

VETOES FRANCHISE

MAYOR SOMMER RETURNS ORDINANCE WITHOUT APPROVAL.

Oregon Water Power & Railway Company May Not Get 35-Year Freight Privilege.

Tuesday afternoon Mayor E. A. Sommer vetoed the Oregon Water Power & Railway Company's 35-year freight franchise ordinance that he had under consideration for ten days. The ordinance together with the Mayor's veto message, was filed with Recorder Dimick late Tuesday afternoon.

In vetoing the ordinance, Mayor Sommer returned to the Council the following message: To the Honorable Council of Oregon City:

Gentlemen: In the early portion of my administration as Mayor of Oregon City, a request was made by the Oregon Water Power and Railway Company for a new franchise upon Main street which would include the right to operate passenger, freight and express cars upon said Main street without restriction as to time or manner of operation. This request was made in view of the proposed extension of the lines of the Oregon Water Power and Railway Company through Oregon City and into the southeastern portion of Clackamas County. At your request your body was opposed to granting a franchise conferring unrestricted traffic privileges to the said company upon Main street, and in accordance with the will of the people of Oregon City assembled in mass, a committee of citizens was appointed to endeavor to frame a franchise ordinance that would at once satisfy the requirements of the company and also protect the interests of Oregon City. I am advised that this committee met several times and failed to effect any agreement with the railroad company and made a report to the Council of Oregon City to that effect. Subsequently a resolution was introduced in the council directing the Mayor to appoint a committee of three members of the council together with the Mayor and City Attorney to meet with the officials of the Railroad Company and endeavor to frame a franchise that would protect the interests of Oregon City and at the same time grant to the railroad company such rights and privileges as would permit the extension of its lines and thereby promote the development of Oregon City and also the portion of Clackamas County lying south and east of Oregon City. Pursuant to this resolution I appointed as members of the said committee Councilmen R. Koerner, Wm. Sheahan and H. E. Straight to act with the City Attorney, Franklin T. Griffith and myself as the representatives of the council.

The committee organized and carefully and conscientiously discharged the duty imposed upon it. The committee first considered the several existing franchises in favor of the railroad company which are as follows:

Ordinance No. 139, which was approved July 11, 1892, a grant to the East Side Railway Company, its successors and assigns, the right to lay down, maintain and operate upon Main street from Third street to the northerly limits of the city either a single or double track railway with the necessary turnouts and turntables. This ordinance provided that the railroad should be operated by animal, cable or electric power and should continue in force for a term of fifty years and that after the first ten years there should be paid to Oregon City an annual license of \$100.00 for each of the remaining forty years. Such license to be paid on the first of January of each year.

Ordinance No. 207, approved June 24, 1897, granted to the East Side Railway Company the right and privilege to operate an express car on Main street for the term of ten years from June 1, 1897.

Ordinance No. 241, passed August 17, 1899, whereby there was granted to G. C. Fields, his heirs and assigns, the right to lay down, maintain and operate a railway upon Main street from Third street southerly along and upon Main street and over and upon the road on the easterly side of the basin to the southern boundary of the city, together with necessary turnouts, turntables and switches. This franchise provides for an annual license fee of \$50.00 per annum and expires August 17, 1923.

Ordinance No. 274, approved November 10, 1902, granting to the Oregon Water Power and Railway Company, its successors and assigns, the right to lay down, maintain and operate railway tracks on Third street and also the right to operate express and freight cars upon Main street and Third street and allowing one round trip of not exceeding three attached cars between 7 A. M. and noon of each day and one round trip of three attached cars between 12 o'clock noon and 7:00 o'clock P. M. of said day and also granting the right to operate express and freight cars as often as the company may desire between 9:00 o'clock P. M. and seven o'clock A. M. This franchise expires November 10, 1912, and provides for an annual license fee of \$400 during the first five years and \$500 per annum during the last five years.

At the outset of the committee's negotiations it was confronted with the fact that the railroad company now holds a passenger franchise which has yet 37 years to run and for which the company is required to pay an annual license fee of only \$100.00 during the entire term. Under this long term franchise the company has the right to lay an additional track on Main street together with necessary turnouts, turntables and switches and it seemed desirable to the committee that the right to lay a second track should be surrendered and that it would be to the advantage of the city to have only a single track placed in the center of the street and also that the location of switches and turnouts should be definitely fixed so as not to interfere with the use of the street. Under the freight car franchise now held by the company, it has the right to operate two trains of freight cars daily and an unlimited number of

NATURE'S ESSENCE

Extracted from the Roots of Native, Forest Plants. Go Straight Back to Nature for Your Health. There is Your Strength.

