

OREGON TAX LAW UNCONSTITUTIONAL

The perennial contention over Oregon's tax laws and the payment of state taxes is again agitating Oregon courts and last Saturday Judge Galloway of McMinnville, declared that the law levying state taxes upon the counties is "unconstitutional" and gave Yamhill county perpetual injunction against the collection of \$22,482 taxes by the state.

A Salem dispatch says of the important matter and the far reaching results which are likely to follow: That the law prescribing the apportionment of state taxes conflicts with the Oregon constitution and is therefore invalid is the gist of a decision rendered in the circuit court here today by Judge Galloway.

The case at hand was the suit brought by Yamhill county to prevent payment of alleged excessive taxes to the state treasurer. This suit reads, "County of Yamhill vs. County Treasurer Foster and State Treasurer Steel," wherein the former is enjoined from paying and the latter from collecting the sum of \$22,482 excessive state tax for 1907, alleged to have been wrongly and arbitrarily apportioned to this county by the state board.

What the Law Means.
The state law which Judge Galloway has held unconstitutional requires each county to pay a specified proportion of the total state tax. The proportion which each county was to pay was fixed by the act of 1901 and was determined by taking an average of the assessments of each of the counties for a period of five years prior thereto.

It was originally intended that this plan should remain in operation for five years only and that thereafter each county should pay state taxes in proportion to its county expenditures, but subsequent legislative sessions postponed until 1912 the time when the new system of apportionment would go into effect.

The act of 1901 provides a ratio that was practically and theoretically equitable at the time, but since then some counties have increased in assessed valuations much more rapidly than others. As a result Yamhill county's proportion of the state tax at the fixed ratio is double what it would be if based on present assessed valuations.

The constitution requires that the legislature shall provide an equitable system of assessment and taxation and Yamhill county contended that the fixed ratio plan violated this requirement, which is done absolutely in theory and to a greater or less extent in practice.

If Judge Galloway's decision shall be upheld by the supreme court the effect will be, presumably, to relieve Yamhill county of half the tax burden apportioned to it and to require other counties which have increased their assessments to pay a larger amount than that imposed by the act of 1901.

While nullification of the act of 1901 will relieve all counties of the obligation to pay under that act, yet it is manifest that the state revenues must be paid and eventually the burdens must be borne by the several counties according to a ratio which will stand the constitutional test. At first glance it would seem that Judge

Galloway's decision means a return to the former system of apportioning taxes according to assessed valuations.

Took "Bull by the Horns."
Washington county evidently anticipated this decision, for the assessor of that county has already announced that the assessment roll of 1908 will show greatly reduced valuations. Quite likely there will now be a stampede among all the counties to reduce assessed valuations as rapidly as possible, in order to escape the burden of state taxation. Such was the experience when that system was formerly in force and the Galloway decision invites a repetition.

If Judge Galloway's decision means a return to the system of apportionment according to assessed valuation, Multnomah county will be one of the heaviest sufferers. Under the present fixed ratio, Multnomah pays 31 per cent of the state taxes, but under the valuation system it would pay 49 per cent, an increase of 30 per cent in the amount of state taxes.

Umatilla county now pays about five per cent of the taxes and would be compelled to pay over seven per cent under the valuation plan, an increase of 40 per cent in the amount of its state taxes. Among the counties that would suffer increased state tax burdens by the change are Columbia, nearly 200 per cent. Curry 20 per cent, Douglas 35 per cent, Jackson 25 per cent, Tillamook 50 per cent, Wallowa 30 per cent.

Among the counties that would get a material decrease in state taxes would be Baker, slight, Benton 50 per cent, Clackamas 30 per cent, Harney 75 per cent, Lane 25 per cent, Linn 50 per cent, Polk 30 per cent, Union 50 per cent, Wasco 90 per cent, Wheeler 50 per cent.

These figures are only approximate. Other counties would be affected so little that the change would not be material.

Orchard and Garden.
If trees set last spring need water, pull the soil away from around the roots, pour in a pailful and let it soak down, and then replace the earth. Don't apply water to the surface.

Winter radishes and rutabagas can be sown during this month. Watch out for red rust in the blackberry or blackcap patch. Dig out and burn all infested places at once.

When picking blackberries, get them out of the sun as soon as possible or they will turn red in spots and not be so salable. Hurry them into the crates and then into a cool cellar until time for shipping or selling. Fill the boxes full and pack neatly in clean packages. If you want a fancy price, make the crates look attractive.

