

**THE GATE CITY JOURNAL**

TED M. BRAMMER, Editor and Publisher



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**IT'S YOUR LAW**

By Oregon State Bar

**Overhanging Tree Branches**

A Joyce Kilmer poem reads, "I think that I shall never see a poem lovely as a tree." However, to the property owner whose home stands beneath the outstretched arm of a neighbor's oak, a tree may present a far from beautiful image.

In a violent windstorm it may split apart with great damage to his home below.

**What recourse does a person have if the owner of the land upon which the tree stands refuses to trim off a protruding or dangerous limb, although requested to do so?**

A landowner may cut off at his boundary line the branches and limbs of trees growing on neighboring premises. Such overhanging branches are in effect a nuisance which the adjoining landowner may remove. However, he is limited strictly to the removal of overhanging branches and if he cuts beyond the boundary line, he is committing a trespass upon his neighbor's property and may be liable for damages.

**What if neither party cuts off the overhanging limbs and one falls, injuring a person or**

**Baptist Pastor Tells Sunday Sermon Topic**

Pastor Delbert E. Smith of Park Avenue Baptist church has announced that the sermon topic for Sunday, April 11, will be "The Purpose of the Cross." On Sunday, April 18, Pastor Smith will talk on the "Seven Resurrection Marvels."

The all-church Good Friday service will be held April 16 in the Park Avenue church. Pastor Smith and his congregation extended an invitation to area residents to attend any or all of these pre-Easter services.

**damaging property? Who is responsible?**

The owner of the land upon which the tree stands has a duty to remove branches and limbs when he should know they are in a dangerous condition. So where a decayed tree standing near the boundary line falls during a heavy wind, injuring property or persons on adjoining land, the owner of the property on which the tree stands may be liable.

(Oregon lawyers offer this column as a public service. No person should apply or interpret any law without the aid of an attorney who is completely advised of the facts involved. Even a slight variance in facts may change the application of the law.)

**WSCS Members Elect Delegates to Meeting Scheduled in Emmett**

Mrs. R. H. Martin and Mrs. Delvin Conner were hostesses to the 20 women in attendance at the April 1 general meeting of the Methodist Woman's Society of Christian Service.

A cross, lighted candle, open Bible and picture of Jesus praying comprised the worship setting for the program which was led by Mrs. Doris Knoedler. Those participating in the program were Mmes. Guy Sparks, Lloyd Tobler, Irma Myers, Grover Lytle, Kinsey Keveren and Dave Beers.

Mrs. Sherman Wilson presided during the business session. The elected slate of officers will be installed at the May general meeting.

Mrs. Cyrus Bock reported there were 29 children enrolled in the recently completed additional sessions on "Spanish Americans."

Mrs. Irma Myers and Mrs. Wilbur Coffman will be delegates to the annual meeting of the society slated for April 20-21 in Emmett.

**Bud Garmo to Speak At Owyhee Church**

The Rev. Bud Garmo of the New Tribes Mission will be guest speaker and show slides on missionary work in various countries during the Sunday evening service at the Owyhee Community church.

Pastor Arthur Skogan and his congregation extend an invitation to all area residents to attend the meeting and other services at the church including:

- Sunday school—10 a.m.
- Morning worship—11 a.m.
- Adult Bible study and young people's meeting—7 p.m.
- Sunday evening worship—8 p.m.
- Wednesday night prayer meeting and Bible study—8 p.m.

**CARD OF THANKS**

We wish to express our sincere thanks to our friends and neighbors for their many acts of kindness, prayers and cards of cheer during our recent weeks of tension and uncertainty.

Your thoughtfulness will always be remembered.

—Mr. and Mrs. Wiley Callister

**LETTERS To the Editor**

State of Oregon  
**BUREAU OF LABOR**  
 Salem 10, Oregon  
 April 1, 1965

To the Editor:

The bill to abolish the elective office of labor commissioner, HB 1855, has been introduced and passed by a House committee so fast that I thought you should know why.

