

Oregonian

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AN EPOCH-MAKING DECISION.

In the recent decision of the Supreme Court of the United States, in the case of the Metropolitan Gas Company, of New York, there were two main points of universal interest.

First, that the franchise of a franchise may not be capitalized as a property belonging to himself, which he may estimate as worth so much, or so much, and then proceed to charge rates that will give him such return upon such valuation as he may think he has a right to expect on demand.

The effect of it is that a franchise, so-called, is not a property granted by the state to the person using it, but a license to do business during the term of the franchise; and use of the license is subject to control or regulation by lawful authority.

In every private business "good will" is a matter that may be taken into consideration, if the circumstances call for it. But in the case of these franchises, particularly those that are exclusive and therefore are in the nature of a monopoly, "good will" is not an element or factor.

This decision, in its two aspects, casts a clear light upon a wide range of similar questions. First, the ruling out of "good will," or "franchise valuation" from the calculation of a reasonable rate is of immense importance.

Second, the position that practical experience of the legislative raters is necessary to prove that it does not yield a fair return, takes the rate regulation out of the control of the holder of the franchise, and refers it to examination, under the rules of reason and justice.

desire railroad regulation. They have consented to it because the people have persistently demanded it. That the banking laws are not stringent enough is evident every time a crooked banker escapes speedy conviction and imprisonment in the penitentiary.

MAYOR LANE, ELECTRIC ENGINEER. After tonight Portland is to be without street and other city lights for an indefinite period, because there is an irreconcilable contention between Mayor Lane and the lighting company as to the terms and conditions of the new lighting contract.

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rumor they might ruin his career but they would always be open to refutation. Now his professional brethren, men inevitably with a strong bias in his favor, have given their reluctant verdict against him and the case is closed.

TIMBER LAND TAXATION. A prominent timberman and logger who recently purchased a large tract of timber was asked if he intended holding it for an advance. He answered that he had no such intention, but instead would "rip the timber off the land as soon as possible, in order to save taxes and fire risk."

Those residents of Lane and Douglas counties who are figuring on having the Legislature create a new county composed of territory taken from both these counties might do well to ascertain whether the corporation and Oregon's prosperity, development and resources, were exploited in a terse and convincing manner, and handsomely illustrated, and with no doubt the result of bringing many people to Oregon.

Now it is reported that cotton-growers have a corner on their product and will boost prices. Such a move will have the usual effect. An abnormal elevation of prices stimulates and encourages additional production, and the result is over-production brings prices down again.

Of our older mercantile class one more has paid the debt of nature, yesterday, in the city of Portland. Sylvester Farrell, suddenly called upon for curtailing their production and the outlook is that there will be more coffee grown than ever before.

That slouchy, shuffling gait which college and high school boys delighted to assume a year or so ago is beginning to go out of style. The young man who early forgoes the "faded" and "faded" is a man of the best type of citizenship, had succeeded well in business, was noted always for integrity and trustworthiness, and had the respect and confidence of all men.

It's amusing to note the opinion of "the tenderfoot" that the snow will melt under the clear sky and rays of the sun. This is the very condition that will hold the snow, and presently will give us more snow. The only change that is possible is that which may come in clouds, humidity and rain. Would you like to put up your umbrella?

Chicago milliners have banded together as a Milliners' Association, with a resolve to wipe out "the giant hat evil." "We mean," said the president of the association, "that we will not tolerate the sort of hat that is worn by the milliners, and by turning out more artistic hats to uphold Chicago as the millinery center of the country."

Notes how the bounty of nature equalizes everything. In summer the poor man has plenty of ice, but in winter the poor have ice as well as the rich. You see after all things are pretty well balanced in this world.

falls and thumps every day will not matter much. You see you are not compelled to live in town and to traverse these smooth and treacherous streets. You may get into the country, and milk the cows, and feed the pigs, and cut and take in the wood, where the ground is sure under your feet.

The Corporation of Trinity Church, New York, replies to recent criticisms of the management of its property by publishing an extended statement. The report shows that the wealth of Trinity has been greatly exaggerated in the popular mind, though it is very rich for an American church.

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OREGONIAN'S NEW YEAR ANNUAL More Words of Appreciation Come From the State Press. Chabals Bee-Nugget. The Portland Oregonian's annual number, issued January 1, was equal to the usual high-grade annual printed by that company.

Thousands of Copies Sent East. McClinnville Telephone-Register. Oregon people, always anxious to scan the New Year's Oregonian, were disappointed in the number of copies of that paper were sent East by people who have friends who desire to know more about Oregon.

Well Worth Careful Study. Forest Grove News. The Oregonian's New Year's number comes to hand this year a more extensive volume than its previous issues. This is because Portland has made greater advancement. The volume contains information on all subjects of an industrial nature, and is well worth careful study.

