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HITS THE VITAL MATTERS

(Continued from page one.)

...en, their chosen representatives, ...that with the help of Almight God, ...who controls the destinies of all the ...nations of earth, I will in the future ...as in the past remain faithful to ...very trust confided to my care and ...keeping. I crave, as I believe I shall ...receive, at your hands, that courteous ...consideration which has at all times ...been accorded to me by this distin...guished body, and in return I give ...you the assurance of the best efforts ...of my life to assist you in making ...the work of this session an epoch-...making period in the history of our ...state.

Under the provisions of the con...stitution, it becomes my duty to in...form you with reference to the finan...ces and affairs of the state, to ad...vise you as to the conditions of the ...several departments and institutions ...thereof, and to recommend for your ...consideration such measures as shall ...seem most conducive to its welfare ...and development.

Election of a Senator.

The provisions of the direct pri...mary nominating law, with respect ...to the election of a United States ...senator should be carried out in let...ter and in spirit. At the last pri...mary election Mr. Frederick W. Mul...key received the nomination of the ...Republican party for senator for the ...short term, and Mr. Jonathan Bourne ...for the long term, while Mr. John M. ...Gearin received the nomination of ...the Democratic party. At the elec...tion held, Mr. Mulkey received the ...highest number of the votes cast for ...the short term and Mr. Bourne for ...the long term, whilst a majority of ...the members elect (Democratic and ...Republican) of the legislature ...pledged themselves to vote for the ...choice of the people for senator. ...But whether they did or not, **THE ...PEOPLE HAVE EXPRESSED ...THEIR CHOICE FOR THE IMPOR...TANT OFFICE, AND THEIR ...WISHES SHOULD BE RESPECTED** ...and obeyed, and the gentlemen who ...have been nominated by the people ...ought to be elected unanimously, for ...the short and the long terms respec...tively. I suggest that this be done ...as soon as the legislature is orga...nized, so that the work of the session ...may proceed, and the time which has ...heretofore been devoted to this pur...pose may be given to legislation vi...tally affecting the welfare of the ...state.

State Institutions.

The several state institutions are ...in excellent condition, and it is hoped ...that every member of the legislature ...will visit them all. The superin...tendents of the asylum, penitentiary, ...reform school, blind school and deaf ...mute school have prepared reports ...showing in detail the population, ...condition and cost of each institu...tion. These reports are printed, and ...with each is appended a report of the ...trustees, and your attention is par...ticularly called to them and to the ...recommendations made therein. I ...deem it unnecessary to do more than ...call attention to these reports, and ...to say that each of these institutions ...is splendidly officered by capable and ...conscientious public servants, and to ...them as well as to a faithful and ...efficient corps of subordinates em...ployed the state is indebted for an ...economical and intelligent adminis...tration of its affairs.

Railroad Commission.

It is axiomatic that a railroad com...pany is a quasi public corporation ...and the public has an interest in its ...proper operation and in the regula...tion and control of its rates and ...service, as well as in the proper rendi...tion of the services required to be ...performed by it. In those states ...where this right has not been asserted ...the railroad company and the public ...have measurably in the relation of ...partners of a great partnership, with ...the managers of the company dictat...ing its policies and establishing its ...rates, not only without consulting ...the public, but frequently in such ...way as to injuriously affect their ...own vital interest. Not otherwise ...than in no other business does such ...an anomalous situation exist. The ...state has a primary interest in the ...establishment not only of a uniform...ity of rates by railways, but in see...ing to it that the rates charged are ...fair and reasonable throughout its ...industries, and it is no argument ...against this right that the state has ...been slow to assert it. No state has ...been so liberal as Oregon in its pol...icy with respect to corporations gen...erally and railroads companies in ...particular. If sections of the state ...rich in lumber, in mineral, in agri...culture, and in everything that tends ...to industrial and commercial de...velopment, have been neglected by ...the one great railway system which ...practically controls its whole traffic, ...it certainly cannot be justly claimed ...that the neglect is invited or induced ...by the illiberal policy of our law ...makers. Through the generous pol...icy of the federal government lands ...sufficient in amount and value have ...been granted in aid of railways with...in the jurisdiction of the state to ...build not only the lines now in oper...ation, but to extend them across and ...through the central, eastern and ...southeastern portions of this magnifi...cent commonwealth. Not only that. ...Vast forest reserves have been creat...ed along the Cascade mountains in ...this state, and in other states, in ...which have been included worthless ...lava beds and deforested lands of ...railway companies now operating ...here, and in exchange for these ...worthless lands these companies ...have been permitted to select hun...dreds of thousands of the most valu...able timber lands in the state under ...congressional legislation, thus in...creasing by millions the value of ...their original grants, and these lands ...are withheld from sale and settle...ment, greatly hindering the develop...ment of the state.

