

STATE CAPITAL NEWS

- 'Fag' Tax Ruling
- 'Fair Must Go On'
- Mystery Man Gill

By A. L. LINDBECK

Salem.—The effect of the recent supreme court opinion in the cigarette tax case was two-fold.

In the first place the high court restored the cigarette tax referendum to the November ballot.

In the second place it laid down the principle that constitutional rights can not be restricted by legislative enactments or obstructed by the introduction of technical objections.

It will be recalled that last June Secretary of State Snell accepted and filed the referendum petitions sponsored by the Retail Grocers association as conforming to the requirements of the constitution. Then last December, six months after the petitions were filed Attorney General Van Winkle discovered what he regarded as a serious weakness in the expense statements filed by the referendum sponsors. Accordingly he advised Snell that because of this weakness the referendum move was invalid and the measure could not be placed on the ballot. Van Winkle's chief objection to the expense statement lay in the fact that they did not set out in detail "for what purpose" certain expense payments were made. The term "field work" used in these statements, the attorney general held, was too broad to satisfy the requirements of the law covering the subject.

In his opinion overruling the attorney general's ruling Justice J. O. Bailey pointed out that "in circulating initiative and referendum petitions in a statewide campaign it is necessary that the petitions be placed in the hands of volunteer workers who obtain signatures and that they be collected and properly notarized. Those who attend to such details are usually referred to as

field workers. The term "field work" is not an uncommon expression in connection with political activities. It has no mysterious connotation. We believe that any layman would understand its meaning in the statement.

"The statute does not require that the service for which money is paid be minutely described or that everything an employee does to earn his stipend be set forth in the statement of disbursements."

As soon as the opinion of the high court was handed down the state tax commission which had started enforcement of the tax on cigarettes on January 8 suspended its activities in this direction. In the meantime however it had collected more than \$43,000 in taxes and fees thru the enforcement of an act which, it now develops, was not in effect. Now the commission wants to know what to do with this revenue and has asked the attorney general for a ruling on that point.

Paraphrasing the slogan of the theatrical world Leo Spitzbart, manager of Oregon's state fair this week announced that barring unforeseen developments the "fair must go on." The announcement was prompted by persistent rumors that because of the war and restrictions laid down by army authorities against the assemblage of large crowds the big agricultural and industrial exhibition would not be held this year. Spitzbart pointed out that in England which has been at war now for more than two years, events of this character are encouraged because of their effect on civilian morale.

Simultaneously with the introduction of daylight saving time Monday two state departments—the Industrial Accident commission and the Unemployment Compensation commission—adopted a 37-hour work-week, cutting three hours off their previous weekly schedule. Most other departments are adhering to their 40-hour-week except that the state selective service headquarters last week went on a seven day week with the office remaining open from 8 a. m. until 5 p. m. daily.

Ray Gill, state grange master, has developed into the mystery man of

the pending political campaign. A lot of candidates and king makers would like to know Gill's political intentions—if any. The grange leader has been frequently mentioned as a possible candidate for governor, but so far he has refused to satisfy public curiosity on this point. In Salem this week Gill told newsmen that he had no "immediate intention" of entering the campaign. Political prognosticators have interpreted this to mean that he will not enter the primary but that he has not closed the door to his entry into the fall campaign as an independent candidate.

Gill is a registered republican. His political leanings, however, have been tending strongly toward the idealisms of the New Deal. His political strength, therefore, aside from his following in the grange and the public power group would appear to lie largely in the left wing of the Democratic party. These could not do him a great deal of good in the primary campaign where he would have to run on the Republican ticket, except for an eleventh hour conversion, but they could rally to his support as an independent candidate next November should he choose to run at that time as many believe that he will.

Governor Sprague is still casting about for a new budget director. It will be recalled that when he promoted David W. L. Eccles to the new post of coordinator of wartime industrial production he announced that Roy Mills, business representative for the state institutions would take over the budget work. Then Dan Fry suddenly resigned as secretary to the board of control and Mills was pulled back to take over that job leaving the budget post still vacant. Rumors that the job had been offered to Irl McCherry, assistant parole director, were denied by McCherry who is getting ready to run for secretary of state. It is now understood that the governor is looking for some prominent eastern Oregon republican for the budget post which carries with it a salary of \$5000 a year.

Inheritance and gift tax collections for 1941 set a new all-time high record at \$1,669,943.37, it was reported by State Treasurer Leslie M. Scott. Approximately one-half of this huge total was paid by the E. S. Collins estate of Portland. The year's collection from these two sources was almost \$1,000,000 above the 1940 figures.

John Steelhammer, Salem legislator, has let it be known that he is a candidate for speaker of the house of representatives. Steelhammer, now serving his second term in the house, will be a candidate for re-election this year.

Sales of hard liquor in Oregon during 1941 amounted to \$10,329,657, according to the annual report of the State Liquor Control commission. Net profits of the commission for the year amounted to \$3,107,197.65, the report shows, compared to profits of \$2,609,685.10 for 1940.

Approximately 70,000 Oregon motorists were arrested by state police during 1941 for violating state traffic laws, according to the annual report of Chas P. Pray, superintendent of the police bureau. Fines aggregating \$116,173 were paid by those apprehended offenders. Drunken drivers picked up by state police during the year totalled 502.

NOTICE OF FINAL ACCOUNT
Notice is hereby given that the undersigned administrator of the estate of William T. Reynolds deceased,

has filed with the County Court of the State of Oregon for Morrow County, his final account of his administration of the estate of said deceased, and that said court has fixed Monday, the 9th day of March, 1942, at the hour of 10:00 o'clock in the forenoon of said day as the time for hearing objections to said final account and the settlement of said estate, and all persons having objections thereto are hereby required to file the same with said court on or before the time set for said hearing. Dated and first published this 5th day of February, 1942.

GLENN A. FARRENS,
Administrator.

NOTICE OF TAKING UP OF ANIMAL

Notice is hereby given by virtue of the laws of the State of Oregon that I have taken up the within described animal at the Benge place 8 miles south of Lexington, and that I will, on Saturday, February 21st, 1942, at 10:00 o'clock A. M., at said place sell said animal to the highest bidder for cash in hand, subject to the right of redemption by the owner prior to the date of said sale. Said animal is described as follows:

I white faced steer calf, unbranded, right ear cropped.

TERREL L. BENGE,
Lexington, Oregon.

NOTICE OF SALE OF ANIMAL

Notice is hereby given by virtue of the laws of the State of Oregon that I have taken up the within described animal at my place 3 miles below Rugg's on Rhea creek, and I will, on Saturday, February 14, 1942, at 10 o'clock, a. m., at said place, sell said animal to the highest bidder for cash in hand, subject to the right of redemption of the owner thereof. Said animal is described as follows:

1 black stag Poland China hog, no visible marks or brands, weight about 350 pounds.

EARL MCKINNEY,
Heppner, Oregon.

NOTICE OF SALE OF COUNTY PROPERTY

By virtue of an ORDER OF THE COUNTY COURT, dated January 14, 1942, I am authorized and directed to advertise and sell at public auction at not less than the minimum price herein set forth:

Tract No. 31 in the city of Ione, Morrow County, Oregon for the minimum price of \$125.00 cash.

Lot 1 in Block 20 West (5 acres), and lots 3 & 4 Block 15 West (10 acres) in Section 25, Township 5 North, Range 26, E. W. M. for the minimum price of \$4.00 per acre cash.

THEREFORE, I will on the 14th day of February, 1942, at the hour of 10:00 A. M., at the front door of the Court House in Heppner, Oregon, sell said property to the highest and best bidder.

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

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