

TEXT OF NEW PORT LAW

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lection of taxes in the spring next following, and shall be entered on the tax rolls and collected as one tax of and for the said corporation of a per cent or rate in the aggregate equaling the aggregate of the general and special tax so levied by said corporation during such year under the authority herein granted. Property shall be subject to sale for the non-payment of taxes levied by the said corporation in like manner and with like effect as in the case of county and State taxes.

Section 8. The power and authority given to corporations organized under the provisions of this Act is vested in and shall be exercised by a board of commissioners five in number, each of whom shall be a qualified voter within the limits of said corporation. Within ten days after the issuance by the county court of the proclamation provided under Section 3 of this Act the Governor of the State of Oregon shall appoint a board of five commissioners, each of whom shall be qualified voters as aforesaid. Such commissioners shall meet at such place within the limits of said corporation as the Governor shall designate on the fifth day after their appointment, and shall organize as a board, first making and subscribing to an oath of office to the effect that they will support the Constitution of the United States and of the State of Oregon and the laws thereof, and will faithfully discharge the duties of commissioner to the best of their ability. The term of office of commissioner shall be determined by lot at the first meeting of the board. Two of said commissioners shall hold office until the first day of January next following the succeeding general election held in said State of Oregon, and the remaining three of said commissioners shall hold office until the 1st day of January following the second next general election in said State. At such first general election two commissions shall be elected; each to hold office for the term of four years from the 1st day of January following such election, and at the second general election three commissioners shall be elected, each to hold office for a term of four years from the 1st day of January following such annual general election.

At each succeeding general election held in the State of Oregon thereafter, commissioners shall be elected for a term of four years each, to take the place of those whose terms of office expire on the first day of January following such election. At all elections herein mentioned persons having qualifications prescribed by law to vote for county officers within the limits of any such municipal corporation shall be legal voters, qualified to vote at the elections of that municipal corporation under this Act and not otherwise; and the nomination and election of commissioners under this Act and the canvass and return of votes shall be conducted in the same manner and at the same time, and under the same penalties as are or may be prescribed by law for the government of nominations and elections of county officers in the county in which such municipal corporation exists. The board of commissioners shall meet at such place or places within such corporation as they may from time to time determine upon. The said board of commissioners shall hold at least one regular meeting in each month on a day to be fixed by it, and may hold special meetings under such rules as it may make therefor. Said board of commissioners shall choose from their number a president, vice-president, a treasurer and a secretary who shall hold their offices until the next election of officers, and shall respectively have the powers and perform the duties usual in such cases, and shall be known as the president, vice-president, treasurer and secretary of the said corporation. The treasurer shall give bonds as such to the said corporation conditioned for the paying over by him of all moneys coming into his hands as such treasurer, the amount of which bond shall be from time to time fixed by the said board of commissioners as based on the amount of money in the hands of such treasurer or liable to come into his hands as such. All expense incident to the giving of such bonds, if any such there be, shall be paid by the said corporation from its general funds. No commissioner shall either directly or indirectly receive any salary or compensation for his services as a commissioner, or for acting as an officer of the said corporation. The said corporation may employ such engineers, superintendents, mechanics, clerks or other persons as it may find requisite, necessary or convenient in carrying on its work or any part thereof, and at such a rate of remuneration as it may deem just, and pay the expenses actually incurred by any one or more commissioners so incurred by him or them in the service of said corporation. All moneys of any such municipal corporation shall be deposited in one or more banks to be designated by the commissioners, and shall be withdrawn or paid out only when previously ordered by vote of the commissioners and upon check signed by the treasurer and countersigned by the president, or in his absence or inability to act, by the vice-president. A receipt or voucher showing clearly the nature and items covered by each check drawn shall be kept on file. Annual reports shall be made and filed by the president, secretary, and treasurer, and at least once in each year a full and complete itemized statement of receipts and expenditures shall be published in a newspaper of general circulation, published in the county in which such municipal corporation is situated. All proceedings of the commissioners shall be entered at large in a record book and all books, maps, plans, documents, correspondence, vouchers, reports and other papers and records pertaining to the business of the corporation shall be carefully preserved and shall be open to inspection as public records.

