

INCREASED CARFARE IS NOT TO BE ALLOWED

Public Service Commission Recommends Problem of Taking Over Trackage of System Be Voted Upon by People at Special Election May 21—Commissioner Corey Files Dissenting Opinion Favoring Tariff Rise.

(Continued From Page 4.)
adversely in arrears. If these lines are to continue to operate under these agreements at an actual out-of-pocket loss, it should be at the expense of the stockholder and not the patron. As a street railway venture they were not a prudent expenditure of money. That this fact is recognized by the company is evidenced by its failure to exercise the option, which it holds under its agreement with the owners, to take over these lines.

It is quite apparent that the majority of these lines could not be put on a paying basis even at a very materially increased fare, and if the owners or interests responsible for their construction, or those particularly interested in their operation, are not sufficiently concerned to carry out their part of the operating agreements and bear their full share of the burden, certainly this commission can not continue to require the company to continue to carry the entire load at the expense of the remaining car fares.

Service Is Big Question.
During the course of this proceeding the question of service has been raised by various witnesses, and inasmuch as the cost of operation and consequently the rate of fare necessary to be charged therefor must depend largely upon the character of service afforded, and the car rider must pay for the amount of service rendered, this question is a factor worthy of consideration.

One witness testified that the service was extremely poor, and the car rider would be willing to pay as much as a 20-cent fare, if necessary, in order to obtain adequate service. Still another witness testified that it was better than was expected and that it was possible that some saving in expense could be effected by a reduction thereof. Still other witnesses testified that it was all that could be expected and was entirely satisfactory.

For comparative purposes we again note that the Seattle system although with a possible shorter average haul, yet with nearly the same track mileage and number of cars in service, carries approximately 40 per cent more passenger per car mile than the Portland Railway, Light & Power Company.

From a perusal of this testimony, and from personal investigations made by the commission, we are of the opinion that with possibly a few exceptions, the service now afforded is reasonably satisfactory and as good as the car riders desire to pay for. While a material saving in operating expenses might result from general service reductions, we do not believe such a plan would meet with favor in the eyes of the car-riding public.

Conclusion Is Given.
The topic of street railways has been the subject of broad discussion since the beginning of the war. Beyond doubt the question is a serious one and, since the national administration has refused to interfere, it devolves upon the states and municipalities to solve. In the state of Oregon this duty is by law imposed upon this commission, as a tribunal constituted to hear and determine the applications of public utilities. To perform this function the commission is presumed to use average intelligence guided by reason and justice, and its orders have the full force and effect of a judicial decision. Our vision, therefore, should not be so circumscribed as to prevent us from following new and practical plans.

The commission finds no appreciable difference between this application and the many others it has had under advisement in previous years, but times have changed. People and governments are becoming more progressive. Justice must prevail if we desire to preserve the utilities, industries and our country.

If Portland is to continue to advance and hold its place among the larger cities of the west, an efficient system of rapid transit is indispensable and must be maintained. Failure of such a system would prove not only injurious to the reputation of the city but would also be a detriment to the business interests and the people generally.

Were this commission charged with the idea that an immediate increase in fares is the one and only solution for the transit problem, and that to that effect could readily be issued. Such action might, however, be construed as an attempt upon our part to interfere, by duress, the voice of the electorate, and we believe it ill advised to take any action which might be so interpreted. We believe the voter should be allowed to express his views upon the principle involved in this situation, uninfluenced by any order issued by this commission.

We are suggesting the car rider, in these extraordinary times, have his prerogative as a citizen to exercise his right of suffrage and an opportunity to participate in this municipal regulation; a chance to say whether or not the streets and bridges of Portland were dedicated to one class to the exclusion of himself, and go further to say whether the car tracks are part of the streets occupied, and therefore to be owned and maintained as other streets of the city of Portland.

