

FRANCHISES THE BIG PROBLEM

Legislative Candidates Go on Record in Regard to Them.

IS NO PERPETUAL RIGHT

Time Is Now to Put Such Graft Down and Out Is the View Which Those Who Seek Nomination Hold.

The matter of corporate franchises will be the most important matter to be considered at the coming session of the Legislature, and it is believed all Oregonians are deeply interested in the matter as in Portland. The time is now at hand to put this franchise graft down and out," says V. A. Carter, of Benton County, who is a candidate for nomination for Representative from that county. Mr. Carter is one of many candidates from whom letters were received by The Oregonian yesterday, declaring their opposition to perpetual franchises, their belief in the regulation of rates to be charged by public utility corporations, the taxation of franchises and the enactment of a state law for the regulation of banks.

Among the others who took this position upon the issues that have been drawn are: W. C. Chas. of Coos County; Park B. Healy, of Linn; P. M. Brown, of Linn; Jerome P. Jones, of Marion; J. U. Campbell, of Clackamas; Gilbert L. Kline, of Malheur; Brice P. Purdy, of Washington, and J. E. Hodge, of Clackamas.

Three in Doubt.

There are three candidates for the Legislature, from whom letters were received yesterday, who seem to be doubtful whether a perpetual franchise can be repealed. They are the possibly because some City Council granted a franchise which was perpetual in its terms, that action gives the corporation power to collect toll from the people by virtue of a gift from the people, from now until Gabriel blows his final blast. The three who are in doubt as to the right of the people to terminate such a franchise are: C. E. Sox, of Linn County; J. E. Edwards, of Benton, and L. J. Porter, of Clackamas. Mr. Sox says: "If it can be done legally and with due regard to the rights of innocent parties, I would favor the repeal of perpetual franchises and the substitution of limited franchises." He evidently has more concern for the welfare of innocent holders of franchises than he has for the innocent people who pay the tolls. Mr. Porter favors repeal "if it can be done legally," and Mr. Edwards favors repeal "if it will not involve violation of a contract." In other respects these candidates announce a policy the same as that advocated by those whose names are given in the list above.

Mr. Sox says further upon the subject of franchises to be granted in the future: "I believe every city charter should contain a provision forbidding the granting of unlimited franchises. The most effective limitation which could be annexed to a franchise to a public utility corporation, it seems to me, would be a provision requiring that it contain no compensation for compulsory purchase, good will or prospective profits. Such a provision would tend to keep the holder of the franchise within bounds, and would enable the city, if desired, to lay a considerable tax upon the receipts or profits of the corporation for the privilege of retaining the franchise."

Cross Against Perpetual Franchises.

Harvey E. Cross, of Clackamas County, is not one of those candidates who think possibly a franchise perpetual in its terms cannot be repealed. He rather doubts whether such a franchise is in fact perpetual. His letter setting forth his views upon the subject proposed for an expression of his opinions says: "I do not believe in the granting of perpetual franchises in cities to corporations whose business it is to serve the people. This in the course of a little time will be considered axiomatic. Perpetual franchises, if, indeed, there are any, should be repealed, and new ones granted with a reasonable time limit and safeguarded by wise regulations fair to both the municipality and the corporation. No charter should permit the enactment of a perpetual franchise."

To Fix Charges.

"As I understand the law, the Legislature has power to pass a maximum rate bill, at any time, applying to all public utility corporations both in state and city. It is a great, big question whether every City Council should have the authority to pass a maximum rate bill for all public utilities. Give us a good and representative City Council, and I say yes; but I can see without much trouble how the members of a corrupt Council could fetter off corporations, if given such authority, without there should go along with the power the right of review by the courts to prevent wrong and confiscation."

"I believe the remedy for a great many of our present grievances will lie in the extension of municipal ownership to the greater public utilities. The trend of public opinion in America is in that direction, and ultimately all great cities will solve these vexed questions in that way. I believe in state banking laws, regulated similar to the National banking act, and will heartily support such a measure. All franchises should be taxed, and laws, where necessary should be passed to that effect, and I will gladly support any adequate bill to that end."

Not Fair Distribution.

"The burdens of taxation are not evenly distributed, not because the law is bad, but because large interests with great influence can protect themselves better than can individuals with but limited influence. One thing stands out with emphasis, in all this discussion, Oregon is coming to the front, and ought to. Her wonderful material resources are now becoming appreciated, and their exploitation by individuals and corporations is very desirable. If we are to have a greater Oregon, we must extend a fair welcome to all capital and assure of fair treatment and full protection. We want the corporations with large capital to come, and we should and do extend a cordial and generous welcome to them to work with us on fair and honorable terms in the building of a great state."

