

FRANCHISE PLAN OF MAYOR LANE

Front-Street for Both Corporations.

UNDER MUNICIPAL CONTROL

Each to Share the Cost of Construction.

REVERT FINALLY TO CITY

Chief Executive Suggests That His Method May Harmonize Differences of United Railways and Willamette Traction Co.

MAYOR LANE PROPOSES SOLUTION OF FRANCHISE TANGLE.

It is Mayor Lane's intention to be on hand at the special meeting of the Council tomorrow afternoon, despite his illness, and personally submit what he considers a proper solution of the front-street franchise problem. His plan contemplates equal rights on the street for both the United Railways Company and the Willamette Valley Traction Company, subject to full municipal control. Each corporation is to bear its proportionate share of the cost of construction, according to the Mayor's ideas, and title to the line is to vest in the city at the expiration of a specified time.

The proposition excited general comment from those particularly interested, and was acceptable to the Willamette Valley Traction Company, while the United Railways people prefer to operate under the provisions of their own franchises.

Another Moses has been developed in connection with the solution of the front-street franchise tangle, and at the special meeting of the City Council tomorrow afternoon, called to consider the two opposition reports that will undoubtedly be presented to the body, Mayor Lane will personally submit a plan which he is positive will solve the intricate traffic question.

In brief, his proposition is based upon municipal control, and contemplates granting both the United Railways Company and the Willamette Valley Traction Company equal rights on the street, the operation of all cars to be under the direction of either some one appointed by the city, or a board of control composed of three persons, one of whom shall be named by the municipality and the other two to be selected by each of the rival corporations.

Divide Cost of Construction.

The cost of construction of the line down Front street is to be divided equally between the two competing roads, and in case any other road wants to use the track, it must pay its proportionate share of the original expense.

Under the charter two-thirds of all the members of the Council are necessary to pass an ordinance, and in case of executive disapproval, a three-quarter vote is required to pass it over the veto. It is believed that neither the United Railways Company nor the Willamette Valley Traction Company can control a sufficient number of votes in the Council to win out along the lines indicated in their respective franchises, and that therefore the Mayor is practically master of the situation.

"Municipal ownership for that road is the proposition for that road," said the Mayor last night, in response to an inquiry upon the subject, "there is no amount which the railroad could give which would compensate the city for the loss it would sustain by having it go into the control of private corporations. It is the gateway into the city, don't you see, and that thoroughfare must be kept open so that freight and materials of all kinds can come in here at the least possible expense."

How to Avoid Delay.

"We cannot have municipal ownership without an election, which would be delay. In the meantime we would be losing valuable time, so the thing to do would be to let those companies build the road from the southern limits of the city as far north as it is possible to extend it, they to pay all cost of building and equipment, and maintenance in every respect, and to let the city have absolute control of the traffic over the road by the appointment of a train dispatcher or some one vested with full authority to act in the matter. He would be required to supervise and see that each road is treated fairly in the use of the track, the cost of his employment to be borne by the corporations using the track."

"All companies are to be allowed under my plan to come in by paying their proportionate share of the initial cost of building the road, together with its maintenance—in fact, a free-for-all and everybody invited. There should be a switching charge in some reasonable amount, but nothing extortionate, so as to encourage the shipment of products into the city, and aid in every way the development of the country tributary to Portland."

Short-Term Franchise.

The life of the franchise must be as short as possible, and yet in justice to those who have constructed the line. At

the expiration of this stipulated time the road should revert to the city and be turned over in good condition. There should also be a clause that it should revert to the city in case the companies operating thereon do not at all times fulfill the obligations of their franchise.

"I think at this time the city should make no mistake relative to the front-street franchise. It cannot afford to part with the exclusive right, even if some company should offer to lay tracks of gold and give the road to us free of all cost. I am determined that the city shall be fully protected in the matter, and it would be useless for either road to try to exercise any monopolistic tendencies in that direction. In fact, it looks to me as if there are a lot of other franchises here that the city could get hold of, and I believe it would be a paying investment for us to do a little mining on our own account."

City Must Benefit.

