

JURISDICTION IN TAX CASE OF THE COURT

State's Attorney Contends Penalty Question Is Legislative Matter.

DECISION DUE NEXT WEEK

Judge Cleeton Asks for Brief of Argument on Suit in Which Judge McGinn Recently Ruled He Could Not Take Action.

The question of whether all taxes should be paid in one sum or in two or four installments, and whether a penalty should attach for deferred payment, is a legislative and not a judicial matter, argued Deputy District Attorney Pierce yesterday in resisting the petition filed by Roger B. Sinnott for an injunction to restrain Treasurer Lewis from collecting the penalty.

At the conclusion of the arguments by Deputy District Attorneys Pierce and Maguire, representing Treasurer Lewis, and Attorneys Sinnott and Adams, Judge Cleeton asked that the attorneys submit briefs after the receipt of which he will announce his decision in the matter. This he hopes to do, he announced, by the middle of next week.

Provisions of the new tax law abolish the old 3 per cent rebate on taxes paid before March 15, and provide for the payment of all taxes on or before March 21, with a penalty of 1 per cent a month on second half-payment. These provisions are excessive and oppressive, Attorney Sinnott contended in his complaint on which he asked an injunction.

Deputy Pierce read from the tax records showing that of the \$139,205.95 on the 1913 tax roll, more than \$6,000,000 of this was paid before March 15, last year, that the 3 per cent rebate might be taken advantage of. While first and second payments were but a little more than \$500,000 each, in contending that the law requiring full payment of taxes before March 31 is not excessive. In opposing the argument that the 1 per cent a month penalty is excessive, he said that such an issue is purely a question for the legislature and not the courts to determine.

"The present tax law is an iniquitous one," Circuit Judge McGinn said last Monday in setting aside an injunction he had granted under a repealed section of the statutes, "but I am helpless to correct it. We must bear it as we would any other calamity, such as plague, fire, flood or drought. It could be corrected by a special session of the legislature, and I think conditions might warrant the calling of a special session, but I cannot interfere in this court."

Judge McGinn made his ruling when, as Presiding Judge, Attorney Sinnott asked him for an injunction. After relief had been refused by Judge McGinn, the case was assigned in its regular order to Judge Cleeton, before whom arguments were made yesterday.

Nottingham Takes 66 Days From Antofagasta to Astoria. Sharp Squall Catches Vessel Unprepared and Snags Sails.

ASTORIA, Or., March 12.—(Special.)—Captain Swensen, master of the schooner William Nottingham, which arrived late yesterday afternoon from Antofagasta, reports an exceedingly tedious trip. He says his hard luck began on leaving port and continued until three days before reaching the Columbia.

RAILWAY FENCE OPPOSED Mount Hood Road Asks to Be Excused From Building.

SALEM, Or., March 12.—(Special.)—Request was made of the State Railroad Commission by the Mount Hood Railway today that it not be compelled to fence a part of its line in the Hood River Valley.

MARINE INTELLIGENCE. Steamer Schedule. DUE TO ARRIVE.

Table with columns: Name, From, Date. Lists various steamers and their arrival dates from ports like London, Hamburg, and San Francisco.

Movements of Vessels. PORTLAND, March 12.—Arrived—Steamer Rose City, from Los Angeles and San Francisco.

ASTORIA, March 12.—Arrived at 2:30 and left at 4:15 A. M.—Steamer Rose City, from San Francisco.

ASTORIA, Or., March 12.—(Special.)—The Nottingham was towed out of Antofagasta at night, but almost immediately afterwards got into a calm and drifted back into the bay.

Columbia River Report. NORTH HEAD, March 12.—Condition of the bar at 5 P. M., cloudy; bar, smooth; wind, south 5 miles.

REGISTRATION GAIN SLIGHT More Than 1100 Must Qualify to Bring Total to 45,000 Today.

TRAFFIC MEN TO INSPECT Vice-President Kenney, of Great Northern, to Visit Portland.

DAMAGE IS HEAVY Liner Glenroy in Worse Condition Than Indicated.

