

# FREEMAN BILLS PASSED BY HOUSE

## Measure Contemplates Revocation of All Perpetual Franchises.

### ONE MEMBER VOTES NO

#### Rodgers of Marion Alone in His Opposition to Enactment—Believes That Cities Already Have the Power Sought For.

SALEM, Or., Feb. 8.—(Special.)—To revoke all perpetual rights, privileges and franchises in Oregon, Representative Freeman's bill passed the House this morning, with but one dissenting vote—that of Rodgers of Marion, who contended that cities have power to revoke franchises under their home-rule constitutional power, without calling upon the Legislature.

The Coffey bill, revoking the franchise of the Portland Gas Company, granted by the Legislature in 1859 and 1874, went into the Senate this morning and this afternoon was referred to the Multnomah delegation. The Freeman bill went to the Senate committee on revision of laws this afternoon, Bowerman chairman.

When the Freeman bill came up for passage at 9:30 o'clock on special order it was defended by Freeman, Northrup, Chapin and Beveridge of Multnomah; Vawter of Jackson, Barrett of Washington, Dye of Clatsop and Jackson of Douglas, and opposed by Rodgers of Marion and Perkins of Jackson.

Freeman started out by saying that the increasing value of perpetual franchises in the large cities, especially in Portland, is regarded by the public as a menace. The people demand compensation, he remarked, for the use of the streets by the possessors of these franchises, and the increasing value of all perpetual franchises, everywhere in the state, he insisted, should be curtailed in the interest of the public, by terminating the grant.

The use of space underneath sidewalks by adjoining buildings, for cellars, Freeman contended, was a franchise that should be terminated, and the payment of compensation to the public for the use of public property.

Rodgers Opposes the Bill. Rodgers responded that Portland had power to deal with all the franchises granted by the city, under the home-rule amendment to the state constitution, which restricted the Legislature from participating in local city legislation. The Coffey bill, passed last night, related only to grants made by the Legislature, he said, and after dealing with the bill, the Legislature should leave other franchise matters to the City of Portland.

"Mr. President," exclaimed Senator Whitman of Wasco County, in a tone and manner that at once attracted attention, "when any Senator on this floor invades the territory that properly comes under city jurisdiction, and makes the assertion that any part of my county is without representation in this body, I cannot take his remarks in any other way than as discourteous to me."

He then proceeded to say that he had always looked anxiously after the interests of the part of his county in which he resided, and that he felt that the wishes of the people of his county when he favored the postponement of this bill.

The motion was put, and carried by a small majority. The ayes and noes were not taken.

All bills in the House proposing division of counties, or the creation of new counties, or any changes in present county boundaries, have been referred to the standing committee on counties. This committee has held one meeting, when it was addressed by a number of the advocates of new counties, but Chairman Washburn says the committee will not hold another meeting on any of these bills until the interested parties on both sides of the controversies can be heard.

Among such bills are those proposing the creation of Lewis, Jefferson and Nesmith Counties. The House committee on counties is also hopeful that the bill by Representative Knowles, drafted by Attorney-General Crawford, can be satisfactorily amended so that the determination of these county division fights can be left to the people, who are directly interested, and kept entirely out of the Legislature, this being the purpose of the Knowles bill. The Knowles bill is to be considered jointly by committees on counties and judiciary.

Senate Passes Many Bills. SALEM, Or., Feb. 8.—(Special.)—Bills were passed by the Senate today as follows: S. B. 18, Beach—For voting machines. S. B. 44, Bingham—For right of way for logging roads. S. B. 45, Kay—Approving contract with John Mullin. S. B. 76, Sichel—To punish husband for desertion. S. B. 94, Sichel—For standard insurance policy. S. B. 153, Laycock—To protect quail, pheasants, etc., in certain counties. S. B. 155, Coshov—For registration of tied titles. S. B. 143, Malarky—To define court fees. S. B. 145, Cole—For Supreme Court Commission. S. B. 147, Kay—Fixing fees of Secretary of State. S. B. 153, ways and means committee—To repeal the law for a boatman at Astoria. S. B. 160, Nottingham—To make it a felony to have a child under 15 years for immoral purposes. S. B. 156, Miller of Linn and Marion—To permit beach running at large in foothills of Linn County. S. B. 174, McDonald—To appropriate \$15,000 for experiment station at Union. S. B. 191, committee of revision of laws—For lien on mining claims for wages. S. B. 210, Laughlin—To fix salary of County Judge in Polk County. S. B. 219, Johnson—To fix salaries in Clatsop County. H. B. 387, Barrett—To fix salary of School Superintendent in Washington County. H. B. 80, Freese—To fix salary of Auditor in Multnomah County. H. B. 208, Vawter—Practising Monellian. H. B. 376, Uppmeyer—Fixing salary of Treasurer in Linn County.