Vacancies in the board of commissioners occasioned by death, resignation or removal from within the district shall be filled by the remaining members of such board of commissioners, but said member so elected by the board of commissioners shall hold office only until the 1st day of January next succeeding the next regular general election held in said State of Oregon. In the exercise of the initiative and referendum powers reserved under the constitution of the State of Oregon to the legal voters of every municipality and district as to all local, special and municipal legislation of every character in and for their respective municipalities and districts the president of the board of commissioners of said corporation shall exercise the duties of mayor of a city or town and the secretary shall perform the duties of auditor or recorder of a city or town, and the attorney of the corporation shall perform the duties of the attorney of a city or town, and if there be no attorney of said corporation then the duties required of attorney shall be performed by the secretary of such corporation.

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ARTICLE IV CONSTITUTION OF OREGON, SECTION 1a.—THE REFERENDUM MAY BE DEMANDED BY THE PEOPLE AGAINST ONE OR MORE ITEMS, SECTIONS, OR PARTS OF ANY ACT OF THE LEGISLATIVE ASSEMBLY IN THE SAME MANNER IN SUCH POWER MAY BE EXERCISED AGAINST A COMPLETE ACT. THE FILING OF A REFERENDUM PETITION AGAINST ONE OR MORE ITEMS, SECTIONS OR PARTS OF AN ACT SHALL NOT DELAY THE REMAINDER OF THAT ACT FROM BECOMING OPERATIVE. THE INITIATIVE AND REFERENDUM POWERS RESERVED TO THE PEOPLE BY THIS CONSTITUTION ARE HEREBY FURTHER RESERVED TO THE LEGAL VOTERS OF EVERY MUNICIPALITY AND DISTRICT, AS TO ALL LOCAL, SPECIAL AND MUNICIPAL LEGISLATION, OF EVERY CHARACTER, IN OR FOR THEIR RESPECTIVE MUNICIPALITIES AND DISTRICTS. THE MANNER OF EXERCISING THE SAID POWERS SHALL BE PRESCRIBED BY GENERAL LAWS, EXCEPT THAT CITIES AND TOWNS MAY PROVIDE FOR THE MANNER OF EXERCISING THE INITIATIVE AND REFERENDUM POWERS AS TO THEIR MUNICIPAL LEGISLATION. NOT MORE THAN TEN PER CENT OF THE LEGAL VOTERS MAY BE REQUIRED TO ORDER THE REFERENDUM NOR MORE THAN FIFTEEN PER CENT TO PROPOSE A MEASURE, BY THE INITIATIVE, IN ANY CITY OR TOWN.

THE PORT LAW—ARTICLE III.

By Francis H. Clarke.

THIS ARTICLE MUST be confined to the Powers of the Port of Coos Bay. Section 7 of this Port Law enumerates these powers and, in the nature of things, makes them sufficiently broad so that the Port will be a real and not an imaginary thing. Let it be remembered that it was framed to suit other localities as well as Coos Bay. This Port will never get a better law unless it organizes its district and makes a better one by amendment. But the powers enumerated in the law are precisely those exercised by Portland (it is practically a copy of the Portland law), Seattle, San Francisco, San Diego, New Orleans, Galveston, Boston, New York and Norfolk. It is barely possible that it can be improved, but I would not like to be charged with sufficient conceit to suppose that I could improve on the ripe and long experience of the ports of the world. Let that wise man who will venture to criticize those ports and their laws do his "waiting" with them.

Now, I want you to note also that the powers are not extended to the Commissioners but to the Port. Bear that in mind and at the same time remember that the Port is a Corporation composed of its inhabitants. With this starter—let us see what powers the inhabitants have under the law. First—They have the power to improve all bays, rivers and harbors within the limits of the port. But they are confined to such improvements as their means will allow. They may also construct such canals, basins and waterways as they deem necessary or convenient for the benefit of the port.

2nd—It, the Port, that is the People, may contract with the United States. I wish you to appreciate the fact right here that one of the greatest drawbacks to improvements on Coos Bay at Federal expense has been the inability of the United States to find any corporate body to do business with.