Don't let up on the cultivating. Weeds grow like magic in the hot July sun. Besides keeping down weeds cultivation at this season will conserve moisture, and this is of vital importance to the growing crops. If the weather is dry, don't be afraid to use the cultivator and hoe. They will prevent the moisture from getting away by evaporation.

The best time to sack grapes is when the berries are quite small—not larger than small peas. Ordinary two-pound paper sacks can be used. The mouth of each sack should be snugly wrapped around the stem of the bunch, and securely held in place by pinning or tying. The tie should be tight, but of course, not too tight. The sacks protect the grapes from fungus and insect enemies, including wasps, birds, etc., and the bunches thus protected are apt to be finer and more perfect.—From July Farm Journal.

LOTTERY PROMOTER SCARED.
Postoffice Department Waging Unrelenting Campaign of Extermination.

Lottery and prize contest promoters are running to cover under a sharp campaign now being conducted against them by the postoffice department. It is estimated that the close scrutiny now exercised over all publications has resulted in the exclusion from the second-class privilege of periodicals aggregating 25,000,000 circulation. These were all cheap publications, bulging with "free" offers and prize contests akin to lotteries.

The department is also demanding stricter compliance with the second-class rules in regard to requiring paid-in-advance subscriptions before admitting to entry. In another branch of the department, postoffice inspectors are busy watching advertising fakirs. The assistant attorney general's office is the mecca of all newspaper men in the capital just now, with the summer dearth of news on, because there is hardly a day that several fraud orders do not appear.

Among all the varieties of fakes uncovered by this branch of the service, by far the most plentiful is the astrological, the psychological, clairvoyant, or seers fraud. These are the folk who advertise a complete individual life-reading "from the stars" for a small sum—claiming an individual horoscope, etc. What the department objected to is that these fakirs have horoscopes for the 12 months all prepared and dish them out according to the birth date of the applicant. Also, in a good many cases, the same string of generalities about temperament, love affairs, and

TESTED AND PROVEN.

There is a Heap of Solace in Being Able to Depend Upon a Well-Earned Reputation.

For months Pendleton readers have seen the constant expression of praise for Doan's Kidney Pills, and read about the good work they have done in this locality. Not another remedy ever produced such convincing proof of merit.

Mrs. H. Swaggert, living at 319 Garden street, Pendleton, Ore., says: "Both my husband and myself have used Doan's Kidney Pills with the most gratifying results. Mr. Swaggert was troubled severely with his back and kidneys for a long time and never received any relief until Doan's Kidney Pills were brought to his attention and he procured a box at the Pendleton Drug Co. They gave him great relief and he thinks very highly of them. I also used Doan's Kidney Pills and found that it only required a few doses to remove the lameness and pain caused from disordered kidneys. I really believe that kidney trouble would be less prevalent if more sufferers knew of Doan's Kidney Pills." (From statement given in 1905.)

Tested and Proven.
Mrs. Swaggert was again interviewed on November 15, 1907, and said: "We still continue to use Doan's Kidney Pills and find them just as effective as when they first came to our notice. We keep them in the house at all times and really think we could not get along without them."

For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States.

Remember the name—Doan's—and take no other.

so on, appears in each horoscope. Sometimes, the inspectors have also discovered that the learned advertiser doesn't know an astroble from a Plymouth Rock rooster.

FEDERAL EMPLOYMENT BUREAU

Secretary Strauss and Postmaster General Meyer Inaugurate Plan.

Through the department of commerce and labor and the postoffice department, Secretary Strauss and Postmaster General Meyer have inaugurated a plan of service which will relieve farmers and others in this country from further embarrassment in the matter of procuring adequate help. The details are being promulgated through the division of information, bureau of immigration and naturalization, department of commerce and labor, and assistant Postmaster General DeGraw, through the rural delivery service.

The plan is original to this country and contemplates a general distribution of admitted aliens and other persons seeking employment. In that view, there are being forwarded to postmasters throughout the United States, packages of cards with return attachments, for distribution to farmers and others who are likely to need the services of farm and common laborers, or mechanics, and who may obtain the character of help required by mailing the return information card, properly filled out, without payment of postage.

For this valuable service no charge is to be made, or fee accepted, either from employer or employee, and the officers entrusted with the work will exercise every possible precaution in selecting men and directing them to destination.

