

## EDITORIAL CORRESPONDENCE

### OREGON HOME RULE TAX AMENDMENT UPHELD.\*

Portland, January 24.

By a 4-to-1 decision, the Supreme Court of Oregon decided, January 23, that the County Home Rule Tax Amendment—the so-called Singletax amendment—adopted by the voters in 1910, does not need an enabling act or additional legislation, and that county tax bills initiated under that amendment must be placed upon the ballot.

The only county tax bill thus far initiated and offered for filing at the office of the Secretary of State is the Clackamas County bill, which is a Singletax measure. When that bill was offered to the Secretary of State, he asked for the Attorney General's opinion, and was advised that the bill could not be placed upon the ballot because no machinery exists by which to put into execution the power conferred upon counties by the amendment of 1910—Section 1a of Article IX of the Constitution. That opinion, was based upon two contentions:

(1) That the Amendment itself is not self-executing; and (2) That the Amendment is not executed by existing Initiative and Referendum provisions of the Constitution, because the words "municipality and district" as used in those provisions were not meant to include counties.

The plaintiff, G. A. Schuebel of Clackamas County, through his attorneys, C. E. S. Wood, W. S. U'Ren and E. S. J. McAllister, obtained a writ of mandamus from the Supreme Court, which took original jurisdiction, directing the Secretary of State to file the Initiative measure or to show cause for his omission to do so. The brief for the plaintiff was prepared by C. E. S. Wood's son, Erskine, who has not yet been admitted to the bar because of his youth. It is a model of brevity and clearness.

In answering the objections raised against the Clackamas County bill, the plaintiff admitted that the County Home Rule Tax Amendment is not self-executing, but held that the second contention was erroneous because "municipality and district" as used in the Initiative provisions of the existing law includes counties. Three decisions of the Supreme Court of Oregon were cited in the brief, in which the Court used the words "municipality and district" as including counties, and it was shown that the legislature of 1907, in the enabling act putting the Initiative and Referendum amendment in force, used the words "municipality and district" so as clearly to comprise "counties."



The opinion of the Court, written by Justice Bean, holds that in construing a written constitution the object is to give effect to the intent of the people in adopting it; that the Constitution reserves to the legal voters of municipalities and districts the right to enact local, special and municipal measures, and that this authority is to be exercised in the respective localities by the Initiative; that whatever have

been the duties or powers of counties prior to the adoption of these amendments, there is no reason why such quasi municipalities or districts cannot be endowed with legislative functions by the plain provisions of the Constitution; that a county is clearly a municipality or district within the meaning of the Initiative provisions of the Constitution; that the word "county" is practically incorporated into and made a part of the Initiative provisions by the County Home Rule Tax Amendment for the purpose therein expressed.

So the Court holds that though the machinery for putting the Initiative provisions of the Constitution into effect was created before the adoption of the County Home Rule Tax Amendment, yet that this machinery created and the provisions of the enabling act fit with almost exact nicety, and it is not necessary for the people or the legislature to provide other or additional machinery.

In conclusion, the Court says it is not called upon to construe the provisions of the Clackamas County Bill, or to decide whether or not it is local.



In his dissenting opinion, Justice Burnett said that if the proposed Clackamas County Bill infringes upon or in any way hinders the State in the collection of its revenues, it is void to that extent; "which nobody will deny." But that question was not before the Court, and it is not alleged that the bill will infringe upon or hinder the State in its collection of revenues. Doubtless every judge on that Bench agrees with Justice Burnett to that extent, as do the proponents of the Clackamas County Bill. The dissenting justice confined his dissent to matters not at issue.



Now that the Supreme Court has decided this question, petitions for Singletax bills will be circulated in other counties in Oregon. A petition will be circulated immediately in Multnomah County, which includes Portland, and "The Oregonian's" editorial shrieks of pain and anguish will increase in volume, velocity and vehemence.

"There's a reason" for "The Oregonian's" anguish. The chief owner of that paper is a thrifty, industrious, saving speculator, who owns a nice unimproved block in the business part of Portland, worth \$1,500,000 in 1910, and assessed that year for \$502,000. Just enough Singletax to raise the same amount of money that was raised by the general property tax in 1910 would have boosted the tax on that block of land from \$11,044 to about \$18,850. Hence it is the "editorial policy" and firm conviction of "The Oregonian" that "Singletax will ruin the farmer" and reduce the home owner to the pitiable condition of a cocked hat.

W. G. EGGLESTON.



### TAXATION IN PITTSBURGH.

Pittsburgh, Pa., Jan. 29.

The report of the Pittsburgh Civic Commission on Taxation\* has aroused considerable interest and

\*See The Public, volume xiv, pages 1053, 1068, 1093, 1098.