3rd—"In carrying on any work in this act provided to be carried on the corporation (that is the inhabitants of the district) shall have the same right of eminent domain and to take property for public uses," that railroad corporations have.

This is a very important provision. Now, I will propose again for illustration the case of the mud flats. I am speaking plainly and it is possible that some will think I am not discreet. But I feel very sure the people are discussing these matters and I propose to be frank and plain. Suppose the commission should decide to purchase the mud flats or, as they are prettily called, "tide lands," and should by resolution direct the payment of \$130,000 for them. Suppose the outraged inhabitants should invoke the Initiative and Referendum and compel the holding of an election to decide the question, and should vote not to purchase, but would vote to condemn the lands and take them at a fair price. The owners object. But the Port has the right of eminent domain and takes the land or some part of it anyway and fixes the price at \$25 an acre. The owners appeal and a jury is called in to assess the damages. In that case, we might expect the amount of damage to be reasonable and the people could take the land at the price assessed or not as they pleased.

4th—This subdivision gives the Port the full control of all the waters in the district. It also empowers the Port to change wharf lines, make and charge regulations for shipping for the use and navigation of its waters and to remove obstructions from the harbor or waters and to punish violation of regulations.

It is difficult to see how anybody could object to these regulations except trespassers and obstructionists.

5th—This subdivision provides for the establishment and maintenance of tug boats, pilot boats, towage service, etc., and for the collection of fees for the services rendered and of salvage. I suppose some day the port will have its own tug boats, pilot boats, etc., and will realize profits as other ports do and use the profits to improve the harbor.

6th—This subdivision provides that the port can purchase or condemn lands for the use of its shipping (the mud flats for instance) and also purchase waterfront and improve the same. It may also establish and maintain a dry dock, collect fees for the use of the same and collect fees for the use of public docks.

Some people profess to believe that this conceals a scheme to buy up all the tidal area that some grafter might want it to buy. Their timidity and fright wherever it is proposed to do something, lest an assault be made on them, is certainly pitiable. Don't you know the best way to avoid drowning? Answer: Don't go near the water. How shall we avoid grafting by evil disposed persons. Answer: Don't organize a Port. Don't get wealth and then the thieves will let you alone. What is the most effectual way to avoid doing wrong. Answer: Don't do anything at all. Lie down and die. I suspect there will always be grafting. If you don't get a Port—I wouldn't be surprised if the entire harbor were stolen some day. That is not so improbable either. If those mud flats should become the property of a Railroad Company and you had no Port to take care of the bay, it may occur that the next generation will see the flats or tide lands occupied by a railroad and just a little channel three hundred feet wide all that can be seen of our once beautiful Coos Bay. I believe that danger is one which is not very remote.

7th—The Seventh Subdivision is a sweeping provision which was copied from the Port of Portland law and it gives the Port general power to do anything which may tend to improve the shipping conveniences of the harbor.

8th—This subdivision provides that the Port (that is the people) may borrow money and sell and dispose of its bonds to carry into effect its purposes. It is not permitted to pay more than 6 per cent interest on its bonds or to issue bonds in excess of ten per cent of the assessed valuation of the Port.

Right here is where the attention becomes fixed. It was at one time considered by me that we should say nothing in the law about the limit at which the bonding of the Port should stop. Not that I believed we should be anxious to incur indebtedness, but because if we fixed a limit in the law, some very timid people would think we might jump to that limit at once. Then, I said, fix the limit at five per cent of the assessed valuation, for that is the limit set by most municipalities. But the commission which framed the law said it should be fixed at ten per cent. I did not think the inhabitants of Coos Bay would go insane and press their credit to the limit merely because they could, and I knew that they had the Initiative and Referendum and could check any such flighty action of their commissioners if any were attempted. Neither could I see any justification for bonding up to the ten per cent limit unless there was a promise on the part of Congress to appropriate close to two millions for the jetties on condition that we expended half a million on the bay itself. Then the people might consider it. Even then what would be the effect? The assessed valuation of the proposed district is approximately \$5,000,000. If we bonded for half a million—the bonds to run twenty years and to bear interest at six per cent—the present valuation would be charged with the payment of \$30,000 per year interest. That would be six mills. But if the harbor were made as good as the \$2,000,000 on the bar and jetties and the \$500,000 on the bay could make it, I have no doubt that we would not only get railroads but that we would find the assessed valuation quadrupled in ten years. That would make \$30,000 per annum equal to a tax of 1½ mills. But money for such a purpose can be got for 4½ per cent. In other words the people of Coos Bay could have a great world—harbor and capital which was induced to come in and build a great city would bear the burden of taxation and ultimately pay the bonds. But that is a matter which will be discussed some day, no doubt. It is absurd to attempt to cross a bridge until we get to it. My own belief is that no Commission will decide to issue bonds without submitting the proposition to a vote of the people. Why do I think so? Simply because I would be astonished if eight per cent of the voters on Coos Bay would not always be ready to demand such submission under the Initiative and Referendum.