"Without going into details or mentioning names, I am sure that several companies are now operating in Portland upon franchises which are not worth the paper they are written on, and it is about time the city commenced to derive some benefit from the transaction."

Replying to an inquiry as to the possibilities of municipal revenues being increased had the city not heretofore parted with its vested rights to several of the more important franchises for a song, the Mayor continued:

"I am not quite so sure about our having relinquished all title to these old franchises. I propose to investigate this matter pretty carefully, and see if there is not some chance for the city to get hold of a few of these so-called perpetual rights. It begins to look now as if we had a first-class show to make some of them surrender these privileges they have been enjoying so long without giving the city any return except a nominal remuneration."

Decision of Supreme Court.

"Did you read that story in this morning's Oregonian concerning the decision of the United States Supreme Court in the case of the City of Chicago, wherein the tribunal held that the act of the State of Illinois in extending the lives of the street car companies to 99 years, while constituting a franchise, does not constitute contracts for occupation of the streets, which contracts have been expressly limited in time by ordinance permitting the corporations to occupy public highways?"

"The United States Supreme Court decided that the 99-year act, though valid, is valueless, and the municipality is therefore master of the situation. It strikes me that Portland is just now in about the same fix, and in any event the people may rest assured that I am going to do some lively mining on these franchise questions, and I am sure that several good pay-strecks will be developed as the result of the prospecting already inaugurated."

Traction Company Willing.

"I think his ideas are all right," said William S. Barstow, secretary of the Willamette Valley Traction Company, referring to Mayor Lane's plan; "as far as the Willamette Valley Traction Company is concerned, the intent has always been to secure a proper entrance into the city on a basis fair to itself and to the city, so that its passenger cars could be brought to its terminal at Jefferson street and the freight could be transferred across the city to either the Southern Pacific, Northern Pacific or the Great Northern terminals. Any proposition which grants equal rights to all on Front street is perfectly acceptable to the Willamette Traction Company. As we understand the Mayor's suggestion, it provides for joint construction of line, joint control of the line, the dividing of the line to the city after a certain period, and the joint payment to the city for the use of the line. With very few changes, the franchisees now recommended by the committee should be amended so as to comply with these requirements and such amendments, so far as the Willamette Valley Traction Company is concerned, would be acceptable."

J. Whyte Evans' Views.

"Concerning the proposition made to the United Railways Company by Mayor Lane with a view to bringing the two competing companies together on the franchise difficulty, J. Whyte Evans, president of the United Railways Company, said:

"So far as the United Railways Company is concerned, we have had no proposition put to us definite enough to consider. So far as we are concerned, we will stand or fall on the franchise we have tendered to the Council, unless Mayor Lane or someone else can present a better one. If the Mayor can give us a better one, we will consider it."

(Concluded on Page 2.)

TO PUT ON THE LID.



Governor Davis of Arkansas at Hot Springs. He has given them notice to shut up and clear out by April 1. He demands that if the police authorities will not aid him in closing up the joints he will call on the militia. Governor Davis was rebuffed by President Roosevelt at Little Rock for advocating Irish law is a public address.

BORAH'S OUT OF SENATORIAL RACE

Idaho Lawyer Will Use Talents in Prosecution of Officials of the Federation.

GREAT LEGAL FIGHT AHEAD

Judge Beatty Has Good Chance, Though J. H. Brady Is Said to Have the Backing of the Mormons.

BY W. G. MACHAE.
BOISE, Idaho, March 13.—(Staff Correspondence.)—W. E. Borah, one of the foremost lawyers in Idaho, and one of the most-talked-of Republicans in the United States Senate, has from this afternoon ceased to be a candidate for that high honor. This exclusive announcement will startle the friends of this brilliant lawyer, will bring a storm of protest from them, and will afford political gossip for his political enemies for some time to come.

Those who know Mr. Borah best, those who for years have talked of him as the next Senator from Idaho, those who have stood shoulder to shoulder with him, not only in the great fight he made during the Coeur d'Alene outrages, but in business and in the political affairs of this state, will believe, when it is said that the man and lawyer has risen above the man and political ambition, when it is announced that he has cast aside his ambition for the Senatorial toga that he might devote his entire time to the prosecuting of the men accused of taking the life of Governor Frank Steunbeger.

