The Oregonian

SUBSCRIPTION RATES.
INVARIABLY IN ADVANCE.
(By Mail.)

Daily, Sunday included, one year	$8.00
Daily, Sunday included, six months	4.25
Daily, Sunday included, three months	2.25
Daily, Sunday included, one month	.75
Daily, without Sunday, one year	6.00
Daily, without Sunday, six months	3.25
Daily, without Sunday, three months	1.75
Daily, without Sunday, one month	.60
Sunday, one year	2.50
Weekly, one year (Issued Thursday)	1.50
Sunday and Weekly, one year	3.50

BY CARRIER.

Daily, Sunday included, one year	9.00
Daily, Sunday included, one month	.75

HOW TO REMIT—Send postoffice money order, express order or personal check on your local bank. Stamps, coin or currency are at the sender's risk. Give postoffice address in full, including county and state.

POSTAGE RATES.
Entered at Portland, Oregon, Postoffice as Second-Class Matter.

10 to 14 Pages	1 cent
16 to 28 Pages	2 cents
30 to 44 Pages	3 cents
46 to 60 Pages	4 cents

Foreign Postage, double rates.

IMPORTANT—The postal laws are strict. Newspapers on which postage is not fully prepaid are not forwarded to destination.

EASTERN BUSINESS OFFICE.
The S. C. Beckwith Special Agency—New York, rooms 48-50 Tribune building. Chicago, rooms 510-512 Tribune building.

KEPT ON SALE.
Chicago — Auditorium Annex, Postoffice News Co., 178 Dearborn street.
St. Paul, Minn.—N. St. Marie, Commercial Station.
Colorado Springs, Colo. — Western News Agency.
Denver — Hamilton & Hendrick, 906-912 Seventeenth street; Pratt Book Store, 1214 Fifteenth street; I. Weinstein; H. P. Hansen.
Kansas City, Mo.—Ricksecker Cigar Co., Ninth and Walnut.
Minneapolis—M. J. Kavanaugh, 50 South Third.
Cleveland, O.—James Pushaw, 307 Superior street.
Atlantic City, N. J.—Eli Taylor
New York City—L. Jones & Co., Astor House; Broadway Theater News Stand.
Oakland, Cal.—W. H. Johnson, Fourteenth and Franklin streets; N. Wheatley; Oakland News Stand.
Ogden—D. L. Boyle, W. G. Kind, 114 Twenty-fifth street.
Hot Springs, Ark.—C. N. Weaver & Co.
Omaha — Barkalow Bros., 1612 Farnam; Mageath Stationery Co., 1508 Farnam; 240 South Fourteenth.
Sacramento, Cal.—Sacramento News Co., 439 K street.
Salt Lake—Moon Book & Stationery Co., Rosenfeld & Hansen.
Los Angeles—B. E. Amos, manager seven street wagons.
San Diego—B. E. Amos.
Long Beach, Cal.—B. E. Amos.
Pasadena, Cal.—A. F. Horning.
San Francisco — Foster & Orear, Ferry News Stand; Hotel St. Francis News Stand; L. Parent, N. Wheatley.
Eureka, Cal.—Call-Chronicle Agency.
Washington, D. C.—Ebbitt House, Pennsylvania avenue.
Norfolk, Va.—Jamestown News Co.
Pine Beach, Va.—W. A. Cosgrove.
Philadelphia, Pa.—Ryan's Theater Ticket Office.

PORTLAND, WEDNESDAY, FEB. 6, 1907.

PERPETUAL FRANCHISE REVOCATION.

The action of the Portland Council's Gas Committee in demanding revocation by the Legislature of the perpetual franchise of the Portland Gas Company marks another important step in the long struggle of the people against that insufferable monopoly. It is fortunate that the Council will find at Salem a delegation from Multnomah County entirely in harmony with its purposes. The delegation to a man—except the holdover Senators who are not on record—publicly pledged itself to action against perpetual franchises and to other remedial legislation for regulation and control of all franchises. Of course, it will be necessary only to remind the Multnomah delegation of its platform promises, made by the individual members over their own signatures (with the exceptions noted) to bring about their speedy and complete fulfilment. Franchises and franchise abuses were an issue in the last campaign; or they would have been an issue if any candidate had been found who had the great temerity to espouse the cause of the public-service monopolies. One candidate, indeed, and one only, did mistake the public will on that great question, and he was badly beaten, although personally a good man. All the other candidates, whatever their other differences and however they stood on other issues, took substantially the same ground on the question of perpetual franchise revocation.

