AUTO TAX WILL NOT STAND TEST IN COURT

Opponent of Road Bonds on Other Hand Supporter of Uniform Tax Law.

FAVORABLE VOTE LIKELY

Adoption of Proposed Amendment Would Make Valid Auto License Peature of Bill.

Walter M. Pierce of La Grande who is one of the most active opponents of the road bond issue, has raised a new objection to the bonds, contending that the automobile license law may be declared unconstitutional and that in that event the "entire burden

will fall on the taxpayers." The contention seems unimportant in view of the fact that the people will vote next Monday on the "uniform tax classification amendment" ballot Nos. 308 and 309) and there s strong probability that the vote will he favorable, Ex-Governor West is authority for the statement that if this amendment is adopted, it will set it rest any doubts as to the validity

of the automobile license law. Tax Amendment Pavored. Walter M. Pierce is himself one of

the strong advocates of the uniform tax classification amendment. The Voters' Pamphlet contains an argument in favor of the measure with signatures of Mr. Pierce, Oswald West , Henry E. Reed, Multnomah county assessor; Charles V. Galloway, state tax commissioner; B. L. Eddy Fred W. Mulkey, William L. Brewster, W. W. Calkins, John H. Carkin, Denton G. Burdick, Claude C. McColloch Robert H. Strong, Sam Laughlin,, and

It is scarcely to be supposed that measure of so much merit, endorsed by so many men of weight and influence, will be rejected by the voters The point made by Mr. Pierce may be regarded therefore as of no seriou

His letter follows: Champions of the \$7,900,000 road lond issue, which is often called choneously a \$6,000,000 bond issue, neve continually represented to the axpayers of this state that the interest and principal on the proposed bond risue, which they propose to place upon the state of Oregon, will be paid in full, and leave a large surplus from ices imposed by the automobile tax, and quarter mill tax.

Court Decision Cited.

I wish to call the attention of the coers of this state to the fact that there is grave danger of this automolicense law being declared unconinconstitutional, and that if it is declared inconstitutional, and that if it is declared inconstitutional the entire burden will tall upon the taxpayers of the state. In support of this contention, I wish to call the voters' attention to a decision of the supreme court of the state of Oregon in the cast of Ellis vs. Frazier, reported in 38th Oregon, Page 462, from which I quote as follows: 162, from which I quote as follows A statute requiring a yearly payment of \$1.25 on every blevele as a
condition precedent to its use on the
public roads, and setting aside a certain proportion of each payment to
create a particular fund, is a statute
providing for a terparticular fund, is a statute providing for a tax, as distinguished froviding for a tax, as distinguished from a license, since the sum required is manifestly much larger than is necessary for the cost of regulation, and the law is palpably designed to provide a revenue.

"A law authorizing a tax of a stated sum on each bicycle, regardless of its value, provides for assessing that class of property without uniformity, and necessarily produces unequal taxation, in violation of the constitution of Oregon, Article IX, paragraph 1.

m violation of the constitution of Oregon, Article IX, paragraph 1.

Double Tax Imposed.

"An act levying a tax on a specified class of property, such as bicycles, is unconstitutional, as providing for double taxation, in violation of the Oregon constitution, Article I, paragraph 32, since it must be presumed that the property in question has altendy been assessed for general taxation by the proper officer."

I challenge the supporters of the hend issue to produce any decision by the supreme court of this state holding to the contrary.

In view of the above cited Secision, and the fact that labor is fully employed, wages very high, and cost of building mounting higher cach day, and the dreadful war condition into which we are now just entering, it would certainly seem that it was no time for the people of this state to vote the proposed bond issue.

