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VOL. XLI.—NO. 12,657. PORTLAND, OREGON, SATURDAY, JULY 6, 1901. PRICE FIVE CENTS

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FIXED AT 21 YEARS

The Charter Sub-Committee Names Franchise Limit.

GRANTS SUBJECT TO A TAX

Proposal That the Municipality Go Into Railroad Business Opposed by F. V. Holman, H. W. Scott and Tyler Woodward.

The floodgates of oratory were opened wide at last night's meeting of the Charter Commission, and for over two hours the members discussed the question of franchises, the time period for which they should be granted, and the ultimate municipal ownership of so-called public utilities. The debate was precipitated by the report of the committee on franchises and utilities, signed by W. F. Burrell, J. T. Morgan and J. N. Teal. It embraced the sections which the committee recommended should be incorporated in the new charter. The report is voluminous, but the discussion pertained to one section of it. Upon the presentation of the report a motion was made and carried to the effect that no vote should be taken upon any of the sections until the next regular meeting, but that the report should be read section by section and discussed. The first two sections were passed without comment, but when section 3 was reached, the discussion opened and continued until the time for adjournment. The section reads as follows:

No franchise, or lease, or right to use the water front, ferries, wharf property, land under water, public landings, wharves, docks, highways, bridges, avenues, streets, alleys, lanes, parks, or any other public place, either on, through, across, under or over the same, or other franchise shall be granted by the city to any private corporation, association or individual for a longer period than 21 years; and in addition to other forms of compensation or taxation or regulation, the grantee may be required to pay annually to the city such percentage of the gross receipts arising from the use of such franchise and of the plant used therewith as may be fixed in the grant of said franchise. Every such grant and contract in pursuance thereof may also provide that upon the termination of the said franchise or right granted by the city, the plant, as well as the property, if any, of the grantee, situated in, on, above or under the streets, avenues and other public places aforesaid and used in connection therewith, shall thereupon be and become the property of the city without other or further compensation to the grantee; or such grant may also or in addition provide that upon such termination a fair valuation of the plant and property shall be had, and the plant and property and business connected therewith, in its entirety, becomes the property of the city at its election upon its paying to the grantee said valuation; but in no case shall the value of its franchise itself be considered in determining such valuation. Every grant shall in terms specify the method of arriving at the valuation therein provided for, and shall make adequate provision by way of sharing in the control or taking immediate possession or by way of forfeiture of the grant, or otherwise, for the effectual securing of efficient service at reasonable rates, and for the continuous maintenance of the property in good order and repair throughout the entire term of the grant; but the terms of this section, so far as they relate to the acquisition of the plant, property and business of the grantee, shall not apply to rights given railroads under sections 11 and 12 of this article.

Would Not Work in Portland.

F. V. Holman opened the debate in opposition to the proposed section. He first attacked the provision limiting franchises to 21 years. He declared it impossible to construct any great public enterprise that depended upon a franchise for its existence without first floating bonds. Bonds for such a short period, he declared, could not readily be sold, or at least would have to bear an almost prohibitory rate of interest. "The only way to carry out this provision," said Mr. Holman, "would be to have some great man like Carnegie make the city a present."

Mr. Holman traced the progress of Portland in past years and pictured the hopes of her citizens for future growth and development. "The conditions," he said, "which might work well in old and established cities in the East, will not work here." He then attacked the clause permitting a forfeiture to the city of a franchise-holding corporation's plant and equipment at the expiration of the franchise, and while admitting that the forfeiture feature was not obligatory, and that the city was not compelled to take the property, opposed it vigorously on the ground that it would be the entering wedge of municipal socialism. He expressed a desire to go squarely on record as opposed to any form of municipal socialism. "I do not see where it will stop," he said, "and the first thing we know we shall find people advocating municipal butcher-shops, bakeries, grocery stores and newspapers. The precedent is a bad one to establish, and I will oppose the holding out of any promise of socialistic conditions for the future. We may come to it; I don't know; but I am firmly against it."

Mr. Teal Defends the Clause.

