

The Gate City Journal

BERWYN BURKE, Publisher

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INDEPENDENT IN POLITICS AND RELIGION, OPTIMISTIC IN DISPOSITION—WITH NO INTERESTS TO SERVE EXCEPT THOSE OF MALHEUR COUNTY.

ANOTHER SHOT HEARD AROUND THE WORLD

The Federal Court in Massachusetts says the AAA is unconstitutional. This may be another shot heard around the world and may effect the farming interests all over the country, including Malheur county. Packers and processors have been appealing to the courts in an effort to prevent the government from further collection of processing taxes on farm products. The processors seem to think that it is they who pay the taxes.

The party who pays the processing tax, of course, is the consumer. When the processing taxes were put into effect, farmers were receiving but a fraction of the worth of their products. Prices are still too low, but great strides have been made since that day. Tax-protected farm produce is bringing the biggest returns to the farmer.

The processing tax should not be confused with the highly controversial federal agricultural program of "plowing under" of cotton and slaughtering of livestock. If the processing tax is nullified, surely there should be some worthy substitute proposed. If the tax prop is removed and agriculture slumps to the depths of a few years ago, it would be highly destructive to the country as a whole.

COMMON SENSE

Longfellow could take a worthless piece of paper, write a poem on it and make it worth \$5,000. That is genius. J. P. Morgan can write a few words on a sheet of paper and make it worth \$1,000,000. That's capital. A mechanic can take a pound of steel and work it into watch springs and make it worth \$8,000. That's skill. A merchant can take an article worth \$1.50 and sell it for \$2.00. That's business. We can write a check for \$100,000 and it would not be worth a dime. That's tough. Your wife can buy a coat for \$10, but prefers one that costs \$50. That's natural. When a mail order house sends you a catalogue and tells you they can sell goods cheaper than the home merchants, that's gall. But when you make up your mind to buy everything at home, that's good, common sense.—East Washingtonian.

SPEEDING COSTS REAL MONEY

If more people knew how much more it cost to run their cars at high speeds there would be far less needless burning of the roads, says editor O. H. Woody of the Okanogan, Wash., Independent in a recent editorial. The following observation is based upon a recent analysis made by the Oregon Motor Association, after exhaustive tests:

"They showed that a light car operated at 40 miles an hour over all kinds of roads gave an average of 19 miles to the gallon. At 60 miles an hour the same car burned a gallon of gas to travel 15 miles, or 27 per cent more fuel per mile. A medium heavy car gave 15 miles to the gallon at an average of 40 miles an hour and only 11 1-2 at 60, an increase of 30 per cent in the cost of operating the machine at the higher speed.

These increases represent gasoline mileage alone. Tire wear, oil consumption and wear and tear on the machine mount rapidly between 40 and 60 miles. So, of course, does the risk of costly or fatal accidents.

So, all in all, unless one can afford to waste money, he would do better to keep his speedometer at least under the 45 mile mark."

We Pay COLD CASH For HOT ASHES

—SEE—

Frank T. Morgan

For Your Insurance Needs

WE SPECIALIZE IN HAY INSURANCE

Protect What You Have

Constitutional Facts

NOTE—The following is the first of a series of articles by Dr. John T. Ganoe, a member of the history staff at the University of Oregon. Constitutional questions have taken on an added importance since the recent Supreme Court NRA decision and it is believed there will eventually be a necessity for a decision by the people as to whether they want the majority of power vested in the Federal government and a consequent release of power by the states. These articles by University of Oregon faculty members, through co-operation of the College of Social Sciences and School of Journalism, stay away from opinion leaving the reader to judge for himself the course our government should follow.

The Establishment of the American Constitutional System

The relation of the Federal Government to the states is probably the most fundamental problem of our constitutional system. Nearly every great internal conflict in our history has involved the clash of state and federal rights.

Just what is the legitimate sphere of federal action and what basis is there historically in the ever-recurring claim of each generation that the domain of the states is being infringed upon and that the constitutional system ordained by the framers is thus being overturned?

Historically, the answer must be sought in an analysis of the Constitution and its evolution over the past 150 years.

When the Colonies in America declared their independence they were confronted with the task of forming new governments for each state as an independent entity, and for the United States.

The work of the second Continental Congress resulted in the first Federal Constitution—the Articles of Confederation approved finally March 1, 1781. Under this Constitution, the United States was merely a league of independent and sovereign states.