Carline Employes Taking Referendum

Differences of Opinion Develop at Meeting Sunday Morning to Discuss Question of Unionizing Association. As a result of the meeting of Portland streetcar men held Sunday morn-

begin Tuesday morning Four questions are to be submitted to the platform men: 1. Shall we leave the Brotherhood of Street Railway Employes as it is?

ing, the taking of a referendum will

Shall we withdraw and federate with the American Federation of 3. Shall we withdraw and federate

with the Central Labor council? 4. Shall we reorganize the present brotherhood, throwing out the railway company officials who are officers? Quite a gathering of railway men attended Sunday's meeting, it being held at 1:30 a. m. The discussion lasted several hours, the opinions seeming to be widely at variance.

The only decision that could be

reached, under the circumstances, was that of calling for the referendum. Votes will be taken at each barn, all the men voting.

Four Girls in Class.

Albany, Or., May 28 .- The first class o graduate from Lacomb High school, located in the foothills of the Cascades east of Lebanon, will receive diplomas Saturday, June 2. The graduating exercises will be held in the farmers' union hall. The class conists of four members-all girls. They re: Lucy Hyder, Alta Soule Winni-ed Hendryx and Crystal Gaines.



T. Paer's Memory Too Good AMENDMENT WOULD

other things in his garden, sweating in him crying about the little children of the sun and mashing clods viciously. South Portland before this campaign." Ferd leaned over the back fence and smiled benignly.

oughtn't to work on Sunday? Why T. Paer asked, anxiously. didn't you go to church with George "I ain't running for office," T. Paer responded, mopping his forehead. "Besides, I have to work for taxes on

week days and for something to eat "When George is elected you won't have to work so hard." Ferd consoled. Marquam Gulch Gets Attention.

"What's changed him?" T. Paer wanted to know. "He has been either running or elected ever since 1898, and have been working harder and harder all the time." "Well, he's never been mayor, and

that makes some difference you know," Ferd explained. "Yes. It gives him more salary," T. Paer said, "but he will only have one vote, just like he has now.' "Did you hear what George said about Marquam gulch?' Ferd asked. "When? In 1902, or in 1917?" T Paer countered.

"Saturday night at the Heilig." Ferd answered, "don't remember his ever saying anything about it before." "Neither do I, said T. Paer. "There didn't use to be any votes down there among the garbage cans. Did you hear what the little woman said about Marquam gulch at the Heilig?"

Makes Up After 15 Years. "Well, what of it?" Ferd asked.
"Oh, nothing. Only she said the people out there had been begging the council to fix the gulch up for the

"Well?" said Ferd, questioningly. "Nothing again," answered T. Paer, only George has been in the council T. Paer answered

LAND OWNERS TO SHIFT

Will Be Raiased From 60]

The Journal is publishing, for

the benefit of voters, ballot

titles and brief explanations of

measures to be voted on at the

regular city election to be held June 4. These ballot titles

are being printed in the order

they are to appear on the of-

both for an against are being

charter amendments and ordi-

nances proposed by the inicia-

tive, and amendments and ordi-

nances presented by the city

Charter amendment prescribing proedure for elimination of grade railroad

crossings, modifying the present method for payment of the cost there-

of, by amending certain sections in the

charter of the city of Portland and in-

Shall the charter be so amended?

when grade crossings are eliminated, 60 per cent of the cost shall be paid by the railroad companies affected, 20

ing to be assessed to property owners in the district affected. The proposed

measure further provides that where

the city's share is more than \$25,000, the voters shall first authorize the ex-

penditures. This means that all major

projects will have to be approved by

the people before the city council can

Compromise Is Reached.

The proposed amendment comes as result of complaint from some of the

property owners in the Rose City Park

listrict assessed for the cost of elim-

inating grade crossings along the U-W. R. & N. tracks from East Thirty-

seventh and Sandy boulevard to the

It was first suggested that the en-

tire cost of eliminating grade crossing projects should be borne by the

railroad, Commissioner Daly attempted

to have the council adopt such a plan,

but others forced a compromise which resulted in the foregoing measure be-

ing decided upon by the city council.