J. N. Teal followed with a defense of the section. He declared that the proposed section is not nearly so drastic as some provisions of the present charter. He pointed out that under the present charter it is possible for the Water Committee, without vote of the people, or without any check or veto power, to vote a large sum for bonds for a municipal lighting plant. "Moreover," he declared, "the present charter provides that such socialistic features of city government as market-houses may be established. The Legislature provided for the construction of a drydock that might be owned by the whole people of Portland, and also called attention to the recent donation of a public library to the city."

Passing from this aspect of the subject, Mr. Teal declared that the duty of the Charter Commission is to protect the people. The question of the investment of capital, he believed, would be settled by conditions which might exist at the time it was proposed to invest that capital. Mr. Teal was rather inclined to ridicule the idea that it was the particular duty of the commission to encourage the investment of capital, its higher duty being, according to his view, to protect the people in their rights. The City & Suburban Railway Company, Mr. Teal continued, recently floated $3,000,000 worth of bonds for a much shorter period than 21 years, and he saw no reason why other corporations could not do the same.

Tyler Woodward was quickly on the floor to dispute Mr. Teal's assertion that the City & Suburban had recently floated $3,000,000 worth of bonds. "The amount was less than $1,500,000 worth of bonds," he said, "and they brought scarcely par." Mr. Woodward said the idea that there is an immense profit in street railways is erroneous, and told how scores of roads went into the hands of receivers during the hard times. He said that during 17 years' experience in the building and operation of street railways, he had received only about 10 per cent dividend on the whole amount of capital invested. "I would have been $100,000 better off had I never seen a street railway," Mr. Woodward said, with great emphasis.

Should Not Go Into Railroad Business

H. W. Scott followed Mr. Woodward. He said he thought he ought to speak on this subject, but the time was short, and he would speak briefly. He proceeded: "I make no objection to the limitation of these franchises to the period of 21 years. We shall perhaps need no more street railways within that period, so widely extended is our present street railway system. Again, I agree most fully with the report of the committee that the streets belong to the city, or to the state, for the city is merely the agent of the state, and that occupation of them for street railways, telephones, etc., is a highly valuable franchise, the use of which should be paid for, and, moreover, that in addition to a tax upon their gross receipts, to compensate the city for the use of the streets, there should be a tax upon their visible property proportional to its fair value. So far I am in agreement with the committee, and with all others who think the city should have a proper return upon these franchises.

"But here I stop. The next proposition is that the city shall expressly reserve the right to go into these various lines of business on its own account at the expiration of the terms of these franchises. Now, I do not want the city to extend its functions to these branches of business, nor to hold out the promise or hope that it will do so. In my judgment, strict limitations of the functions of government is as sound a principle as it ever was. It is admitted that the city must supply water, for nobody can live without water, and in a city a full supply of water is an absolute necessity of life and sanitation. But water, in this regard, stands alone. It is by no means regarded as a necessity that the city shall supply light; and public lighting and commercial or private lighting are so conjoined that it is scarcely possible to separate them. As to street railways, it is no part of the business of the city to transport its inhabitants from one place to another, and no more a part of its business to carry them in cars than to carry them in hacks; and no more a part of its business to do either than to distribute milk daily at the doors of its citizens.

"While, therefore, I agree fully with the committee, and with others, as to taxation of these franchises, I object to the proposal that the city shall undertake to operate them, or that it shall hold out the expectation or promise that it will do so."

News-Gathering Not Monopoly.

Mr. Robertson rose. He said he was "not surprised that the gentleman who had last spoken was opposed to propositions for control of monopolies, since he himself had a monopoly that ought to be broken up. But for this monopoly, other newspapers could be published in Portland. The Oregonian had a franchise which kept others out—though another paper was much wanted in Portland."

Mr. Scott answered that "Mr. Robertson was simply mistaken in his assumptions. The Oregonian was a member of the Associated Press, which was merely a copartnership for the exchange of news. It had no capital stock, no franchises, no telegraph wires; it had nothing whatever from the public; it made no profits, never declared a dividend. It was merely a voluntary association for exchange of news."

"But," said Mr. Robertson, "you do not allow others to have this news."

