

Under the old law we could have the public safety is involved. Without reve money so that it would be available for nue from taxes, the city will not be able the expenses of 1904. The business to maintain adequate police and fire pro-interests of the city absolutely require tection, and therefore the need of im-I hope the legislature will repeal the old law and re-enact a new statute. That is the best and simplest way to get out of the trouble."

Before making this declaration Mayor Williams carefully examined the text of the law and the supreme court's recent decision declaring it invalid, and reached the belief that n thing short of

whether such tax legislation as it might enact would be subject to the referen-The question is an important one. dum. for if the referendum can be invoked, 90 days must elapse before the legislature's acts can become effective, and this delay would raise new complications which would seriously embarrass the collection of the taxes.

The question is involved in doubt. The only judicial interpretation of the referendum amendment yet made is that of Judge Cleland in the case of Kadderly City of Portland. His conclusion that the amendment to the constitution was not legally adopted is yet to be in the meantime the only safe course is portunity for vexatious litigation would to proceed as if the amendment were in

force. By the terms of that amendment the referendum may be invoked in all cases elections to fill all vacancies in the leg-"except as to laws necessary for the im- islature, before convening a special sesmediate preservation of the public sion, and this has given rise to some health, peace or safety." The Portland question as to the procedure to be folcharter act declared that the charter lowed in the Ninth senatorial district, should go into effect at once, after its which was represented at the last ses-approval by the governor, on the ground sion by J. N. Williamson, the present that this was necessary to insure tha health, peace and safety of the people of sional district. The difficulty arises from Portland. In the suit brought by Kad- the fact that the last legislature passed derly against the city, the question was raised whether such a declaration by the legislature was conclusive, or whether the courts could inquire into the actual existence of such an emergency as would suspend the referendum. Judge Cleland portionment it comprises Crook, Klamheld that such a declaration by the leg- ath, Lake and Grant. Wasco was made islature is reviewable by the courts. He

held that the mere assertion by the leg-

an extra session will remedy the situation Subject to the Referendum? One of the serious questions to be considered in connection with the proposed special session of the legislature is

dum. Judge Oleland's Decision. On the other hand, if the legislature pursued this course, and if the supreme court should sustain Judge Cleland's decision, any taxpayer might then come forward with a sult to restrain the collection of 1903 taxes on the ground that the public health, peace and safety did not require the suspension of the referendum. If a special session should be

held in December, if an act authorizing the levy and collection of the 1903 taxes should then be passed, and if county officials should proceed in January with the levy, such a suit as that suggested would go to the validity of the tax pro-

mediate legislation is urgent. It is con-

tended that the legislature could safely

pass a law to take effect immediately,

could then proceed at once without the

delay that would be necessary if the

law were to be subject to the referen-

and that the levy and collection of taxes

ceedings. The danger that any such suit would ultimately be successful is probably slight, for the courts would be strongly inclined to uphold any curative legislathe Nashville which was immediately taken to the state department and directly thereafter Assistant Secretary tion designed to bring order out of the Loomis, Admiral Taylor, chief of the passed upon by the supreme court, and chaos which has arisen. Still, the opbureau of navigation, and Lieutenants be given.

As to Filling Vacancies.

Acting Secretary of the Navy Darling, held a conference. Secretary Hay then It is the duty of the governor to call took the translated message to the president. It was decided to keep the details secret for the present. Although officials will not discuss them for publication, it is known they are of the opin-ion that the Panama revolution will be entirely successful. It is understood congressman from the Second congresthat orders will be sent to the American naval commanders in isthmian waters to prevent transportation of armed a re-apportionment act, whereby the Colombian troops across the isthmus. composition of the Ninth senatorial district was changed. It formerly consisted of Crook, Klamath, Lake and Wasco counties, but under the new ap-

(Continued on Page Two.)

AWFUL ACCIDENT ON THE HUDSON

(Journal Special Service.) Peekskill, N. Y., Nov. 4 .- An awful here.

catastrophe is reported here this afternoon, in which many lives may have been lost. Terrific explosions were heard at 1

o'clock from across the river, in the quantities of gunpowder and dynamite direction of Iona island, the govern-ment storage plant for dynamite, pow-in this city, which is eight miles disder and high explosives.

Fifteen or 16 killed or wounded was the first estimate of the casualties. West Shore railway, which runs 500 After the first explosion the storehouse took fire and it threatens to develop debris. into a terrible catastrophe. Further ported killed. explosions have been heard here at Iona island is 50 yards from the west