Charter Amendment

Copies Given Away

Copies of the charter amendments

and ballot measures to be voted on in the city election next Monday may be

Several thousand copies of the meas-

ures were distributed today that the voters may familiarize themselves with

the measures before going to the polls.

Copies were placed in all the newspa-

per offices, the central and branch li-braries, the comfort stations and in several of the large stores and clubs.

C. S. Jackson Better

After an Operation

Baltimore, Md., May 28.—(U. P.)—C. S. Jackson, publisher of the Oregon Journal, Portland, Or., is at Johns Hopkins hospital recovering after an operation performed by Dr. Hugh H. Young. His condition today

Private advices received in Portiand several days ago announced that Mr. Jackson's condition is satisfactory and a quick recovery is looked for. Mrs. Jackson left for Baltimore last week to be with her husband.

secured at The Journal office.

128 Yes.
129 No.
This is the title of a charter amendment submitted by the city council with a view of relieving property owners from assessments in projects for the elimination of railroad grade crossings. The measure, if adopted, will amend the charter provisions adopted by the people in 1913.

Property Owners Benefit.
The charter at present provides that when grade crossings are eliminated.

The charter at present provides that when grade crossings are eliminated.

2. Condemnation and removal of all adjoining shacks and stables.

3. Children of all ages come down into the gulch and play in this stream and on these dumps. Decent play places are now too distant from their with little or no yard space. The surrounding district is more thickly settled than any other section of the city.

Water.

3. Children of all ages come down into the gulch and play in this stream and on these dumps. Decent play places are now too distant from their with little or no yard space. The surrounding district is more thickly settled than any other section of the city.

Recommendations:

1. Drainage of surface water.

2. Condemnation and removal of all adjoining shacks and stables.

per cent by the property owners in the district benefited and 20 per cent by the city.

The proposed amendment changes this by fixing the railroad companies' share at 80 per cent and the city's share at 20 per cent. This leaves noth-

serting a new section.

128 Yes. 129 No.

The measures are

ficial ballot and, arguments

to 80 Per Cent.

T. Paer was hoeing potatoes and | for the last 15 years, and I never heard "Did you get my letter?" Ferd want-

"Naughty, naughty!" he said to the "Lord! you talk to me all day. Are laboring man. "Don't you know you you going to write to me all night." "Lord! you talk to me all day. Are

Ferd Doesn't Belish Joke "I wanted to get some of my thoughts down in black and white," Ferd an swered. "Did you read where I said 'Politics is a business'? That——" "It's bought diamonds for you, all

"Don't get facetious," Ferd admon-ished the little man. "Did you read where I said, 'If your plumbing is leaking and ruining your home, immediately send for a plumber and not a business man?"

"Mine don't leak so much now since the water bureau has been checking it "Well. Did you read where I said: The city auditor's books show that thousands are now paying their back city assessments and the interest that has not been paid for the last three

years? T. Paer Still Paying. 'Yes. And I remember that George was chairman of the street committee when they laid the bum pavement in front of my place," T. Paer answered. "Now I am paying my back assess-

ments, my back interest and am about to pay for a new pavement fund for the redemption of improve-"There you go again," Ferd com-ained. 'Didn't you read where I 134 yes, 135 no. said, 'Do not believe anything you

"Sure," said T. Paer, "and I am listening to you." "The next time I write any letters Barbur. The statement in part folfor George, I won't send one to you," "You have no appreciation Ferd said. of my public spirit."

"O, I don't care who is chief of police. I don't intend to get arrested," DOCTORS SEE MENACE

the complete cleaning and draining of

Marquam gulch and the immediate re-

dent and council of the Portland City

and County Medical society, after careful personal investigation of conditions in Marquam gulch, above Second

tions in Marquam gulch, above Second street, South Portland:

1. The gulch contains a number of large, filthy and ill-smelling dumping places. Chickens, dogs, cats and very numerous large rats carry infection and vermin from these dumps to all nearby houses and stables.