"No," was the reply of Mr. Scott; "at present we do not want more partners. Some others, no doubt, would be glad to force themselves in, and so, perhaps, I might desire to become a partner in Mr. Robertson's firm, or in the business of the First National Bank; but they may want no more partners, and might not like me, anyway. So I think I couldn't get in there. But, though the Associated Press is not taking in any more partners just now, it holds no monopoly of the news, which is free as air to anybody who wants to collect it. Any person or association can gather it and exchange it, and the telegraph lines are open on the same terms to all."

This digression over, Mr. Robertson returned to his remarks, and in a general way argued that the city might as well own the street railways and carry passengers as to have water works and distribute water supply.

Assessment of Street Railways.

In the subjoined list everything is included except real estate in the assessment of the City & Suburban. The Portland Railway Company's assessment for 1898 and 1899 includes the Vancouver ferry and the road to Vancouver, and for 1900, the Fifth and Jefferson Portland Heights line:

	Value.	Tax.
City & Suburban Company—		
1898	$ 87,150	$2,765 00
1899	87,150	3,101 70
1900	109,500	3,655 15
Portland Railway Company—		
1898	$ 53,105	$1,909 30
1899	53,605	1,909 30
1900	73,300	2,446 21
East Side Railway Company—		
1898	$ 19,000	$ 569 00
1899	19,000	652 24
1900	19,000	593 35
Postal Telegraph Company—		
1898	$ 775	$ 24 80
1899	775	27 90
1900	775	25 11
Western Union Telegraph Company—		
1898	$ 8,170	$ 196 21
1899	8,670	250 48
1900	8,670	213 81
Oregon Telephone Company—		
1898	$ 46,550	$1,489 60
1899	54,250	1,963 00
1900	54,250	1,828 22
Columbia Telephone Company—		
1898	$ 22,700	$ 726 40
1899	30,200	1,082 20
1900	30,200	1,017 74
Portland General Electric Company—		
1898	$120,000	.....
1899	120,000	$4,320 00
1900	120,000	4,044 00
Portland Gas Company—		
1898	$ 58,250	$1,864 00
1899	58,250	2,097 00
1900	58,250	1,963 02
Albina Light & Water Company—		
1898	$ 17,000	$ 514 00
1899	17,000	612 00
1900	17,000	572 90

Committee's Report Defended.

J. T. Morgan, a member of the committee, followed with a defense of the provisions as drafted by the committee. Mr. Morgan's remarks were somewhat lengthy, and he vigorously defended both the 21-year term and the optional right of the city to assume control and operate the business of the public corporations when their franchises expire. Mr. Morgan discussed the question of municipal ownership as tried in other cities.

J. A. Strowbridge indorsed the position of Mr. Holman and Mr. Scott on the question of municipal ownership. He declared himself opposed to the city's going into the business on such lines. The discussion lasted for some time, several of the members making brief remarks. It was finally agreed to adjourn until next Monday night, and at that time to resume the discussion of the report. Pending the adjournment a motion was carried fixing the salary of the secretary at $100 per month.

STILL IN SUSPENSE

Miners' Trouble at Telluride Is Not Settled.

MAY BREAK OUT AT ANY TIME

Governor Orman Sends a Commission to the Camp to Make an Investigation—Mine Manager Refuses Terms.

DENVER, July 5.—A calm prevailed today over the scenes of Wednesday's trouble with the striking miners employed in the Smuggler-Union mine near Telluride, Colo. The latest information concerning the situation there came to Governor Orman this evening from Sheriff Dowtain, and was contained in a telegram which read as follows:

"There has been no violence or property destroyed since the 3d. I do not think I can protect life and property in case of riot. It is usually done before one knows it."

Governor Orman was very much relieved by the receipt of the above message, for he feared that there might be an outbreak before his commission could arrive in Telluride and take the matters in hand.

The commission consists of Judge Theron Stevens, of Ouray; Lieutenant-Governor D. C. Coates, who is secretary of the State Federation, and John Murphy, attorney for the Federation.

A special to the Post from Telluride says:

"The Miners' Union has just delivered its final ultimatum to the Smuggler-Union management. It is: 'The Miners' Union demands that all men working contracts for a longer period than 10 days shall receive at least $3 a day for the entire time employed. The secretary of the union must have the privilege of going upon the ground as secretary, but not to interfere with the work during working hours; and further, that the company must not discriminate against union men.'