BUNKERS TO BE EMPTIED Steamer Cricket Is Shifted to Couch-Street Dock—Owner of Vessel Expected to Arrive Today From San Francisco.

MILL GUARDS HALT OFFICERS Colonel McKinstry Finds Prospective Purchase Well Protected.

CAMINO ON CANAL ROUTE Arrow Line Takes Arline for Portland-San Francisco Trade.

LABEL DETAINS TIVERTON Thomas L. Wand Reaches Skagway From Portland on Initial Voyage.

NEW VENTILATOR IS USED Skipper of Liner Has Novelty in Windsail System.

QUARRING JETTY ROCK IS ON Contractors Begin Mining Material for Tillamook Bar Project.

RAY CITY, Or., March 12.—(Special.)—Active work of opening the quarry from which the rock for the Tillamook bar jetty is to be obtained, began this morning.

Jae Opens Today 9:30 A. M., March 14 Be at the Head of the Line, 244 Washington Street, When the Doors Open

The Most Astounding and Colossal Sacrifice in Years

THOUSANDS AND THOUSANDS OF PAIRS OF Men's, Women's and Children's Shoes AT LESS THAN THE COST OF LEATHER ALONE

Wanted 25 experienced shoe salesmen. Apply at store, 244 Washington street, this morning at 8:30.

Advertisement for shoe sale featuring images of various styles of shoes, including women's oxfords, men's shoes, and children's shoes, with prices listed.

Advertisement for Knight's Sample Shoe Shop, featuring large text and images of shoes, with a list of prices for various styles.

NEW LAUNCH URGED Limitations of Harbor Vessel Handicap Patrol at Fire.

quarry when running full time and about 100 more at the jetty. The contractors have decided to use the Benley quarry, on the Miami River about a mile from where the Pacific Railway & Navigation Company crosses the river.

LARGER CRAFT IS WANTED Boat With Pump to Throw 1 1/2-Inch Stream Could Have Made Possible Shifting Glenroy Out of Danger, Marine Men Say.

LIBEL DETAINS TIVERTON Thomas L. Wand Reaches Skagway From Portland on Initial Voyage.

NEW VENTILATOR IS USED Skipper of Liner Has Novelty in Windsail System.

MOHAMMEDAN GOES TO INDIA Government Tries New Method in Dealing With Aliens.

EPIN SUCCEEDS THE EVIE New Gasoline Propeller Represents Latest in River Types.

NEWS FROM OREGON PORTS. COOS BAY, Or., March 12.—(Special.)—The steam schooner Adelina Smith, with 1,500,000 feet of lumber from the Smith mill, sailed this morning at 12:45 for San Francisco.

ASTORIA, Or., March 12.—(Special.)—The British steamer Harmastris arrived today from Willapa harbor and went to Portland to finish loading lumber.

Marine Notes. Mitsui & Co., which has taken the Japanese steamer Azumasa Maru for a round voyage to Portland and return, will load her in Northern Japan, where she proceeds from Milke, with hardwood and sulphur and part of that she is to discharge at San Francisco.

AN EXCELLENT REMEDY FOR COUGHS AND COLDS. Mrs. J. W. OBERLE. I had a severe cold for weeks and it settled on my lungs so that I coughed almost constantly.

All Aboard For Prosperity. People are beginning to spell prosperity with a big P. Things are getting back to normal.

NEWPORT, Or., March 12.—(Special.)—The gasoline schooner Ahwaneda arrived from Bandon this morning with 90 tons of coal.

TO BEGIN LOADING, AND THE SCHOONER WILL NOT BE AT PORTLAND UNTIL THURSDAY NIGHT.

Having been floated from drydock, the salmon ship St. Nicholas was shifted last evening to the Pacific Coast bunkers, where she will take on fuel for Alaska.

BOUND FOR SAN FRANCISCO, the steamer Daley Freeman has been cleared with 735,000 feet of lumber.

Captain John Zundahl has been signed as temporary skipper of the gasoline propeller E. J. M. Bertrand for a round voyage to Portland and return.

Reports that some members of the Chinese crew of the Royal Mail steamer Glenroy failed to reappear after Thursday's fire are said by Immigration Inspector Bohman to be unfounded.