

GATE CITY JOURNAL

Published every Friday at Nyssa, Oregon, by

H. F. BROWN

Entered at the Postoffice at Nyssa, Oregon, as second-class mail matter

SUBSCRIPTION RATES:

One year, in advance \$1.50
Six months, in advance .75

PASSENGER SCHEDULE

Main Line Eastbound.
No. 26—Due 9:22 a. m. daily.
No. 6—Due 3:17 p. m. daily.
No. 24—Due 5:11 p. m. daily.
Main Line Westbound.
No. 17—Due 3:21 a. m. daily.
No. 23—Due 1:35 p. m. daily.
No. 25—Due 6:34 p. m. daily.
Homedale Branch
Leaves Nyssa at 10:15 a. m. Mondays and Fridays only.

ANENT PUBLISHING LEGAL NOTICES

We wish to call the attention of the lawyers of Malheur county to the law governing the publication of legal notices pertaining to irrigation, school and road districts. Section 4, chapter 2, General Laws of Oregon for 1919 says:

"Legal advertisements and notices for irrigation districts, school districts and road districts, the publication of which is now required by law, shall be published in a newspaper within the district, if there be a newspaper in such district, and if there be no newspaper in the district, in the newspaper nearest to the district affected."

This is an initiative law approved by the voters at the November election 1918. It is now published as section 3247 of Oregon Laws and is still in force as the following statement from Attorney General VanWinkle shows:

Salem, Ore., Feb. 20, 1925.
Mr. H. F. Brown,
Publisher Gate City Journal,
Nyssa, Oregon

Dear Sir: Responding to your letter of the 19th instant I beg to say that section 4 of chapter 2, General Laws of 1919, being the initiative measure initiated at the 1918 election, to which you refer, is now published as section 3247 of Oregon Laws, and has never been repealed, consequently is in full force and effect.

Very truly yours,
I. H. VanWinkle,
Attorney General.

This should settle the question of the validity of the law, at least until it has been repealed or declared unconstitutional by the supreme court. It has, however, been repeatedly violated and a flagrant instance has just occurred. A "Notice of Filing of Petition" for the inclusion of certain lands within the Jordan Valley Irrigation District has just been published in the Ontario Argus. As this is the class of legal notices covered by the law quoted above, and as the Gate City Journal is from 12 to 15 miles closer to the district affected than is the Argus a compliance with the law would have required its publication in the Journal. So far as any legal value is concerned the notice had as well not been published and any action taken in pursuance of its purpose will be illegal.

The Journal has expended considerable energy and perseverance in an effort to get this law recognized. We first consulted several attorneys of the county but could get no satisfaction. Apparently none of them knew or cared whether that was the law or not. We next wrote the legal expert of the Portland Oregonian and in a personal letter in reply he cited us to an old law that had been obsolete for years. In desperation we then took the matter up with Attorney General VanWinkle and after the exchange of several letters succeeded in getting the above statement.

Body Heat Estimated

It has been estimated that an adult man produces in 24 hours enough heat to boil five or six plints of water.

THE BIBLE VS. THE SIGNS OF THE TIMES

Not that which goeth into the mouth defileth a man; but that which cometh out of the mouth, this defileth a man. —Matthew 15:11.

Rev. F. J. Norris was acquitted of guilt for the slaying of D. E. Chippis. According to the judge's instructions, it seems that his belief that his life was in danger was sufficient justification for the act, although as a matter of fact his life was not in danger. One can hardly imagine Christ killing a man under those circumstances, yet Mr. Norris' thousands of followers strongly support him in the act, and no doubt his power to win souls to Christ will be greatly strengthened thereby, thus again proving the Bible statement that "all things work together for good to them that love God."

We often hear the statement made that "while we cannot understand all the Bible we can understand enough to live right." If that be true, then we would ask for an authoritative statement as to whether or not it is right to kill a man if you think he is endangering your life. The Bible says "Thou shalt not kill." Does it mean that, or are we to understand it some other way? This is an important question and should be settled so the honest Christian will know how to act when placed in the position that Rev. Norris was in.