The way to revoke is to revoke. It is the desire and purpose of the City Council to procure the repeal of the Gas Company's franchise on the specific ground that the Gas Company has been guilty of deliberate, continued and flagrant violation of its lawful obligation to give the public honest service and on the general ground that franchise control of Portland public-service corporations should be invested in the municipality. No public-service corporation under proper restraint would or could thus violate its plain duty to the public. Operating under a perpetual franchise, without reasonable and proper safeguards, the Gas Company has dared to challenge the authority of the City Council to impose any conditions whatsoever on its methods of operation and service to its patrons. A perpetual franchise from the state or territory appeared to the Gas Company to be sufficient warrant for it to ignore all reasonable demands from the many thousand customers within the city limits of Portland whom it had obtained a special privilege from the state to serve. The company's perpetual franchise is the basis of the whole contention between the Council and the people on the one hand, and the gas monopoly on the other. The authority that granted the perpetual franchise is called upon to revoke it, and, if need be, to invest in the City Council the proper right to control and regulate, or leave to the Council by mere repeal adoption of its own measures to assert its unquestionable right of control.

The Multnomah delegation, then, will undoubtedly ask the Legislature to take whatever action is legal and warrantable toward all perpetual franchises and particularly to terminate at once by specific enactment the Gas Company's franchise. The delegation will find members from other counties who have gone on record in this highly important matter, and who will support any measure looking to fulfilment of public pledges made by them long ago.

The attention of the ship-subsidy grafters is called to the fact that the Hamburg-American Steamship Company's net profits in 1906 were $8,000,000. Lest they indulge in any frivolous attempts to turn this statement into an argument in favor of subsidies, their attention is also called to another fact in connection with this great line. It is operated without a subsidy, and after a two years' trial on the South African routes threw up the mail subsidy rather than be hampered by the restrictions which went with it. Business principles and a practical knowledge of the subject involved will always win out over any artificial methods which may be injected into any line of industry. For that reason, even were we to present our millionaires with a ship subsidy, the unsubsidized lines of our competitors would continue to show profits proportionate to those they are now earning.

SUNDAY LEGISLATION.

It is agreed by all that on one day out of the seven every man should rest from his usual work. It is not agreed that any person or set of persons should have the authority to dictate to him how to spend his time on the day of rest. The agitators who wish to close all places of amusement upon the first day of the week deny that their purpose is to suppress competition with the attractions of the churches. They say that their sole purpose is to show proper "respect to the Sabbath." But the first day of the week is not the Sabbath, nor does it deserve especial respect more than any other day. There is something ludicrous in the idea of showing respect to a day of the week. One might as well make obeisance to the vernal equinox.

The only admissible ground for making Sunday a day of rest is hygienic and economic. Nobody can preserve his health if he works every day. But also, society is so organized that nobody can rest unless others rest too. Competition will not permit one merchant to close his store on Sunday unless other stores close; nor can one barber, acting alone, lock his shop on the first day of the week without ruin. These principles furnish a rational basis for statutes closing places of business on Sunday; they also furnish ground for a law requiring common carriers to grant every employe one day of rest in the week, though manifestly not all of them can have the same day.

To this extent Sunday legislation is tolerable, and perhaps necessary. But the Sabbatarians aim at nothing of this utilitarian character. Their wish is to forbid by law what they are pleased to call "desecration of the Sabbath"; that is, all amusements, theaters, games, picnics, visits to libraries and picture galleries. Of the Sunday question these persons take the bigot's dire and irrational view. It counts for nothing with them that for multitudes of people there is no day but Sunday when their work will permit them to visit the theater, the picture gallery or the library. If they do not go to the country on a Sunday excursion they cannot go at all. The rich can enjoy the healthful influences of Nature every day in the week; the poor only on Sunday. The rich can enjoy games out of doors whenever they choose; the poor only on Sunday. Make Sunday a closed day and the workingman is doomed to idleness or dissipation between Saturday and Monday. He cannot go to the theater, but he can get drunk, for liquor may be bought the day before.

The argument that excursions, open theaters and so on force certain persons to work on Sunday is not entirely invalid; but these persons should have their "day off" in some other part of the week. The slight inconvenience to them is far outbalanced by the enormous evil of depriving the working classes of the only time when they can enjoy outdoor life and wholesome recreation. Rational Sunday legislation is a boon to humanity. Legislation based on bigotry is an unmitigated evil.

WHERE SHIPPING IS DELAYED.

The members of the International Association of Sailing-Ship Owners will find plenty of food for thought in the experience of their vessels at Portland and Puget Sound this season. While dispatch given vessels during the season has at times been slow in Portland, the loss of time here is inconsequential as compared with that suffered by the vessels loading on Puget Sound. Some of this delay is due to the car shortage and difficulty in getting wheat, but much of it is caused by the inability to secure sailors. The steamer Frankby, which arrived at Tacoma November 26, did not complete her cargo until January 31, although a larger steamer of the same line which arrived in Portland December 4 sailed December 26 with a full cargo, the Puget Sound vessel being in port sixty-six days, while the one which loaded at Portland was in port but twenty-two days.