2. A small stream at the bottom of of the gulch collects surface drainage from numerous cow and horse stables; some of these animals are pastured on the slopes. Mosquitoes breed in puddles and hoof tracks along this stream. Carcasses of small animals are thrown from the railroad bridge to rot in the water.

3. Children of all ages come down

3. Prohibition of further refuse and garbage dumping, and covering of present dumps with soil or other solid

In some adequate manner at once.

(Signed)

RALPH A. FENTON, M. D.

DAVID N. ROBERG, M. D.

S. H. SHELDON, M. D.

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SWEETHEART

health. The report follows:

est outstanding number. "Under this provision, if the imrovement bond sinking fund is with-Railroad's Share of Expense Surface Water Needs to Be tended six months. After the re- standing bonds." Drained and Shacks Torn demption period is extended it is im-Down, Physicians Say. amounts may be collected from the property owners paying interest and Daly Gives Address installments on bonded street or A committee of the City and County

C. A. Bigelow and Auditor

Adopt Proposed Measure,

Taxpayers Lose Large Sums Annually

Under Present Payment Plan, It

Believing that it it is to the best

interests of the city that the present

bonds issued under the charter sec-

Auditor Barbur are urging that the

voters adopt the last measure on the

ballot for the city election. This

measure provides for the redemption

of improvement bonds by transferring

funds from the sinking fund to the

Commissioner Bigelow and Auditor

Present System Means Delay.

"Outstanding are more than \$9,000.

000 in improvement bonds which were

issued prior to August 1, 1915. The

law authorizing the issuance of these

period at or after the period of one

by number, commencing with the low-

year from the date of such bond. The

Is Pointed Out.

sewer assessments. Medical society today recommended City Is Losing Interest. 'The proposed law will correct these defects and at the same time provide ally in the interest of the public non-payment of instailments. To the Public: The following report

"Whenever a shortage of funds octhe property owners accumulate in the Ghormley is pastor

improvement bond sinking fund for six months, and during this period the accumulated funds carn only 2 per cent interest while the city is paying 6 pe cent on outstanding bonds of an equal amount. This is a loss of 4 per cent, and from 1907 to April 1, 1917. amounted to \$166,325. A further loss is caused by the redemption period of all other outstanding improvement bonds being extended six months each time a shortage occurs. If the present method is continued the life of old bonds will be extended two years be yond the present redemption period before all the outstanding improve- Daly Voted to Make Cleaner ment bonds are redeemed.

Barbur Advise Voters to City May Lend Idle Punds. "The proposed amendment will pre ent this loss and provide a means of supplying the deficiency in the improvement bond sinking fund caused by the non-payment of installments CITY WILL SAVE INTEREST and will eliminate the necessity of foreclosing on delinquent property, which places an additional burden on

he property owners. "The law will also provide for protection of the interests of the city and the property owners during financial depressions. It will enable the city to can idle funds in any sinking fund to the improvement bond sinking fund as an investment at 6 per cent interest. Loan can be returned when necessary before sufficient funds are on hand by issuing bonds under the new law tions providing for the bonding of No possibility of loss could occur in and sewer assessments should loaning idle funds to the improvebe simplified and provision made for ment bond sinking fund because such the redemption of improvement bonds loans can be used only for investment when they fall due, C. A. Bigelow, in securities of the improvement bond

commissioner of finance, and City sinking fund. Burden Now on Taxpayers. "At present any loss which the city

sustains means a loss to the taxpayers, as they must ultimately bear the burden. The proposed act will be of direct benefit to taxpayers, as it will insure them and the city against ment bonds. The ballot numbers are such losses. "A comparison of the provisions An explanation of the measure and covering bond redemptions

arguments for its adoption are pre- present law and the proposed amendsented in a statement prepared by ment follows: "Present law: 'At any semi-annual interest-paying period at or after the with the lowest outstanding number.'