We are not prepossessed with municipal ownership and operation of the street car system as a whole, but we do believe that the street car tracks are part of the streets of Portland and as such these streets should be owned from curb to curb and maintained as any other streets. In the purchase of the tracks and the relief of the public burdens lies the prospect of a reduced fare and the taxpayer's opportunity to assume an equitable proportion of the expense of the transit system. When such a plan as herein outlined can be offered to the people for an expression of their sentiment, it is clearly our duty to allow those who bear the burden an opportunity to indicate their desires. We believe that in a period of reconstruction, such as the country is passing through at this time, we should be fully advised of the desires of the majority of people affected before attempting to employ methods which experience teaches, have generally failed to produce the desired effect.

be found meet and proper in the premises, and it is so ordered. It must be arrived at by finding a commercial price which will insure the greatest amount of revenue and at the same time will be a fair price alike to the utility and to the public, and such rate should not exceed the value of the service rendered, regardless of losses which are to be suffered by a utility which may have, incidentally, constructed its lines so as to too closely parallel the same, and which may have entered into contracts to afford service in sparsely settled districts which have proved to be a burden to both the company and the car rider.

I do not believe, however, that after an unproductive line has been built and equipped it should be abandoned if it would also be lost by abandonment. I am of the opinion a transfer charge might be equitably made in such instances, thus removing part of the burden of maintaining same from the other car riders who are in no way responsible for the promotion of these unproductive lines.

Difference Not Seen.
I fall to see wherein this application differs materially from the many that have been passed upon recently by this commission and substantial increases allowed thereon.

Purser, in my opinion, a purely administrative body such as this commission, created to carry into effect the acts of the legislature, is not justified in withholding aid where it is so clearly demonstrated that an emergency exists, and certainly not authorized to exercise an arbitrary act in order to force favorable legislation in the interests of the company and the car riders. I am not aware that there is any concerted action to place a measure for relief on the ballot, and as the time remaining now in which to do so is very limited, in justice it seems to me the car company is at once entitled to some relief.

The record herein discloses that the removal of all imposts possible by the ballot (less than \$250,000) is only one-fourth of the amount the record shows to be necessary. The removal of these unjust charges would reduce the amount of fare by one-half cent less than would otherwise be necessary. Delay in relief until after the primary election in May in order to give the public another opportunity to vote on the question of elimination of the municipal imposts, even if successful, would place the car company in such a straits financially at that time that I believe an eight-cent fare would be found necessary notwithstanding the elimination of the burdens referred to.

In my opinion, a reasonable increase in car fare at this time sufficient at least to assure good service, need not interfere with the placing of the measure upon the ballot, and after the voters have registered their desires in the matter, the commission could again review the rates, as it will have to do in either event.

Four months after the six-cent fare order the city decided not to abolish municipal imposts by a vote of 27,337 against 26,717. The voters have refused to relieve the car company from approximately \$200,000 imposts in 1918. I do not believe are going to vote this year to relieve the car company of said imposts and obligate the city to expend \$500,000 to acquire the street car tracks, and to go into partnership with the car company to an extent never before attempted by any city in the United States. The only city of which I am aware that is the owner of the street car tracks, other than those cities wherein municipal ownership obtains, is in Canada. Said city owns the car tracks which are leased to the car companies, but it is a well-known fact that maintenance has always been so far deferred by the city that the track is constantly in a hazardous condition.

Based upon the foregoing and the record herein, justice demands that at least a seven-cent fare with a one-cent transfer; with 50-cent tickets for \$1.25; unlimited school children's tickets to remain at four cents each, is necessary to insure continuity of service, and redound to the best interests of the car rider, the city of Portland and the street car company.

"Justice," said Daniel Webster, "is the greatest interest of man on earth. It is the ligature which holds civilized beings and civilized nations together. Whoever severs its temple strands, and so long as it is honored, there is a foundation for social security, genuine happiness and the improvement and progress of our race."
H. H. COREY,
Commissioner.

New Rates Proposed.
As no one can correct the exact result of any schedule of rates we may prescribe, I believe, under the circumstances surrounding this case and in order to assure a continuity of adequate service, public opinion will support the commission in allowing a large measure of liberty in trying out new rates. The public is fair-minded if it once understands the facts and will not oppose an increase in fares when the cards are all laid on the table, as has been done in this case, so the situation may be made clear. The public is beginning to realize it is now more a case of what service shall be rendered than what return shall be given the street car company.