A few days ago mention was made of the much faster passages that were being made by the outward-bound grain fleet from Portland than by the vessels leaving Puget Sound and San Francisco. The records for the season to date show that the outward-bound Portland ships are, as usual, making passages averaging from ten days to twenty days faster than the passages from Puget Sound. This advantage in Portland's favor is so well known, however, that it is seldom questioned by the shipowners, but they have contended that the delays off the mouth of the Columbia River were greater than off the Straits of Fuca. Excellent testimony showing the fallacy of their contention was offered by a large number of ships which were held off the Straits from 10 to 25 days in November and December. These delays were excused as due to exceptionally severe weather. But during the month of January, when vessels were having no difficulty in entering the Columbia River, more trouble than ever was being experienced by the fleet endeavoring to enter Puget Sound.

Probably the worst case was that of the French bark Marie, which reached Port Townsend February 1, nearly 100 days overdue. Just how much of this 100 days was lost off Cape Flattery has not yet been learned, but the Seattle News admits that "the vessel lay outside the Straits for more than thirty days trying to get in," and that her officers stated that "there are many other vessels still off the Cape waiting for good weather or a pilot." The Tacoma Ledger passes over the delay with a light touch, but admits that the Marie "has been twenty-three days off Cape Flattery." The French bark Jean and the British bark Forteviot, which came in after the arrival of the Marie, also made remarkably long passages, and were among the "waiting" fleet reported by the Marie. A foreign shipmaster, making only occasional voyages to this part of the world, might be inclined to place some of the blame for his delay on his unfamiliarity with the local conditions with which he has to contend, but local shipmasters, familiar with every current and wind that revels around Cape Flattery, have had no better luck, and in some cases have experienced longer delays than were reported by the foreigners.

The American barkentine Everett Griggs, in command of Captain Delano, an expert navigator in the coasting trade, has just reached Port Townsend twelve hours too late to save a fine charter, after a passage of fifty-four days. On the twelfth day out from Honolulu the vessel was off Cape Flattery, and the remaining forty-two days of the passage were spent either drifting in calms or beating around endeavoring to hang on until a favoring slant of the wind enabled her to work inshore. The American ship McLaren, another coasting craft, arrived about the same time, and in noting her arrival the Ledger says that "while she had fairly good weather, she had difficulty in entering the Straits, being outside eleven days."

In the face of all of the evidence of this nature that has been submitted, it would be interesting to know by what line of reasoning the foreign shipowners justify their action in maintaining a differential of 1s 3d per ton against Portland in favor of Puget Sound.

NEW RAILROAD PROJECTS.

The steady drift toward consolidation in railroad ownership and management seems to have no deterrent effect on the promotion of numerous small railroad projects throughout the country. Yesterday's Oregonian had announcement of the incorporation of two new railroad companies, one an interurban railway between Seattle and Spokane, and the other starting from Vancouver, Wash., with Spokane its proposed terminus. On Monday it was announced that the Sumpter Valley Railroad had financed a sufficient amount of bonds to admit of completion of the road to Austin, thirty-eight miles beyond the present terminus. The Lytle road to Tillamook, which, despite reports to the contrary, is not a Harriman road, is being pushed steadily into the heart of one of the richest traffic-producing regions in the state.

In Southern Oregon the proposed road from Grant's Pass to Crescent City, which received a setback at the time of the earthquake, is being revived, and in the near future will open up the rich mining, timber and agricultural district lying between the coast and the main line of the Southern Pacific. Over in Washington, in addition to the proposed steam roads mentioned, there are a number of new electric lines among the possibilities, and some of the more important logging roads of the state will increase their mileage and facilities for the handling of general traffic. The awakening of the people and their manifest desire to curb the power of the big railroad systems is undoubtedly responsible for the revival of interest shown by the smaller operators. So long as the management of the big roads was not disturbed, it was in their power practically to control the smaller roads, which were dependent on them for an outlet to distant markets.

The helplessness of some of these small roads was such that it was a case of submitting to the domination of the big roads or else retiring from business. Under such conditions capital for investment in small railroad enterprises dependent for connection with the outside world on big railroad systems was not easily obtainable. With the interest now shown in the matter of restricting the powers of the big roads and protecting the rights of the small ones as well as of their patrons, there is a growing confidence in this highly profitable form of investment. Another feature of the situation which also insures the perpetuation of active competition and reasonable rates for both railroad and shipper is the rapid increase of wealth of all kinds in the United States.

There is so much of this wealth and so many new millionaires being constantly added to the lists that it is impossible for them all to secure access to the select circles of the Harriman-Hill set and enjoy the numerous "melon-cuttings" that take place therein. There has always been plenty of places outside of these select circles where this money could be used to advantage, but the fear of drastic competition from the big systems has restricted investment of this class. With this fear removed by effective legislation for protecting the rights of the small investor and the small shipper, we shall soon see many new railroads where they have long been needed.

