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THE JOURNAL, P. O. Box 121, Portland, Oregon.

At the last nothing is very serious. Mortals give things an importance quite beyond their gravity. We shall slide out of this life into another; and the day of our death, like the day of our birth, will be shrouded in forgetfulness. And if we do remember any of our trials and troubles, it will only be to smile that they should ever have caused us a pang.

president.

USE THE MONEY WISELY successful conclusion by the Commercial

The last Legislature appropriated the sum of \$50,000 for an Oregon exhibit at the St. Louis Exposition, the expenditure being entrusted to the State Board of Lewis and Clark Fair Commissioners. A controversy has arisen over the question of the erection of an Oregon building at St. Louis, and President Jefferson Myers of the state board has placed himself on record as strongly opposed to such an expenditure. His opposition is supported by very sound arguments.

Probably not more than half of the states in the Union will erect state buildings at the St. Louis Exposition, and the lowest estimated cost of any of the buildings thus far planned is that of Montana, which will cost \$18,000. This is the cost of the building alone, and the added expense of furniture, maintenance and incidental expenses will probably be \$8,000 or \$10,000 more. If Oregon is to have a state building it must at least be equal to those of her sister com-

monwealths, and the conclusion is inevitable that it would cost, altogether, at least half the sum appropriated by the Legislature. 2,310,000 pounds of gutta percha, 4,220,000 The state buildings at St. Louis will be little more than social gathering places, for the 000,000 yards of preservative tapes.

hospitable entertainment of those who may The whole work was completed within 18 visit them. They will contain no exhibits of months from the time of signing the confor the rules of the exposition tract. require that all exhibits which are to be en-The commercial and the political value of tered in the competition for medals and the cable can scarcely be estimated. It awards must be in the regular exposition brings this country into close touch with its buildings. If Oregon should erect a state Philippine possessions and will be a powerful building, therefore, it could not be used for stimulus to the trade and commerce of the the housing of the state's exhibits. Pacific.

THE REFERENDUM DECISION

The opinion of the four judges annulling the initiative and referendum amendment appears, upon close examination, to be unsound. The holding is that there were five amendments pending at the time this amendment was proposed. The constitution prohibits proposing any amendment while other amendments are waiting the action of the Legislature or the people. Therefore the court concludes that the amendment in question was not legally proposed or adopted. If there were no amendments then pending, the decision is wrong.

Four amendments were proposed by the Legislature of 1893, which were agreed to but not submitted by the Legislature of 1895. Another amendment was proposed by the Legislature of 1895, but was not agreed to or submitted by the Legislature of 1897. The initiative and referendum amendment was proposed by the Legislature of 1899. The question is, were any of the five previous amendments then waiting the action of the Legislature or the electors? If not, the new amendment was legally proposed and adopted.

The five amendments had then lapsed. This will appear from the constitutional provision regulating argendments. It is as follows:

"Art. NVII. Section 1. Any amendment or amendments to this constitution may be proposed in either branch of the Legislative Assembly, and if the same shall by agreed to by a majority of all the members elected to each of the two houses, such proposed amendment or amendments shall, with the yeas and nays thereon be enterd on their journais, and referred to the Legislative Assembly to be chosen at the next general election; and if in the Legislative Assembly so next chosen, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the Legislative Assembly to submit such amendment or amendments to the electors of the state, and cause the same to be published without delay at least four consecutive weeks in several newspapers published in this state, and if a majority of said electors shall ratify the same such amendment or amendments shall become a part of the constitution."

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It is clear that the four amendments proposed in 1893 could only be referred to the Legislature "chosen at the next general election," which was in June, 1894-that is, the one that convened in January, 1895. It is equally clear that only that Legislature "so next chosen" had power to submit them to the people. It did not submit them, and they became ineffective.

The court held that the failure of the Legislature of 1895 to submit these four amendments left them indefinitely awaiting the action of every subsequent Legislature, and until submitted, forever prohibited the proposal of new amendments. But the language or intent of the constitutional provision quoted does not justify that construction.