As any further increase in fares normally may be expected to reduce riding somewhat, the problem before us in my opinion is to preserve as much as possible the traffic and at the same time increase the revenue. It is needless to state that the street-car service in Portland is an absolute necessity. No other transportation facility is ready to take its place and render equivalent service at anywhere near the price the record herein to my mind, shows to be necessary.

Quoting also from the findings and orders of the Massachusetts commission from which the questions used in support of the majority decision were made.
"This commission was created, we assume, to protect the general public interest. Under present abnormal conditions, dealing with a situation so critical as the one by which we are now confronted, where the solution offered by the company is so uncertain and hazardous, we believe we are justified in disregarding speculative estimates and arbitrary rules, and in taking the action which our best judgment leads us to believe will secure the best net results for all concerned. The company is in dire need of additional revenue, if only to provide a safe margin above necessary expenses of operation. Stating our proposition broadly, we propose to authorize for a brief trial period an increase in rate which seems likely, in our opinion, to produce a larger actual revenue than the rate now proposed by the company, and will at the same time result in less serious damage to the community than the future rate which would be in a manner which we shall hereinafter indicate."

In preparing this new schedule the commission desires to impress upon the company that as it can the need for full co-operation with the company. Whatever may have been the sins or errors of the past, the water is over the dam and little good can come from dwelling upon them now. Moreover, it is clear that the chief factor in the present unfortunate plight of the company is the extraordinary rise in wages and prices, rather than any of these things. It is a condition by which the public is now confronted. The problem is not one of securing any immediate return of any particular amount on the investment, but of meeting the necessary and unavoidable cost of furnishing the service. If the railway should be sold at a foreclosure or receivers' sale, and even if the property were split up into a number of different parts, the same problem would remain under present conditions.

Following which language the Massachusetts commission then prescribed and ordered a 10-cent cash street-car fare with tickets in quantities at 7 cents each. In the order of the Rhode Island commission from which supporting quotation was also made, it prescribed two-mile fares with 6-cent fare for each with a 2-cent transfer.

The cost of operating the street cars, manifestly, must be borne by some one, either by the investor, the car rider or the public through the tax. It is the duty of those who close co-operation between the investor, the rider and the public must obtain to secure the best results. The investor through the circumstance of unprofitable investment in the plant, must share with the car rider and the public, and cannot hope, under present conditions, to obtain a liberal return upon his investment, and more especially, so when it did not receive an ample return during normal times. Low street-car fares are of such importance to the city of Portland that the street-car service, as a business, should not be operated for the purpose of exploiting the car rider for the relief of the investor, and imposing such as bridge rentals, paving and improvement of city employes, ostensibly placed on the company are all borne by the car riders, and these imposts all unduly increase the cost of the service and may, very properly, be assumed by the city of Portland and paid out of taxes.

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county next Friday. Half of them will be turned loose on the farm of A. H. Blevins, near Tangent, and the others on the farm of A. G. Probst, about five miles east of Albany.

Phesants to Be Liberated.
ALBANY, Or., March 21.—(Special.)—One hundred and fifty China pheasants from the state game farm near Corvallis will be liberated in Linn

convention.

Quinnant Mill Worker Is Hurt.
RAYMOND, Wash., March 23.—(Spe-

cial.)—Walter Wagner, spotting-edger at the Quinnant Lumber company, was seriously injured while endeavoring to free a stick which had become lodged in the edger. A heavy cant was thrown from the machine, the end of it striking Wagner in the side. He was taken to Riverview

hospital, where it was thought he would recover.

Grandchild Is Adopted.
OREGON CITY, Or., March 23.—(Special.)—The petition of George and Ida Clifford for the adoption of Iris McDaniels was granted in the circuit court Tuesday. The child is the daughter of A. P. and Olga A. McDaniels, the latter a daughter of the petitioner. The mother, who is dead, had asked her parents to place the child, whose custody had been given her when she was granted a divorce from her husband. The father fought the case.