

The Oregonian

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Portland, Tuesday, Jan. 14, 1908. A CRISIS APPROACHING. Enlargement of the powers of the Port of Portland, or enactment of a new law on similar lines to the Port of Columbia act, which was defeated in the courts, is the most important question before the people of Portland today.

Completion of the North Bank Railroad gives this city access to thousands of miles of territory from which we have previously been barred by lack of facilities for transportation.

The new road, together with its great competitor, in fine physical condition, on the south bank of the Columbia, has provided us with matchless facilities for bringing the products of the interior down to this city.

There are still vast regions to be opened up tributary to the main line of the Harriman system, but with the coming of the North Bank road, in the main Columbia Basin, it will require more than a decade to reach rapid development for the traffic to exceed the facilities.

But on the lower division of the Columbia, from Portland to the sea, matters are not yet on a permanent basis, nor will our position become impracticable until it is possible for shipping to get in this direct access to the sea with greater delay and no greater expense than is incurred at ports with which we come in competition.

During the years when the O. R. & N. was the only road hauling freight down the Columbia River, we regarded maintenance of this direct access to the sea as sufficiently important to warrant expenditure of enough money to deepen the channel so that a 10,000-ton carrier has now no more difficulty in coming to Portland than was encountered by the 1000-ton carrier of twenty years ago.

We have lapped out river pilotage charges, and have on our charges and other abuses which contributed to making this port more expensive than some others with which we were in competition, and as a result there has been a decline of several cents per bushel in freight rates from this port to Europe, all of this saving in freight going to the producer.

In this work Portland has had some assistance from the Government, but none from the rest of the state. While the state was spending \$500,000 on a portage road which could not increase the traffic in any way, we are on our terms with Puget Sound, because the railroads have absorbed the charge for bar pilotage, which does not exist on Puget Sound, and the Pacific Bridge Company is removing ballast free.

Both of these concessions are temporary, but the disabilities which they correct must be removed, or taken care of by the Port of Portland or a similar organization for maintaining our maritime prestige.

Mr. Hill already has a line to Puget Sound and Mr. Harriman will soon be equally well equipped for business. Both would reduce the rates on our freight at the most convenient point at or near Portland, but the grades on Puget Sound are easy and the distance not great, and unless we can keep the channel to the sea at a good depth, abolish bar pilotage and cut off some expense which are unnecessary in ports with which we compete, we shall fail to profit by our otherwise matchless location at the foot of a downhill haul. There is no sentiment about this matter. It is strictly business, and it is highly important that Portland be in a position to face the crisis unhampered by the influences

which defeated the Port of Columbia bill and deferred the necessary reform at least a year.

A DISPUTABLE PRESUMPTION. In denying George Putnam the right to prove the truth of his publications regarding the Barnum assault case, Judge Hanna apparently ignored two plain provisions of the statutes of this state. One of these provisions, quoted in these columns Sunday, is contained in section 2170 of the code, and declares that the defendant in a criminal prosecution for libel may show the truth of his statements. The other provision is subdivision 15 of section 788. Section 787 defines what are conclusive presumptions. Section 788 defines disputable presumptions. The latter section says:

"788.—All other presumptions are satisfactory unless overcome. They are deemed disputable presumptions, and may be controverted by other evidence. The following are of that kind: 15.—That official duty has been regularly performed."

The grand jury is an official body and had official duty to perform. It is a presumption that it did perform its duty, but that presumption is a disputable one, and section 788 expressly declares that "it may be controverted with other evidence. Yet Judge Hanna refused to admit other evidence and instructed the jury:

"The fact of whether or not Barnum is guilty of an assault was a fact to be determined by the grand jury. They are presumed to have determined the matter rightly."

If Judge Hanna's ruling is correct, then there are two sections of the statutes of this state that might as well be repealed. They have, in fact, been repealed by judicial decision. If the ruling of Judge Hanna still stand.

THE TRUSTS AND MR. MILLS. Like all the philosophical Socialists, Mr. Walter Thomas Mills has much to say in the way of criticism of present social conditions which no candid person would care to dispute. But mingled with the truth which this earnest and gifted propagandist utters there is more or less theory which is open to serious question. For example, the statement made in one of his recent lectures that "in any industry where monopoly is possible competition is the process by which monopoly is achieved." The objections to this statement are that it is too broad on its face, while on the other it omits a very important factor in the formation of monopolies. Competition is not by any means the only method of perfecting a monopoly. Some of our most tyrannical ones have been formed exclusively by legislative bodies.