WHITEWASHING PAUL.

There are circumstances which partially explain, though they do not excuse, the apparent disposition of the trustees of the Anti-Saloon League to quash the investigation of the charges against Mr. Paul Rader. Among men who have worked together for a common end a feeling of mutual loyalty arises almost by necessity. They are inclined quite naturally to believe that an attack on any one of their number is an attack on their common object, and in defending their comrades they often fall under the illusion that they are defending the cause. Indeed, if the attack on one of their members were made to injure the cause, as it sometimes is, then their indiscriminate defense might be rational and wise; but when it is made, not to injure but to aid the work and to clear it of suspicions which tend to make the public distrust the integrity of the workers, then the only rational course is to insist upon thorough investigation. Unless a man is guilty it is no kindness to give him a coat of whitewash. Whether he is guilty or innocent, it injures the cause which he represents.

We are aware of the vulgar disposition to make it a reproach to the church when a minister fails, and to blame the temperance reform when any worker is found wanting in integrity; and we recognize that the desire to avoid this undeserved obloquy may sometimes lead good men to shield the bad, no matter how convincing the proof of their misdeeds may be. But this may be carried too far. Men of integrity may shield their corrupt coworkers until the whole body becomes tainted with falsehood and dishonesty. To avoid the temporary inconvenience of a few ill-judged sneers they may bring disaster upon a great cause. In Mr. Rader's case there is small reason to apprehend that the public would make his shortcomings a reproach to the temperance propaganda, should an investigation prove his guilt. There is no reason whatever to believe that the charges against him are made with intent to injure the anti-saloon cause, for they come from some of the most ardent and devoted of his associates.

These charges are so serious that, should the trustees of the league make the investigation a mere pretense, there is grave danger lest the public draw the conclusion that they care more for Mr. Rader's comfort and peace of mind than they do for the suppression of the saloons. To receive a check for $500 from a politician for the benefit of the league and convert it to his own benefit was not a trifling offense on Mr. Rader's part, if he did it. His guilt has not yet been proved, but neither has his innocence; and a disposition is very apparent on the part of some of the trustees to overlook the matter entirely. "Suppose Mr. Rader did accept the $500," said one trustee, "we ought to be forgiving. What if he did make a mistake? Are we going to pull him down?" The point is that in forgiving Mr. Rader the trustees may seriously injure the work which they are supposed to wish to promote. If Mr. Rader did not convert the funds of the league there is no occasion for forgiveness; if he did convert them, then forgiveness seems to indicate a degree of moral laxity which one hardly expects from professional reformers. The question should be settled by a rigorous investigation—for Mr. Rader's sake if he is innocent; for the sake of the trustees if he is guilty.

It is as bad to steal as it is to sell liquor. The trustee who spoke of the theft of $500 as a "mistake" either does not know the meaning of words or he has not learned the distinction between right and wrong. If Mr. Rader converted the check to his own use, he did it with the full knowledge that he was taking what did not belong to him. Such an act is not a mistake; it is a crime. And a crime is precisely as bad when committed by a professional reformer as when committed by a depraved "tough." The fact that a man is engaged in a good cause does not excuse him from observing the moral law. Lawyer Hamilton, pleading for the insurance thieves, thought it did. He said these philanthropists and reformers were under a "higher law" which permitted them to lie and steal without guilt; but the common sense of the country did not accept his logic. No matter how good the end may be for which a man works, he must not break the commandments to attain it. No matter how apparently useful a rascal may be to the cause of reform, it is never sound policy, in the long run, to employ him.

Therefore it is for the best interest of the Anti-Saloon League to demonstrate with all convenient haste that Mr. Rader is not a rascal; or, if he is, that the league does not purpose to share his guilt. Evidence that he has done what he is charged with might "pull Mr. Rader down," as the timorous trustee put it. On the other hand, evidence that the trustees do not intend to investigate will pull the league down. Which is the worse of the two predicaments? Does the league exist for Mr. Rader's benefit, or to promote the cause of temperance? If they purpose to condone alleged theft, the trustees ought to publish a statement showing what crimes their agents may not commit and still be forgiven. The public may then know how far to trust them and when to be on its guard.

The chinook has come, bearing disaster upon its balmy wings. The heavy snows, vanishing before its breath, have in their retirement turned every water course in the Willamette Valley into a raging torrent, hurrying to be lost in the sea. The situation is one of peril to farmers in the lowlands, to villagers whose homes are on the margin of the streams, to railroads already beset this Winter beyond precedent by the elements, and to dock-owners and freight-handlers in this city. The situation is the most trying one of the Winter, although the air is as balmy as that of April. The duly acclimated Oregonian was fain to take its benediction with bared forehead yesterday as he walked abroad dry shod, where but the day before snow and ice impeded his way.