The Federal Government consisted of a Congress in which each state enjoyed equal power as independent nations. There was no division of the government into departments. The Congress could declare war, make peace, make treaties, borrow and coin money, fix weights and measures and establish post offices but could not levy taxes or regulate commerce. Sovereignty was vested in the states.

The United States upon having its independence recognized by Great Britain in 1783 was confronted with a serious depression which brought demands for inflation and finally Shay's Rebellion of 1816. It was apparent that the states were in control of the radical debtor element, agrarians, mechanics and laborers. The large land holders and the business interests blamed the depression upon the radicals and proclaimed the weaknesses of the Articles of Confederation.

"Our government," wrote General Knox, "must be braced changed or altered to secure our lives and our property. . . . The men of property and the men of station and principle . . . wish for a general government of unity as they see that the local legislatures must naturally and necessarily tend to retard the general government."

The result ultimately was the calling of a constitutional convention which met in Philadelphia Monday, May 14, 1787, to revise the Articles of Confederation. The delegates, in the main, ignored their instructions and for a period of four months engaged in drafting the Constitution of the United States.

The Convention was not concerned primarily with theory. It was composed of practical men interested in a workable government.

Luther Martin, delegate from Maryland, claimed there were three parties in the Convention, the nationalists, the federalists, and the imperialists. The imperialists and the nationalists combined and agreed that a national government ought to be established, consisting of a supreme legislative, executive and judiciary.

The word "national" was struck out and "United States" inserted in

its place, which Luther Martin declared was done because the other might create alarm.

While there was disagreement as to whether sovereignty rested in the States or in the United States, all members were in agreement that the national authority, whatever the power granted to it, must with regard to those powers be supreme over State authority.

The Constitution which was the product of the deliberations of the Convention, in the minds of the framers established a national government supreme in those powers specifically delegated to it, and with all others remaining to the States.

The principle of the division of powers between the state and federal governments would thus seem, in general terms, extremely simple. The national government could exercise only those powers specifically granted to it, all others were reserved to the states.

In the controversy over the ratification of the Federal Constitution in the states the proponents of the Constitution, in reality those with national leaning, became known as Federalists, and those opposed to it or leaning toward complete state sovereignty became known as Anti-Federalists.

The struggle over ratification did not cease with the acceptance of the Constitution. The new government had yet to go into effect. Federalists and Anti-Federalists both put up candidates with the Federalists winning again. In the administration only Federalists were placed in office.

"The first government was thus in no sense a coalition," Professor Beard points out. "When the paper document of Philadelphia became a reality, it lived on in the reason and will of the men who had constructed and adopted it. It was they who enacted the laws enforced the decrees raised the army and collected the taxes, and so made the new Constitution an instrument of power in the direction of national economy and in the distribution of wealth. In their hands mere words on parchment were transformed into an engine of sovereign compulsion that could not be denied anywhere throughout the length and breadth of the land."

FEDERAL HOUSING ANNOUNCE NEW RULINGS

Portland—An important change in the regulations concerning the purchase of appliances and equipment under the terms of the National Housing Act was received by wire last Friday, according to Jamieson Parker, Oregon State Director for the Federal Housing Administration. Until today it has been necessary for purchasers of equipment such as refrigerators, washing machines, mangle irons, electric ranges, water heaters etc. to have these various home appliances permanently attached to the home or dwelling. Under the new regulations this provision is now unnecessary. It is expected that this ruling will simplify even further the already easy payment requirements for qualifying under the terms of the National Housing Act.

A further ruling just received is to the effect that not only can home owners buy under the terms of the Federal Housing Plan, but now everyone, including renters, lessees, apartment house dwellers, and even hotel occupants, can purchase eligible equipment and can also make repairs, modernization, and remodeling.

Portland retail merchants expect that these two rulings will materially increase appliance and equipment sales throughout the state of Oregon.

LEGAL ADVERTISEMENT

NOTICE

IN THE COUNTY COURT OF THE STATE OF OREGON FOR THE COUNTY OF MALHEUR. In the Matter of the Estate of Etta

L. Fogle, Deceased.

Notice is hereby given that J. W. Fogle, administrator of the estate of Etta L. Fogle, deceased, has rendered and presented for final settlement, and filed in said court, his final account of his administration of said estate, together with his report and a petition for final distribution, and that Saturday, July 27, 1935, at 10:00 o'clock in the forenoon at the county court room in the courthouse at Vale, Oregon, has been fixed and appointed as the time and place for the settlement of said account and the hearing of said report and petition, at which time and place any person interested in said estate may appear and file his exceptions, in writing, to the said account, and contest the same.