"Manager Collins, of the company, sent back this ultimatum: 'On behalf of the Smuggler-Union Mining Company, Mr. Collins regrets that he has to decline the above offer. The company is entirely willing that the secretary of the union may have the privilege of going on its ground so long as he does not interfere with the workmen during working hours, as has always been the custom of the Smuggler-Union mines. The company will further undertake not to discriminate against union men, as they have never done in the past. As to contracts, it is entirely impossible to measure the work done at the end of the following days, as the ground by that time is only partially stripped and none of the vein shot down at all. The company, however, has never had the slightest wish to lower the wages or increase the hours in San Miguel County, and will undertake that at the end of each month, when all contracts can be squared and measured up, that any contractor who has made less than $3 per shift shall be paid off at the contract prices, and not re-employed in the same slope unless the price of the contract is raised pro rata.'

"Manager Collins told the citizen committee who obtained the proposition and ultimatum that, unless his terms were accepted forthwith, his company would close the Smuggler permanently, throwing 350 men out of employment and withdraw from the district."

Manager Collins' reply was the most important development in the situation today. The final demands of the miners and the refusal of the manager to accede to them makes it appear useless for either side to present further its claims, and there appears to be no chance for an amicable settlement of the differences of the contending parties until the Governor's commission takes a hand. This commission, unless it was delayed, arrived in Telluride late this afternoon and it is expected that it will lose no time in conferring with the representatives of the Miners' Union at Telluride. One thing it is instructed to demand is a surrender of the property now held by the strikers. If this is not done at once the Governor has instructed the commissioners to say to the strikers' representatives that possession will be secured for the owners of the property even if it is necessary to call into the service the entire National Guard of the state.

The feeling between the strikers and the officials of the Smuggler-Union is very bitter, and it is feared that it will not be an easy matter to induce the men to retire from the property. However, Governor Orman was particular to select men in whom the labor element has confidence in making up his commission, and it may be that representations coming from men whom the strikers hold as their friends will induce them to retire and await an amicable settlement of their claims.

State Labor Commissioner J. T. Smith, who has been investigating the conditions at the Smuggler-Union mine, returned to Denver to-day. He left Telluride before the outbreak occurred. Speaking of the affair, he said:

"Of course, the miners were wrong in firing and entering the mine. In fact, it might be called unjustifiable. But the management is not blameless. The strike would have been settled long ago if the company had shown a disposition to treat the employes fairly."

A special to the Times from Telluride says that an order has been received from the Smuggler-Union Company, of Boston, Mass., to close the mines, and that a meeting of mine managers is being held to discuss a proposition to close all the mines in the San Juan district, in sympathy with the Smuggler-Union Company.

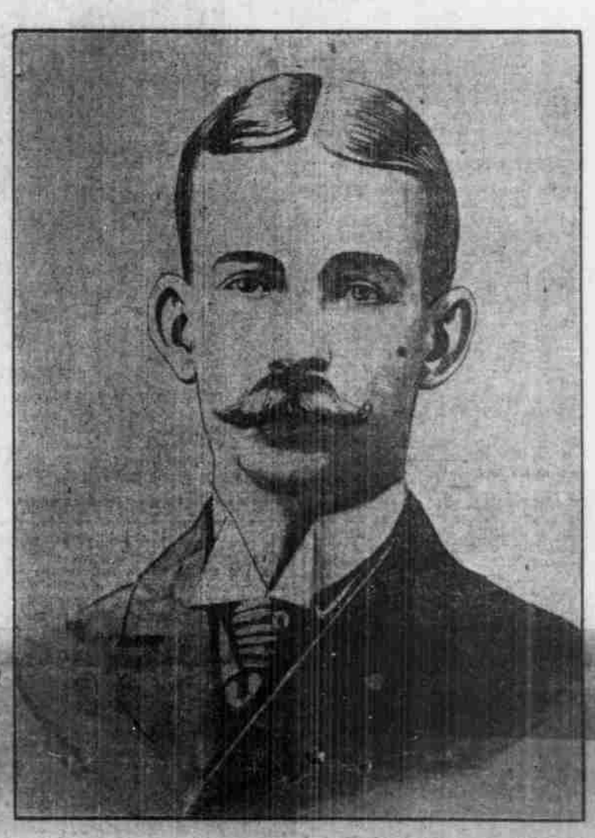
Commission's Favorable Report.