Passes Deficiency Bill. SALEM, Or., Feb. 8.—(Special.)—The House this morning passed the deficiency appropriation bill, the aggregate of the amounts so appropriated being \$1,850,96. The items included by the bill follow: State Deaf Mute School, \$500; Blind School, \$500; pursuit of fugitives, \$150; Circuit Court Judge, \$11,000; District Attorney, \$600; State Supreme Court, \$4,000; publication executive proclamations, \$600; payment of rewards, \$800; public printing and binding, \$28,000.

KISER FOR SOUVENIR PHOTOS. Northwest Scenery—Lobby Imperial. Course, discolored, oily, red skin rendered fair and inviting by Satin skin powder, 25c.

formed for the same price as he paid for the original tract. Vawter called attention to the fact that this feature of the bill being considered is quite different from that part of the bill by Connell, which was prepared by the State Land Board, and provides that land of the character covered in the Farrell bill shall be sold or leased by the state to the highest bidder, provided that the sale should not be made of any such land for less than \$5 an acre, and further that no sale shall be made within ten years of the approval of the bill by the Governor.

Mr. Vawter considered that there was a serious difference on this subject in the two bills should it be possible, be reconciled by the amendment of one or the other measure. Farrell had no objection to the bill being considered jointly, and the motion of Vawter was agreed to.

### CHANGES IN NOTARY LAW.

Northrup's Bill Regulating Appointments Amended by Committee. SALEM, Or., Feb. 8.—(Special.)—Changes in the law regulating appointment of notaries public, as proposed by Representative Northrup, of Multnomah, in House bill 208, and the lengthening the term of appointment from two to four years; second, charging appointees \$10 for the benefit of the state, in addition to the \$5 now required; third, raising the bond from \$50 to \$200.

### CASCADE COUNTY IS DEAD

#### HOOD RIVER HOPES GO GLIMMERING.

Senate Kills Bill Fathered by Smith of Marion—Senator Wheelodon Calls Author Interloper. SALEM, Or., Feb. 8.—(Special.)—Hopes of Hood River for the creation of a new county in its territory went glimmering this afternoon when the Senate indefinitely postponed Senate bill 148, by Smith of Marion, to create Cascade County. The bill had been reported unfavorably by the committee on counties and the chairman, Miller of Linn-Marion, moved indefinite postponement.

At the time there were only 20 Senators present or here quorum. Smith of Marion asked that the action on the bill be deferred until such time as there should be a better attendance. Many of the Senators had been excused and had gone home. It being evident that the request for delay would meet little favor, Smith went on to present the claims of the Hood River people, explaining his interest in the matter, and saying that the Hood River people had no representation.

He made a strong plea for the new county, showing the possibility of a very large population due to a great wealth of resources. "Mr. President," exclaimed Senator Whitman of Wasco County, in a tone and manner that at once attracted attention, "when any Senator on this floor invades the territory that properly comes under city jurisdiction, and makes the assertion that any part of my county is without representation in this body, I cannot take his remarks in any other way than as discourteous to me."

He then proceeded to say that he had always looked anxiously after the interests of the part of his county in which he resided, and that he felt that the wishes of the people of his county when he favored the postponement of this bill.

The motion was put, and carried by a small majority. The ayes and noes were not taken.

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House Refuses to Refer Deschutes County Bill Arbitrarily. SALEM, Or., Feb. 8.—(Special.)—An attempt of Northrup to secure withdrawal from the special committee of House bill 347, creating the County of Deschutes, failed, a bill among the members of the House this morning. Northrup asked that the bill be taken from the special committee and referred to the committee on irrigation. It was insisted that the motion was intended to punish some members of the House. Such a course was denounced as small, narrow and petty.

Northrup explained that his motion was actuated by any such motive, but in the discussion that followed a great many of the members expressed the belief that the Deschutes County bill had been sufficiently justified, and it taken from the special committee at all, should be recommitted to the committee on counties, to which the bill was originally referred, and to which it should never have been taken.