That provision prescribes the powers and duties of the Legislature "so next chosen." These are inseparable. It was to consider the amendment referred to it, and if in the Legislature "so next chosen" the amendment was agreed to, then "it shall be the duty of the Legislative Assembly to submit such amendment." What Legislative Assembly? Clearly the one that the constitution was talking about, the one "so next chosen." The one to which the amendment was referred. The provision did not say, and it is a forced construction to make it mean, that the amendment when agreed to by two Legislatures should be hung up indefinitely to await the action of all subsequent Legislatures. The mere inaction of the Legislatures was not meant to bar forever the amendment of the constitution. The affirmative action of the Legislature next chosen, and no subsequent one, was necessary to submit the amendment, failing which, the proposed amendment was abortive.

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There were good reasons for this requirement. The people were to be permitted to pass on the question by electing the members of the second Legislature. The constitution was not to be amended without deliberate consideration. It was to be agreed to by two Legislatures, one of them to be chosen by the people at the "next general election." Only then was the public demand for the amendment deemed sufficiently evinced to justify its submission to a vote.

This provision must be also construed in connection with the other provision prohibiting the proposal of new amendments while others are pending. The evident purpose was to require the proposed amendments to be disposed of by the second Legislature in order to clear the way for other proposals. The amendment was to be published and therefore submitted "without delay." Are those words meaningless? The conclusion is that the amendments referred to the Legislature of 1895, were not pending after the expiration of the terms of the Legislature chosen in 1894.

The other amendment stands on different ground. It was proposed in 1895, but was neither agreed to nor submitted by the Legislature chosen at the next regular election thereafter, that of 1897. Whether or not the argument is sound that the amendment must be submitted by the Legislature so next chosen, it is not doubtful that it and it only can "agree" to it. Since the Legislature elected in 1896 did not agree to that amendment, the Legislature of 1899 could not submit it, because it lacked the con currence of the necessary body. The court sees and seeks to meet that difficulty by holding that "no Legislature was ever chosen in 1896," that the persons elected "never met or organized any Legislative Assembly whatever, and therefore no Legislative Assembly was chosen in 1896." That is an amazing proposition. The constitutional convention supposed it was providing for a Legislature to be chosen by the people and therefore referred the matter of amendments to the Legislature to be chosen "at the next general election." The Legislature has nothing to do with its own choice, and a refusal to perform its functions does not abolish it.

AROUND THE CORRIDORS

THE OR EGON DAILY JOURNAL

Two young female Siwashes meandered into | Victoria and Vancouver, B. C. Senators the lobby of the Hotel Perkins yesterday Fulton and Mitchell have promised us that evening just to take big look. The sur- they will exert every effort with the Navy roundings seemed to please them, for they Department to have three or four war ships continued to linger there a while. The lassies were not fair to look upon, nor were from the sailing races there will be a Chinese they arrayed in purple and fine linen, but dragon, brought direct from the Orient, to the tourists from the East who saw them seemed well pleased at having had a close view of their idea of Minnehaha and Sacajawea. Every once-in-a-while the Misses Lo would address a few feet of conversation to gatta will be one of the biggest things ever Clerk George I. Thompson, but during his pulled off on the Pacific Coast." college days George had neglected the study

. . . .

before he was picked up. Now, I think it

required some nerve for a fellow to kill him-

. . . .

foot sunshine, still he said it was heavenly

compared with the rains that flooded the

Sunflower State several weeks ago. "In all

my life I never saw anything as bad as

the recent flood in the Kaw River Valley.

Millions of dollars worth of property was

destroyed in a very few days, and hundreds

of families are still said to be homeless.

When I left Kansas, ocean steamers were

very much needed, and I was told that

preachers all over the state were telling

their flocks about the awful time that Mr.

and Mrs. Noah had some ten thousand years

ago. But with all her floods and cyclones

and whiskers. Kansas is still one of the finest

. . . .