The bill is a direct result of the bitter battle and political maneuvers over revision of the apprenticeship law. It is a method of political retaliation against the labor commissioner for trying to straighten out a disruptive personnel problem and for supporting the proposals of an interim legislative committee to improve and expand the apprenticeship program.

Government reorganization should not be legislated on the basis of spite and retaliation, or to gain partisan political advantage. Please don't confuse these political maneuvers with the calm and objective studies of constitutional revision and government reorganization being conducted in the Constitutional Revision committee.

In the midst of conflict between the pressures and interests of labor and management—and between unions—I am happy that the office of labor commissioner is responsible directly to the voters. When I do what is right, I have confidence that the voters will back me up.

**NORMAN O. NILSEN**  
 Commissioner of Labor  
 Salem, Oregon

Logan, Utah  
 April 2, 1965  
 Nyssa Gate City Journal  
 Nyssa, Oregon

Dear Sirs:

We thank you for being so prompt in sending our Journal to us each week while we have been in Logan for the past six months.

We have enjoyed very much reading the news from home. We are now returning to our home in Ontario on April 10, so please send our paper of April 8 to L. G. Poulsen, Route 2, Box 429, Ontario, Oregon.

Thanking you again, I am  
 Yours truly,  
 L. G. POULSEN

**ADRIAN AREA FAMILIES THANK FIRE DEPARTMENT**  
 Members of two families in the Adrian area have asked the Journal to express their appreciation to Adrian volunteer firemen for their prompt and efficient service.

The grateful patrons are the Ed Sharp and Emery Cameron families.

The firemen were recently summoned to the Sharp farm in the Big Bend community where an outbuilding, straw and calf shed were ablaze. One end of the barn was charred, but the building was saved.

On March 22 the volunteers answered a call which took them to the Cameron farm south of Adrian where they saved the barn and a straw stack. The Camerons also express their appreciation to neighbors who assisted.

**VAL GLENN RETURNS HOME FOLLOWING LDS MISSION**

Mr. and Mrs. Marion Glenn, Sherrie and Roger drove to Portland Friday to meet their son and brother, Val Dee, who arrived last week in the Rose city after serving a two-year mission in New Zealand for the LDS church. The family returned Sunday to Nyssa.

Prior to leaving for the United States, Glenn toured the Fiji and Hawaiian Islands and other parts of New Zealand.

**Mrs. Hobson Chosen To Head Golden Hour Missionary Society**

Golden Hour Missionary society of the Nazarene church met last Thursday evening in the home of Mrs. Robert Martin.

President Mrs. John Sheppard led the song service and gave a preview of the missionary reading book for the forthcoming year. Mrs. Floyd Rhoades was in charge of devotionals, while a report on the Missionary convention held in March at Nampa was given by Mrs. Bill Fitzsimons. The latter presented highlights of the meeting and told of goals set for the next four years.

During election of officers, Mrs. Joe Hobson was named chairman; Mrs. Kenneth Saunders, vice chairman; Mrs. Charles Belveal, secretary; Mrs. James Langley, treasurer; Mrs. Dan Martin, study chairman; Mrs. Lester Reece, box chairman; Mmes. Charles Holton and John Sheppard, social chairmen.

Others named to office are Mrs. Rawleigh Pattee, membership chairman; Mrs. Don Wilson, publicity; Miss Karen Saunders, pianist; and Mrs. Floyd Rhoades, song leader.

At the close of the session, Easter refreshments were served by the hostess, assisted by Mrs. Holton.

**DORIS KNOEDLER RECEIVES SPECIAL MEMBERSHIP PIN**

Mrs. Doris Knoedler was presented a special Woman's society membership pin during the Sunday morning worship service at Nyssa Methodist church. The presentation was made by Mrs. Sherman Wilson, WSCS president.

Mrs. Knoedler is leaving Saturday to make her home in Twin Falls after residing in Nyssa for the past 10 years.

**MEETINGS PLANNED TODAY BY ADRIAN CHURCH GROUPS**

Women's association of Adrian Community church will meet this afternoon at the home of Mrs. John Packwood in Big Bend.

