

The Gate City Journal

WINIFRED BROWN THOMAS - - - Owner
LOUIS P. THOMAS - - - Editor and Publisher

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

SUBSCRIPTION RATES

One Year\$1.50
Six Months\$1.00
Single Copies05
(Strictly in Advance)

ADVERTISING RATES

Open rate, per inch30c
National, Per inch30c
Classifieds, Per word01c
Minimum 25c

Published every Thursday at Nyssa, Malheur County, Oregon.
Entered at the postoffice at Nyssa, Oregon for transmission
through the United States Mails, as second class matter, under
the act of March 3, 1879.

NYSSA GATE CITY JOURNAL'S PROGRAM

Co-operative Marketing Association
for Malheur Farmers
A Properly Equipped Trailer Camp
A City Park
A Comprehensive Street Improvement
Plan

MALHEUR COUNTY CITIZENS will, in all probabilities be given the opportunity in a short while to vote on the question of whether or not they wish to establish a Peoples Utility District (i.e., establish a publicly owned power system). For that reason the Nyssa Journal will carry the highlights of the Oregon law that governs the establishing and operation of a PUD.

It is up to every person who is a resident of the county to read these laws over carefully, that he or she may be able to vote intelligently on the subject.

Lack of space precludes us from printing these sections of the law in one edition, so it may be well to clip them out as they are printed, so that you have them for future reference. We consider the sections that we print as the most important. A copy of the laws are in the office of the Journal for those who may care to read it.

Creation of Districts—Petition and Election.
56-3403. People's utility districts may be created as herein provided and, when so created, may exercise all of the powers herein conferred. Such people's utility districts may consist of territory, contiguous or otherwise, within one or more counties and may consist of a municipality or municipalities, with or without unincorporated territory. Petitions asking that an election be held to determine whether or not a district shall be created shall set forth and particularly describe the boundaries of the proposed people's utility district, and shall state that in the event the people within any one or more municipalities or parcels of territory within said proposed district shall vote against the formation of such district, then, and in that event, that portion of said district which voted in favor of the organization of a people's utility district, may, upon the recommendation of the commission, be organized into a people's utility district. No municipality shall be divided in the formation of any such district. The name of any municipality shall be a sufficient description of the boundaries thereof. When a majority of all votes cast at an election within the boundaries of any proposed district to determine whether or not such a district shall be formed, shall be in favor of forming such district, said district shall be created; provided, that when any municipality and, or, separate parcel of territory voting at said election shall cast a majority vote against the formation of such district, said municipality and, or, separate parcel of territory shall not be included in the formation of any district that may be formed as a result of said election; provided further, that if the commission shall so recommend, the municipalities and, or, separate parcels of territory which voted in favor of the formation of the proposed district at said election may be formed into a district with reformed boundaries in agreement with the recommendation of the commission; and provided further, that no municipality that owns and, or, operates a publicly owned utility for the development and, or, distribution of electric energy or the territory it serves within or without the boundaries of such municipality at the time of a proposed formation of a people's utility district, shall be included in any election for the formation of a people's utility district unless such inclusion shall be agreed to at an election by the legal voters of such municipality; and provided further, than in any election to annex a municipality or separate parcel of territory to an existing district, or to consolidate two or more existing districts, an affirmative vote of a majority of the qualified voters of each municipality or separate parcel of territory or district voting to annex or consolidate, shall be required to authorize such annexation or consolidation. No entire township, except when needed for location or (of) plant and, or, impounding purposes, shall be included in the formation of any district, unless such township shall contain not less than ten qualified voters, and no portion of any township in excess of six section shall be included, unless said portion shall contain a proportionate number of said qualified voters. Any failure of preliminary petitions heretofore filed for the creation of a people's utility district to describe such district in conformity with the statute then in effect, shall not invalidate any proceedings hereunder; provided, the description was in conformity with provisions of this act. (L. 1939, c. 387, no. 1).