Consider your body as an engine which supplies you with all activity of mind and body. Keep the machinery well oiled and it runs smoothly. It does not groan in doing its work. But let the stomach, which is the fire-box to the human engine, get "out of kilter" and we soon meet with disaster. The products of undigested and decomposing food is **poison** to the system.



We do not live on what we eat but on what we digest, assimilate, and take up in the blood. The blood in turn feeds the nerves, the heart, and the entire system, and all goes well with us if the blood is kept pure and rich. If not, then the liver, which is the human filter within us, gets clogged up and poisons accumulate in the body from over-eating, over-drinking, or hurriedly doing both. The **smash-up** occurs when the blood is poisoned by the care of the over-load. The red flag of danger is thrown out in the shape of eruptions on the skin, or in nervousness and sleeplessness, the sufferer becoming blue, despondent and irritable, because the nerves lack nourishment and are starved.

Nature's laws are perfect if only we obey them, but disease follows disobedience. Go straight to Nature for the cure, for there are mysteries there, some of which we can fathom for you. Take the bark of the Wild-cherry tree, with Mandrake root, Stone root, Queen's root, Bloodroot and Golden Seal root, make a scientific, Glyceric extract of them, with just the right proportions, and you have **Dr. Pierce's Golden Medical Discovery**.

It took Dr. Pierce, with the assistance of two learned chemists and pharmacists, many months of hard work experimenting to perfect this vegetable alterative and tonic extract of the greatest efficiency. To make rich, red blood, to properly nourish the nerves and the whole body, and cure that lassitude and feeling of weakness and nerve exhaustion, take **Dr. Pierce's Golden Medical Discovery**. It bears the **BADGE OF HONESTY** upon every bottle in the full list of its ingredients, printed in plain English, and it has sold more largely in the past forty years than any other blood purifier and stomach tonic. The refreshing influence of this

proposition to submit the question of the approval or veto of the ordinance to three unbiased and impartial judges—non-residents of Oregon City, who should determine whether or not, as a business proposition, the ordinance is for the best interests of Oregon City. My proposal has been rejected upon the ground that the people of Oregon City are themselves best fitted to determine issues bearing upon their own welfare and that where a majority of the inhabitants, taxpayers and business men of the city are opposed to a measure, they should not be called upon to submit to non-residents a matter, the determination of which, should rest with them. I am forced to admit that there is merit in the contention of the petitioners that in the making of a contract, such as this ordinance, where the people are the parties of the first part, that their agents should not force them into a contract against their express will. Were this a question of morals it would make no difference to me if four-fifths of the people of my city were opposed to me if I had the approval of my own conscience but no moral principle is involved in this ordinance; it is in the nature of a contract to be approved by me as the executive of the city, acting for its people and as their agent. And considering the merits, the question that presents itself to my mind is, would I be right in permitting the ordinance to become a law because I believed it a good measure, when a great majority of my principals, the people, for and on whose behalf the contract is made, have expressed their emphatic and unqualified disapproval? There has been much bitterness shown in this controversy, the motives of the supporters of the measure have been impugned, and so extreme has the feeling grown that the grand jury of Clackamas County have been requested to investigate the passage of this franchise in an effort to discover fraud. I have purposely delayed the communication of this message until after the Grand Jury had had an opportunity to thoroughly investigate the charges of fraud brought before it and which has resulted in failure of that body to take action because of the absolute want of non-existence of any evidence of the slightest degree of fraud.

The supporters of this ordinance in the council have, I believe, been absolutely honest in their convictions and in their opinion of the merits of this ordinance, I heartily concur. However, gentlemen, believing as I do, that I hold my office as the servant and not as the master of the people, I feel it my duty to set aside my own judgment as to the merits of this ordinance, and solely for the reason that the measure is opposed by a great majority of the electors, taxpayers and business men of Oregon City, I return without my approval the ordinance passed by you November 4, 1905, and entitled: "An ordinance authorizing the Oregon Water Power and Railway Company, its successors and assigns, to construct, maintain and operate a railway on Main street from the Northern limits of the City to the Southern point of the termination of said Main street over and upon the road on the Easterly side of the basin to the Southern boundary of said city; and upon Third street from Main street to the Willamette river; and to operate the same by any means except steam and to erect the necessary poles and string the necessary wires for the operation thereof by electricity, and to carry passengers, freight and express matter on and over said railway, and to collect charges and tolls therefor, and receive Ordinances Nos. 139, 201, 241, 256 and 274.

