MAKE NEW CITIZENS BY NIGHT STUDY

Neighborhood House to Be Enlarged That Throngs of Jewish Immigrants From Europe Anxious to Learn, May Be Taught.

Elderly Men and Women Hasten From Hard Day's Work to Sit at Children's Desks, Says Manager of American-Making School.

The Council of Jewish Women is taking active steps toward erecting a new building, or an addition of some size to the neighborhood house in South Portland, to accommodate the rapidly growing night school for foreigners, carried on by the council under Miss Carrie B. Myers.

This school, which is attended by Jews, Italians, Poles and Russians, has now an attendance of 215 pupils, ranging in age from 16 to 50 years, all eager for knowledge and patient in their efforts to acquire the language and the customs of their adopted country. These eager, grown up pupils gather every evening at the Neighborhood house and give sedulous attention to the simple primary lessons in reading, writing and speaking English.

The pupils were first accommodated in the kindergarten room, and from there overflowed to the library and an adjoining room, but there has been a lack of equipment for carrying on the work, only the kindergarten tables and camp stools having been available. Miss Myers in her annual report to the council urges the building of a suitable school to accommodate her rapidly increasing school for foreigners. She said:

Inrush of Foreigners.

"The work of the night school is perhaps the most important work undertaken by the council in this city, particularly so as this work shows its results in so many unexpected ways.

"A number of years ago the Jewish immigration from foreign lands did not have much effect on our city; of late years, however, Portland as well as other western cities has received in large numbers the refugees from European and particularly from Russian territory.

"When the council saw that the Russian Jew in large numbers came to our city, in its wisdom to determine that something must be done to hasten the period when such newcomers would take their place as citizens and become thoroughly amalgamated with the habits, customs and ideas of their new home. It has found that the best method of accomplishing this was through the medium of a night school, teaching the English language to these foreigners and instilling in them a love for their adopted country.

"In our school there are among our pupils men of advanced age, who after the most difficult and arduous work of the day rush off to school immediately after the evening meal, eager to learn. It is an inspiring sight to all who come in contact with them to see the hunger for knowledge in their eyes.

Old Men at Boys' Desks.

"The work is of untold advantage to our city and our country as well as to our race, and it seems that so long as the tide of immigration continues this work must be continued and its scope enlarged. To accomplish this, however, we must have at least adequate means to conduct the work. We need a school building and we need it badly. When it is remembered that the ages of the pupils run from 16 to 50 it will be seen that the kindergarten desks and camp stools are utterly unsuited of the work."

Another matter which Miss Myers urged in her report is the need of a clean, sanitary boarding-house for such refugees, where the Jewish immigrants who earn small wages can have a comfortable home and bath for a reasonable price. Such a home could, she thinks, be established by the council at a charge of about $4 a week, with surroundings that are hygienic and American, which would be self-supporting and in no sense a charity.

Valuable Object Lesson.

"Such a home," she said, "would instill lofty ambition into the minds of these poor foreigners, and they would not be compelled to be herded like cattle in stifling quarters as they now are and subjected to innumerable hardships after their day's work is done, and would particularly inculcate the idea that cleanliness next to godliness is not merely a theory but a possible fact."

The night school is one of the unique institutions of the city; no charge is made for the instruction which is freely given by a corps of self-sacrificing young women who are thoroughly imbued with love for the task and who ask no reward except the pleasure of doing a good work. Miss Carrie B. Myers is the superintendent, and her co-workers are Dr. Jonah B. Wise, Miss Eugenia Gerstle, Miss Mollie Segal, Miss Ella Hirsch, Miss Hilda Hexter, Miss Mina Boskowitz and Mrs. L. Ricen, Mrs. S. M. Blumauer, the superintendent of the Neighborhood house, Mrs. Harry Meyer and Miss Belle Joseph have also given much assistance in the work.

Every man or woman who suffers from a weak stomach, inactive liver or deranged kidneys should not hesitate another minute, but start taking

HOSTETTER'S CELEBRATED STOMACH BITTERS

at once, because during the past 54 years it has cured thousands of such cases. It also cures Heartburn, Sour Stomach, Indigestion, Dyspepsia, Nausea, Female Ills and Malarial Fever.

NO REFERENDUM ON COUNCIL LAWS

(Continued from Page One.)

viding for the carrying out of the referendum powers.

Constitutional Amendments.