SHOW FAITH IN OREGON

Expenditures totaling nearly six and one half million dollars in major improvements and betterments have been made during the year just ended by eight public utility companies distributing light and power in Oregon. In addition to this large sum two projects are actually under way involving an expenditure of five million dollars more, one of these being a 12,333 horsepower plant, including a dam near Lewiston at the eastern border of this state and a 60,000 volt transmission line at an estimated cost of \$2,000,000, and the other a 40,000 horsepower plant at Prospect for the California Oregon Power Co., requiring an expenditure of \$3,000,000.

During 1925 the Eastern Oregon Light & Power Co. has constructed a new flume on Rock creek, costing \$50,000; increase in steam plant capacity has cost \$35,000, and \$65,000 has been spent in general extensions and improvements upon substations.

The Northwestern Electric Co. has expended \$1,000,000 on improvements and betterments in steam and hydro plants and increasing the capacities of line and substations, while the Mountain States Power Co. has expended \$9,000 for city and rural distribution line; \$34,000 for a 60,000 volt transmission line from Albany to Springfield; \$45,000 for transmission wires from Springfield to Wendling, and \$23,000 for a line from Tillamook to Claverdale. The same company has increased capacity of substations about 40 per cent in the following cities: Albany, \$65,000; Corvallis, \$25,000; Springfield, \$20,000; Salem, \$25,000; add Eugene, \$20,000.

Plea for the Wicked

Great God, have pity on the wicked, for Thou didst everything for the good when thou madest them good.—Sandil.

Absolutely Outclassed

The covered wagon just naturally had to pass out. It was slow, and hardly ever ran over anybody.—Detroit Free Press.

Inflammatory Reading

The high spot in this issue is what causes fires in grocery stores.—Trade Paper.

Feed by the Month

Good alfalfa hay and running water, on the old Fisher ranch on the Owyhee. Elroy Huffman, 3242t

For Sale—Rhode Island Red cockerels. Chas. Bradley, 3212t

City Dray Line

C. KLINKENBERG
PROMPT DELIVERY
Reasonable Rates
PHONE 15

Wasn't Ambitious

"How high are we now?" asked the floundering passenger.

"About four thousand feet," said the pilot. "I haven't started to climb yet."

"I don't know whether I mentioned it before we started," quavered the passenger, "but I'm not at all ambitious."

The Ship Rail Habit

"Sue Silbersheet goes to Europe frequently, doesn't she?"

"Does she? She's returned so often that every time she sees a banister she crawls up on it and begins to look around for the photographer."—New Orleans Times-Picayune.

A Clever Husband

Hostess—You can't imagine how bad my husband's eyesight is getting. Only today he mistook me for the nursemaid.

Friend—And she's such a pretty girl, too.—London Tit-Bits.

THE PLACE AND THE GIRL

Clean Before Painting

Surfaces which are to be painted must be clean and dry. Dust must be brushed or washed off and grease, whitewash and water paints must be removed.

Intelligent Flivver

LIT Gee Gee, the office vamp, says her flivver is so intelligent that every morning it runs out to see her, stands on its hind wheels and begs for a quart of oil.—Reading Times.

Notice to Creditors

In the County Court of the State of Oregon for Malheur County.

In the Matter of the Estate of A. D. Brough, Deceased.

Notice is hereby given that the undersigned has been duly appointed and is the acting and qualified Administrator of the Estate of said A. D. Brough, deceased.

All persons having any claim against the estate of the said deceased are hereby notified to present the same to me at my office in Ontario, Oregon, duly verified as required by law within six months from the date of the first publication of this notice.

C. McGonagill,
Administrator of the Estate of A. D. Brough, Deceased.

Date of first publication, Jan. 28, 1927
Date of last publication, Feb. 25, 1927

NOTICE TO CREDITORS

IN THE COUNTY COURT OF THE STATE OF OREGON FOR THE COUNTY OF MALHEUR.

In the Matter of the Estate of Mary A. Closson, Deceased.