Willing to Express Views.

Gilbert L. King, of Malheur County, approves of the course of The Oregonian in giving candidates for the Legislature an opportunity to let the voters know whether they are on the side of the corporations or on the side of the people upon questions in which the interests of the two conflict. In his letter declaring his position, he says:

"Unlike some who are covetous of a position like the one to which I aspire, that of Representative—and who are disposed to regard the questions to which you desire an answer as impertinent, I believe your inquiry within the bounds of perfect propriety, and that the people whose suffrages we ask are entitled to know in advance what our sentiments are, and what, in case of our nomination and election, would be our action in the event of those questions coming up for consideration before the Legislature."

Would Subscribe to Fund

Commercial Club Receives Offer From Business Man of The Dalles.

Manager Tom Richardson, of the Commercial Club, received a letter yesterday from J. S. Macdonald, secretary and treasurer of The Dalles Business Men's Association, in which he stated that if the Commercial Club were to erect a building he would subscribe \$500. This is regarded as evidence of the loyalty of the people of Oregon to the Commercial Club. Mr. Macdonald is employed by the association and wants to make a personal subscription.

STAND UNITED ON FRANCHISE ISSUE

Legislative Candidates Go on Record as Favoring Regulation.

OPPOSE PERPETUAL GRANTS

Elmer B. Colwell Declares Himself in Favor of Law Forbidding Street Railways Excising Deposits From Men.

But four Malheur County Legislative candidates whose names are entered on the outcome of the primary election on April 30 have expressed their views upon the subject of franchise legislation. Charles Cleveland, of Gresham; and C. J. Linquist, of Troutdale, because The Oregonian yesterday was unable to reach them by long-distance telephone, have not been interviewed. Senator Council and A. A. Bailey will be seen today.

Not a legislative candidate has stood out against legislative action against the granting of perpetual franchises. In favor of placing a limit on taxation upon franchises, the repeal of perpetual franchises and the enactment of a law that will place state and private banking institutions under a law similar to the National banking act. If the successful candidates who receive the nomination at the primaries stand by the views they have expressed in the columns of The Oregonian, a swan song has been sung on the granting of valuable perpetual franchises. So, too, will end the free-handed gifts of City Councils of franchises to rich corporations. If the lawmakers keep their pledges, corporations applying for franchises will have to purchase them as they would any other commodity that they wish to use in their business. Some of them were of the opinion that the reforms suggested in the questions asked did not go far enough, and declared that, if elected in June, they would be among the first to introduce bills regulating franchises.

E. B. Colwell's Stand.

Elmer B. Colwell, if elected, will do even more than take an active part in enacting franchise legislation. He would pass a measure prohibiting street railway companies from demanding from their employees sums ranging from \$2 to \$25. When seen yesterday Mr. Colwell said: "I favor the repeal of all perpetual franchises, and I favor taxation of franchises. I favor municipal control of franchises, and will vote for a law regulating state and private banks. I am also in favor of a law that will prohibit street railroad companies from exacting from their employees \$2 or \$5, or other amounts. If a street railway company cannot trust its employees it should compel them to give a surety bond, and the company should be compelled to pay the expenses of that bond."

Robert W. Wilson, candidate for Representative, is opposed to the granting of perpetual franchises. On the question of perpetual franchises, he says:

"I believe in the immediate repeal of perpetual franchises, which are obnoxious by reason of the nature of their operations, but I believe the governing body in power in the premises should use its own judgment about even substituting limited franchises in lieu thereof."

Regarding the control of state and private banks, he adds:

"I hope to have the honor of voting for such a bill, and will support a reasonable measure for such a law."

C. N. McArthur on Franchises.

C. N. McArthur, candidate for Representative, said: "If elected to the Legislature, I will strive by every honorable means within my power to secure the passage of legislation that will redeem every pledge I have made to the people of this county. I will vote for the repeal of all existing perpetual franchises, and I will also vote for a bill that will vest in municipalities the right to own and control all franchises of public utilities. These franchises should be made a source of income to municipalities."

"I am heartily in favor of a state banking law and the creation of the office of State Bank Examiner. I also favor a law which will provide for the payment into the state treasury of all interest received from deposits or loans of state funds."

shall favor the enactment of laws placing the State Printer on a flat salary, reducing the number of normal schools and for the working of convicts on public roads.

"I shall oppose all extravagant legislation and 'graft,' and shall work for the best interests of the people of Malheur County."