Motives May Be Misunderstood.

Cynics will sneer. Those leaders whose warped political visions are no wider than the office they seek will impute another motive to the withdrawal of Mr. Borah from the Senatorial contest at this time. But let the cynics do their cynic, let the little ring of politicians who have fought Mr. Borah for years, mouth their view and prate of driving him out of the race at this time because

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STORM DOES MORE GOOD THAN HARM

Every Prospect for a Bumper Fruit Crop in the Rogue River Valley.

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Heavy Fall of Snow in the Mountains Insures a Continuance of Operations for the Entire Summer.

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STOCK—Many shorned goats and young kids in the Willamette Valley killed. Baker County sheep on the valley range can be fed. Sheep on Snake River in peril. Rain will save stock in Lake County buried deep in snow. Some loss expected in Central Oregon.

FICER MIXING—In Southern Oregon abundant water will be provided for the miners coming Summer from the heavy snowfall.

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This is the heaviest snow in March for many years. Usually almonds, apricots and peaches are in bloom at this time of year, but the present winter was cool and early fruit is but just opening, and apples, pears and cherries are yet dormant. Orchardists say the storm has done no damage, and that the prospects are perfect for a record-breaking fruit crop for this valley.

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Stock losses have been more severe, however. Goats and sheep have suffered. Many lambs were lost, and in the foothills, where goats are run, considerable shearing had been done during the warm weather preceding the storm. Whenever goats were sheared they have perished numerous by freezing during the severe weather.

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Surveyors are at work now south of Burns, at what is known as Narrows, and there is a possibility of some line of the Oregon Short Line going in through Lakeview.

Sherman Wheat Is Protected.
MORO, Or., March 13.—(Special.)—Saturday a cold east wind, accompanied with snow, swept over this part of Sherman County, Saturday and Sunday nights being the coldest of the winter. Monday morning the mercury was down to 2. The ground is partially covered with snow, with every indication of more, and it is the opinion of ranchers that there is sufficient snow on the ground to protect the wheat.

What is looking better than it has for several years at this season; the stand is unusually good, and the acreage much more than last year.

Apricot Crop Is Destroyed.
SALEM, Or., March 13.—(Special.)—The weather is slightly warmer in Salem tonight than last night, but still close to the freezing point. A light northwest wind is blowing. Reports received today indicate that the apricot crop is destroyed, but as there are very few apricot trees in this part of the valley, the loss will be very little.

Many peach buds have been killed, but it remains to be seen whether there will be enough late buds to make a fair crop. Salem plumbers report few bursted water pipes.

Much Suffering to Stock.
CONDON, Or., March 13.—(Special.)—The worst storm and blizzard of the winter is raging in Gilliam County, having broken over this section Saturday morning with furious wind and snow storm. The thermometer ranges below zero, and the ground is frozen to a depth of several inches.

It is thought that this storm will result in a serious setback to the range, which was unusually promising up to the time of this storm. It has occasioned much suffering to stock.

Snake River Sheep in Danger.
BAKER CITY, Or., March 13.—(Special.)—The weather has turned stormy again, with a brisk wind and heavy snow this afternoon. The heavy snow in the valleys are getting hay to their snowbound flocks on the

(Concluded on Page 1.)

HE MAY SMOTHER STATEHOOD BILL

Cannon Has Plan to Foil Attack of Insurgents on His Policy.

SEND BILL TO COMMITTEE

While They Reorganize Forces to Carry Senate Amendments, the Speaker Finds Way to Avoid Vote in the House.

WASHINGTON, March 13.—There are indications that the statehood bill may be referred by Speaker Cannon to the committee on territories. This action, the friends of statehood for Indian Territory and Oklahoma fear, will entirely defeat the measure. The committee can retain the bill indefinitely and, should it appear that there are "insurgent" votes enough to concure with the Senate, the bill would not, they say, be brought into the House.