Seven doctors have been sent from

Haverstraw, N. Y., Nov. 4 .--- 5 p. m .--Terrific explosions occurred on Iona island, the government naval station on the Hudson, at 1 o'clock this afternoon, in the storage plant there. Immense

tant, that it was shaken as by an earth quake. It is impossible to get the details, as all wires are torn down. The yards from the island, is blocked with Sixteen are at this time re-

cable cars on the Tweifth street incline. One was killed and 18 were injured, four kere hurt in this way. explosions have been heard here at intervals. It is thought the other mag-azines, with their many hundred tors for the Hudson river and 40 miles of explosives, are blowing up. There were 110 men on the island, and so for some of the hudson river and 40 miles of explosives, are blowing up. There intervals are blowing up. There intervals are blowing up. There is done of the Hudson river and 40 miles of explosives, are blowing up. There is done of the Hudson river and 40 miles intervals along intervals are blowing up. There is done of the Hudson river and 40 miles i far as known to this hour only ton es- 000,000. It has since been made into or less injured. The two trains car- neck gashed and knee cap torr caped. The loss of life may be heavy, an immense storage plant for explosives, ried 300 passengers. The first train his Soder, riba badly crushed,

EUGENE E. SCHMITZ, THE LABOR MAYOR.

PANAMA IS FOR INDEPENDENCE

State Department Receives Important News From the Isthmus---Strict Orders to Naval Commanders---Town Fired On.

(Journal Special Service.) Washington, Nov. 4 .- Early this morn- as here.

ing the bureau of navigation received a cipher dispatch from the commander of

Fires Into Panama Washington, Nov. 4 .- The following dispatch from the commander of the Nashville at Colon was received this

afternoon: The Colombian gunboat Bogota has thrown several shells into Panama, killing one Chinese."

Humphrey and Murphy, agents of the The state department forthwith cabled army, who recently visited Panama, and Vice-Consul Ehrman at Panama, directing him to remonstrate with the Colombian government and insist that transit across the isthmus be kept free, and that any bombardment of either Panama or Colon would be regarded as intolerable by the United States, because of our agreement to preserve order on the isth-

The state department has been informed that the revolutionary movement throughout the isthmus is general, and while Colon is held by government troops, generally they are now concenthis afternoon the work of the revolu-lionists, who at 6 o'clock last night de-lared the indexed the lared the independence of Panama, had ing between Roosevelt and Hay, orders

been proceeding speedily and without have been issued to naval vessels sta-undue excitement or bloodshed. It was tioned on either side of the isthmus that announced this morning that the first it is the duty of the navy to remain steps for the formation of the new gov- impartial as between the revolutionary ernment will be taken today, when conforces, but they are ordered to preserve suls will be elected to take charge of the the isthmus at all hazards. Beyond new government. Some excitement was these instructions the commanding ofcaused by the Colombian gunboat Bo-gota remaining in the harbor after the ficers will be expected to use their own judgment in adopting measures.

innouncement of independence. Officers The administration has information of the Bogota tried to use moral force. leading to the belief that at least one but failed. Finally the commander an-European nation contemplates sending nounced that he was about to open fire warships to the isthmus. This, coupled on the town and fired four shots, one of with the knowledge that during the which landed, but no casualties occurred. whole canal debate several European The gunboat Padilla, in charge of the countries did everything possible to pre insurgents, started in pursuit of the Bo- vent the ratification, makes it probable fidence by dastardly and shameful camgota, which steamed out of the harbor that a considerable naval display will at full speed. Reports this morning say be made by America.

DOOM IS BROUGHT

paign lies." LABOR IS AHEAD

(Journal Special Service.) lost the rope at the top of the hill and Kansas City, Nov. 4.--A terrible col- slid rapidly backwards down the in lision occured this morning between two cline. The collision occurred on the long cable cars on the Twelfth street incline. viaduct, but none of the passenger cars

A TAL

opponents to overcome. Chronicle's Comments.

leader, was lined up against them, be-The Chronicle today makes this comcause he openly said he would not sup-"The people rule this country, and this election proves that an effec-tive plurality of our citizens prefer a McCarren was called to assume the leadrule of graft to a rule of decency. We ership of the Tammany end in that disare of the opinion that they will not trict. like it, after all." Mayor Low Not Popular.

The Call Is Sore.

The results throughout New York go The Call says: "We take the result with philosophy. A watchful and inde-pendent press can prevent many abuses clearly to show that Mayor Low is not popular. That his administration met with the approval of the majority canof administration by timely exposure not be questioned, but personally he was and in a certain high sense the press holds the commission to protect people even against the consequences of their tude of District Attorney Jerome, who

own folly or indifference." The Toilers the People.

The Examiner, in an editorial, says: "The re-election of Mayor Schmitz is an answer from the people of San Francisco to men who insisted on taking up an issue of class against class. The voters made it plain that if 'class' is to be the issue they stand by men who that the same conditions obtain in Colon represent the toilers instead of those who represent the interests of wealth and privilege."

Other Results.

The result of more important offices are as follows: Baehr, Republican, for auditor; Long, Republican, for city attorney; Curtis, Democrat, and Union Labor, for sheriff; Dodge, a Democrat, for

assessor; Smith, a Republican, for tax collector; McDougald, a Republican, for treasurer; Godchaux, a Democrat, for Greif, a Republican, for recorder; county clerk; Byington, a Democrat, and Union Labor, for district attorney; Leland, a Democrat, for coroner; Hynes, Democrat, for public administrator; Cabaniss and Mogan, Democrat and Union Labor, re-elected as police judges.

