

STATE CAPITAL NEWS

- Two Democrats
- Truck Inquiry
- Tax Ruling

By A. L. LINDBECK

Salem—With the filing by State Senator Lew Wallace of his formal declaration as a candidate for governor the democrats now have two entries in the race with the primaries still seven months away. An out and out New Dealer Wallace pledges whole hearted support to President Roosevelt and his policies, and with a thought for the voters whose support he will need promises to work for lower taxes for home owners and farmers and more generous pensions for the aged.

In an effort to ascertain to what extent, if any, Oregon's truck regulations are hampering the movement of defense materials Governor Sprague has instituted an investigation into the situation. Oregon truck operators are asking the state highway commission to lift the present limits on truck lengths and weights to a level with those of Washington and California which permit truck combinations to a length of 60 feet with gross weights up to 68,000 pounds. Oregon limits truck lengths to 50 feet and weights to 54,000 pounds. In support of their request the truck operators claim that because of Oregon's restrictions they are not able to handle defense materials. State Officials who have made a study of the situation doubt the authority of the highway commission or the governor to change the present regulations except through the issuance of special permits covering specific truck movements. It is also recalled that the last legislature defeated a similar request from the truck operators by a vote of 18 to 9 in the senate and that later the house defeated a measure which would have permitted the larger trucks to enter border cities for the purpose of un-

loading and reloading.

Compiled by members of the WPA writers project and published by the state the Oregon guide book, "End of the Trail," has not proven to be the best seller its promoters hoped for. Of the 1600 copies the state had printed more than 1200 still remain in the hands of the board of control. The book is regarded by state officials as a valuable reference book. It has been suggested that the volumes be distributed to schools and public libraries throughout the state.

Announcement that consent of the state would have to be obtained before Curry county can secede, seems to have dampened the ardor of the southwest Oregon secessionists. Attorney General Van Winkle has called attention to the fact that the boundaries of the state, including Curry county, are fixed by the constitution which cannot be changed except through a vote of the people of the entire state.

Refinancing of state loans through federal agencies is believed to have contributed largely to the near-record collections of the World War Veterans State Aid commission for September when \$244,047 was paid on bonus loans. Except for December, 1937, the month's collections were the largest in the history of the commission.

Although general relief payments have shown a downward tendency with the advent of the defense program old age pension payments continue to increase. A report issued by State Treasurer Leslie M. Scott shows that for the four-month period ending September 30 the state paid \$1,894,658 in pensions to aged persons compared to \$1,701,554 for the same period a year ago.

In supporting the state tax commission in its controversy with the Multnomah county assessor the state supreme court gave judicial recognition to two principles for which the commission was contending:

Uniformity in assessments as a requirement both of the constitution and the statutes.

Authority of the tax commission over county assessors and county

boards of equalization.

Nothing in the opinion of the high court, written by Chief Justice Percy R. Kelly, can be construed as endorsement of the principle of the "varied ratio" for which the county assessor and the Multnomah county board of equalization were contending.

Replying to the contention of attorneys for the Multnomah assessor that long continued practice had validated the "variable ratio" method of assessment the high court declared that this might be the case "if the statute requiring assessments to be uniform in accordance with true cash value were ambiguous."

"But," the court pointed out, "these statutes are not ambiguous or uncertain. They are plain, definite and mandatory."

In support of the 60 percent assessment as satisfying the requirement for "uniformity" the court said: "We think, although the statute prescribes an assessment upon the cash value, such provision may be properly subordinated to an assessment upon a percentage of cash value of the property in order more nearly to approximate uniformity."

Dealing with the authority of the state tax commission the court ruled that "it is clear that an order, conformable to law, made by the state tax commission with reference to the administration of the laws of assessment and taxation when issued by the state tax commission and directed to a county assessor or county board of equalization, is mandatory and should be obeyed by the officer or board to which it is addressed."

While the controversy over assessments was confined, in this instance, to Multnomah county, the opinion of the supreme court is state wide in its application and represents the first judicial interpretation of these questions.

The state's "take" from pari-mutuel wagering on dog and horse racing during 1941 amounted to \$133,377 according to a report compiled by Secretary of State Snell. This represents three percent of the \$4,444,900 wagered by followers of the ponies and the rabbit chasing canines. On this basis the promoters of these racing meets realized \$144,590 as their share of the season's betting.

Benefit payments to jobless Oregon workmen and women for the four months ending September 30 amounted to only \$518,635, according to State Treasurer Leslie M. Scott. For the same period in 1938 benefit payments totaled \$1,868,345, Scott's report shows.

More rigid supervision of the Yaquina bay oyster beds is recommended in a report to Governor Sprague by the Oregon State College experiment station. The report says that the Yaquina bay beds have been seriously depleted as a result of unregulated and unlimited fishing.