at any semi-annual interest paying bond' "'The proposed provision is much

bonds shall be redeemed consecutively keeping idle funds on hand." under the provisions of the proposed cases where a place was known to law will not increase the bonded in- have been used for such purposes, the debtedness. The proposed law merely out sufficient funds to redeem an en- converts a portion of the bonds issued to give bond to the city that it would tire issue of the same date at a re- under the old law for redemption not again be so used. demption period on account of non- under the new law and makes them payment of installments, the balance redeemable upon the basis of other of the issue, or any subsequent issue, bonds issued under section 278 of the six months. Each time a shortage not affect the normal redemption peoccurs the redemption period is ex- riod for the remainder of the out-

Will H. Daly, commissioner of pub lic utilities, delivered a Memorial day a better method for the redemption of address in the Rodney Avenue Chrisbonds which may be issued to enable Han church Sunday morning. Mr. Daly the city to make up any shortage paid high tribute to those who had which may exist on account of the given their services to their country. Mr. Daly has been a member of the church for several years, but Sunday and recommendations are submitted curs, under the present law, at a re- was the first time he ever attempted cil chamber, where the meeting was by a committee appointed by the presi- demption 'period the collections from a Memorial day address. Rev. J. C. held, and argued against the ordi-

HARD TO DEFEAT THE TIN-PLATE ORDINANCE

City, While His Opponent Sought to Block Move,

AUDIENCE HISSED BAKER

Account of Public Meeting as Printed in Oregonian Sheds Light on Candidates.

and long-continued efforts to sweep road bond issue. and commercialized vice which culminated in the exhaustive cluding the railroads. investigations of the Portland vice commission, also remember the dogged only for Portland and surrounding tercity councilman, against the approval gestions and the enactment of the so- the east go there, not only for the clicalled "tinplate" and "bonding" ordi-

nances. At that time the town was spotted tuted public nuisances. The names of the owners and lesees of these properties were hidden or hard to find.

Baker Leads Opposition. At the end of its investigations the vice commission, which had been apperiod of one year from the date of pointed and financed by the city, recsuch bond the bonds shall be redeemed ommended to the council that the consecutively by number, commencing "tinplate" and the "bonding" ordinances be enacted. The first required "Proposed: 'Upon the first day of that the name of the recorded owner any month at or after the period of of all lodging and rooming houses be bonds provides for their redemption three years from date of such placed in a conspicuous place on such at any semi-annual interest paying bond' . . buildings, in order that the public might know the property owners who better, as it obviates the necessity of permitted their holdings to be used for unlawful purposes. The second "The bonds which may be issued provided, in substance, that in those owner or lessee should be compelled

The council met in special session on October 21, 1912, to hear the report of the vice commission as to these can not be redeemed for a period of charter. This change, however, will two measures. The meeting assumed the scope of an open and public hearing, and the newspapers of the city carried extended reports of the hearing, in which the especial feature was the bitter fight, led by Councilman Baker, against the approval of the report of the vice commission and the At Church Services enactment of the two proposed ordinances.

Argues More Than Hour,

"Councilmon Baker and Burgard stood against the ordinances, while Councilman Daly favored their being recommended to the council for passage," the news report of the Oregonian of October 22 says.

"For more than an hour Councilman Baker stood on the floor of the counnances," the report goes on to say.

an account of the final fight made before the council on the day preceding, showing that the "tin plate" ordinance was enacted by a vote of eight for and five against, Daly voting for the ordinance and Baker against it, The bonding ordinance was enacted at the same session, Baker opposing it

and Daly voting for it.

And then it relates that the closely packed audience "hissed and hooted

Mr. Baker, and that finally it was de

cided to submit the two ordinances to

the council for passage, Baker voting

against the submission and Daly for it.