The California Legislature will be called upon to deal with the question of High School fraternities through a law introduced for that purpose by a member of the House of Representatives. The law is specific, and if enacted and enforced will put an end to a growing evil that threatens the harmony, usefulness and democratic spirit of the American public schools. If the public schools teach anything they teach equality of privilege, and the fraternities and sororities that have grown up within them are in direct opposition to this equality. Sooner or later these societies will have to go or the High Schools of the country be given over unconditionally to their control.

The death of Richard B. Knapp strikes from the roll-call of the pioneer business men of Portland another long-familiar name. Mr. Knapp was not an aged man in the modern interpretation of that term, not having attained his 69th year. His name and enterprise had, however, been associated with the development of Portland since the city was but a rambling pioneer village upon the wooded banks of the Willamette. His passing was the passing of another man who helped to lay strong and sure the foundation of the metropolis of the Pacific Northwest. His memory will be honored as that of a business man of energy and foresight—quick to see and prompt to do.

Another schooner is reported ashore on North Beach, the crew, as usual, reaching shore without much discomfort. The frequency of these disasters of late gives rise to a suspicion that perhaps some of the skillful navigators in charge need a little longer term before the mast. The correspondence schools teach almost everything by mail now, but it seems quite clear that the use of a leadline during a fog has been omitted from the course in navigation. Or it is possible that some of these navigators would not know a leadline if they were to see it.

The Teal commission bill, as amended, provides that the Railroad Commission shall "pay their own traveling expenses." A provision will, we suppose, be added penalizing the commissioners if they travel.

The reason that the reporters "know better than to ask" Brother Heppe for news, as he boastfully asserts, is no doubt a profound conviction among newspaper men that he doesn't know anything.

Honest, now; would the reverend gentlemen who object to theaters on Sunday because they "are competitors of the churches" feel very bad if they were closed for the other six days of the week?

The City Council will make the liquor license $800 because it fears the people will make it $1000. There are some wise men who learn in time that the referendum is loaded.

The Anti-Saloon League doesn't seem to have made a howling success of its executive session. Forty ministers all put together can't keep a secret.

Dr. Wiley, a Thaw expert, didn't know on the stand where the dorsal region is. He will find out when he has to go 'way back and sit down.

The Legislature really ought to confer on the Railroad Commission ample powers to regulate and control the Willamette River.

THE ASSOCIATED PRESS.

Senator Hodson, of Multnomah County, has introduced at Salem a bill to declare the Associated Press a common carrier. It is a wholly undeserving measure. It has no honest purpose. Senator Hodson's sole motive is to annoy and harass The Oregonian, or he fancies that he will annoy and harass The Oregonian. But he will not. Declaring the Associated Press a common carrier does not make it a common carrier. The Legislature will waste its time if it takes Senator Hodson's malicious effort seriously and gives it any sort of consideration, for it is utterly lacking in merit or good reason for enactment. Yet the members of the Legislature who have no doubt been told that the Associated Press is a monopoly are entitled to a brief statement as to its character and functions. To that end The Oregonian reproduces in full an editorial statement relative to the Associated Press printed in its columns January 27, 1903, when a similar measure which failed utterly, was before the Legislature.

"Inasmuch as a bill has been introduced in the Legislature of Oregon, framed on the assumption that the Associated Press has a monopoly of news, yet is a common carrier and therefore subject to regulation by law requiring it to furnish its news to any and all on equal terms, it is as well that a statement be made for correction of the error that lies in this assumption. The Associated Press is neither a monopoly nor a public carrier. It is an association formed by a considerable number of the newspapers of the country for the purpose of collecting news and distribution of the news among its members. It sells no news; it owns no telegraph or telephone lines; it has no capital stock; it expressly declares in its by-laws that it is not to make a profit, nor to make or declare dividends, and is not to engage in the business of selling intelligence nor traffic in the same.'

"Furthermore, 'the members of this association are certain persons who, owning or representing newspapers, are united in a mutual and co-operative organization for the collection and interchange, with greater economy and efficiency, of intelligence for publication in the newspapers owned or represented by them.' As they have no means of carrying news, they cannot be public or common carriers, but hire this service from the telegraph companies. In some cases they pay a word rate for the transmission; in other cases they hire wires from the companies; but the rates they pay in all cases are open to all others. The telegraph companies will carry for all, or will let wires to all, at the same rates paid by the Associated Press or its members; and at this moment there are several other press associations in active operation in the United States on precisely equal terms with the Associated Press as to transmission of news.