# CARR OF THREAT

## Three Members of Joint Railroad Committee Bolt.

### CHAPIN BILL IN DANGER

#### Conflicting Reports Made to Two Houses—"Too Much Governor" Explanation of Disagreement That May Result Seriously.

SALEM, Or., Feb. 8.—(Special.)—At loggerheads over the best method of choosing the three members of the proposed Railroad Commission, the House and the Senate committees on railroads have reported to their respective houses, each in its own fashion. The House committee recommends that the commissioners be appointed by a state board until July, 1918, when their successors, elected by the people, shall take office. The Senate committee recommends that the Governor appoint; that two of his appointees hold until after the election in 1918, and that one be elected in June, 1918.

The minority, two members of the House committee, Chairman Coffey and Edwards, will report the same as the Senate committee. The majority of the House committee is signed by Jones of Polk, Holt of Linn, and King of Malheur.

The House has set Monday at 3 P. M. for consideration of the commission bill and the report of the committee, and the Senate has set Thursday at 11 A. M. The split is the result of what may be termed too much Governor in the selection of the commission. Wednesday night all was serene and the two committees were in perfect harmony. Last night, however, and the result promises to be a disagreement between the two houses, imperiling the commission bill and either its death or a compromise with the demands of the majority of the House committee.

In the House a strong force has been organized against giving appointment to the Governor. Those who profess to have canvassed the situation say the Senate recommendations cannot be put through the House.

Big Lumbermen Get Busy. When the two committees last Wednesday, after a long fight, agreed on letting the Governor appoint and suffering one of his appointees to hold until after the end of the contest seemed in sight and the two committees were expected to report to their respective houses the next day, but in the interval a lot of lumbermen got busy, led by George M. Cornwall, editor of the Oregon Timberman, T. K. Campbell, of Cottage Grove, and T. Muir and J. N. Taylor, of Portland, Mr. Teal being the author of the original draft of the bill, and pressed the committee into allowing two of the Governor's appointees to hold until 1918. The pressure brought by these men and others persuaded the committees at their joint meeting Thursday into accepting the new arrangement, thereby going back on the agreement of the day before.

The vote on the change was 5 ayes and three noes, as follows: Ayes—Senators Wright, Bingham and Miller, Representatives Coffey and Edwards, Noes—Jones, King and Holt. Senator Bowerman was absent.

This put Jones, Holt and King on the warpath, so to speak, and they came in this afternoon to the House with a report embodying their original ideas on the subject, namely, that the appointments should be made by a state board until the next election, and that the successors of the board's members should then be elected. They had contended for this from the first, but were weighed down by the predominance of the joint committee against them.

Originally the committee appeared to favor this method of selecting the members of the commission. But the pressure of shippers, led by Teal, Muir, Cornwall and members of the Chamber of Commerce, changed this to appointment by the Governor. When the bill was introduced, the commissioners should be elected. Further pressure changed it to appointment by the Governor, without election by the people.

No Steps Formally Taken. None of these steps was formally taken, nor was there any official announcement of the sentiment of the joint committee. Yet, this was the general appearance of the opinion of the committees.

But the other side was active against the commission, and many things in the hands of the Governor. Jones, Holt and King got their Irish up, and in the Wednesday meeting their influence was felt to the extent that it was agreed to elect two of the commissioners in 1918 and one to hold until 1919, when the commission should become elective. Even to this, Jones, Holt and King agreed after a sharp debate.

The lobby, however, got busy again with the two committees and the next day it was agreed by the committees that two of the Governor's appointees should hold until after the 1918 election. This would put the commission in the Governor's hands during the remainder of his term.

The three dissatisfied members bolted the joint committee and today put in a majority report to the House to accept with their own ideas. The Senate committee adhered to the recommendations of the joint committee.

Explanations by Senators. Members of the Senate committee and of the House minority committee explain that when it was agreed on Wednesday to elect two commissioners in 1918, this was on the understanding that the Governor was to be given power of removal, so that there should be one responsible official for the doing of the commission. This was a forward found impracticable, whereupon several members stood for placing larger appointing power in the hands of the Governor.

There are many things in the bills as reported by the Senate committee," remarked Senator Bingham tonight, "that are not just as I would want them, but in matters of kind and degree, must give and take and accept what they get. I favored allowing the choosing of the members of the commission to remain in the hands of the Governor, but I agree that the committee has recommended. The bill is not perfect, of course, as its operation will prove after enactment, but think it will be a good corrective of the troubles of railroad transportation."

Chairman Wright, of the Senate committee, believes the bill a good one and recommended by the majority of the committee. He has been a steady advocate of the plan agreed to by the Senate and thinks it a fitting outcome of the movement to correct railroad abuses. An evening paper in Portland prints by mistake that he has advocated appointment by a state board and that he had a conflict in committee with Senator Bingham, who urged appointment by the Governor. Both Senators deny the story and say that none of the debates in the committee marks the serenity of the action. At no time has Wright advocated board appointment.