Entitled to Thanks of All. Cathlamet (Glad.) Sun. The New Year's edition of the Oregonian is a pictorial work of art, and a most convincing document as to why the Northwest is the most progressive part of the United States. The result of its increased publicity will be shown in the increased immigration from the Eastern States this year, and the Oregonian is entitled to a vote of thanks for its excellent annual.

Equal to Any Other Paper in U. S. Lebanon Critic. The Oregonian put out its usual interesting and able editorial on January 1, which shows Portland to be truly a great city and commercial center in the midst of a great country.

FIGHTING DISEASE IN SUBWAYS. What New York is Doing to Stop Spread of Tuberculosis. New York Special to Chicago Tribune. An idea of what is being done by the officials of the subway and elevated railroad lines in this city to keep the cars of those lines from being pesthouses, breeders and distributors of tuberculosis germs, was given tonight by General Manager Frank H. Hedley, of the Interborough Rapid Transit Company, in addressing 2500 employees of his company.

Victory for Clean Politics. Cleveland Leader. The Burton victory was a victory for the people. Burton won because he was the choice of the vast majority of the people. He is the irreproachable, selfless character his enemies have painted him, but because he was made the unwilling victim of the ambition of Gilchrist, Cox, Brown et al., self-appointed, self-anointed bosses of the Republican party in Ohio.

Double Play Due in New York. St. Louis Globe Democrat. Mr. Burton's proposed resignation from Ohio prospectively eliminates Senator Dick as well as Foraker. There are lively times in the Senatorial field. Double play is also pending in New York.

Table Manners of the Ostrich. Providence Bulletin. It is said that ostriches are excessively fond of a diet of oranges. The ostrich is believed to be the only known two-legged creature that can eat an orange without spattering.

THIS DOG KNEW HIS MASTER. Changing a Fox-Hound's Color Did Not Avail the Wrongful Owner. McClinnville Telephone-Register. An interesting tale of a dog was wagger about when Al Yocum came down from Sheridan on Wednesday and made arrangements to go to Corvallis to commence legal proceedings for the recovery of this little puppie.

Philosophy Simplified. New York Times. A number of students at college were busily "grinding" for the final examination in philosophy. Each one of them was supposed to be especially well up on a particular branch of the subject, so each was called upon in turn to expound his views on the branch. Thus the man who knew all about Aristotle's views expatiated upon them, and the Plato expert held forth, and the Descartes man did his best, and the Epicure man all had their say, until it was the turn of him who claimed to know all about Immanuel Kant. He looked over his copy notes, nervously cleared his throat and recited:

Well, fellows, you see it's this way: Kant believed that everything in the universe was a mess except the absolute, which he called "the absolute." The absolute was well, he believed that was a mess, too!

Dinners Growing More Simple. New York Times. Simplicity in dinner service is returning. At a recent banquet only three knives, forks and spoons lay beside each plate. Once it was demanded that half a dozen of such articles should be placed there. There is an innovation in serving salad, whether it be a fruit or vegetable. Flat glass plates are in vogue, and certainly green glass or crystal makes an attractive dish. The glass plate is placed upon a silver or porcelain one of larger size. The limit for a fastidious diner is 10 minutes for cocktails to coffee. Of course this is possible only with well-drilled servants and a cook who is "on the dot" with every course.

Will Lead New York This Year. Ashland Tidings. Portland has gained an eminence she never before attained by securing second place among the largest cities in the United States, New York alone leading her. And in another year every indication goes to show that the great metropolis of the back seat to the Rose City. In well-informed circles it is believed that the North Bank road project, by bringing Portland in close touch with much new territory.

Money. New York Herald. What it can buy: Material Independence. Leisure. Opportunities. The homage of interiors. Society. What it cannot buy: Mental Independence. Culture. Friends. Health. Love.

Blow at the Ohio Machine. Hartford Times. It was good politics to put away the steam roller and not try to increase the Taft family representation in the Senate at this time. The Senate will be a much less interesting body when Mr. Foraker is gone out of it, but Mr. Burton representing the State of Ohio there than if Mr. Dick's new colleague were to be merely a representative of the Cox machine and the expanded millions of the late David Sinton.

Pass It Along! Feed the Birds. OREGON AGRICULTURAL COLLEGE, Corvallis, Ore., Jan. 12.—(To the Editor.)—The First Presbyterian Sunday-school, of Corvallis, today warmly endorsed the plea of the Oregonian for the care of the birds during the present storm. Since the snow has made it impossible for different varieties of birds to fly up into trees for shelter in many places, hundreds are wading in the snow, vainly seeking for food. It is estimated that these birds are now perishing by the thousands. The conditions are so unusual that the people are prepared for the situation. Hence the Oregonian's suggestions have been timely, and if repeated would reach quarters. Attorney notified. JOHN B. BOKNER.