The undersigned having been appointed by the judge of the county court of the State of Oregon, County of Malheur, administrator of the estate of Mary A. Closson, deceased, and having qualified, notice is hereby given to the creditors of, and all persons having claims against, the estate of said deceased, to present them, duly verified as provided by law, within six months after publication of this notice to said administrator at the office of E. M. Blodgett, in the Town of Nyssa, Malheur County, Oregon, that being the place hereby designated where said administrator will receive said claims.

George Closson,
Administrator of the Estate of Mary A. Closson, Deceased.

E. M. Blodgett, Attorney for Administrator.

First publication January 21, 1927.
Last publication February 18, 1927.

FARMERS!

This is the season of the year to get your harness oiled and repaired ready for the spring work. We do first class work and guarantee satisfaction.

Auto Tops Repaired
Taxidermist Work

Ross Parkinson
Nyssa, Oregon.

NYSSA BARBER SHOP

SHAVING, HAIR CUTTING
HOT AND COLD BATHS

Roy Pounds, Prop.

Nyssa Oregon

REVIEW OF WORK OF OREGON LEGISLATURE

Prison Bills Recommended by Governor Patterson Pass with Little Opposition.

Telephone Investigation Proposed — Tax Bills Introduced — Petition Methods Changed — Members Pay Increased — Instalment Dealers Hit — State Apiarist Wanted.

Salem.—While no important measures had passed both houses during the second week of the session when the legislature adjourned over Sunday, yet most of the important measures of state-wide interest have been introduced and referred to committees. This week it is expected the committees will settle down to work and give serious consideration to the important bills.

The spirit of harmony which prevailed between the governor and the legislature at the opening of the session was in evidence during the second week for the prison bills sponsored by the governor passed both houses with little opposition.

They provide for the transfer of jurisdiction over the prison from the governor to the board of control, and for the head of the prison to be known as superintendent instead of warden, the second official to be known as warden.

This session may set a record for proposed investigations. During the first week resolutions were offered to investigate the fish and text book commissions, also to make a survey of the state government, and the past week an investigation of the telephone business was proposed.

Telephone Investigation Asked. Without a dissenting vote, the house passed a resolution providing for a special commission to investigate the telephone companies operating in Oregon. The commission, to be composed of the attorney general, ex-Governor Oswald West, Colonel A. E. Clark and four members of the house, is instructed to initiate and prosecute any proceedings it may deem fit to bring about a reduction of telephone rates.

Following on the heels of an investigation in Oregon, ordered by the house, of rates, service and interstate relations with parent companies, the senate received a joint memorial addressed to congress calling on that body to institute an immediate nation-wide investigation of all phases of the alleged telephone monopoly existing in the United States, with particular attention to the relations between local companies and the present system.

Undoubtedly some effort will be made this week to whip into shape measures to provide the revenue necessary to take care of the increasing needs of the state.

Petition Circulators Hit.

Circulation of petitions as now practiced in the use of the initiative and referendum is forbidden by terms of a bill introduced by Representative Norvell. It provides that laws proposed under that method shall be published in newspapers and notice given that petitions are on file in the office of county clerks where they may be signed by interested persons. It is forbidden for anyone to solicit signatures for pay.

The bills propose a tax of 5 mills per annum on intangibles, and a tax of 16 mills per annum on corporate excess. Both these imposts have been found productive of much revenue in other states.

The measures contemplate reassessment of property throughout the state so that existing inequalities may be smoothed out and a new determination of values had. To that end the state tax commission is given added authority over taxation and assessment laws of the state and it may fix the value of property in arriving at uniformity of assessment.

Tax Levy Appeal Favored.

Speaker Carkin introduced in the house his measure allowing appeal to the state board of control from the tax levy made by counties and other municipal corporations, and to allow appeal when the issuance of bonds or other evidences of indebtedness shall have been determined upon by counties and other municipal corporations. The bill, which generally incorporates what is known as the "Indiana plan," is similar to one introduced by Carkin at the last legislative session. It was passed by the house but killed in the senate.

An income tax bill with a property offset made its appearance in the house with representative Mark McCallister as its sponsor. The bill is a duplicate of that turned down by the people at the last election.