Members of the church session will meet at 8 o'clock this evening in the Dick Krieger residence.

**EXPRESSION OF THANKS**

We take this opportunity to thank our friends for cards, flowers and other expressions of kindness extended to us following the death of our beloved mother and grandmother, Mrs. Mary Jane Tanner.

—Mr. and Mrs. Guy Tanner and Family  
 Mrs. Alta Pekkala  
 Mrs. Ann Pratt  
 Mr. and Mrs. Lowell Faull and Family

**EXPRESSION OF THANKS**

I take this opportunity to thank the staff at Malheur Memorial for care and consideration during my recent hospitalization. I also want to thank Owyhee Riding club members, my other friends and relatives for kindness and assistance during my convalescence.

—Leonard Phillips

**Salem Scene**

by Robert L. Dervedde

That log-jam of bills in House committees we have heard so much about is breaking up as bills are beginning to flood the floor of the House for final debate and vote.

Among a number of bills acted on by the House last week, the hotly debated inventory tax repeal bill, which has gained perhaps greater statewide attention than any other measure this session, gained approval 38-22.

**Now in Senate Taxation committee, the bill would repeal the tax on inventories, live-stock and farm machinery over a five-year period and institute a 1 percent net business tax on all business, including professionals and farmers, to help offset lost revenue to local taxing districts now collecting the tax.**

Repeal of the tax is aimed at cutting unnatural seasonal unemployment in the last two months of every year and removing the "economic damper" from the state's business climate. Oregon inventories are taxed at a higher rate than most other states and assessed higher than any other form of Oregon property tax.

Values of inventory would be frozen as of Jan. 1, 1965, so firms requiring inventories to do business would not be required to take inventory each year nor reduce their stock at year's end.

**The 1 percent net business tax excludes banks and public utilities and other firms now paying an 8 percent corporate excise tax. It would be deductible from other state taxes, but other state taxes would not be deductible from it.**

In its present form the measure faces stiff opposition in the Senate, but unlike features of the bill are expected to be amended.

Another part of the House Republican majority's tax package received the lower chamber's approval as the capital gains bill squeaked by with 31 votes.

This bill provides for capital gains treatment of individual income to conform as nearly as possible to federal law, thus removing a roadblock to capital investment in Oregon.

The House also voted 44-18 to permit the legislature to meet and organize one month prior to the start of the session.

Under the proposal, the organizational meeting would begin on the second Monday in December of each even-numbered year for three days for the purposes of electing the House speaker and Senate president, making committee appointments, adopting rules and introducing bills.

The measure is aimed primarily at speeding up the legislature by letting the Joint Ways and Means committee meet officially prior to the regular session. Ways and Means committee members review and investigate budgets for the coming biennium.

**Ways and Means committee met "unofficially" for two weeks prior to the start of this session, and the successful results of that early start gave way to the passage of this proposal.**

Additionally, there would be nothing to prevent committees from meeting during the period between the organizational gathering and the start of the regular session.

A memorial asking Congress to call a constitutional convention to consider changing the electoral votes within the states to an apportioning formula also passed the House.

**The bill proposes that electoral votes be apportioned within each state in proportion to the popular vote. This would, sponsors say, prevent a presidential candidate from receiving a large majority of electoral votes and a minority of the popular vote. Some 11 other states have already approved similar memorials.**

And for those who would like to see a reduction in the number of state employees, the House approved a bill to allow the department of motor vehicles to install a new computer to replace 197 employees. Jobs to be eliminated are routine clerical positions in which there is a high turnover of personnel.

Classifieds Bring Results!

**City Improvements**

We wish to commend the City of Nyssa for its splendid CLEAN-UP program to date.

Cleaning streets, alleys, vacant lots, approaches to town and repainting fire hydrants have added materially to the appearance of our city, as well as making it more healthful and safe by removing fire hazards.

We urge all citizens to cooperate by helping keep the city clean and uncluttered. Also to carry out personal programs to improve residential and business property.

**APRIL IS CLEAN-UP MONTH!**

**Nyssa Chamber of Commerce**

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