E. A. SOMMER, Mayor. Dated Oregon City, Oregon, November 14, 1905.

FALL CARE OF TURKEYS. After the 1st of August the care of turkeys is very little on a farm where they have good range until cold weather. They must never be allowed to stay away from home a single night for in time they will get to be regular tramps, stopping just where night overtakes them. If they are brought home for a short time after they are turned on the range and watched a little to see that they always come home at the usual hour, the habit gets to be fixed as all animals have a strong love of home. It is amusing sometimes to see how even a chicken will choose a particular corner of a coop to sleep in. If never prevented would sleep there as long as they lived. They think, be it ever so humble, there is no place like home. The most frequent ailments of turkeys are liver trouble, indigestion and roup. Liver trouble, I think, caused by overeating. That is also the cause of indigestion. Through the corn belt turkeys get too much corn and corn is certainly not a good turkey food. It is too hearty and it is entirely against the nature of turkeys to bolt as they do large quantities of heating food like corn. Their natural way of eating is to pick up a bug, or worm, or seeds, one at a time, taking a half day nearly for their breakfast and at 2 or 3 o'clock they start out for home, and their supper is what they pick up on the road to the house. Now this is their natural way of living—two meals a day—but when corn was fed in large quantities it makes more work than the digestive organs can take care of, and the liver, the great food strainer, cannot properly do its work, and it becomes enlarged and diseased and the indigestion and all its ill set in and the turkey dies. They should at this time of the year always have coarser and very sharp grit. I keep a box of grit where they travel every night and morning, and they cannot miss it if they want or need it, and they are not slow to pick it up. I have tried different remedies for liver trouble and find the same treatment that is good for the human family under like circumstances is good for turkeys. I give a pill of one-tenth grain of calomel for three nights, then give a teaspoonful of castor oil and when that has worked off I give quinine twice a day, a capsule containing one to two grains. If this treatment is carefully followed up it will cure most cases. There are several kinds of roup remedies on the market that are good. Roup is caused by taking cold and since I discontinued feeding warm feed I have very little trouble with roup. Feeding warm food warms them up and they stand around and get chilled and take cold and the first thing you know you have a lot of rousy turkeys on hand. Turkeys are not subject to such a long list of diseases as are chickens. If one lives in a wheat growing country they will have very little trouble on the feeding question as wheat makes the most natural food for turkeys. Corn is too loosening for the bowels and wheat acts right in the contrary direction, which is just what a turkey needs. The other danger to turkeys is the two legged animal that is the lowest of all animals below the hog family, the turkey thief. By the time Thanksgiving arrives I think a large drove of turkeys will meet the headman's axe to celebrate our great national prosperity. They and the Indians are the only inhabitants that have lived to see the greatest nation in the world developed from a little handful of pilgrims to its present

ent eminence. All the earth takes off its hats and makes its most obedient bow to America, the home of the free and the land of the brave.—Farmer and Breeder.

CASTORIA. The Kind You Have Always Bought. Bears the Signature of *Chas. H. Fletcher*. Customer—Walter, this steak is like leather. Take it away. Walter—Can't change it now, sir; you've bent it.—Ex.

CROUP. A reliable medicine and one that should always be kept in the home for immediate use is Chamberlain's Cough Remedy. It will prevent the attack if given as soon as the child becomes hoarse, or even after the croupy cough appears. For sale by Howell & Jones.

Know His Business. "Dr. Goodleigh seems to have had wonderful success in raising funds for the new church." "Yes, you know he appointed Mr. Hammersleigh, the reformed get-rich-quick man, as chairman of the finance committee."

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Bright's Disease and Diabetes News.

The New Fulton Compounds Have a Record of 87 per cent of Recoveries Among Chronic Cases of Bright's Disease and Diabetes, Heretofore Considered Incurable. Druggists know that Bright's Disease and Diabetes have been regarded by physicians as incurable and that up to the advent of the Fulton Compounds that nothing on their shelves would touch it. It is a proven fact that nearly nine-tenths of all cases are now curable, and druggists themselves are taking the new compounds. One of the recoveries was Dr. Zella himself, the pioneer druggist of 522 Pacific street, San Francisco, and he gave it to over a dozen others who recovered. Here is another interesting recovery (We copy from the Sacramento News of November 16, 1905):

"After a serious illness of over a year Judge J. R. Allen of this city has recovered and regards himself most fortunate in successfully battling with what is generally regarded as a fatal malady, Bright's Disease of the Kidneys. In speaking of his case Judge Allen said: 'I believe that the treatment given me by my physician was in accordance with the best methods used in the regular practice of medicine, but it afforded me no relief. Hearing of the Fulton Compounds I went to San Francisco to investigate and was soon convinced I should undergo the treatment. It was three months before I noticed a change for the better. I used the medicine faithfully for nearly a year and can now find no evidence of the disease and am satisfied it is entirely eliminated. My appetite is good, I have gained seventeen pounds in weight and will be pleased to describe my experience to anyone who may call or write.'"