This is the second income tax measure to appear in the house. Representative James H. Hazlett of Hood River introduced a duplicate of the one put before the people by the state grange at the last election and voted down.

It is understood that still another

income tax measure is scheduled to make its appearance.

Senator Bell's bill providing for abolition of the state emergency board, which will probably have the support of a majority of the members of the joint committee on ways and means, it was indicated in a discussion of the proposed bill in that committee.

Would Encourage Reforesting.

Withdrawal from the tax rolls of approximately 2,500,000 acres of privately owned cut-over and burned-over forest lands which are largely unproductive, so that the owners may be encouraged to hold the lands during the time necessary to mature forest crops now growing or to be grown upon such lands, is provided for in a bill introduced in the house by Representatives Mott, Chindgren Peterson, Winslow and Stewart.

A resolution providing for submission to the people of a proposed constitutional amendment increasing compensation of members of the legislature from \$3 to \$10 a day was presented to the senate. The resolution followed the passage by the senate of the house resolution providing for payment of \$5 a day expense money to all 90 members of the legislature. The measure does not require the governor's signature. It will increase the cost of the session by approximately \$18,000.

Would Repeal Auto Title Law.

Repeal of the state motor vehicle certificate of title law is sought by a bill introduced by Senator Jay Upton. Senator Upton also introduced a bill changing the county allotment of funds received by the state from all motor vehicle license fees from 25 per cent, as at present, to 30 per cent. According to Upton's plan, 25 per cent of the county fund would be used for road purposes, while the remaining 5 per cent would go for whatever purposes the county saw fit.

A bill introduced by Representative Mark Paulson of Silverton prohibiting use of pictures of persons "real or imaginary" in connection with cigarette advertisements was withdrawn by him after the house committee on public morals returned a majority report against it.

The house passed the Briggs bill for removal of the county seat of Jackson county from Jacksonville to Medford. The author of the bill recalled to the house that the question was voted upon by citizens of the county and removal received almost a 2-to-1 verdict. Because of a technicality, he said, the supreme court declared the election void.

The senate, by a vote of 18 to 7, approved over the veto of ex-Governor Pierce, a bill passed at the 1925 session of the legislature providing increases in the salaries of the secretary of state, state treasurer and attorney general. The bill provided that the salaries of the secretary of state and state treasurer shall be increased from \$4500 to \$5400 a year, while the compensation of the attorney general shall be increased from \$4000 to \$5000. The bill previously was approved by the house.

Instalment Dealers Regulated.

Should a bill introduced in the house pass, it will force each dealer in the state who sells articles, no matter how small or how large, on the instalment plan, to file his accounts with the county clerk of the district in which he lives. Not only is every dealer in the state affected, but every buyer. The measure almost means the entire abolishment of the instalment buying plan, now used by practically all dealers.

The Moser committee, of the 1925 session, at its final meeting, definitely determined not to recommend the proposed compulsory competitive industrial insurance bill, the enactment of which is desired by the casualty insurance people of the state.

The office of state apiarist is to be created under the terms of a bill sponsored by Senator Elliott. The bill provides that the apiarist, who would be appointed by the governor, shall be a person who has had not less than five years' experience in bee culture. His salary is fixed at \$3000 a year.

The purchase of supplies and equipment of every kind would be taken out of the hands of every board, commission and institution of the state government, from the janitor to the state house to the executives of the University of Oregon, Oregon Agricultural college and the state normals, and vested in the state board of control should a bill put into the house by Representatives North and Bailey of Multnomah county become a law.

Bill Amends Marriage Law.

Representative Mann has introduced in the house a bill which repeals the law requiring a man to have a certificate of good health from a physician before he can obtain a marriage license in Oregon.

The move sponsored by the League of Oregon Cities to obtain a larger slice of county road money for use on city streets met with disapproval of the state senate, when the bill introduced by Senator Davis was indefinitely postponed. The bill sought to increase the apportionment of county road funds to the cities from 50 to 70 per cent of all county road money raised from property within the city road districts.

SUMMONS

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR MALHEUR COUNTY.

Eleanor Park, Plaintiff, vs. Graham Park, Defendant.