The demands of the people for ...railway extension have been unheed...ed by the powers that be, and they ...have been publicly informed that ...when any particular section of the ...state has been developed sufficiently ...to make a railway a profitable in...vestment, their demands would be ...investigated and considered, thus re...versing the usual policy of extending ...lines into rich sections to aid and ...assist in general development. The ...result has been that with all its pos...sibilities for commercial and indus...trial growth, Oregon is far behind all ...the other states in obtaining what it ...needs and what it is of right entitled ...to have in the way of better facilities ...for transportation and travel. Nor ...does the evil stop here. There is a ...lack of uniformity in rates where ...roads have already been built. Many ...rates are grievously unjust and un...reasonable, retarding the develop...ment of the state. Persons and ...places are discriminated against, a ...woeful lack of proper equipment to ...handle freight and even passengers ...exists everywhere, depot accommo...dations, switching and other facilities ...are inadequate, and no effort seems ...to be making to rectify these crying ...evils anywhere. For the rectification ...of these conditions the shipper is ...without remedy. The cost and ex...pense to an individual would be too ...great to warrant him in undertaking ...through any court their correction, ...nor could he with safety incur the ...ill will of the railway company which ...has been derelict in its duty to him ...and to the public. Neither the farm...er nor the producer can get his pro...duct to the market, nor can the mer...chant supply the consumer with his ...wares. The result has been and will ...be still more disastrous to the state, ...and the time has come when the ...other members of the great partner...ship in railway operation, the public, ...should assert itself in the correction ...of existing evils. With interstate ...traffic the state has nothing to do, ...but wth intrastate, or that which is ...purely local, the evils which are ac...knowledged to exist can be greatly ...relieved in short order, and eventual...ly corrected by a railway commis...sion, vested with ample powers and ...composed of men who have been ...taught to believe that a public office ...is a public trust and that the people ...have rights which great transporta...tion companies are bound to respect. ...The courts of this state, of other ...states, and of the United States have ...sustained the action of commission...ers in their attempts to correct the ...evils which now exist in Oregon, and ...the question of power is no longer in ...the experimental stage. Where a ...commission exists and conditions ...have not been bettered, the fault lies ...either with the statute under which ...it acts, or in the personnel of the ...commission; and the evils complained ...of in this sate can be largely cor...rected by a railway commission act...ing under authority of an ample stat...ute and appointed by the governor ...with power of removal. In the proper ...enforcement of such a law the re...sponsibility is fixed and certain, and ...it has been the experience of other ...states that in no other way can relief ...be assured. The control of railways ...and the regulation of rates has be...come a burning question in this coun...try, and a large share of the time ...of the first session of the present con...gress was devoted to the subject of ...interstate railway regulation and ...control. Every reason and argument ...which was argued in support of inter...state regulation and control, applies ...with equal force to regulation and ...control of traffic which is intrastate ...and local, and subject to the juris...diction of the state authorities. Re...cent and continuous discussion of the ...subject renders in unnecessary for ...me to dwell at length upon condi...tions in Oregon, which suggest ...prompt actions at your hands to re...lieve a situation both unprecedented ...and unjustifiable.

I earnestly recommend, therefore, ...the passage of a law creating a rail...road commission, to be appointed by ...the executive and subject to removal ...by him for failure to properly dis...charge its duties, with ample powers ...to carry out the purpose of its crea...tion. In this connection I commend ...to your consideration a bill prepared ...by the transportation committee of ...the chamber of commerce of Port...land. It shows careful preparation, ...and contains provisions which have ...been tested in other states and which ...in many instances have received the ...approval of courts of last resort.

Open River.

Closely allied to the railroad ques...tion is that of opening and improv...ing the water ways of the state. ...These are the instrumentalities which ...Providence has placed at our doors ...for natural regulation of the rate ...question. Statutes unquestionably ...assist in protecting the public from ...exhorbitant transportaton charges, ...when there are no competing water...ways. But neither statute nor other ...compulsory method is ever necessary ...as a factor for bringing about just ...and reasonable charges when there ...exists a navigable waterway. For ...this reason, short-sighted indeed is ...he who does not see and realize the ...importance to the state of keeping ...the Columbia, the Willamette and ...other navigable streams of the state ...open for navigation. Appropriations ...made by the general government ...have been inadequate to meet the ...growing demands in all the states. ...Not only have they been inadequate ...but they have been too infrequent to ...complete important projects already ...under way or to prtect them from al...most total destruction by the ele...ments in exposed places after appro...priatons are exhausted. The move...ment now being fostered and furth...ered by the National Rivers and Har...bors congress will do much to edu...cate the people to the importance of ...river and harbor improvement, and ...it is confidently hoped that in future ...congress will come to look upon the ...subject of larger and more frequent ...appropriations with greater favor, ...and place the subject alongside of ...appropriations for defraying the ex...penses of government, instead of rele...gating it to a place of minor import...ance as has been done in the past.

In the meantime and until the ...needs of the state are properly rec...ognized, Oregon should follow the ...lead of other progressive states, and ...meet the demands of her rapid com...mercial and industrial development. ...The locks at the falls of the Willam...ette, now in private ownership, **...SHOULD BE PURCHASED BY THE ...GENERAL GOVERNMENT,** and ...maintained without cost to the ship...pers of the great country tributary ...to the Willamette river. Every ton ...of freight which passes through ...them pays a heavy toll, and if this ...could be cut off, a like reduction ...would be made on the charges now ...made by the railroad company paral...leling the river. The saving thus ...accomplished would in a year or two ...more than pay the reasonable cost ...of condemnation and ownership of ...these locks. Our representatives ...have apparently not been able to im...press upon congress the importance ...of opening this magnificent highway ...to free navigation, and it seems to ...me that the time has arrived when **...THE LEGISLATURE SHOULD ...TAKE STEPS LOOKING TO THIS ...END. AN ACT SHOULD BE PASS...ED CREATING A COMMISSION ...WITH AMPLE POWER TO NEGO...TIATE THE PURCHASE OF THESE ...LOCKS, IF CONGRESS WILL NOT**

(Continued on Page 6.)

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