In cases where labor is not needed at this particular time, the applications may be retained by prospective employers for future use.

The work of selecting suitable persons to serve in the several fields of labor covered will be given special attention by experts designated by the department of commerce and labor.

RUNS UP RED FLAG.

Tillamook Anarchists Insult Stars and Stripes.

Tillamook, Ore., July 5.—Anarchy's red rag floated above the Stars and Stripes for a few minutes in this city today. But only for a few minutes. Patriotic citizens pulled it down.

William Wolfe insisted that the flag should float in the breeze this Independence day, but Marshal Zimmerman wasn't to be bluffed. Blows followed, and in the melee the officer was forced to use his club to beat the anarchist into submission. Wolfe now languishes in a cell in the city jail.

As the parade marched up Main street, William Wolfe, of the firm of Wolfe & Gessner, painters, raised the red flag from the roof of his store building. Some one climbed up and tore down the emblem of anarchy. Wolfe returned later and ran up two red flags over the Stars and Stripes. This stirred the fighting blood of Tillamook's patriotic citizens. A crowd collected and Marshal Zimmerman ordered Wolfe to remove the objectionable flags. Hot words followed, and the officer was forced to make liberal use of his club in getting Wolfe to the city jail. The red rags came down and are no more.

There was much excitement over the incident among the 4000 people gathered in Tillamook for the celebration today, and but for the timely arrival of the peace officer Wolfe would have suffered violence at the hands of the justly indignant citizens.

Fine store and office room for rent. East Oregonian building. Enquire this office.

IMPURE MILK KILLS BABES

OVER 80,000 INFANTS SACRIFICED ANNUALLY

Germ-Infected Milk Supply of the Big Cities One of the Commonest Causes for High Rate of Mortality Among Children—Recipe for Pure Milk Given by New Thought Magazine.

While the subject of a purer milk supply for Pendleton is being discussed, the following timely and excellent article from the Stellar Ray, a New Thought magazine of Detroit, Mich., will be read with intense interest by readers of the East Oregonian. The Stellar Ray says:

When it is considered that 80,000 children die annually in the United States from germ-infected milk alone the importance of absolutely pure milk is readily appreciated. Ignorance, the great crime of the ages, is the sole reason for the death of these children.

For there is none who would destroy if the knowledge of how to save were at his command. When one speaks of pure milk he immediately thinks of milk that has been inspected by the city or county milk inspectors or health officers and pronounced "fit to drink."

This, however, is not pure milk—it is only "near-pure" milk, and is still in an unfit condition for the consumption of small children and babies.

Milk to be in absolutely pure condition, robbed of its death-germs, must undergo an operation of pasteurization. Pasteurization is a simple process, which should be known by every mother. It requires no chemicals and it means simply the application of heat to the milk.

It is a process that every mother should learn, and the directions for which she should keep on hand in the house with far greater care and concern than her household recipe book. No woman can keep house without this book, which means frosted cakes and currant jelly, but the recipe for pasteurization of milk means the lives of the children and it should be regarded as one of the household's greatest treasures. We shall give this recipe and then tell you a little of the importance of using it:

The milk should be furnished to infants in nursing bottles after heating it in the bottle in boiling water to a temperature of 165 degrees Fah., for at least 20 minutes. The nursing bottle should be clean. The milk is then introduced into the bottle, which is wrapped in a cloth and placed in a kettle or other vessel containing water reaching almost to the neck of the bottle. The cork should be removed from the bottle and placed in the water. The water is brought to a boil; the flame then lowered to keep water near to boiling (but not boiling) for from 20 to 25 minutes. The flame is then extinguished, the cork inserted into the bottle and the whole allowed to cool to the temperature of the room. It is then ready for the child.

The so-called commercial pasteurization of milk is almost worthless. Of course milk inspection in most of the large cities does a great deal of good, but it is a safe estimate that it decreases the death rate of children not more than 25 per cent. Nathan Strauss of New York took up the task of real milk pasteurization 15 years ago. As a measure of his wonderful reward statistics show that last year alone his method saved the lives of 11,000 children. In St. Louis, Chicago, Boston and Kansas City his plans were followed with great success.

It is somewhat astounding to know that while children under five years of age constitute but 13 per cent of the population of the United States they furnish from 30 to 50 per cent of the deaths.

