive departments sets  
an example that is being followed by  
officers of the states; and the result  
is a tattered constitution and a federal-  
ization of the governmental power  
that fetters the states and their citi-  
zens in increasingly stronger bonds.

The most vital right for the pre-  
servation of liberty is the guarantee  
of the fourth amendment against  
search or seizure without formal war-  
rant, issued upon probable cause,  
supported by sworn testimony, design-  
ating the place to be searched, the  
reason for the search, the crime  
charged and the nature of the illicit  
possessions which are expected to be  
seized.

But not a day passes without viola-  
tion of this provision by zealous  
agents of the federal government, in-  
vestigating alleged breaches of the  
prohibition law, the narcotic law, the  
sedition law, or heaven knows what  
federal law. And the police power of  
the state, and the state courts, lend  
their aid to federal agents to vindi-  
cate this unconstitutional usurpa-  
tion; this arraying of might against  
the right that the constitution guar-  
antees.

We do not argue against law en-  
forcement, but we argue for the en-  
forcement of the law by orderly pro-  
cess. We maintain that the citizens  
of the state have, under the constitu-  
tion, sole power in regulating state  
affairs; that it was never intended by  
the framers of the constitution that  
the federal government, in time of  
peace, should have the thousandth  
part of the latitude in direction of in-  
ternal affairs that it is exercising to-  
day.

To analyze the usurpation fully,  
to show from every angle, and espe-  
cially in the matter of federal tax-gath-  
ering, the steady loss in state control  
and the over-whelming gain in federal  
domination of the past ten years,  
would open a field too wide to be dis-  
cussed in one brief article.

But the danger is here. We have  
unrealistically swung in a few brief  
years toward unlimited federal auth-  
ority, and away from the constitu-  
tional limitations which had been the  
bulwark of liberty for more than 125  
years.

The change came so gradually that  
it has attracted little notice; but the  
effects are now beginning to irk upon  
a multitude and here and there bring-  
ing forth an outcry from leaders of  
public thought.

The situation is one that should  
have some attention from every  
thinking citizen. It is of transcendent  
importance to every citizen to deter-  
mine whether the basic idea of this  
editorial is true or false; whether the  
danger exists or whether we see a  
shadow and imagine it is a groping,  
terrible octopus seeking to throttle  
the fundamental freedom of Ameri-  
can institutions.

Eternal vigilance is still the price  
of liberty, and we believe we sense  
enough of the dangerous condition  
that is fastening itself upon our gov-  
ernment, to justify us in declaring  
that vigilant investigation and stud-  
ious attention to political causes and  
remedies is the duty of every good  
citizen, and the sooner each applies  
himself or herself, the better for the  
future welfare of the nation.

### A SLURRING TERM

(The Californian)

WHATEVER be the meaning of  
the word "flapper" it is in the  
last analysis a slurring, and not a des-

### Outbursts of Everett True By Condo



### WILL RAZE MOUNTAIN

Operations Being Successfully Car-  
ried on in California Mine

VOLCANO, Amador county, Cal.,  
April 25.—A mountain washed away  
by placer mining operations is being  
successfully undertaken at the  
Elephant Deep mine near here, the  
results of which have been rich in  
gold. Huge boulders and tons of earth  
are melting under the force from  
three monitors, which use an aver-  
age pressure of 1,200 pounds of wa-  
ter. It is believed the entire mountain  
will be leveled by July.

Operations on the Elephant Deep  
property started in October, 1920,  
and the mountain has since been de-  
molished at the rate of 2,000 cubic  
yards a day.

### Men Get the Habit, Too

Here's a husband who doesn't in-  
sist any longer on pie and cake for  
every meal. He must live some-  
where around Nyssa, Malheur county,  
for there is where the report  
comes from. At a follow-up meet-  
ing there some time ago one home  
demonstrator reported noticeable  
improvement in her child since she  
had increased the fruit and veget-  
ables in its diet. And then she  
spilled the beans—she said that  
much to her surprise she had been  
able to effect like changes in her  
husband's food portions, and now  
he doesn't have to have his pie and  
cake all the time. At which meal  
he doesn't, is not reported.

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### DOINGS OF THE DUFFS



### OLIVIA DOES SOME EARLY SHOPPING



BY ALLMAN

## American Legion

Hanford MacNider, National com-  
mander of the American Legion, may  
be a guest of the Oregon department  
at its fourth state convention in The  
Dalles next July.

The National commander expects  
to attend the frontier day celebration  
in Cheyenne, Wyo., a few days prior  
to the opening of the Oregon conven-  
tion, and come on to The Dalles.

Commander MacNider was wound-  
ed at St. Mihiel, and was cited three  
times in general orders. He wears the  
distinguished service cross with oak  
leaf cluster, legion of honor, Croix De  
Guerre with palms and one gold and  
silver star, and Italian war cross.

Francis V. Calloway, chairman of  
the convention arrangements com-  
mittee has announced the appoint-  
ment of the following: Fred H. McNeil,  
chairman of publicity; Hattie S. Rice,  
chairman of decoration committee; S.  
Cohen, in charge of entertainment;  
J. T. Henry, chairman of registration  
and information committee, and D. C.  
Weber, handling the military parade  
features. The committee plans to  
have various features at the state  
gathering including, dancing, conven-  
tion ball, swimming in the Columbia  
river, excursions, sight-seeing trips,  
"days of 49" exhibition and a big  
military parade.

Harry N. Nelson, state adjutant  
of the legion returning from The  
Dalles announced that the coming  
convention of the legion and auxil-  
iary and the first state convention of  
the La Societe des 40 Hommes et 8  
Chevaux, "the legion sunshine order"  
will witness the greatest assemblage  
of war veterans in Oregon since the  
signing of the armistice.

Delegates from 119 posts of the  
legion and 65 units of the auxiliary  
will be on hand.

Prairie City, Oregon can boast of a  
live American Legion post although  
its membership tops only 18. The  
post has undertaken to provide a new  
tourist camp ground for the city,  
members now being busy improving  
the grounds, plugging city water and  
lighting up the camp.

Plans for the construction of a log  
cabin home for the post is well under  
way. This will be the first log home  
of the legion in the state, announced  
legion state officials.

Good donation work by the mem-  
bers of the post and with the aid of  
teams furnished, the Ray Johnson  
post of Redmond is laying its founda-  
tion for the swimming tank. Con-  
struction of clubhouse will be started  
shortly.

The Umatilla county council of the  
American Legion has been organiz-  
ed at Pendleton. The council is com-  
posed of the seven posts in the dis-  
trict comprising the cities of Stan-  
field, Hermiston, Milton, Pendleton,  
Athena-Weston, Pilot Rock. Plans for  
a joint celebration of armistice day  
and a county convention of the legion  
men in the district, were made. A  
naturalization and alien survey will  
be taken and co-operation of posts in  
all its activities will be endeavored.

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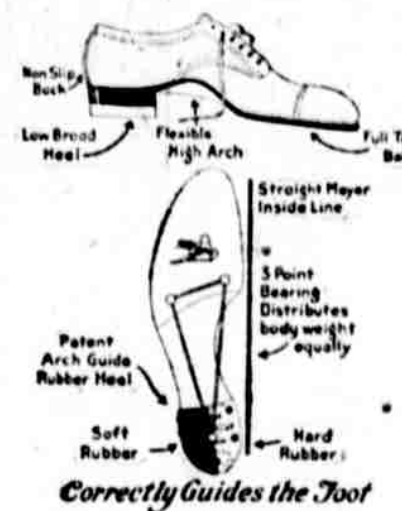
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