The Oregonian of October 24 gives

Charlton Strongly Favors Road Bonds

Good Boads Will Develop State and Oregon, Passenger Agent Points Out. A. D. Charlton, assistant general

man who is strongly fh favor of the street, near the corner of Union ave-

roads will develop the state, bring other speakers will discuss the variout of the municipal life of Portland, tourist travel and benefit everyone, in-"Good roads in Oregon," he said,

battle put up by George L. Baker, then ritory, but for the entire northwest. "Good roads have practically made of the commission's reports and sug- the state of California. People from the indorsement of the clubs in the

mate, but for the good roads. "The biggest drawing power to in duce tourists to come to Oregon will with festering dives where vice and be good roads. We have the scenery crime flourished, and which consti- already, but we must have more good and Hawthorne. The meeting will be roads to hold the tourist for lengthy stays at our principal scenic points. "More tourists mean a demand for more food products. This benefits the E. farmer. I am heartily in favor of the

bond issue.

PRE-ELECTION MEETINGS

be one of the speakers at the Daly rally at the Central library hall at 8 o'clack tonight

"Open season" for candidates in the city election will be held at a special luncheon of the East Side Business Men's club Tuesday spon. All candidates have been invited. Those running for mayor will be allowed to talk five minutes, and those for commis-

sioner three minutes. There will be a meeting this evening at 8 o'clock in Shattuck school, South Broadway and College streets, to discuss the proposed new city charter, George S. Shepherd, Mark O'Neill and others will speak. The meeting is under the auspices of the Representa-Induce Tourist Travel to Come to live Government league and T. M. Stark, district representative, will pre-

The seven candidates for mayor passenger agent of the Northern Pa- have been invited to attend a general cific Railway company, is one railroad public meeting of voters in the vicinity of the Church of God, 363 Failing nue and Wygant street, this evening He takes the broad view that good at 8 o'clock. Besides the candidates. ous municipal measures on the city ballot. A general invitation is out,

Tonight delegates from the various "will mean additional business, not good government clubs of the city will meet in the rooms of the Hawthorne division to select the candidates and measures which will receive coming election. The clubs represented in this action are South Portland, Brooklyn, Fulton Park, Woodstock, Sellwood, Sunnyside, Montavilla, St. Johns, Alberta, Albina, Mount Scott open to delegates only.

The proposed anti-picketing ordinance will be debated at the First M. church at Twelfth and Taylor streets, Tuesday night. Harold M. Sawyer, who drafted the measure, will defend it against C. P. Howard, president of the Central Labor council, who will oppose its adoption.

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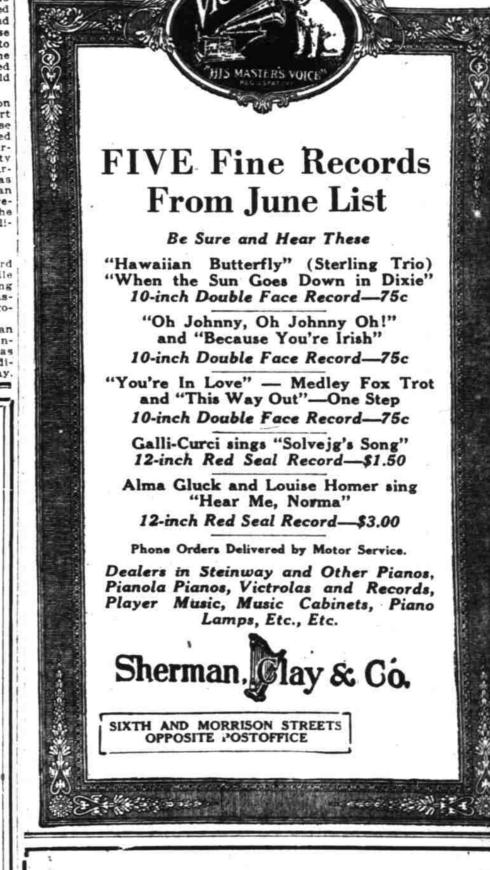
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