Chapin bill, which comes from the Portland Chamber of Commerce, than to change the method of selecting the commissioners. The minority of the House committee will adopt the recommendations of the Senate committee, which change the method of selecting the commissioners and widen the apertures for court review of the mandates of the commission, in the interest either of the shipper or the railroad.

The salary of the commissioners is fixed at \$1000 each. The Chapin bill in the House and the Bingham bill in the Senate are identical.

### JUGGLING QUICKLY REBUKED

#### House Refuses to Refer Deschutes County Bill Arbitrarily.

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### BAILEY YIELDS A POINT

#### THE PEOPLE MUST APPROVE CHANGES IN PRIMARY LAW.

Statement No. 1 Will Remain in Present Form, at Least Until After Next General Election. SALEM, Or., Feb. 8.—(Special.)—Senator Bailey has yielded in his effort to amend the form of Statement Number One, and has decided to insert a clause providing that the amendment shall not be effective until referred to the people and approved by them. This change, if adopted by the Senate, will prevent the new form going into effect prior to the next general election, hence the candidates for the Legislature next elected will have to sign Statement Number one as it is now framed, or not at all.

It is yet a question whether the Senate will pass the bill, even with this change, but the chances seem favorable. The two Bailey bills for the amendment of the direct primary law have been made a special order for Tuesday at 3 P. M.

The Senate today passed Beach's bill authorizing County Courts to provide for the use of voting machines in cities. Senator Beach explained the reason why voting machines are used the trouble and confusion of incorrectly marked ballots is avoided, the counting is done as fast as the voting proceeds, and the compensation of the night shift of judges and clerks is saved. He figured that by the use of such machines in the populous precincts, Multnomah County could have \$6000 at each election. There was no opposition to the bill.

The Senate has made the bill for a new Carey act law a special order for 10 A. M. next Wednesday. The bill was prepared by the State Engineer and the Assistant Attorney-General.

To give a husband a life estate in half the real property of his deceased wife the same as the wife has in the property of her deceased husband, is the effect of Malarky's Senate bill 143, which passed the Senate today. Representative Dye is fathering a bill to give the husband and wife one-third part of the other's property in fee.

With only one or two dissenting votes, the Senate today passed Coke's bill for the appointment of two Supreme Court Commissioners, to aid the Supreme Judges in catching up with their work. The bill provides for the appointment of two commissioners by the Governor, with the consent of the Supreme Court. The commissioners are to serve two years and receive a salary of \$4500 each, the same as the salary of the judges. What the nature of the work of the commissioners shall be is left to the Supreme Court.

To extend to logging roads the privilege of securing a right of way to timber, similar to the right which a farmer has to secure a road to his land surrounded by the land of others, is the purpose of Bingham's Senate bill 44, passed by the Senate today.

Senator Sichel's bill for a uniform fire insurance policy was passed by the Senate today without opposition. The bill provides that the Standard policy adopted in New York shall be used and that any deviation from this form shall be printed in type double the size used in other parts of the policy.

### SCRAPES THROUGH HOUSE

#### Woman Suffrage Resolution is Passed by One Vote.

SALEM, Or., Feb. 8.—(Special.)—The proposed constitutional amendment on Woman Suffrage barely passed the House this morning, with 31 votes in its favor. In fact, the resolution would have been defeated had not Freeman of Multnomah, changed his vote from no to aye before the result of the vote, which was adverse on the adoption of the resolution, was announced. The resolution was introduced in the House by Jones of Lincoln and Polk, and this morning the committee on resolutions, to which it had been referred, reported the same back to the House favorably, recommending its passage. "I mean no discourtesy to the ladies," said Rodgers of Marion, just before the vote was taken, "but I wish to inquire why this matter has not been brought before the people in the regular way—by the initiative and the referendum." Speaker Davey replied by saying that the purpose of bringing the proposed amendment directly before the Legislature was to save to the Woman Suffrage advocates about \$1200 of expenses, to which it had been referred, reported the same back to the House favorably, recommending its passage. "I mean no discourtesy to the ladies," said Rodgers of Marion, just before the vote was taken, "but I wish to inquire why this matter has not been brought before the people in the regular way—by the initiative and the referendum." Speaker Davey replied by saying that the purpose of bringing the proposed amendment directly before the Legislature was to save to the Woman Suffrage advocates about \$1200 of expenses, to which it had been referred, reported the same back to the House favorably, recommending its passage. 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