The issues before the court arise on demurrer to the complaint, and the question in brief is whether or not the taking of the referendum stays the taking effect of the ordinance of February 24, 1908.

For the proper consideration of the direct issue involved, it will be necessary to review in some detail the provisions of the constitutional amendments conferring upon the people of the state of Oregon the power of the initiative and referendum, and the subsequent acts of the legislature and the common council of the city of Portland passed in pursuance of the provisions of the constitutional amendments and the subsequent ordinances passed by said city council which have given rise to the issues in this case.

Council Measures Excluded.

The original initiative and referendum amendment to the constitution was adopted in 1902; it reserved to the people of the state power "at their own option to approve or reject and oppose any act of the legislative assembly"; this referendum power was reserved to the people of the entire state, and could only be exercised at an election in which all of the electors of the state could participate. The amendment applied only to state legislation. It did not confer upon the electors of cities and towns to approve or reject at the polls ordinances passed by their councils. While these conditions existed, the legislature enacted the charter of the city of Portland, and it went into effect January 23, 1903. The Portland charter contains no provisions for exercising the referendum power upon ordinances passed by the council.

Section 49 of the charter provides that,

"Upon the passage of * * * any ordinance, an enrolled copy thereof, attested by the auditor, shall be submitted to the mayor by the auditor, within five days from the passage of the same by the council, and if the mayor approves the same he shall write upon it 'approved,' with the date thereof, sign it with the name of his office, and thereupon, unless otherwise provided therein, such ordinance shall become a law and be of force and effect * * *."

Section 50 provides that,

"If the mayor do not approve such ordinance so submitted, he must, within 10 days from the receipt thereof, return the same to the auditor, with his reasons for not approving it, and if the mayor do not so return it such ordinance shall become a law, as if he had approved it."

Section 51 provides that,

"Upon the first regular meeting of the council, after return of the said * * * ordinance from the mayor, not approved, the auditor shall deliver the same to the council, with the message of the mayor, which must be read, when such * * * ordinance, being put upon its passage again, if two thirds of all the members constituting the council, as then provided by law, vote in the affirmative, it shall become a law, without the approval of the mayor, and not otherwise."

Ordinance Now In Effect.

This ordinance was passed by the council by a two-thirds vote of all its members at the first regular meeting after the same was vetoed by the mayor, and thereafter went into effect on February 26, 1908, and is now in force unless there is some enactment superior to the charter which suspends its operation. The provisions of the charter above quoted were enacted by the legislative assembly of 1903, and these sections have not been amended. It is alleged in the complaint that the officers of the city are attempting to enforce the provisions of this ordinance, in violation of the law approved by the legislative assembly February 25, 1907. (Laws of 1907, page 398.)

Section 11 of that act provides that,

"No such ordinance shall take effect or become operative until thirty days after its final passage by the council and approval by the mayor, unless the same shall be over his veto, and in that case it shall not take effect, or become operative until thirty days after such final passage, except measures necessary for the immediate preservation of the peace, health or safety of the city; and no such emergency measure shall become immediately operative unless it shall state in a separate action the reasons why it is necessary that it should become immediately operative, and shall be approved by the affirmative vote of three-fourths of all the members elected to the city council, taken by ayes and noes, and also approved by the mayor."

Citations Given.

It will be observed that the provisions of this act are in direct conflict with the provisions of the charter above cited, and if constitutional they amend the charter in the particulars in which the two measures conflict. It is well established that a general statute in direct conflict with the provisions of an existing charter amend the charter to the extent of such conflict.

First Dillon on municipal corporations, fourth edition, section 85.

First Abbott on municipal corporations, section 28.

In June, 1906, prior to the enactment of the legislative act in question, section 2, article 11, of the constitution of Oregon was amended to provide that,

"The legislative assembly shall not enact, amend or repeal any charter or act of incorporation for any municipality, city or town. The legal voters of every city and town are hereby granted power to enact and amend their municipal charters, subject to the constitution and criminal laws of the state of Oregon."

This constitutional amendment was in force at the time the act of 1907 was passed, and clearly prohibits the legislature from amending a city charter, and the act in question is in direct conflict with the constitutional amendment, and is, therefore, void and inoperative, insofar as it attempts to amend the Portland charter.

At the general election held in June, 1906, another constitutional amendment was adopted, which is designated as section 1-A of article 4 of the constitution of Oregon; this amendment contains the following provisions:

"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 and for their respective municipalities and districts. The manner of the exercise of said powers shall be prescribed by general law, excepting that cities and towns may provide for the manner of exercising the initiative and referendum powers as to their municipal legislation."