James Cooper, banker and hop-grower, of

spots on God's green foot-stool."

John Beaton of Baldwin, Kan., traveling

self in that fashion."

city.

sent to our harbor for the occasion. Aside add to the features planned. It is 700 feet long and requires 180 men to carry it. The program of the different events is not yet made up, but it is safe to say that the re-

C. S. JACKSON

. . . . L. Krebs, of the firm of Krebs' Bros. of Siwash grammar, so he had no talk-back among the largest hopgrowers in the staty coming. After a while, the maidens grew weary, and as they wandered out they mut- passed through the city last evening er tered something which many people took to route to Martin's Hot Springs, up the Cobe a complaint at the lack of hotels in this lumbia River, where he will spend a few

quiet days. Mr. Krebs lives near Salem, and he and his brother raised about 200 acres of hops this year, besides buying large quan-J. K. Jordan, a formerly-of-Wisconsin tities from their neighbors.

lumber man, but now looking through Ore-"We are only paying 17 cents for the crop gon's tall timbers, was last evening reading this year," he said last evening, "but last the account of the suicide of E. V. Shick. "Seems strange why so many people put out year we had to pay 27 cents. This is due to their own lights," remarked the reader, as the fact that we have not such a good market as there was last year. Recently he finished the story. "I remember a num-Germany began supplying England with this ber of years ago I was working in Black commodity, cutting into a territory which River Falls, Wis., when a young fellow was the United States formerly had practically to arrested for being drunk and was forced to itself. Then there have been enormous hop spend the night in jail. Well, that boy crops raised everywhere but right here in brooded over the disgrace until one evening, Oregon, and that of course had a tendency to while seemingly perfectly sober, he took a keep prices down. There will be a shortage silk handkerchief from his pocket, tied it in Oregon of perhaps 10,000 bales as comaround his neck, and securing a rung from a chair, he twisted the 'kerchief as tightly as pared with the production of last year. This is owing to the unfavorable growing weather he could, and then fell forward, striking the of the past two months." floor in a position that kept the murderous rag from becoming loosened; the fellow died

Tillamook needs a railroad and could support one, is the belief of Phineas Van Tress, a merchant of that town, who is visiting in Portland. The little coast town at the present time is visited daily by a stage coach from North Yamhill, 35 miles away, which

salesman for a Chicago trunk factory, has is the only mail service. The steamer Elbeen in this city during the past few days. more makes regular trips from Astoria and While he says that he did not enjoy the is occasionally assisted by the Vosberg. Oregon mist quite as well as he would Web-

"Several surveys for a road have been made into Tillamook," said Mr. Van Tress, "and every one is anxious to see a line put in. I see no reason why it wouldn't pay. Aside from the business that the 1,700 inhabitants would give there would be summer visitors.

At the present time the town is not a summer resort, but it has even better natural facilities than Yaquina or Seaside. . Garbaldi Beach is one of the finest along the coast. The natural harbor, while it is only 14 feet deep just now, is capable of allowing the entrance of Coast vessels. There has been talk of putting in another steamboat line. Some of the lumbermen are behind the move, but I do not know with what success they are meeting."

independence was in the city yesterday, at-"The newspaper reports that Yellowstone tending to some business matters. "The hop Park is overcrowded are false," said A. D. crop in our section of the state will be nearly Charlton, general passenger agent of the as large as it was last year," said Mr. Northern Pacific, who returned Sunday from Cooper. "There may be some fields that will a trip to one of the nation's scenic grounds. Summer tourist travel to the park, he said,

"There are ample accommodations for all,"

.