DENVER, July 5.—The commission sent to Telluride by Governor Orman to try and effect a settlement of the strike at the Smuggler-Union mine wired the Governor today from that place as follows:

"Conditions here are quiet and seem favorable for settlement. Conflicting elements are in conference and there is absolutely no immediate danger to either life or property. We are just going to scene of trouble at mines with Manager Collins and will send further information as speedily as possible."

Governor Orman left the Statehouse about 11 o'clock for his home, and should any further communications be received from Telluride, it is not likely that they will be given out tonight.

CONTROLLER OF THE CURRENCY WANTS TO BE SENATOR.



CHARLES G. DAWES.

WASHINGTON, July 5.—Charles G. Dawes, Controller of the Currency, has tendered his resignation to the President, to take effect October 1 next. In answer to an inquiry, Mr. Dawes said:

"I have resigned because I intend to be a candidate before the people of Illinois for the United States Senate. It would not be proper for me during the next year to make a canvass for the Senate, and at the same time administer to my own satisfaction the affairs of the office I now hold. I am influenced solely in this action by what seems to me the plain proprieties of the situation."

Mr. Dawes' term of office would not have expired until January 1, 1903.

CONVENTION OF RABBIS.

Considered the Report of a Committee on the Teachings of Jesus.

PHILADELPHIA, July 5.—The topic which occupied most of the morning session of the annual conference of the American rabbis today was "Whether or not the religion of Jesus should be taught in the Jewish theological schools." Last year a committee consisting of Rabbis David Phillipson, G. Deutsch and Joseph Kraskopf was appointed to consider the matter and report at this year's conference. The following report was submitted today:

"Dogmatically speaking, the position of Judaism in respect to the founder of Christianity is altogether negative as denying his divinity, though the pivot on which Christianity revolves, Jesus of Nazereth, has no place in Jewish theology. The conception of his historical position and of his significance in the development of religion is a matter of individual view and conviction, as is also the pointing out and application of the Jewish nature of many of the beautiful moral teachings attributed to Jesus, but these cannot form part nor be incorporated in any official statement or declaration of Jewish belief."

The report was received with applause and was unanimously adopted. Rabbi Wise, of Portland, Or., was elected one of the directors.

Missouri Town Burned.

HAMILTON, Mo., July 5.—The business portion of Polo, a town of 1000 inhabitants on the Chicago, Milwaukee & St. Paul Railway, in Caldwell County, was destroyed by fire last night, entailing a loss of over $50,000. The Bank of Polo and 20 buildings were consumed.

RACE OFF NEWPORT

The Three Big Yachts Will Sail Together Today.

PREPARATIONS ARE COMPLETED

Trial Spin of the Independence Showed Her Speed Qualities—The Columbia May Not Maintain Her Good Record.

NEWPORT, R. I., July 5.—Preparations are complete tonight for the great race tomorrow between the Constitution, Independence and Columbia. The unknown quantity is the Columbia. Some say that in her the limit of speed has been reached. A famous New York Yacht Club man said today that her captain, Charlie Barr, is the best racing skipper in the world, and, furthermore, that he is now getting more speed out of the Columbia than ever before in her history. At all events, she is a most admirable trial horse.

There has been much discussion this afternoon and evening over the relative measurements of the three yachts. As the measurements stand the racing length of the Constitution is 104.73 feet; Independence, 103.35; Columbia, 102.30. Thus, in a 30-mile course the Constitution, the largest boat of the three, would allow the Independence 44 seconds and the Columbia one minute and 17 seconds, and the Independence would allow the Columbia 33 seconds. Should the result be very close, it might be necessary to remeasure the Independence, as Mr. Hyslop was not satisfied with the water-line measurement this morning on account of some difficulties in getting the tremendous overhang, which, by the way, is the longest he ever measured in an experience extending over many years.