Under the rules of the House, a Senate amendment to a House bill which changes the charge on the treasury sends the bill to a committee automatically. The amendment in question is one granting lien land to the new state for school purposes in case sections 18 and 36 reserved in each township, prove to be mineral land.

Avoids Absentees' Return.
Although the bill goes to committee without a motion in the House, it is still on the Speaker's table, unless some member insists that the reference be made at once, the plan is to defer the reference until the return of the members who have gone south on a river and harbor inspection tour. This delegation will return Saturday. An agreement was made before they left whereby nothing was to be done with the statehood bill until their return.

Worries the Insurgents.
The news that the bill was to go to committee, which leaked out today, was somewhat disconcerting to the "insurgents," who have been bending their energies to strengthening their numbers in the expectation of a direct vote on the motion to concure in the Senate amendments. If some way had not been discovered to concure with the bill, this motion to concure would have been in order and would have taken precedence over a motion to disagree and go into conference.

Just how the "insurgents" are to meet the new situation has not been decided upon, so far as can be ascertained.

On account of the reception here to Governor Pennypacker, of Pennsylvania, the Republican statehood caucus has been postponed until Thursday afternoon at 3 o'clock.

ALL MIDDIES WERE HAZETS

House Committee Finds Practice General and Censures Officers.

WASHINGTON, March 13.—The subcommittee on Military Affairs to investigate hazing at the military academy made its report this morning, through representative Vreeland of New York, chairman of the investigating committee.

Rear-Admiral Brownson is censured in the report for exacting a pledge from midshipmen not to engage in hazing and for allowing the boys to think the pledge was personal to him and did not hold after Rear-Admiral Sande became superintendent at the academy.

Lieutenant C. P. Snyder is also censured for having countenanced hazing. Graduated punishment for hazing is recommended by the sub-committee, which is firmly of the opinion that the present system, expelling all midshipmen found guilty of hazing, is vicious. Rear-Admiral Sande and other officers now at the academy are praised for the discipline they are maintaining and the report shows that cadet officers have been chiefly responsible for hazing.

As a result of its examination of witnesses the sub-committee found that 351 members of the three upper classes at the academy, including the class which was recently graduated, have been guilty of hazing, and on trial could be expelled from the academy. This class consists of a great and unnecessary loss to the Government, in the opinion of the members of the committee, who found that many of the offenses were trivial.

The report makes it clear that a failure of cadet officers to perform their duties makes it impossible for naval officers in charge to maintain discipline, and denounces the code of honor which permits cadet officers to shun their duties. The committee says the present system of maintaining order is correct, but urges changes in the code of honor, to be more active in reporting violations and shall be careful to report all knowledge of violations which they do not actually see. It is suggested that the surgeons should report more fully on injuries, even though slight, which seem to be caused by fighting.

With the exception of Lieutenant Snyder, disciplinary officers are exonerated from connivance at hazing. He is charged with having indicated to upper classmen that fourth classmen might be disciplined by upper classmen for laughing at an order. The present senior class is especially commended for its action against hazing.

Present hazing laws are frankly denounced as hindrance to discipline, and Congressional interference is declared to be injurious to the academy. Changes in the laws are suggested which make it possible to punish each case as it deserves.

Shaw Remembers a Friend.
WASHINGTON, March 13.—William S. Richardson, of Iowa, a clerk in the office of the Auditor of the State Department, has been selected as disbursing clerk for the Treasury Department. He is a personal friend of Secretary Shaw.

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Surveyors are at work now south of Burns, at what is known as Narrows, and there is a possibility of some line of the Oregon Short Line going in through Lakeview.

Sherman Wheat Is Protected.
MORO, Or., March 13.—(Special.)—Saturday a cold east wind, accompanied with snow, swept over this part of Sherman County, Saturday and Sunday nights being the coldest of the winter. Monday morning the mercury was down to 2. The ground is partially covered with snow, with every indication of more, and it is the opinion of ranchers that there is sufficient snow on the ground to protect the wheat.

What is looking better than it has for several years at this season; the stand is unusually good, and the acreage much more than last year.