R. E. L. Simmons, candidate for Representative, said: "I am willing to go right down the line with The Oregonian on the franchise question. No perpetual franchises for me. Corporations that want valuable franchises from a city should be compelled to pay for them. They are an asset and are sold as such, and in my opinion should be taxed. A law looking to the control of state and private banks similar to the National banking act will also get my vote if I am elected, and I hope I shall be."

P. A. MacPherson's Platform.

"If I am nominated and elected," said P. A. MacPherson, candidate for Representative, "I will, during my term of office, vote for the person receiving the highest number of Republican votes for United States Senator. I am in favor of nominations for all officers by a direct vote of the people. I am in favor of an eight-hour law—eight hours for work, eight hours for sleep and eight hours for recreation. I favor irrevocably for the benefit of the laboring people. I favor a tax on the gross earnings of corporations. I favor a law for school children and laboring people, from the hours of 8 to 9 A. M., and from 12 to 2 (noon hour) and from 5 to 7 P. M. I favor ownership of public utilities. I favor the enactment of a law compelling street railway companies to furnish seats for passengers before collecting fares. I will vote against 'graft' of every kind and nature. I favor a law controlling fraternal insurance orders as well as all other insurance companies."

M. J. MacMahon, in his platform already announced, strikes the keynote of the franchise question when he says: "I favor the control of public franchises by the people."

CONTROL PUBLIC UTILITIES

DR. JAMES WITHYCOMBE GIVES HIS POSITION.

Would Tax All Revenue-Producing Property, Tangible and Intangible, in the State.

"The people should, and I believe will, demand the proper control of all public utilities," says Dr. James Withycombe, of Corvallis, who seeks the Republican nomination for Governor. "Every revenue-producing property, physical or intangible, should be made to bear its just share of the burden of taxation. This expression of his views was given in an interview yesterday while Dr. Withycombe was in Portland on his return from a visit to a number of Eastern Oregon cities, where he went in the interest of his candidacy. He leaves today for Corvallis, where he will remain the greater portion of the time from now until the primary election. In the course of his conversation upon the subject of franchises, Dr. Withycombe said:

"My views on the franchise question are unfair to those interests. Our present system of taxation is faulty. Tangible property, such as farms, livestock, homes of people of modest means, are heavily assessed, while intangible properties, which frequently yield large revenues, often escape taxation. The people should, and I believe will, demand the proper control of all public utilities. Every revenue-producing property, tangible or intangible, should be made to bear its just share of the burdens of taxation. An equitable adjustment of the taxation problem should bring from intangible properties, which now practically escape taxation, just annual revenues to the state."

In the free discussion of these problems of taxation we must be careful not to create the impression that there is a general sentiment of hostility to capital in this state. This would indeed be unfortunate, for we have immense undeveloped natural wealth in this state that will require large capital for its exploitation. We should employ every honorable means to induce capital to come into the state. The greatest boon to any community is a large payroll, but without capital there would be no payroll."

Oregon City, Ore. (Special).—James M. Mellon, in a divorce suit, charges Oia N. Mellon with desertion. They were married in this county November, 1904. The desertion complained of is alleged to have taken place last month.

W. S. O'REN'S VIEW

Contention as to Statement Number 1.

ANSWERS SENATOR FULTON

Maintains That It Should Be Taken Literally and That the Party in Power Should Follow Vote of People.

That the people of Oregon may desire to elect a member of one political party to the United States Senate, and elect a Legislature composed of members of another party, the same as they sometimes elect a Governor from a party other than that of which the Legislature is composed, is the contention which W. S. O'Ren, of Oregon City, makes in answer to a recent statement from Senator Fulton explaining his view of the statement No. 1 provision of the direct-primary law. He urges that the people have a constitutional right to instruct their members of the Legislature, and that the popular vote upon United States Senator is such an instruction.

W. S. O'Ren's Contention.

In speaking of Senator Fulton's interview, Mr. O'Ren said: "Senator Fulton's statement on the direct primary law and Statement No. 1 in last Sunday's Oregonian is clearly a public answer to a letter I sent him and therefore I beg of you space to reply."

If Senator Fulton had read section 11 of the primary law he would not have stated that each party may have more than one candidate for United States Senator under the Maye law at the general election in June. Section 11 expressly provides that every political party and its regularly nominated candidates, members and officers, shall have the sole and exclusive right to the use of the party name and the ballot thereof, and no candidate for office shall be permitted to use any word of the name of any other political party or organization (that of that by which he is nominated), or independent or non-partisan candidate shall be permitted to use any word of the name of any existing political party or organization in his candidacy, and the Maye law is subject to this provision.

What Was Intend?