It is under the provisions of this amendment that the act of 1907 was passed. It is contended by the plaintiffs that it is this constitutional amendment itself that repeals, revokes and annuls the provisions of the city charter, fixing the time when ordinances passed by the council shall take effect, because they state the charter provisions are inconsistent with and repugnant to and in direct conflict with such constitutional amendment. With this contention the court cannot agree. If this were true, then, when this constitutional amendment went into effect, it immediately annulled and repealed these provisions of the charter of the city of Portland, and also like provisions of every charter of every municipality in the state of Oregon, and no time was fixed in said constitutional amendment when ordinances of municipalities should go into effect and become operative, the ordinances not only of the city of Portland, but of every municipality in the state of Oregon, since the second day of June, 1906, never went into effect, and have never yet gone into efefct because the legislature has been deprived by another constitutional amendment of its power to enact or amend municipal charters, and it must be conceded that the legislative bodies of the municipalities have no power to say when ordinances shall go into effect, unless that power is granted to them in the manner provided by law.

Cannot Affect Charter.

In the act of 1907 referred to by plaintiffs' brief, the legislature did not undertake to say when municipal ordinances should go into effect, but merely said they should not go into effect within 30 days, but, as already stated, the legislature has no right or power to make even this provision, as it is positively forbidden by the constitution to attempt any amendment of any municipal charter. It is unreasonable to suppose that the people intended by this amendment to virtually nullify the most important provisions of the charters of all the municipalities in the state, or by this amendment to prevent these municipalities from conducting their municipal business according to established forms and provisions. It is more reasonable to suppose that it was the intent of the framers to extend to the legal voters by the other amendment the power to amend their charters and revise the same to meet their local conditions whenever, in their judgment, they should so elect. If all charters were amended or repealed by the single force of this amendment, the most important municipal business in the city of Portland could not be transacted until the entire charter was revised and amended, and this, of course, would take a considerable length of time.

The people have the power at any time to amend their charter, so they will have a complete way of exercising these powers, without bringing chaos into their affairs. This was undoubtedly the method contemplated by this constitutional amendment, and, for these reasons, the demurrer to the complaint in this suit is sustained.

To Raise Cotton.

Manchester, England, May 9.—The members of the International Cotton Federation have taken the preliminary steps for the formation of a cotton-raising company, and to this end have bought a plantation in Mississippi, signalized as one having all the most modern appliances for the work.

I Cure Without an Atom of Drugs or Medicines

DR. N. J. FULTON
NATUROPATH.

There Is No Nonsense

In the tone of this letter from this lady who had suffered a quarter of a century and had taken all kinds of drugs and "medicines" in the vain hope of having her health restored. Every word is from the bottom of her heart. Every expression is that of gratitude, and we rejoice that we were used as the instrument that carried happiness to this sister's life and joy to her saddened heart.

A STRONG TESTIMONIAL.

Milwaukie, Feb. 27, 1908.—For 25 years I suffered from inflammation, and those delicate troubles usual to my sex, and several times during the last 12 years was unable, for months, to be on my feet, and was in bed the greater part of the time for 18 months before I went to Doctor Fulton. At that time I had come to the conclusion that my kidneys were affected. When I began treatment with the doctor last May I was bloated, had throbbing pains in my head, and at times a severe pain in the region of my heart. I also was exceedingly nervous and my lower limbs seemed heavy and lifeless and very much swollen. After the first few Naturopathic treatments I was less nervous than I had been for years, and AT THE END OF FIVE WEEKS WAS A NEW WOMAN! Now I can do all kinds of work, and lately WALKED FIVE MILES IN ONE DAY!
MRS. SARAH HATHAWAY.

MEN TESTIFY JUST AS HEARTILY.

I have cured men that were forsaken by hope and abandoned by expectations other than those of gloom and death, and they, too, are strong, healthy and glad today.

THERE IS NO HUMAN AILMENT THAT I CANNOT REACH.

RHEUMATISM, NEURALGIA.

All stomach troubles, all kinds of female troubles, or any other disease, no matter what, will more readily yield to the Naturopathic treatment, than to any drugs or a million bottles of the stuff called patent medicines.

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ANARCHISTS IN STORMY SESSION

New York Police Suppress "Gas-House" Kelly and Other Bombtossers.