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NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

NOTICE is hereby given that by virtue of an execution and order of sale issued out of the Circuit Court of the State of Oregon for Morrow County this 9th day of October, 1941, upon and pursuant to a decree duly given and made by said Court this 4th day of October, 1941, in a suit pending therein in which the Federal Land Bank of Spokane, a corporation, was plaintiff and Michael K. Flickinger, a widower; George Shane; and West Extension National Farm Loan Association, a corporation, were defendants, which exe-

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cution and order of sale was to me directed and commanded me to sell the real property hereinafter described to satisfy certain liens and charges in said decree specified, I will on Saturday, the 8th day of November, 1941, at the hour of 10:00 o'clock A. M. at the front door of the County Court House in Heppner, Morrow County, Oregon, offer for sale and sell at public auction for cash, subject to redemption as provided by law, all of the right, title and interest of the defendants in said suit and of all parties claiming by, through or under them or any of them since the 10th day of March, 1923, in or to the following described real property, to-wit:

The Southeast quarter of Northeast quarter of Section Ten, Township Four North, Range Twenty-five, East of the Willamette Meridian.

All water and water rights used upon or appurtenant to said lands and however evidenced;

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Dated this 9th day of October, 1941.

C. J. D. BAUMAN, Sheriff, of Morrow County, Oregon.

NOTICE OF FINAL ACCOUNT

Notice is hereby given that the undersigned administrators of the estate of PERCY HUGHES, also known as A. P. Hughes, deceased, have filed their final account of their administration of said estate with the County Court of the State of Oregon for Morrow County, and that said Court has fixed Monday, the 1st day of December, 1941, at the hour of 10:30 A. M. at the County Court room at the Court House at Heppner, Oregon, as the time and place for hearing objections to said final account and the settlement of said estate and all persons having objections thereto are hereby required to file such objections with said Court on or before the time set for said hearing.

Dated and first published this 23rd day of October, 1941.

W. E. HUGHES, ARTHUR L. HUGHES, Administrators.

NOTICE TO CREDITORS

Notice is hereby given that the undersigned has been duly and regularly appointed administratrix of the estate of Melissa Marlatt, by the County Court of the State of Oregon for the County of Morrow, and has accepted such trust; all persons having claims against the said estate are requested to present the same to the undersigned at the office of J. O. Turner in Heppner, Oregon, on or before the expiration of six months from the date hereof.

Dated and first published at Heppner, Oregon, this 16th day of October, 1941.

ALMA E. MORGAN, Administratrix.

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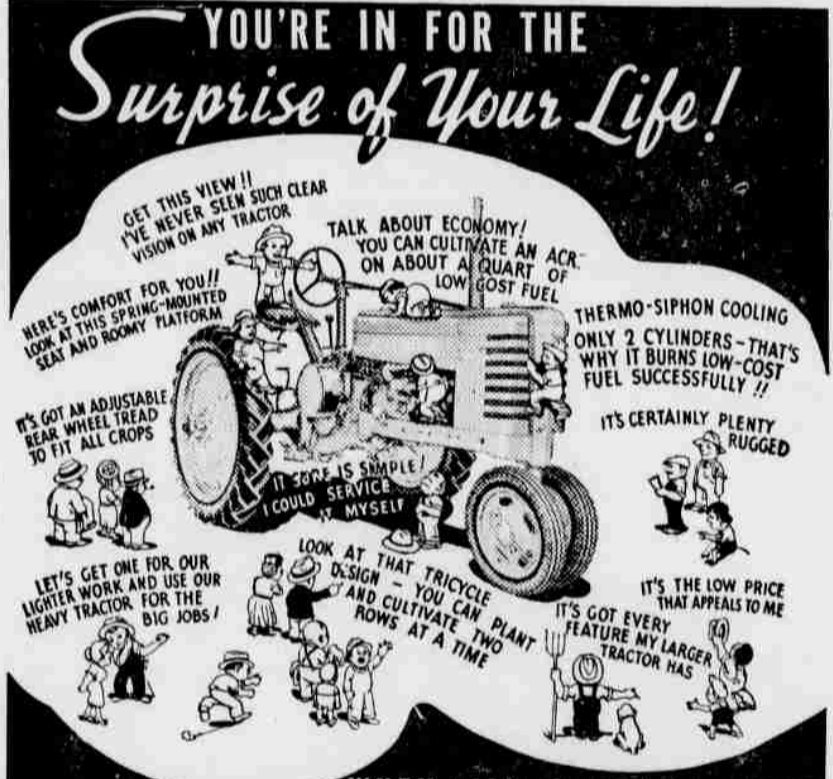
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