Notice is further given that said account is for final settlement, and the said estate is ready for distribution, and on confirmation of said final account final distribution of said estate will be immediately had. Dated and first published June 27, 1935; date of last publication, July 25, 1935.

J. W. FOGLE, Administrator of the Estate of Etta L. Fogle, Deceased.

NOTICE

IN THE COUNTY COURT OF THE STATE OF OREGON FOR THE COUNTY OF MALHEUR. In the Matter of the Estate of Jeremiah Stearns, Deceased.

Notice is hereby given that Frank L. Stearns, Administrator of the Estate of Jeremiah Stearns, deceased, and Administrator of the Estate of the Partnership of Stearns and Son, a partnership consisting of Jeremiah Stearns, deceased, and Frank L. Stearns, has rendered and presented for final settlement, and filed

the same. Notice is further given that said account is for final settlement, and said estates are ready for distribution, and on settlement of said account final distribution of said estate will be immediately had. Dated and first published June 27, 1935; date of last publication July 25, 1935.

FRANK L. STEARNS, Administrator of the Estate of Jeremiah Stearns, deceased, and the Partnership of Stearns and Son.



GUERNSEY MILK

We are delivering high test Guernsey Milk produced in a modern and sanitary plant. May we add you to our list of satisfied customers?

We also sell high standard Holstein milk, considered by many medical authorities as best for babies and growing children.

Sunshine Dairy

WOOD

SLAB WOOD

\$55

From Emmett Idaho
Delivered on Car at Nyssa

Each car contains 16 cord

Go in with your neighbor and buy a car

It is the cheapest fuel on the market and the most satisfactory for a quick, hot fire. Just the thing for the kitchen range and there are also large slabs in every cord for the fire place.

Boise-Payette Lumber Co.

Dwight Smith, Manager
See Us For Building Supplies

NYSSA

PHONE 15

OREGON

NYSSA BUSINESS AND PROFESSIONAL DIRECTORY

WE RECOMMEND THEM

LOTT D. BROWN

ATTORNEY-AT-LAW

NYSSA --: OREGON

FACTS ABOUT NYSSA

Population, (1930) 821
Recent estimates 1000
Elevation 2186

City Officers

Mayor Don Graham
Councilmen Art Norcott,
Al Thompson, Dick Tensen, Dean Smith.

City Clerk A. R. Millar
City Treasurer Arthur Boydell
Marshall A. V. Cook
Watermaster N. H. Pinkerton
Health Officer Dr. J. J. Sarazin

County Officers

Commissioners Ora Clark,
E. H. Brumbach,
County Judge David F. Graham
Sheriff C. W. Glenn
Clerk Roy Daley

Assessor Murray Morton
Treasurer Mrs. Ora Hope
County Attorney M. A. Biggs
County Surveyor, J. Edwin Johnson
County Physician, Dr. Anna B. Pritchett.

Coroner R. A. Tacke
Superintendent, Kathryn Claypool

Nyssa Public Schools

Superintendent Leo Hollenberg

Facts About Owyhee Project

Cost of Owyhee Dam \$8,000,000
7 1/2 miles of Tunnel \$4,000,000
Siphons, canals, etc. \$3,000,000
Owyhee dam storage capacity
..... 715,000 acre feet
Height of dam 520 feet
From lowest point of foundation to top.
Leading project city, Nyssa, Oregon
Elevation of land 2,250 to 2,500
Acres in Owyhee project, 100,000 acres
Principal products hay,
corn, dairying, stock raising,
grains, potatoes, clover seed, peas,
lettuce, onions and carrots.

A. L. FLETCHER

ATTORNEY-AT-LAW

NYSSA --: OREGON

DR. E. D. NORCOTT

DENTIST

Office Phone 35F2
Residence Phone 35F3
X-RAY EXAMINATIONS

NYSSA --: OREGON

Nyssa Aerie
F. O. E. No. 2134

MEETS WEDNESDAY NIGHT

AT EAGLES HALL

Visiting Eagles Welcome

WARREN McHARGUE, Pres.
DON M. GRAHAM, Secretary

CITY TRANSFER

TRUCKING

and

TRANSFERRING

Phone 15 and Phone 28

C. Klinkenberg

SHELL PRODUCTS

CHEVROLET DEALER

FIRESTONE TIRES

CERTIFIED LUBRICATION

Norcott Service

An Independent Station

Nyssa, Oregon

ON THE OLD JOB

H. D. Holmes

TRANSFER and BAGGAGE

All Kinds of Hauling in

City Limits

NYSSA, OREGON Phone 5