Apricot Crop Is Destroyed.
SALEM, Or., March 13.—(Special.)—The weather is slightly warmer in Salem tonight than last night, but still close to the freezing point. A light northwest wind is blowing. Reports received today indicate that the apricot crop is destroyed, but as there are very few apricot trees in this part of the valley, the loss will be very little.

Many peach buds have been killed, but it remains to be seen whether there will be enough late buds to make a fair crop. Salem plumbers report few bursted water pipes.

Much Suffering to Stock.
CONDON, Or., March 13.—(Special.)—The worst storm and blizzard of the winter is raging in Gilliam County, having broken over this section Saturday morning with furious wind and snow storm. The thermometer ranges below zero, and the ground is frozen to a depth of several inches.

It is thought that this storm will result in a serious setback to the range, which was unusually promising up to the time of this storm. It has occasioned much suffering to stock.

Snake River Sheep in Danger.
BAKER CITY, Or., March 13.—(Special.)—The weather has turned stormy again, with a brisk wind and heavy snow this afternoon. The heavy snow in the valleys are getting hay to their snowbound flocks on the

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HE MAY SMOTHER STATEHOOD BILL

Cannon Has Plan to Foil Attack of Insurgents on His Policy.

SEND BILL TO COMMITTEE

While They Reorganize Forces to Carry Senate Amendments, the Speaker Finds Way to Avoid Vote in the House.

WASHINGTON, March 13.—There are indications that the statehood bill may be referred by Speaker Cannon to the committee on territories. This action, the friends of statehood for Indian Territory and Oklahoma fear, will entirely defeat the measure. The committee can retain the bill indefinitely and, should it appear that there are "insurgent" votes enough to concure with the Senate, the bill would not, they say, be brought into the House.

Under the rules of the House, a Senate amendment to a House bill which changes the charge on the treasury sends the bill to a committee automatically. The amendment in question is one granting lien land to the new state for school purposes in case sections 18 and 36 reserved in each township, prove to be mineral land.

Avoids Absentees' Return.
Although the bill goes to committee without a motion in the House, it is still on the Speaker's table, unless some member insists that the reference be made at once, the plan is to defer the reference until the return of the members who have gone south on a river and harbor inspection tour. This delegation will return Saturday. An agreement was made before they left whereby nothing was to be done with the statehood bill until their return.

Worries the Insurgents.
The news that the bill was to go to committee, which leaked out today, was somewhat disconcerting to the "insurgents," who have been bending their energies to strengthening their numbers in the expectation of a direct vote on the motion to concure in the Senate amendments. If some way had not been discovered to concure with the bill, this motion to concure would have been in order and would have taken precedence over a motion to disagree and go into conference.

Just how the "insurgents" are to meet the new situation has not been decided upon, so far as can be ascertained.

On account of the reception here to Governor Pennypacker, of Pennsylvania, the Republican statehood caucus has been postponed until Thursday afternoon at 3 o'clock.

ALL MIDDIES WERE HAZETS

House Committee Finds Practice General and Censures Officers.

WASHINGTON, March 13.—The subcommittee on Military Affairs to investigate hazing at the military academy made its report this morning, through representative Vreeland of New York, chairman of the investigating committee.

Rear-Admiral Brownson is censured in the report for exacting a pledge from midshipmen not to engage in hazing and for allowing the boys to think the pledge was personal to him and did not hold after Rear-Admiral Sande became superintendent at the academy.

Lieutenant C. P. Snyder is also censured for having countenanced hazing. Graduated punishment for hazing is recommended by the sub-committee, which is firmly of the opinion that the present system, expelling all midshipmen found guilty of hazing, is vicious. Rear-Admiral Sande and other officers now at the academy are praised for the discipline they are maintaining and the report shows that cadet officers have been chiefly responsible for hazing.

As a result of its examination of witnesses the sub-committee found that 351 members of the three upper classes at the academy, including the class which was recently graduated, have been guilty of hazing, and on trial could be expelled from the academy. This class consists of a great and unnecessary loss to the Government, in the opinion of the members of the committee, who found that many of the offenses were trivial.