Senator Fulton's position is the same as Judge Lowell's. They agree that the language of the law is so plain that it can have but one meaning; but they say the people could not have intended to take to themselves the power to choose a Legislature of one political party and a United States Senator of a different political party at the same election, though they have, and sometimes use, that power in choosing a Governor and Legislature in Oregon. Custom makes all Presidential electors obey the instructions of their political parties as expressed in their conventions. The primary law was enacted by the people of Oregon to compel the members of the Legislature to obey the instructions of the people of Oregon as expressed by their vote at the general election in June. Neither Senator Fulton nor Judge Lowell questions the constitutional right of the people to instruct their members of the Legislature, and they do not deny that Statement No. 1 is a lawful and constitutional instruction by the people, and agreement by the would-be member of the Legislature that he will obey the instructions of his master, the people of Oregon, as expressed at the June election.

Says Fulton is Inconsistent.

Senator Fulton and Judge Lowell both say they will submit their claims to the people and retire if they are rejected by the people. In this they are inconsistent; they should promise to retire if a Democratic Legislature is elected. Suppose Senator Fulton should be nominated by the Republicans in 1908 and chosen by the people, and that at the same time the people should choose a Democratic Legislature; would Senator Fulton voluntarily withdraw and say to the Democratic Legislature: "You must elect a Democratic Senator; if it is true, the people voted for me, but if they had intended I should be Senator they would have elected a Republican Legislature?"

The people do not do vain things. If they had not intended to choose the Senator they select they would not have provided that he should be voted for at the general election in June, and instead of making Statement No. 1 read that the would-be member of the Legislature promise to "always vote for that candidate for United States Senator in Congress who has received the highest number of the people's vote," they would have made it read: "Promises to always vote for that candidate of my political party for United States Senator who receives the highest number of votes of my political party at the primary election in April." But how many people in Oregon would vote for such a law as that? Both Senator Fulton and Judge Lowell are



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still so greatly influenced by party prejudice that the party machine and the party itself seem to them the same thing. They cannot yet understand that the people intended by the primary law to have the political parties and destroy the power of all political machines, including the Republican machine. But Mr. O'Ren and his trust supporters know better. While they are doing nothing to enforce the Statement No. 1 agreement, they are working with all their power to get the Republican nomination for Mr. Cake in April, and the highest number of the people's votes for him in June. They are wise enough to take advantage of the law and get their candidate chosen by the people, if possible.

I speak of Mr. Cake as the candidate of the trusts because I believe it is true. His appearance and argument in the Supreme Court of Oregon, as attorney for the Standard Oil Company in the case of the Standard Oil Company vs. Bayard, Superior Court Reports, volume 28, page 428; the enthusiastic and urgent letters in his favor sent to retail merchants

Blodgett Murder Trial.

The trial of George Blodgett for the murder of Alice Minthorn, whose stage name was Alice Gordon, is set to begin today in the State Circuit Court. Blodgett shot and killed the woman in the Van Ness lodging-house, at Third and Pine streets, in a fit of jealous rage. His attorney, Charles F. Lord, will endeavor to temporarily insane at the time he committed the crime, and Mr. Lord says the case for the defense will be of an interesting character. The prosecution will have no trouble proving the killing because Blodgett has confessed.

HARRY MURPHY SPENDS A DAY CHUMMING WITH THE CANDIDATES.



CLAUDE GATCH IS VERY MODEST BUT IF YOU INSIST UPON LEARNING OF THE BEST MAN FOR SECRETARY OF STATE HE'LL "PUT YOU WISE"

"I WANNA GUARD THE STATE'S DOUGH!" E. V. CARTER.

SELLER ROMANS!

S. A. LOWELL YEARN TO TREAD THE CLASSICAL HALLS OF WEBSTER, CLAY, HENRY, ET AL.

BAKER COUNTY'S SHERIFF H. BROWN, READY TO IMMOLATE HIMSELF ON THE GOVERNORSHIP ALTAR.

WHERE'S TRACY?

THE JURISPRUDENTIAL FRUITION OF A. M. CARFORD IS AT THE VOTERS SERVICE FOR ATTY GENERAL

W. S. DUNAWAY DOING MISSIONARY WORK FOR HIMSELF.

HAVE A SLEETON LARD!

BOB STEVENS SAYS HE IS WILLING TO BE SHERIFF IF YOU'LL COX HIM

THE COLORS OF THE LILY

Hazelwood has prepared a special Easter brick ice cream: colors green, white and yellow, flavors pistachio, vanilla and lemon. This beautiful and tasty dessert is made in the Hazelwood way, from the purest, richest cream and flavored and colored with natural fruit and nut juices fresh and wholesome.

ICE CREAM

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Four-quart bricks \$1.50
Two-quart bricks \$1.00
Quarts \$.50



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