Board of Supervisors.

The board of supervisors stands 10 emocratic and eight Republicans. Most of the board was re-elected. The vote for assessor is this: Dodge, 20,000; Curtis beat Lynch for Bahrs, 9,000.

Lane, in a letter to the Examiner today, says he accepted the nomination against his better judgment. He says he knew from the first he could not win, but made the fight as a sense of duty. Abs Eucf Talks.

Abe'Ruef, the mayor's attorney and jured by a little exposure."

buke to a rotten press and is a magnificent victory for the people and their chosen representatives. The result demonstrates that a faithful public official. the appliances that some of the other who fearlessly and honestly administered the government for two years pupils of the city, they are blessed with cannot be deprived of the people's con- a playground ample to accommodate

IN RAILWAY STRIKE among the boys during the recesses and a short time before school opens in the morning. "I have never follows

(Journal Special Service.) New York, Nov. 4.—A decision was reached in the matter of the labor dis-puts between the Amalgamated Railway employes and the street car companies at San Francisco, after several months'

both carried Kings county an investigation where Hugh McLoughlin, the veteran

Regarding his visit in Washington, he stated that he was well satisfied, although he had not accomplished all that port men who were not Democrats, he had hoped for when he went East. This led to a split in Kings and Patrick Regarding his mission to Washington, he had hoped for when he went East. the governor said:

His Mission.

"My purpose was to try to get the secretary of the interior and the commissioner of the general land office to adopt a rule by which purchasers of lieu lands would have the preference right to purchase from the United States the state lands cancelled. In that not liked by the leaders of even his own I failed, though I feel that the trip reparty. This is exemplified by the atti- sulted in a better understanding with the officers at Washington in reference was determined that Low should not to the public land system, and I do not receive the nomination, believing, as he regret having taken it. I am sure, I said, that he could not carry the city, but on the other hand would lowe out gave the secretary of the interior information on local conditions he did not have and could not have or get.

by 50,000 majority. After the Fusionists nominated him, however, Jerome en-"He claimed that the federal land detered into the fight and made desperate partment did not have the power to give purchasers of lieu lands in Oregon a efforts to secure the election of Low. But people remembered his early saypreference right to purchase under the ings, and when they heard him speak federal laws, after selections by the state had been held for cancellation, about the city, they would say, "Jerome knows he's a fighting loser." without additional legislation by con-

So far as an "open town" policy will gress. I insisted that the general land be a part of Tammany's administration office had that power. His suggestion was that the state had it in its power scheme, there are many conjectures. who have lived in this great city Those to protect those who had purchased lieu lands by adopting this course: As soon all their lives believe that Puritanical (Continued on Page Two.)

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LET CHILDREN PLAY IN THE RAIN'

"I do not believe that a little rain between the two buildings is floored, hurts the children," remarked Principal but is sadly in need of repair. The boards are rotting and in places there A. R. Draper of the Atkinson school. are great holes. The stairway and floors "Of course, if it is pouring down in torin the main building are worn. Big rents, it is not best to allow the boys splinters stick up from the flooring and and girls to get their clothing wet, but the stairs are so worn that they have been covered with rubber matting. The steps outside are too high for the I believe the average Portland drizzle harms no one. The children would get wet anyway going and coming from smaller children to walk down without school, and at home, so I allow them to subjecting themselves to a jarring play outside all they want, to while strain. under my care. It is the child that is With

With the exception of two of the primary rooms all the rooms in the buildkept housed up all the time that is ining are about the same size as those of

The Atkinson school at Twelfth and the Park school, namely, 27 by 33 feet, with 16-foot ceilings. The two smaller Davis streets, is the oldest in the city. rooms are 16 by 24 feet, with 16-foot It was built over 40 years ago and is not provided with modern improvements. cellings. "These get rather stuffy at times." said Mr. Draper. But if the 675 children do not have just

There are two basements in smaller building 24 by 27 feet, with 11-foot ceilings. The atmosphere seemed them all, and they can romp and play pure in these rooms, although the closets are not artificially ventilated as in to their hearts' content during the recesses. Wearing a cap and without umsome of the other schools and are not brella or overcoat, Principal Draper may modernly equipped.

Talk of Rebuilding.

There are four rooms in the base-ment of the main building, the largest of which is 24 feet wide by 72 feet in morning. "I have never feit any evil effects of my getting under an occas-ional shower," said Mr. Draper. "In length, with a 10-foot ceiling, is used as an assembly hall. The basements

(Journal Special Service.) New York, Nov. 4.—A decision was reached in the matter of the labor dis-puts between the Amalgamated Railway employes and the street car companies at San Francisco, after several months investigation by the arbitration com-mittee. The torms have not been an-nounced beyond the fact that Isador Strauss, the referse, found in favor of the men in the point of moreased wages from 25, to 27 cents, per hour. No change is made in the hours.

BY CRASHING CAR

campaign manager, writes the public as follows: "The election is a stinging re-