Good Lateral Roads Needed. Lebanon Critic. There is much discussion of a state highway running north and south through the Williams Valley, starting from Portland, and this to be built by state aid. This does not appear with much force to the average rural citizen. New York City has three parallel railroads running up the valley. These are the main line across the state, the West Side to Corvallis, the Salem electric line and the Woodburn-Natron line. A parallel highway is not needed nearly so much as good lateral roads from the foothills to these lines. This fine up valley turnpike would be an excellent thing for the automobile man and of leisure, but the busy farmer who wants to get his produce to market, he would be of small purpose to the many.

LIFE'S SUNNY SIDE

—Kansas City Star. "Can you be trusted with a secret?" he asked. "The woman drew herself up proudly. 'You have known me for ten years, haven't you?' she replied. 'Yes.' 'Do you know how old I am?'—Pick-Me-Up.

The Little De Jancy girl is talking to her playmate, Lucy Jay Smith. "Oh, Lucy," said she, "we have a new puppie." "What's his name?" "Mr. Hayes." "Oh, pshaw; we had him, too, but we didn't like him."—Appleton's Magazine.

Her mother—I thought I just heard you saying good-bye to Mr. Snig-glerly? She—Yes. Her mother—Then why are you penciling your eyebrows and taking such pains to fix yourself up? She—I want to look my best when he comes back.—Chicago Record-Herald.

"Doctor, what makes people have the hiccup?" "Hiccup is the onomatopoeic word popularly used to designate singultus, which is a sudden closure of the glottis, superinduced by a spasmodic contraction of the diaphragm." "Just give you? What's his name?" "Mr. Hayes." "Oh, pshaw; we had him, too, but we didn't like him."—Appleton's Magazine.

Into a general store of a town in Arkansas there recently came a ducky complaining that a ham which he had purchased there was not good. "The ham ain't good," insisted the storekeeper. "No, it ain't, boss," insisted the negro. "Dat ham's shore bad!" "How can that be," continued the storekeeper. "It was cured only last week!" The ducky scratched his head reflectively, and finally suggested: "Den maybe it's had a relapse."—Kansas City Star.

"Admiring Constituent"—Senator, your name has been mentioned in connection with a Cabinet position, hasn't it? Senator Goodwin—"Er—yes, I believe it has. A weekly paper in my home county remarked the other day that any President who would offer me a place in his Cabinet would be darned hard up!"—Chicago Tribune.

"Do you have domestic puzzles, too, in addition to your business ones?" "Do it!" I and some of my hands lately that made me walk the floors at nights in deep distress." "Dear me! What was it?" "The baby."—Chicago Record-Herald.

A beggar rang a suburban doorbell. The mistress of the house appeared, frowned at the man, and said: "Go away, please! I don't get any cold victrols, or old boots, or old coats, or old overcoats, or—'" "Excuse me, ma'am," the beggar humbly interrupted. "I didn't mean to ask you for any of those things. I just called to see, ma'am, if you had an old automobile to give away!"—Cleveland Leader.

"Talkin' 'bout 'Tribulation," said Brother Williams, "when he comes ter my house I makes him welcome—in dis way: I sez ter 'im, 'How do you get on, is it all right?' 'Yes, I'm all right, 'An' den I takes ter de woods!'"—Atlanta Constitution.

"Say," queried the would-be humorist, "where is that place, Atoms, that so many people are blown to?" "It's just the other side of Effigy, the place in which so many people are blown," answered the solemn person. —Chicago News.

A certain father who is fond of putting his boys through natural history examinations is often surprised by their mental agility. He recently asked them to tell him "what animal is satisfied with its lot, so many people are blown." "The moth!" one of them shouted confidently. "It eats nothing but holes."—Youth's Companion.

Feed the Birds With Cereals. PORTLAND, Ore., Jan. 11.—(To the Editor.)—Seeing in the Oregonian several requests to feed the birds, I thought my experience in such matter might be of some assistance to others who, like myself, love the feathered songsters. By feeding the birds the year around, we have a great many of them very tame, and will come around the door and pick food from the cat's dish. But when the snow and freezing weather came, my great anxiety was to keep them from freezing. I had been feeding them crumbs and waste food from the table, but this food froze so fast that the birds could not get at it. I bought a sack of evergreen tree and put wheat on it. The birds are having a fine time and it is a pleasure to watch them. If no wheat is obtainable, cut meal, dry bread crumbs or any kind of crumbs are good for this cold weather. The first day of the storm I counted two dozen robins in my holly tree eating the berries. I thought it a very cold breakfast. The robins are all gone, but the smaller birds are here, and if fed and taken care of, will repay us for all we do for them now. MISS WILSON BENEFIELD, Twentieth and East Alder Streets.