"The Associated Press, then, is merely a club composed of owners or representatives of several hundred newspapers. It has no privileges of any description; it asks nothing, has nothing, from Government, state or National; it has no public franchise, no legislative favors of any kind, no right of eminent domain; and as it has been granted no privileges or franchises and asks none, it cannot be subject to such conditions as pertain to companies that have these rights and privileges and therefore may be regulated by law.

"Such an act has been proposed in the Legislature of Oregon, to compel this private association, this club of newspaper owners, to admit to participation, in the benefits of the news they have collected, all persons who may desire such participation, would have no validity; could not be enforced. Every element that impresses with a public use the corporation whose business is that of a common carrier is absent, as every element that constitutes monopoly or would sustain monopoly, is wanting also. Members of the Legislature have only to look into the subject to see that Senator Pierce's bill is framed on the wholly mistaken assumption that the Associated Press is a common carrier and vender of news; that it has usurped certain privileges or has them through favor of law or through absence of legal regulation: It is merely a club, that has no favor from Government or law, therefore is not impressed with a public use and no more is subject to interference or regulation by the state, or to compulsion to share with others the facilities it has created, than any other club or association of persons united for any private purpose, yet having nothing and asking nothing from the state, would be. Once more, the Associated Press is neither a common carrier nor a vender of news. It owns no telegraph or telephone lines, doesn't sell news, but is merely an association for exchange of news among its own members, has no exclusive right to collect news, and has no terms for transmission of news that are not open to all others. It has, therefore, not a single element of monopoly and no character subject to regulation by such acts as that proposed in the Legislature of Oregon.

"This matter already has been subject to judicial examination. The Supreme Court of the State of Missouri has declared that the business of the Associated Press is 'not impressed with a public use'; for the Associated Press 'has been granted no privileges, asks none, and cannot therefore be burdened with conditions such as pertain to common carriers and the like.' This case arose under demand of the St. Louis Star for publication in its columns of news collected by the Associated Press. The demand was denied by the court—the opinion being unanimous.

"A case passed upon by the Supreme Court of Illinois is sometimes cited in support of the opposite doctrine. But the present Associated Press is not the Associated Press of that day. It is organized on a basis wholly different. The Associated Press of the State of Illinois long ago ceased to exist. It had a by-law which tended to restrict competition, because it forbade members to purchase news from any other source, and it had the right to use the power of eminent domain as to telegraph and telephone lines. It was held that these features tended to create a monopoly, and subjected the association to regulation and control by the state. But there are none of these features, or their consequences in the organization of the present Associated Press. It is purely a club organization, whose operation is impressed with no public use. It claims no privileges and has nothing whatever from the state. As well might a man try to force his way by law into the Arlington Club, of Portland, or the Manhattan Club, of New York."

Doyle Wins Portland Mine Fight.

CHICAGO, Feb. 5.—The annual meeting of the Portland Gold Mining Company, held here today, resulted in a complete victory for the Howburt-Doyle faction over James F. Burns.

REPEAL OF PERPETUAL FRANCHISES

Multnomah Legislative Delegation Long Ago Took Emphatic Ground on That Important Issue—Declared Also for Regulation and Control of Franchises, and for Adequate Taxation.

THE final report of the Portland City Council gas committee and the determination to ask the State Legislature to repeal the franchise of the Portland Gas Company makes it proper to print a statement of the attitude of the Multnomah delegation at Salem on perpetual franchises. During the political campaign of 1906 the question of perpetual franchises was a leading issue, in some respects the leading issue. All the successful Multnomah Republican candidates, with two exceptions, subscribed to one or the other of the following platforms:

STATEMENT NO. 1 CANDIDATES.

We, the undersigned, statement No. 1 candidates for nomination on the Republican ticket, for election to the Legislature, pledge our loyal support, if nominated and elected, to the following:

First—To vote always for the people's choice for United States Senator.

Second—If the people at the June election fail to approve the amendment to the state constitution, which takes from the Legislature and confers upon all towns and cities the exclusive power to enact and amend their own charters subject to the constitution and criminal laws, and confers upon their voters the power to initiate and refer all local, special and municipal laws and ordinances; then we will earnestly support:

1—A bill conferring upon the municipalities of over 50,000 inhabitants the power to regulate and control all public utility corporations in the character of service and the price thereof; and,

2—A bill repealing the act granting to the Portland Gas Company its perpetual franchise and fixing the maximum price of gas at 85 cents per thousand feet.

Third—A bill providing for the taxation of public utility franchises appraised upon the market value of capitalization, and the gross earnings of the whole property covered by such franchises.

Fourth—A law requiring manufacturers and wholesalers who put up fruit products in packages, cans or other receptacles to give full weight, full measure or full count, and print on such packages, can or other receptacles the exact quantity contained therein and to provide punishment for the infringement of the law.