With such advancement as we are making today in every department of life's welfare, it would seem that greater attention should be paid to the saving of babies. Ten per cent in deaths of children should be an enormous price. The altar of ignorance and negligence demands a sacrifice, but let not the offering be so great.

Booth Was Acquired.

By a verdict reported in the United States court Saturday, James Henry Booth, ex-receiver of the Roseburg land office, was acquitted of the charge of accepting unlawful compensation while serving as an official of the government, says the Sunday Oregonian. Booth was in dicted for furnishing advance information to Frederick A. Kriba, a timber land speculator of Portland, regarding the final cancellation of lieu land selections, and for which it was alleged \$300 was received on October 3, 1903. The jury reached a verdict at 12:05 o'clock yesterday morning, 35 minutes after the instructions of Judge Wolverson had been repeated. At 12 o'clock midnight Judge Wolverson went home after ascertaining that the jury be locked up for the night, consequently the finding of the jury could not be reported into court until 9 o'clock yesterday morning.

Kennedy's Laxative cough syrup acts gently upon the bowels and thereby drives the cold out of the system. Sold by Tallman & Co.

Facial and scalp treatment, curing, electrolysis and permanent waving. Madame LeP. form development. John Schmidt building, room 8, 512. Phone Main

De Witt's Witch Hazel Salve is especially good for piles. Recommended by Tallman & Co.

July Clearance Sale

Lawns at Cost
Parasols 33 1-3 per cent. Discount
White Lawn Dresses at Cost
White Lawn Shirtwaists 33 1-3 per cent. Disc't.
Ladies' Tailored Wash Suits and Skirts 33 1-3 per cent. Discount
Odd Lots of Ladies' and Children's Oxfords at Less Than Cost.

Alexander Dep't Store
Givers of Best Values

FOUR TRAINS TO THE EAST.
NORTH COAST LIMITED
TWIN CITY EXPRESS EASTERN EXPRESS
NORTHERN PACIFIC-BURLINGTON EXPRESS

Northern Pacific Railway

Visit Yellowstone National Park

Stopovers allowed on all tickets to enable trip being taken through Park.



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To all points in the middle and eastern states. Apply to any ticket agent Northern Pacific Railway and have fares quoted, routes explained, and berth reservations made, or call on or write

S. B. CALDERHEAD, Genl. Agt., Walla Walla, Wn. W. ADAMS, Agent Pendleton, Ore. A. D. CHARLTON, A. G. P. A. Portland, Oregon.

See the Twin-Dime Across the Street.

THE NEW DIMES

Moving Pictures Like Life

Songs by Robert Fenner from the Salt air Palace, Salt Lake
All Music Furnished by a Real Pianist.

Absolutely fire-proof and the best ventilated theatre in the city.

A Better Show at the Same Price

ADULTS 10c CHILDREN 5c

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Cor. Main & Court Sts. A. C. Friedly, Mgr.

Entire Change of Program Commencing Today

Garden Hose and Refrigerators

Are something that everybody needs now that dry and warm weather is coming on and it behooves everybody to get the best for their money. If that's what you're looking for, call around and examine my line of refrigerators and garden hose.

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Fairbanks-Morse Gasoline Engines for pumping, spraying, sawing, grinding. Outfits complete.

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All first quality goods at lowest prices. Prompt reply to inquiries and quick shipments. Write for catalogue and prices.

NEAGLE BROS., AGENTS, Pendleton, Oregon.

FAIRBANKS, MORSE & CO., Portland, Oregon.

PENDELTON-UKIAH STAGE

Daily trips between Pendleton and Ukiah, except Sunday. Stage leaves Pendleton at 7 a. m., arrives at Ukiah at 6 p. m. Return stage leaves Ukiah at 6 p. m., arrives at Pendleton at 6 p. m.

Pendleton to Ukiah, \$3.00; Pendleton to Albia, \$2.75; Pendleton to Ridge, \$2; Pendleton to Nye, \$1.50; Pendleton to Pilot Rock, \$1.

Just Received

Nice line of Men's Tan and Patent leather Shoes at the old Shoemaker's on Court Street.

A. EKLUND

FOLEY'S KIDNEY CURE

Will cure any case of Kidney or Bladder Disease not beyond the reach of medicine. No medicine can do more.

PENDELTON DRUG COMPANY.

Cures Backache

Corrects Irregularities

Do not risk having Bright's Disease

or Diabetes