(United Press Leased Wire.)

New York, May 9.—Rioting, police interference, anarchistic demonstrations and socialistic oratory and charges of ballot box stuffing, jumbled into a disorderly two hours, marked Friday night's session of James Eads How's personally conducted national convention for the unemployed.

Alexander Bergman, the noted anarchist, who was dragged out of the hall for calling the police vile names; Harry Kelley, who said he was a printer, and "Gas House" Kelley of Buffalo and the Bowery, were the disturbing elements.

After the police had thrown them out the rest of the disturbers were quiet and the last half hour of the meeting was peaceful. "Gas House" Kelley introduced the first element of discord. At Wednesday night's meeting a committee had been elected to go to Washington and lay the troubles of the unemployed before congress and incidentally to ask that $150,000,000 be appropriated for public works.

It was discovered after the election that 88 ballots had been cast with only 56 eligible voters in the hall, and that "Gas House" Kelley had been elected to go to Washington. James Eads How objected and ordered another election for tonight.

Big Kelly and Dress Suits

"Take it from me," says Big Kelly, "dress clothes has done more to straighten out th' East Side than th' police. An' as for not bein' democratic, they make it so you can't tell th' guests from the waiters, an' if that ain't democracy, what is?"

"All my life I've been goin' to dinners. I suppose, one time and another, I've eat a thousand. I've eat 'em for the glory of St. Patrick; I've eat 'em Washington's Birthday. I've eat five hundred dinners to free Ireland alone."

Buy this week's issue of THE SATURDAY EVENING POST, and read all that Big Kelly says about dress suits, dinners, trusts, and things in general.

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MRS. GRUEB TELLS

(Continued from Page One.)

ing the story about Martin. Dr. Griffin wrote me saying that Martin and his father were already there.

"Martin was greatly benefited by his treatment and I supposed that he had been cured completely. I did not know that he had returned to his old habits. If I had I would have made another effort to save the young man."

Aids Those Who Need Help.

Thus spoke the sweet old lady, as she proceeded to tell of her interest in aiding those who have had misfortune. She, herself, knows what misfortune means and while she now lives in poor circumstances, told today that at one time she had known what wealth and plenty means. Her manners, actions and grammar bespoke the truth of her statement relative to her former position more forcibly than the words she used.

"No, I do not remember how Martin was dressed when he came to borrow the revolver," continued Mrs. Grueb. "He was in a hurry and stayed about five minutes. He was very pale and left soon after I handed him the revolver. I believe he wore a small tan hat of some kind, but I would not swear to this. I believe in being very careful in such matters. What I say might aid in convicting him of this crime and I would not say a word about anything connected with the case that I did not know to be absolutely true. I do not remember the kind of clothes he wore. All I remember is that he was pale and in a hurry.

"Martin is a good-hearted man. See, he left me this copy of the Pacific Monthly. That was his nature. I believe he is weak, but I do not believe that he would commit murder unless he was crazy from the influence of the drugs.

Said City Employed Him.

"When Martin came to the house Friday afternoon I was busy with some work that I wanted to get out of the way before I started getting dinner. I did not stop to think that he might not be telling the truth about the matter. Only one thing do I remember about the conversation with Martin Friday that was not to his credit. I gained the impression from what he said that he was still working at the city engineer's office. Whether he told me so in exact words or not I received that impression.

"Do I believe that Martin killed Wolff? I do not know and have no way of knowing. I am of the opinion that he pawned the revolver down in the north end. I am not sure that I would know the revolver if I saw it again. I bought it about four years ago because I was afraid of burglars. Mr. Grueb worked at night and that left me at home without any protection, so I bought the revolver. When the burglar scare passed away I had no use for the weapon. I have three bulldogs and feel amply protected."

That was the extent of Mrs. Grueb's conversation. She was very loathe to talk about the subject. She did not want Martin or Mrs. Martin to feel that she was in any way trying to convict the man or that she even thought him guilty. She said that if she had only known Martin had resumed the use of drugs she would have tried again to save him.

Father Was Grateful.