Fifth—That convict labor should not conflict with free and honest labor, and we favor such legislation as will best secure these results.

Sixth—A bill regulating all state and private banks and trust companies, and provide for a state bank examiner.

Seventh—That we favor the prompt passage by the Legislative Assembly of a memorial to Congress earnestly advocating amendment of the Chinese exclusion law, so as effectually to prevent the admission of all Asiatic coolie labor.

Eighth—We favor the ownership by the state of a properly equipped printing office and a flat salary for the State Printer. To this end we favor the adoption of the pending constitutional amendment relative to this important subject.

G. M. Orton, for Joint Senator.
For Clackamas and Multnomah.
John Gill, for State Senator.
L. H. Adams, for Representative.
J. C. Bayer, for Representative.
D. C. Burns, for Representative.
John B. Coffey, for Representative.
John Driscoll, for Representative.
W. P. Keady, for Representative.
S. A. Matthieu, for Representative.
A. H. Sandstrom, for Representative.
Edward T. Taggart, for Representative.
Edgar H. Thornton, for Representative
William Wanner, for Representative.

OPPOSITION CANDIDATES.

Whereas, We the undersigned candidates for Republican nominations for the Legislature, believe that the voters should be advised of the course that we intend to pursue if elected, we submit the following to the Republican voters of Multnomah County as our platform and declaration of principles:

We will support laws:

First—For the equitable taxation of state and municipal franchises.

Second—For granting municipalities the right to control and regulate all public utilities, such as gas, electric lighting and power, telegraph, telephone, street railways, railroads, etc.

Third—For the enactment of a state banking law that has for its end the protection of depositors and the creation of the office of State Bank Examiner.

Fourth—For depositing all state funds with due regard to safety and security, so as to bring the largest revenue to the state and providing that all income therefrom shall revert to the state, and making it a felony for the State Treasurer personally to receive any compensation in the shape of interest or otherwise from such deposits.

Fifth—For enacting a law to reduce the number of State Normal Schools to two or less.

Sixth—For placing the State Printer on a flat salary.

Seventh—For the employment of convicts in the betterment of the public roads instead of in competition with free labor.

We desire to state that we want it distinctly understood that the second article of our platform shall be construed to mean that we consider ourselves bound to vote for a law or laws revoking all perpetual franchises, and all other franchises not paying a revenue, and empowering municipalities to place all franchises on an equal basis.

And, further, we and each of us shall consider ourselves pledged to support and vote for that particular measure, embracing these subjects, and designed to accomplish these ends, that the Multnomah County delegation by a majority vote shall decide upon.

We propose to make this the main issue in the coming primaries.

A. A. Bailey, for Joint Senator,
for Clackamas and Multnomah.
S. C. Beach and E. B. Colwell, for State Senator.
Harvey Cross, for Joint Representative.
J. W. Beveridge, for Representative.
F. F. Freeman, for Representative.
N. D. Buetgen, for Representative.
C. N. McArthur, for Representative.
Charles Cleveland, for Represetnative.
C. J. Littlepage, for Representative.
R. E. L. Simmons, for Representative.
Dave R. Machie, for Representative.
T. J. Monahan, for Representative.
Robert W. Wilson, for Representative.
R. S. Farrell, for Representative.
H. Clausenius, Jr., for Representative.
S. H. Gruber, for Representative.
Albert Ferrera, for Representative.
H. M. Bush, for Representative.
P. A. McPherson, for Representative.
L. M. Davis, for Representative.

The names printed in black-face type are now members of the Legislature.

The statement No. 1 candidates, in order to make their position more clear and emphatic, afterwards addressed and subscribed to the following letter to The Oregonian:

Portland, April 11.—(To the Editor.)—Replying to your letter, mailed to each of the Legislative candidates before the Republican and Democratic primaries, as set forth in this morning's Oregonian, we would respectfully call to your attention that the fact that our declaration and platform, published in your issue of the 2d inst., specifically answers all questions contained in your letter above referred to. We, therefore, take pleasure in reiterating our views. We, the undersigned statement No. 1 Legislative candidates for nomination on the Republican ticket, beg to say:

First—We believe the people of Portland, as of all other cities of the state, should have exclusive control of all municipal matters affecting the welfare of the city, and to that end believe The Oregonian should insistently advocate the constitutional amendments now before the people conferring the necessary powers upon the people of the towns and cities.

Second—We believe the voters of the State of Oregon should both nominate and elect their public servants by their direct votes, in so far as is possible under the law, and upon this head we hold the issue to be whether the "plutocratic" interests of this state shall select and procure the election of our United States Senators, through the old method of barter and sale, or whether the voters of the commonwealth shall choose their Senators as provided for under Statement No. 1 of the primary election law. While we insist that this is the paramount question in this campaign, we realize the fact that there are other questions of vital importance to the people of Portland and the state at large, and concede to your great paper full measure of credit for putting these questions fairly before your readers.