Hearing on Petitions—Final Petition and Election
56-3406. At said hearing the said commission shall make a report of its preliminary investigation and shall hear evidence in favor of and against the formation of such district. Within 120 days after the close of said hearing, the commission shall make its final report to the sponsors of the advisability of creating the district, or the annexation of territory to an existing district, or the consolidation of two or more districts and on any other matters contained in said petitions, which said report shall be made a public document. If, after such final report, the sponsors of such petition desire to proceed with the creation of the proposed district, or the annexation of territory to an existing district, or the consolidation of two or more districts, or with regard to any other matters set forth in said petition, such sponsors may, within two years from date of said final report, file a voters' final petition with the commission, and thereupon said commission forthwith shall examine such petition, and if it is found to comply with the provisions of this act, call an election to be held not less than 50 days and not more than 60 days thereafter, within the boundaries of the parcel of territory or municipality described in said petition. At such election there shall be submitted to the qualified voters within the territory affected thereby the question of whether or not there shall be created a district as prayed for in said petition, or the annexation of territory as prayed for, or the consolidation of two or more districts, or any other matters contained in said petition; provided, that within two years after a majority of the qualified voters of a proposed people's utility district, voting at an election on the question whether or not such proposed district shall be created, have voted against such creation, the sponsors of such proposed district may, without the filing of preliminary and final petitions, request the hydroelectric commission to call an election to be held within the boundaries of the proposed district described in the final petition filed with said commission and which authorized the calling of the said election at which the majority of the qualified voters voted against such creation. In not less than 50 days and not more than 60 days after the filing of such request, an election shall be called by the hydro-electric commission as requested. (L. 1933, c. 272, no. 3.)

Voters Creating District
56-3407. When 5 per cent or more of the qualified voters of a parcel of territory or municipality wish to create a district under the provisions of this act, they shall file a voters' preliminary petition with the commission. If final petitions are filed and an election held thereon, and a majority of the qualified voters of said district, voting at such election, vote in favor of the formation of said district, said district shall be duly and legally formed as a utility district and the proclamation shall issue as in the preceding section provided. (L. 1931, c. 279, no. 7.)

Legal Advertisement

CITATION
In the County Court of the State of Oregon for Malheur County in the Matter of the Estate of Mary Louise Loveland, deceased.

CITATION ON SALE OF REAL PROPERTY

To: Jess Loveland, Alma Hanson, Emma Baird, Charles Loveland, Isaac Loveland, William Loveland, Clarence Loveland, Signe Loveland, Eva Farmer, Delpha Armand, Mrs. Jack Fitzgerald, Ethel Mae Murray, Clarence Murray, Mrs. Lyman Wax and to all persons interested in said estate.

WHEREAS, application having been made in due form in the above named Court, on the 26th day of November, 1940, by Max S. Taggart, administrator of said estate, for an order and license directing him to sell the real estate belonging to said estate of said decedent, described as follows:

Lot seven (7) of block two (2), Emison's addition to the Town, (now City), of Nyssa, Malheur County, Oregon, as shown by the Revised Plat of the City of Nyssa on file in the office of the County Clerk of Malheur County at Vale, Oregon.

WHEREAS, said Court has fixed on the 30th day of December, 1940 at 10:00 a. m. in the Court Room of the above court at Vale, Oregon as the time and place for hearing any and all objections to said petition, and the granting of said license of sale, THEREFORE.

IN THE NAME OF THE STATE OF OREGON you and each of you are hereby cited, directed and required to appear at said time and place there and there to show cause, if any there be, why an order of sale should not be made as in the petition prayed for and said petition should not be granted and said order and license should not issue.

WITNESS, the Honorable David F. Graham, Judge of said Court with seal thereof affixed this 26th day of November, 1940.

H. S. Sackett, Clerk.
By Hilton M. Clark, Deputy.

First pub. Nov. 28, 1940.
Last pub. Dec. 26, 1940.

SUNSET VALLEY

Mrs. Adolph Schneider and daughter Viola entertained 30 friends of Howard Schneider's in honor of his birthday Wednesday evening.

Miss Betty Schweizer visited over the week end with her grandmother Mrs. Bradney near Adrian.

A group of young people gathered at the Charles Ditty home Thursday of last week to practice for the program to be held December 24 at 7:30.

Orle Newgen of Wilder brought his horses to L. E. Newgen to be cared for while he and Mrs. Newgen make a trip to California for the winter.

Mr. and Mrs. John Case and Mrs. Charles Ditty made a business trip to Nampa Wednesday.

Vern Wilson has sold his place in Sunset Valley to his brother L. E. Wilson, Jr.

Ira Foster has been building a barn on his place which he has rented for the next year to Ira Price.

Cash Turner has been riding the range for stock the past week.

Mr. and Mrs. Joy Howard moved their personal effects to Boise Sunday where they expect to make their home.

Mr. and Mrs. L. E. Newgen and Bob were Sunday dinner guests in the Ted Fomeroy home.

Mrs. Cloninger had to call Lieut. E. E. Cloninger home from Portland because of Pete's illness.

Mr. and Mrs. Evans of Owyhee are moving this week to the L. B. Landreth place which they have rented.

Mrs. Paul Ransome has been ill the past week.

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Tree Lighting Sets 75c to \$ 4.00
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Travel Irons ... \$ 2.95 to \$ 4.45
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Electric Ranges ... \$ 99.95 Up
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