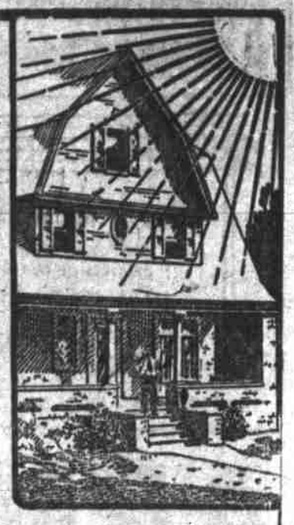
Martin's father gave Mrs. Grueb credit for saving the younger Martin from his vicious habit. He thought that his son had been completely cured, and left Portland in company with the young man's mother in the belief that his son would never again resort to the use of morphine or cocaine. The elder Martin stayed with his son long enough to see him benefited to the extent that his weight increased from 123 pounds to 150; saw his emaciated cheeks fill out with a more healthful tint to the complexion than he had seen for years, but probably went away too early.

Had the father remained with the son until he was well started again in life, his weakness might never have returned to him, is the belief of Mrs. Grueb, although she said today that Dr. Griffin was sure Martin had been completely cured, the only danger remaining being one as to young Martin's mind. There was doubt, said Mrs. Grueb, as to whether Martin's mind would recover its normal poise after having been under the influence of drugs for so many years.

BRAZIL MAKES WAR ON ANARCHIST BANDS

Rio Janeiro, May 9.—The government is making registry of the homes of all workmen suspected of anarchism. The record books of certain secret societies whose object is not known have been seized, and 20 men who were banished from the country and still remain here have been rearrested. Civil guards dressed as peasants are stationed in the churches, to the alarm of the faithful, who are frightened.

Battling the Elements



FIRST the sun and then the rain with their destructive forces soon start decay—unless you've got the right paint-protection. Not protection for today, tomorrow, or even one year—But paint protection for two years, three years, five years, or even ten years.

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Interior Enamel for woodwork and walls—

Vernicol Enamel White for fine finish and bath rooms—

Quick Hard Drying Floor Paint—

Carriage Gloss Paint, a beautiful finish with high gloss for buggies and carriages—

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"*Little Blue Flag*" *Varnish* for fine house finish.

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TERRA COTTA DOG CAUSE OF LAWSUIT

(United Press Leased Wire.)

New York, May 9.—Chin Chino, an exhibit in the dog show which won a prize and as quickly lost it because the kennel judge decided that his body had been dyed terra cotta, continues to cause trouble in the courts to his owner, De Mercy Argenteau, Princess De Montglyon.

The appellate division of the supreme court has granted her motion to appeal to the court of appeals from the action for libel brought by Mrs. Ada Olive Van Heusen of No. 58 Central Park West and certified this question to be passed on by the higher court:

"Does the complaint state facts sufficient to constitute a cause of action?"

One of Mrs. Van Heusen's pets won a prize by the disqualification of Chin Chino. It was never discovered who dyed Chino. De Mercy Argenteau wrote an article to a sporting newspaper about the case, and although no names were mentioned, Mrs. Van Heusen sued for $50,000 damages for alleged libel.

Robert Avery, counsel for De Mercy Argenteau, in requesting the appeal said his client had been seriously ill at her country place at Tappan, New York, and that he was unable to advise with her concerning the course to be pursued in the litigation.

COLONEL W. C. GREENE ON HIS DEATH BED

(United Press Leased Wire.)

Los Angeles, May 9.—Colonel W. C. Greene, the millionaire mining king and owner of the Cananea copper mines, is said to be lying near death today.

Despite the efforts of three doctors, who have been treating the patient for a severe cold, la grippe developed and now he is threatened with pneumonia. His condition is so alarming that his whole family was sent for and it arrived at the Van Nuys hotel, where Colonel Greene is being attended, last night.

ALFONSO'S CHILD IS EXPECTED IN JUNE

(United Press Leased Wire.)

Madrid, May 9.—Announcement was made today by Conde San Eugenio, the royal physician to King Alfonso and Queen Victoria, that near the latter part of June the second child of the queen is expected to be born.

Special prayers will be held for the queen in the cathedral tomorrow, and in all parts of Spain festivities are being held to celebrate the coming of the child. The first birthday of the heir to the Spanish throne, Alfonso, Prince of the Asturias, will also be celebrated tomorrow.

TerracePark Sunday
TAKE M. V. CAR

CHURCH WANTS UNION MEN TO OBSERVE DAY

(United Press Leased Wire.)

New York, May 9.—Eleven thousand Presbyterian ministers representing the department of church and labor of that denomination in all parts of the United States will hold special labor services tomorrow.

The Presbyterian church has asked every union affiliated with the American Federation of Labor to join with the New York churches in observing the day.

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