* * *

We now answer you as follows:

First—We do not believe in granting perpetual franchises.

Second—**We do believe in repealing those now in force, and substituting therefore franchises reserving regulation and control to the city and its inhabitants and fixing maximum rates, prices and charges for service and accommodations sufficient to produce a fair profit on the investment.**

Third—We do not believe in the enactment of city charters which authorize City Councils to grant perpetual franchises, but do insist that the voters of cities should have exclusive power to both make and amend their city's charter and ordinances.

Fourth—If the proposed amendments to the state constitution conferring upon towns and cities the full power of home rule are not adopted by the people in June, we shall favor the enactment of general laws and city charters authorizing the people, through the proper officials, to fix reasonable maximum charges to be made by public-utility corporations, and shall insist further that the initiative and referendum apply, so that in case the "proper officials" prove recreant to their trust the people might hold corrective power in their own hands under the law.

Fifth—We believe in the regulation of state banks and trust companies under the provisions of a law similar to the National banking act, and will support such a measure.

Answering your last two questions:

We believe all franchises are property, and should be assessed and taxed at their true value on the same basis as other property, and will support measures for that purpose.

Respectfully yours,

GEO. M. ORTON,	W. P. KEADY,
JOHN GILL,	S. A. MATTHIEU,
L. H. ADAMS,	A. H. SANDSTROM,
J. C. BAYER,	EDWARD T. TAGGART,
D. C. BURNS,	EDGAR H. THORNTON,
J. B. COFFEY,	WM. WANNER.
JOHN DRISCOLL,	

Mr. Chapin, one of the exceptions above noted, wrote a letter to The Oregonian defining his position on franchises, and saying among other things:

The day has gone by in Oregon when franchises will be granted for the mere asking, and the day is coming when all such franchises will be repealed, and in their place will be substituted franchises that will bring a revenue to the city. In this I believe thoroughly, and will use my best efforts in this direction. I trust I have made myself clear on the subject.

Mr. Northup, who had been absent from the city when the pledges were made, subscribed to them through an interview from his father, Judge H. H. Northup.

Many other members of the Legislature, outside of Multnomah County, returned favorable replies to the following letter from The Oregonian:

Dear Sir—It is fair to assume that every man who aspires to such an important office as Senator or Representative in the Legislature, vesting him with power to make laws for the people, has given thought to those questions which are foremost in public discussion, and has formed opinions thereon. A man who is not sufficiently interested in public affairs to keep informed upon such issues would scarcely offer himself as a candidate for a legislative office. The main effort of the people should therefore be to ascertain what views are held by the several candidates, and vote for those who seem most likely to secure the enactment of desired legislation.

The Oregonian desires to give every candidate for a legislative office an opportunity to make his position upon live topics known to the voters, and also to place before the people in concise form a statement of the views of each candidate. If this can be done, the next Legislature should be, in fact as well as in name, representative of the people. We would, therefore, ask you to make a statement at your earliest convenience in response to the following questions:

Do you believe in the granting of perpetual franchises?

Do you believe in the repeal of perpetual franchises and the substitution of limited franchises?

Do you believe in the enactment of city charters which shall authorize City Councils to grant perpetual franchises?

Do you believe in the enactment of general laws and city charters which shall authorize the people, through the proper officials, to fix reasonable maximum charges to be made by public-utility corporations?

Do you believe in the regulation of state and private banks under a law similar to the National banking act? Will you support such a law?

Do you believe that franchises are property, and subject to taxation?

Will you support a measure designed to impose adequate taxes upon public-utility franchises?

THE OREGONIAN.

It would thus appear that the Legislature is, through many of its members, pledged to repeal of all perpetual franchises, and especially to the perpetual franchise of the Portland Gas Company.

A Little Nut to Crack.

New York Press.

H. M. Willis, the aluminum king, found time one not day to sweat over the following: A man had 60 ducks for sale, and divided them into two lots of 30 each. One lot was to be disposed of at three for $1, and the other at two for $1. In his absence the clerk sold the 60 ducks at five for $2, realizing the sum of $24. If sold according to instructions, one purchaser would have got 30 ducks for $15 and the other 30 for $10, making $25 for the lot. What became of the missing dollar?

Heat Veil Damps Fire.

London Standard.

One of the gravest perils which fire fighters are constantly facing is the fierce heat. After successful trials, a newly-invented "heat veil" has been introduced into practice at Cologne, Germany, where 200 men have been supplied with the appliance. The veil is made after the principle of a safety lamp, with double windows. It is composed of fibers of cane, which possesses the peculiar property of retaining water for a considerable length of time. The veil is made damp before being fastened to the fireman's ordinary brass helmet.