To Graham Park, the above named defendant.

In the name of the State of Oregon, you will hereby take notice that you are hereby required to appear and answer the Complaint filed against you in the above entitled suit on or before the expiration of six weeks from the date of the first publication of this summons, and if you fail to do so, for want thereof plaintiff will apply to the court for the relief prayed for in the Complaint on file herein, to wit: for a judgment and decree of this court dissolving the bonds of matrimony heretofore existing between plaintiff and defendant and for a decree of absolute divorce and for a decree determining that plaintiff shall have the sole and exclusive care, custody and control of the two minor children, Alexander Graham Park and Charles Rankin Park, and that it be further ordered, adjudged and decreed that the plaintiff is the owner in fee simple title of:

N $\frac{1}{2}$ of SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9, Twp. 15 South, Range 47, E. W. M.; SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, Twp. 13 South, Range 47, E. W. M.; NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, Twp. 18 South, Range 47, E. W. M.; NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16, Twp. 18 South, Range 47, E. W. M.

and that defendant has no right, title or interest therein and that said property be set aside to plaintiff as her sole and exclusive property and necessary for the support and care of the minor children, and for such other and further relief as to the Court may seem just and equitable.

This summons is served upon you under and by virtue of an order of the Honorable Dalton Biggs, Circuit Judge, duly made and entered on January 4th, 1927, authorizing and directing service of summons and complaint upon you by publication of summons in the Gate City Journal, a weekly newspaper published at Nyssa, Malheur County, Oregon, and of general circulation in said county and state, for six consecutive weeks and seven publications thereof.

R. W. Swagler,
Attorney for Plaintiff, Residing at Ontario, Oregon
Date of first publication Jan. 7, 1927
Date of last publication Feb. 18, 1927

ALIAS SUMMONS

Equity No. 3566
IN THE CIRCUIT COURT OF THE STATE OF OREGON, FOR MALHEUR COUNTY.

George L. Phillips, Plaintiff, vs. Randall Sage; G. H. Ross; J. W. Robinson; George Robinson; H. Y. Blackwell; Consolidated Wagon & Machine Company, a corporation; C. C. Cotton; Bank of Nyssa, a corporation; Frank C. Brannwell, Superintendent of Bank for Oregon; First National Bank of Hanford, California, a corporation; Idaho Power Company, a corporation; Malheur County State Bank, a corporation; Live Stock State Bank, of Portland, Oregon, a corporation, Defendants.

To J. W. Robinson, George Robinson, Consolidated Wagon & Machine Company and First National Bank of Hanford, California, Defendants.
IN THE NAME OF THE STATE OF OREGON: You are hereby required to appear and answer the complaint of plaintiff herein, filed against you in the above entitled suit within six weeks from the date of the first publication of this summons, which date is January 28, 1927, and if you fail so to appear or answer, for want thereof the plaintiff herein will apply to the Court for the relief prayed for in his complaint, to wit:

For judgment against you for the principal sum of \$4,303.89 and interest thereon at the rate of ten per cent per annum from October 11, 1920, and the further sum of \$500.00 attorney's fees and for his costs and disbursements herein; for a decree of this court foreclosing that certain real mortgage of date October 11, 1920, recorded in Book 2, page 38 of real mortgage records of Malheur County Oregon, and given on NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 28, T. 18 S. R. 47, E. W. M., in Malheur County, Oregon, to secure the payment of a promissory note for the principal sum of \$4303.89 and of even date therewith, and for an order of this court directing the sale of the mortgaged property, and the application of the proceeds of such sale in payment of the mortgaged debt.

This summons is served upon you by an order of the above entitled court, by the Hon. Dalton Biggs, Judge thereof, and of date January 20, 1927, directing service of this summons to be made upon you by publication thereof in the Gate City Journal, a weekly newspaper published in the Town of Nyssa, Malheur County, Oregon, for a period of six consecutive weeks and seven consecutive issues of said paper.

WM. E. LEES,
Attorney for Plaintiff residing at Ontario, Oregon.
First publication January 28, 1927
Last publication March 11, 1927