Cable Company, of which his son is the

The entire length of the cable is \$,300 miles, and the immensity of the work involved in constructing and laying it is difficult to realize. The core of the cable consists of copper, which is the conductor, wrapped in gutta percha, the latter affording the insulation. Around the core is a sheathing of brass tape, to prevent the torpedo and other marine borers from boring into the gutta percha. Between the armor and the core is a cushion of jute yarn, and an outer coating of iron and steel wire gives the strength necessary to withstand the strain and resist mechanical injury. Preservative tapes are wrapped around this outer armor, frequently around each wire of the armour, to prevent corrosion.

The amount of material employed in the construction of the cable was enormous. It required \$,000,000 pounds of iron and steel wire, 2,010,000 pounds of jute yarn, 5,000,000 pounds of preservative tapes, 52,000 pounds of brass sheathing, 3,600,000 pounds of copper, pounds of preservative compounds, and 306,-

It is the contention of President Myers that it will be much wiser and much more productive of results to the state to secure headquarters in the heart of the city, and to establish there an auxiliary display of the fruits, grains, woods and other products of the state. Quarters could probably be obtained at a rent not exceeding \$500 per month, or \$3,000 for the six months that the exposition will be open. The cost of furniture and maintenance would probably not be more than \$2,000 more, so that the total expense would be in the neighborhood of \$5,000. At these headquarters visitors would have ample opportunity to see the products of our state and to partake of Oregon's hospitality. The plan would in no wise interfere with the regular exhibit at the fair grounds, and would leave available for advertising the state and the Lewis and Clark Fair a large sum that would otherwise be consumed in the crection of a state building. It seems apparent that \$10,000 expended in such advertising would be of infinitely more value than if it were devoted to the con- America suggests that he has seen the handstruction of a state building, which would be writing on the wall. practically worthless when the exposition is over.

of the state board for expenditure at St. Louis, it is of the utmost importance that every dollar should be made to produce the best possible results, and the ideas of President Myers should meet with the hearty sunport of his colleagues on the board. It would be an act of folly to expend one half of the appropriation for a state building, leaving only \$25,000 or less for the installation of ex-·hibits and for publicity.

THE REFERENDUM DECI-SION.

In another column on this page appears an article relative to the recent Circuit Court | have included the national holiday among the decision invalidating the initiative and refer-, agencies leading to race suicide.

endum amendment to the state constitution. which deserves careful perusal. It is a clear and convincing statement of the reasons which lead to the conclusion that that decision was erroneous. While the opinion of the Circuit Judges appeared, at first reading, to be a sound interpretation of the constitutional questions involved, a more careful study has convinced many leading attorneys that it will not be upheld by the Supreme Court.

THE MANILA CABLE.

The completion of the cable between San Francisco and Manila, the last link in the telegraphic circuit of the earth, is one of the great triumphs of modern times. It is the consummation of the dream of John W. Fourth are probably only waiting for a clear Mackay, the enterprise being carried to a evening.

The 'The Kaiser's sudden friendship for



The reports of Fourth of July casualties With the limited amount at the disposal suggest that President Roosevelt should,



.

The constitution provides that "the Senators shall be elected for four years and the Representatives for two years next after their election." When elected they constitute the Legislative Assembly. No cermony or oath is required to induct them into office. Their term begins the day after the election.

There has never been a day since the constitutional government was inaugurated when there has not been a Legislative Assembly. It is a co-ordinate and integral branch of the government, and cannot be suspended while the government lives. A failure to organize is simply to refuse to perform its duties, and does not affect its legal status. The Legislature elected in 1896 did not agree to the equal suffrage amendment or submit it. That this neglect arose from its failure to organize has no different legal result from that which would have occurred if it had organized and then failed to agree to and submit the amendment. Its duties are not dependent on its organization. They arise from the election and the incumbency in office. This particular Legislature did not perform its duty, which was to organize and pass upon the amendment which had been referred to it, and it only. The equal suffrage amendment, therefore, was not pending in 1899.

The Journal means to give the side of the people a hearing in these columns. It is a great public question. No question can be greater than the right of a people to alter their organic law, and whether an unexampled unanimity to do so has proved "abortive."