The Independence left her moorings about 1:30 o'clock this afternoon, and stood down the channel under mainsail, club topsail, staysail and jib. When off Castle Hill she broke out her tremendous spinnaker, and, with a good burst of speed went down towards Brenton's Reef lightship. When off the reef she took in her spinnaker, came about, and stood over toward Narragansett Pier. Then she hauled aft her sheets and started on a five-mile beat up the bay. Meanwhile, the Constitution, which had been lying at her moorings all the morning with mainsail and a new club topsail set, let go and stood over for the Jamestown shore on the starboard tack, Captain Rhodes apparently jogging her along. Soon afterward, however, he had everything drawn in proper form, and the boat went through the water at top speed in a light northeast wind well down the channel. To leeward was the Independence, also at her best speed apparently, and also on the starboard tack, but the Boston boat was so far in the lee that it was not possible to get any idea of their relative speed qualities. The Independence went through the water very fast, but the Constitution was at the same time pointing much higher. The little brush was soon over and no one was the wiser. Both boats shortly after came to their moorings. The Columbia did not leave the harbor this afternoon.

Lake Michigan Regatta.

MILWAUKEE, July 5.—The Canada cup defender Illinois in the regatta of the Lake Michigan Yacht Association today made the 7½-mile course in one hour, 9 minutes and 49 seconds. Her opponents, Orien and Minita, were both compelled to return before they had finished the first leg, because of a defect in their spreaders. The real race of th day was in the knockabout class, between Coleen, a Chicago yacht, and Vagabond and Cock Robin, both Milwaukee boats. Coleen won in 1 hour, 15 minutes, 47 seconds.

SUMMARY OF IMPORTANT NEWS.

Federal Government.
Controller Dawes resigns to make a campaign for the Senate. Page 1.
The President and Mrs. McKinley go to Canton. Page 2.
General MacArthur left Manila for the United States. Page 2.
Foreign.
The British naval programme was announced in Parliament. Page 2.
Another Leipsic banker committed suicide. Page 2.
Martial law has been proclaimed at Buenos Ayres.
Domestic.
The Governor of Colorado sends a commission of investigation to Telluride. Page 1.
The hot wave holds on in the East. Page 2.
The Wagner, Mont., trainrobbers have been identified. Page 3.
Sport.
The Constitution, Independence and Columbia will race at Newport today. Page 1.
Leander beat Pennsylvania in the final heat for the grand challenge cup at Henley. Page 3.
Shamrock I beat Shamrock II in two races on the Clyde. Page 3.
Pacific Coast.
Circuit Judge McBride, of the Fifth District, holds Oregon penalty tax illegal. Page 4.
One man killed, another injured, in a runaway on Tillamook stage route. Page 4.
Carnegie offers $750,000 for a library building at San Francisco. Page 4.
Captain Percy Willis, ex-Oregon Volunteer officer appointed Lieutenant in the regular Army. Page 4.
Firebug is at work in Olympia, Wash. Page 4.
Government will investigate wholesale land frauds in Idaho and Montana. Page 4.
Willamette Valley Chautauqua sessions are in full swing. Page 8.
Commercial.
Weekly trade reviews. Page 5.
Portland market quotations. Page 11.
Domestic and foreign commercial news and quotations. Page 11.
Marine.
Steamship Puk Ling chartered to load wheat at Portland. Page 10.
Remarkable feat of wireless telegraphy. Page 10.
British bark Poitalloch on the ways at Esquimalt. Page 10.
Portland and Vicinity.
Charter Commission discusses a report to limit municipal franchises to terms of 21 years. Page 1.
Dr. T. L. Eliot makes a report bearing on local park improvement. Page 7.
Arthur R. Heintz has a desperate struggle with a burglar. Page 12.
More testimony in the contest for the adoption of the Young child. Page 8.
J. N. Bristol, whose dog bit a stranger, is sued for $5150. Page 12.
Farewell reception to Rev. and Mrs. W. R. Lord. Page 8.
President Burt, of the Union Pacific, visits the city. Page 8.