Every franchise grant creates more or less of a monopoly. The monopoly of the National banks to issue paper money is established by legislation; competition has nothing to do with it. The monopoly of the railroads to carry freight have grown up under the shelter of the Dingley tariff over more to the prohibitive duties than to competition. In fact, it is pretty certain that most of our combinations are not the result of competition carried to its inevitable outcome, but arise rather as the agreement of competitors to combine before its effects have become disastrous; and these agreements are made profitable in many cases by special privileges conferred by statute. Of course the position is unsatisfactory that monopoly is the logical goal to which all competition naturally tends, through the destruction of the weak and the survival of the strong; but it is extremely doubtful whether that goal would ever be reached in practice were not the eliminative process helped on by legislative favoritism.

The logical economic change against competition is its wastefulness. Some authorities estimate that 70 per cent of the current cost of commodities is heaped upon them by unnecessary competition. This, of course, may be an exaggeration, but there is no escaping the fact that the present is often economically injurious, whatever its ethical value may be; and on this ground we owe a debt of gratitude to the trusts for showing us how to escape from it without impairing the efficiency of production. It is idle to attribute the development of the trusts to the solution of the economic problem of innumerable conditions which it would require an extensive analysis to state with tolerable accuracy; but after all, the most interesting fact about the trusts is not their origin, but their existence. They are here to stay, and it is not their origin, but in some way they must be subjugated to the good of society instead of being permitted to suck the lifeblood from it, as they now do. It must not be forgotten, either, that every one of the trusts has eliminated competition altogether, and that the only competition it follows, therefore, that if we would restore competition to its old place in the economic domain, we must begin by extirpating the trusts.

This is one of Mr. Bryan's fondest ideals, but there are few thoughtful men of broad information who agree with him. The number of deaths by thought, not only among the Socialists, but also in such men as Judge Grosscup and President Roosevelt, is decidedly toward preserving the trusts. There is much reason to believe that the trust idea is one of the great evils of the present age, and as soon as we have learned how to make its benefits available to the human race, instead of allowing a few individuals to grab them, we shall have taken a long step toward the solution of problems which have hitherto baffled the wisest philosophers and prophets alike. Mr. Mills has something to offer here. He thinks that the way to utilize the trust idea for the common good is for society to become a general competitor with each trust as it is formed and thus drive it out of business. When a monopoly has been formed, he says, society must either consent to be robbed by it or provide a competitor; and he goes on to argue that the only effective competitor must be society itself. This, of course, is a flat contradiction of Mr. Mills' own theory that all social betterment must be achieved by the practice of the golden rule. He is fighting the devil with fire. For this kind of competition there is no better economic defense than for any other. It would be extremely wasteful, and, what is worse, there is no certainty that it would succeed.

The trust is the trust problem lies in the authority of society to control its creatures. The state may, and probably must, assume the same power to control, direct and use corporations which it assumes over individuals. Society does not hesitate to deprive an individual of his property,

his comfort, even of life itself, when the common good seems to require it. Much more may it exercise this supremacy over the corporations, which are its own creatures. Control is, of course, an attribute of ownership. Any control, no matter how slight, is to that extent an assertion of ownership. Just as the state owns the individual and uses him for its own ends, so it owns the trusts. How far control, or ownership, should be carried is solely a question of expediency, but that it should be carried far enough to extirpate the evils of monopoly and distribute its benefits to the whole community cannot be doubted. It is quite likely that we shall see control pushed farther within the next few years than even radical reformers now dream of. For example, it would not be surprising to see workmen's wages made a prior lien on the returns of every monopoly like the steel trust. The law may possibly forbid such combinations to disempower their hands in order to enhance their bargaining power, since every argument for protective tariff may be turned logically to this result? The discourse of Mr. Mills on the value of the home is a fine piece of rhetorical work; but neither himself nor any one can devise methods or means for practicing the golden rule for to meet the charges against them, but avoid, by alleging that the information are illegal, etc., in that they are based on testimony collected during the legal holidays, etc. It would seem that the main question is whether the testimony on which the information were based is true; not when it was gathered, or whether some person was present at the time who is alleged to have had no right there. The facts, about the doings of the bank, are what the public wants. 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