THE HUMORIST.

"You mustn't cough so much, Willie," his mother said. "I can't help it, mamma," replied the little boy with the long golden curis. "Something amuses me in my throat."-Chicago Tribune.

Johnny-Pa, what is the law of supply and demand the papers tell about? Wise Pa-It is a universal law, my son, that when a man is well supplied with this world's goods, he demands more .- Boston Transcript.

Ned-Yes, I've resolved to give betting and drinking and all-Fred-Huh! You'll never keep that resolution.

Ned-I'll bet you the drinks I do .- Philadelphia Public Ledger.

Biggs-Some scoundrel on the West Side passed himself off as me and swindled a grocer out of \$10.

Diggs-Passed himself off as you? Why, the villain must have been lost to all sense of shame .--- Chicago Daily News.

Skidmore-I made a pretty good bargain today. I sold our sideboard for \$20. Barring-A good bargain? Why, you told me the price of it to you was \$50. Skidmore-Yes; that's all right; but I've never paid for it, you see .- Boston Transcript.

"Say," demanded the ugly individual, suddenly appearing from a dark alley, "what time is it?"

"You're just two minutes late," replied the Chicagoan. ""That other gentleman you see running away has my watch."-Philadelphia Press.

TOLERATION.

She was an exacting Philadelphia young woman, and before she would promise to marry him he had to answer a great many questions relating to his past life. He thought he had given her a very fair account of himself, but just when the wedding ceremony was about to take place he remembered an omission and, fearing reproach, he whispered in her ear:

"Mary, there is one thing I have not told you yet. I am a Universalist. Does it matter, love ?"

"No. I guess not, dear," said the bride, serenely, "I am a somnambulist."-Philadelphia Ledger. ALL ST. 3

"'Pears lak de devil is hard ter down."

"Yes. Fast ez one feller floors him, 'nuther one helps him up en hollers "Police!" "-

ot yield quite as largely as they did last season, but on the whole, I think the crop was beginning, and was heavy from both will be just about the same. And say, Inde-East and West. pendence is prospering in a way most pleasing to all of us who reside there. We hope said Mr. Charlton, "and the facilities for that the Southern Pacific people will soon handling business are better than ever besee their way clear to give us a double daily fore. The service, too, is first-class in every train service into Portland." respect.

. . . .

"The crop prospect in all sections is very "Astoria's ninth annual regatta to be held good, and the farmers are hopeful of boun-August 19, 20 and 21, is going to be one of tiful harvests. I enjoyed my trip very much." the most successful events of that character ever given on the Pacific Coast," says C. V. J. P. Galbraith, secretary of the Albany Brown, chairman of the committee which Woolen Mills, is in Portland today. Mr. Galhas the big celebration in charge. Mr. braith states that his company hope to have Brown came up to Portland yesterday from their mill in working order some time the the city by the sea to work up a local inter- latter part of this month. The contractors est in the regatta. And he says everyone he are now building the woolery. Nearly 80,000 meets here is as enthusiastic over the underpounds of wool are now in Albany awaiting taking as any Astorian could possibly be.

the opening of the new factory, and it is said "Yacht and rowing clubs," he concluded, that more of the fleece will be purchased by will be there and participate in the celebra- the company before the new mill's wheels betion from Portland, San Francisco, Seattle, gin to turn.



A DAILY THOUGHT.

Tricks and treachery are the practice of under your arm. I am afraid you are smokfools who have not wit enough to be honest. -Franklin.

Kisses between women are mere formal ities.

When Mark Twain was a young and struggling newspaper writer in San Francisco, a lady of his acquaintance saw him one day with a cigar box under his arm, looking in a shop window. "Mr. Clemens,"

she said, "I always see you with a cigar box ing too much." "It isn't that," said Mark; "I'm moving again!"-New York Times.

A railway collision is the typical bump of destruction.



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