THE BREAD OF IDLENESS.

IT IS BREAD IS DANGEROUS bread. It is poison. The bread that is not earned builds knaves, fools, criminals. The bread of idleness is the narcotic of virtue, usefulness, decency. It is moulded by weakness and eaten by selfishness. Those who feel it are the worst enemies of their own blood; those who eat turn to snap like wolves at the hands that fed them.

Still the weakness that provides and the lazy gluttony that thrives on it increases. Foolish fondness keeps on ruining young men and young women who might amount to something and be useful to themselves and others. Fathers work beyond the natural years of labor and beyond the limits of their strength to keep lazy louts in idleness, to pay for the clothes they wear, earn the food they eat, hoping against hope and assuming a false burden of paternity. The cheap pool hall knowstheype; the saloons know him; his is a familiar face in the five cent crap game; the scarlet woman knows and despises him even in her shame. He is a "cheap skate." His father holds him up.

If he manages to get hold of a few dollars by hook or crook—mostly by crook—he invests in glaring clothes, wears an imitation "spark," swaggers about the resorts between meals and goes home to eat three times a day. Sooner or later he steals. He must steal if he will not work for he must gratify his vices. They are his whole life. He lives entirely within them. They enclose his aspirations, his hopes, his future, all that he is or expects to be. His mind travels round and round in a circle of vicious pleasures. Is it any wonder he steals? How can he help it? His moral atmosphere is a stench. When he goes to the gutter none pity him. When he lands in the penitentiary all are relieved. The only sympathy extended is toward his "hardworking parents." And most of that is undeserved.

He has his sex type. She flaunts in ribbon along the street. You can see her any night perched in a stairway away from the light, with him. Her mother has washed the dishes at home and is waiting for her, wondering why she ever bore children. She doesn't do her own ironing. She lies in bed of a morning, getting rested for the next midnight prow about town. Her face is bold, her manner flippant, her eyes hard with a knowledge she were better without. About the time he goes to the pen she seeks a maternity home. And her old father and mother shun the eyes of their neighbors.

Have you a boy growing into the type? Set him to work while opportunity endures. Don't try to make a silk purse of a sow's ear. Set him to work. Exercise the ordinary common sense you would employ were he your neighbor's son. There is only one thing that can reform him. Work. Hard work. Plenty of it. If necessary turn him out to shift for himself. Man first learned the sweets of labor in the fear of starvation.

Young man, are you going that way? Are you in training for the rags of a tramp or the striped garb of a convict? Quit it now and go to work. Size up your older associates. Do you care to recruit their ranks? There are only two ways. Size up the crows that turn either way at the cross roads and take your choice. It is up to you.

Idle bread is the culture of every germ that breeds crime, worthlessness, contemptibility. Its bacilli are more deadly than Eberth's, its virus as certain as cyanide. Don't eat it; don't provide it.

That taxes will increase every year seems to be as certain as death.

A man cannot convince you that he is cultured the first time he meets you, but many of them attempt it.

The empty back seat of a big automobile is one of the things that add to the discontent of the man on foot.

Look at ten Coos Bay women these days and the way seven of them wear their hair will make you laugh.

It is hoped that the increased tariff on lemons may act as a restraint on Harriman handing any more to Coos Bay.