—Sacramento News, Nov. 16, 1905. The editor of the News himself was the friend who told Judge Allen of the Fulton Compounds. They are the only things known that cure Bright's Disease and Diabetes, Fulton's Remedy Compound for Bright's and Kidney Diseases, \$1; for Diabetes, \$1.50. John J. Fulton Co., 415 Washington street, San Francisco, sole compounders. Free analyses for patients. Send for Pamphlet. We are the exclusive agents for these Compounds in this city.

Charman & Co., City Drug Store.

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less than \$25,000.00; the continuation of such Belgium block pavement upon the permanent improvement of all those portions of the street not now paved with vitrified brick, and the payment of an increased compensation to Oregon City from \$550.00 per annum now paid by the company to \$800.00 per annum for the first five years of the term and increasing \$300.00 per annum at intervals of five years so that during the last five years of the term, the company would be required to pay an annual license fee of \$2,600.00 and the license fees of the entire term would aggregate \$59,500. All of these advantages would be derived by the city from the new franchise aside from the benefits that would naturally flow from the development of the Southern portion of Clackamas county and the increased business that would come to Oregon City.

The committee having the matter in charge held a number of meetings and every phase of the new ordinance was carefully discussed and considered and when finally prepared had the unanimous support of the committee, and so far as I am advised every member of that committee still believes the ordinance, as prepared and as passed by the council to be the best contract that could be made by the city, and one that fully safe-guarded the interests of the city, its people and its property owners. No argument has been adduced by the opponents of this measure that has in any wise or to the slightest extent changed my opinion as to the merits of this measure. I joined in its recommendation to the careful consideration of the council and I believe now as I did then that the best interests of Oregon City would be subserved by permitting the ordinance to become a law.

The objection to this measure first found expression in a suit instituted by Wm. Andresen in which a restraining order was issued preventing three members of the council from voting upon the passage of the ordinance upon the ground that the three defendants were in the employ of the railroad company and charges of fraud were made against the three defendants, which the plaintiff in the case wholly failed to substantiate and after a hearing upon demurrer to the complaint, the court dissolved the injunction.

Afterwards, and as the members of the council were about to vote upon the measure, a second restraining order was served upon them in a suit brought to restrain all of the members of the council from passing the ordinance. This suit, like the first, failed and the injunction was dissolved. The council then took up the matter and by vote of six to two passed the ordinance. I have been presented with a petition bearing the names of 533 electors of Oregon City out of a total of 830 electors, and said petitioners pray that I exercise the power vested in me, as Mayor, to veto the ordinance passed by the council. Since the presentation of the said petition to have submitted to the leading petitioners a

E. A. SOMMER, Mayor.

Dated Oregon City, Oregon, November 14, 1905.

IN TIME OF PEACE.

In the first months of the Russia-Japan war we had a striking example of the necessity for preparation and the early advantage of those who, so to speak, "have shingled their roofs in dry weather." The virtue of preparation has made history and given to us our greatest men. The individual as well as the nation should be prepared for any emergency. Are you prepared to successfully combat the first cold you take? A cold can be cured much more quickly when treated as soon as it has been contracted and before it has become settled in the system. Chamberlain's Cough Remedy is famous for its cures of colds and it should be kept at hand ready for instant use. For sale by Howell & Jones.

Almost Exasperating.

"Do you object to telling the court your age?" asked the attorney.

"Do I look as if I had reason to be afraid to tell how old I am?" she indignantly answered.

"Oh, no, no. I didn't mean that at all. I assure you that it is common even for women who are young to decline to give their ages."

"Am I to understand from your remarks you consider me old? Your use of the word 'even' indicates that you do."

"I had no such intention, madam. I assure you."

"It seems to me that you have a poor way of saying what you mean."

"That must be a mere matter of opinion. I will try to speak plainly, so that there may be no misunderstanding. Will you please tell the court how old you are?"

"Do you wish to have me tell the day of the month on which I was born?"

"You may if you wish to do so, but that is not essential."

"Well it was the 27th of October."

"Yes?"

"My mother's maiden name was Mary Williams and I live at 967 Grandison avenue. There! My goodness! It's almost as annoying to get a divorce as to start a bank account."

CHAPPED HANDS.

Wash your hands with warm water, dry with a towel and apply Chamberlain's Salve just before going to bed, and so a speedy cure is certain. This salve is also unequalled for skin diseases. For sale by Howell & Jones.