\*See volume xiv, page 658, and current volume, page 51.

comment throughout the country. In many quarters it is supposed that this report must have been prepared and adopted by Singletaxers. This is far from the case. The framers and backers of the report are among Pittsburgh's leading business men, who have been carefully studying conditions in Pittsburgh for the last three years.

Many recommendations have been made which dealt partially with evils and defects of the city, but these partial remedies have been gradually seen to be insufficient; they did not go to the root of the matter. It was gradually borne home that Pittsburgh must have radical treatment in order to overcome existing handicaps. The recommendation to tax buildings at only half the rate on land is the outcome.

The chairman of the Housing Committee presenting the report is one of Pittsburgh's largest and best known contractors. The president of the Commission itself is an ex-president of the Chamber of Commerce, president of the Local Men and Religion Committee, a leading insurance agent and a member of the Executive Committee of the Crucible Steel Company. Another very prominent endorser of the report is H. J. Heinz, the pickle man, and one of Pittsburgh's most successful business men. Another sponsor is Joseph W. Marsh, president of the Exchange National Bank, and the Standard Underground Cable Company. He was appointed receiver of the Westinghouse Companies in 1907.

The list of the Commission and its Housing Committee might be gone through with in the above fashion, and it would be seen that this report has been issued by as thoughtful, conservative and successful business men as Pittsburgh possesses. Consequently, the report is receiving corresponding attention in Pittsburgh, and this statement as to its sponsors would give the report additional influence throughout the country.

ALLEN T. BURNS.



## LA FOLLETTE AT NEW YORK.

New York, January 25.

The meeting arranged on Monday, January 22, by the Insurgents' Club to afford Senator La Follette an opportunity of addressing a New York audience, was a noteworthy one in many ways. Carnegie Hall was crowded to the last inch of room and there was an immense gathering in the street outside. Mr. Frederic C. Howe, President of the club, introduced Mr. Gifford Pinchot as Chairman of the evening. Mr. Pinchot said that his remarks were merely to gain time while Senator La Follette was addressing the disappointed in the street outside. He said that the keynote of Senator La Follette's democracy, as well as of the aims and purposes of the Insurgents' Club, was a thorough understanding of the rights of the many who could not get in, as against those of the few, who were in.

When Senator La Follette arrived he was very hoarse from his previous exertions, but he held his audience for nearly two hours. It would have been quite impossible for any one wedded to partisanship in politics to tell, from anything the Senator said, what party he belonged to. He repudiated the machines of both parties with equal candor and

vigor. His speech was one of fundamental democracy—with a small "d"—from beginning to end. He was speaking to a typical, well-dressed, comfortably-off New York audience, a goodly proportion of which were women, and he succeeded in convincing them of his absolute sincerity. It should have been a revelation to many of them who believe that it is impossible for a man to attain a leading political position in this country without owing allegiance to the machine, or in spite of owing an open allegiance to ideas of justice and true democracy.

Mr. La Follette's remarks on the Recall, particularly as applied to the judiciary, were naturally the culmination of the evening, as far as the interest of the audience was concerned. He was quite frank in his comments on the necessity for this measure shown in some recent Supreme Court decisions.

If possible the greatest applause was called out by his equally frank advocacy of the political enfranchisement of women.

Several of the papers, commenting editorially on Senator La Follette's speech, although not at all predisposed to support him, could not avoid remarking on his evident sincerity and on the sincerity of the welcome accorded him. But they gave a note of warning in reminding him, without mentioning names, of the similarly warm welcome accorded Mr. Bryan years before. This welcome in the opinion of the papers quoted led to nothing, because it did not win office for the recipient of it. The fact that it won the confidence of the better elements of the party, as is happening now in Senator La Follette's case, apparently does not count.

GRACE ISABEL COLBRON.



## ADAMS IN WASHINGTON.

Spokane, Washington, Jan. 24th.

The recent visit of Charles Frederick Adams under the auspices of the Henry George Lecture Association of Chicago, was most successful in point of public interest and size of meetings. Mr. Adams addressed sixteen meetings, all well attended and manifesting a keen interest in the Singletax philosophy. Our demand for literature and Singletax speakers is unprecedented.

Mr. Adams possesses the happy faculty of winning the respect and sympathies of conservative people. He fully demonstrated this at the Chamber of Commerce, the Rotary Club, the Ad. Club, and the University Club noonday luncheons. He received a most respectful, and even enthusiastic, hearing from their membership. For the three meetings before these business men's organizations, we are indebted to the good offices of our Commissioner of Public Utilities, Mr. C. M. Fassett.

WM. MATHEWS.



Jim Driscoll, a farm boy, got a job in the steel mill, and his boss gave him a foot rule one day, and said: "Measure me that plate out there in the yard."

Jim, at the end of a half hour returned and said: "The plate is the length of the rule and three fingers over, with this piece of cobble stone, and the stem of my pipe, and my foot from here to here, bar the toecap."—New York Sun.