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IS THE INITIATIVE AND REFERENDUM VALID?

Assuming that the initiative and referendum amendment has received a majority of all the electors, the lawyers now raise a question as to the validity of its adoption.

The present constitution in article 17 provides the manner by which it may be amended. Briefly stated, a proposed amendment shall be agreed to by a majority of all the members elected to each of the two houses, then referred to the legislative assembly to be chosen at the next general election, and if agreed to by a majority of its members, it is made the duty of that assembly to submit the amendment to the vote of the electors of the state. If a majority ratify the amendment, it shall become a part of the constitution.

But the next section also provides in effect that in case of amendments to be voted on separately, while an amendment agreed upon by the legislature shall be awaiting the action of a succeeding legislature or of the electors, no additional amendment shall be proposed.

The courts, it is said, have decided that a method of amendment provided in the constitution itself must be followed. The question is, Was this method followed in this case?

The initiative and referendum amendment was agreed to by a joint resolution of the legislature of 1899, on February 2, 1899. At that time there were five separate amendments pending, known as the "municipal indebtedness amendment," the "judicial amendment," the "irrigation amendment," the "repealing amendment" (that relating to free negroes), and the "equal suffrage amendment." The first four of these had been agreed to by the legislatures of 1899 and 1900, and the last by the legislatures of 1899 and 1900.

The amendments agreed to by the assemblies of 1899 and 1900 should have been submitted by the latter to be voted on at the general election of 1900, but from some neglect no submission act was passed. The legislature of 1897 did not organize, and so the legislature of 1899, though not the next chosen, submitted all these amendments to the election held June, 1900, and they were voted upon by the people and rejected. If these amendments had not lapsed by the hold-up of 1897, it is suggested that they were all "awaiting the action of a legislative assembly or of the electors," when the initiative and referendum was proposed, and that, therefore, the legislature acted without power in proposing it.

It is not the purpose of The Journal to argue, but to state the question which has been raised. It is an interesting one to the people, and will doubtless come before the courts for solution.

FLAT SALARIES OR FEES?

Now comes the organ of officialdom to say that the talk about flat salaries is flat nonsense. But the Republican members have pledged themselves to this non-sense by a solemn declaration in their platform and a solemn silence in the campaign. The newly elected officers also made this pledge, and made it for themselves and to apply to their own salaries and for their own terms, and not for somebody else, and for future terms. The pledge is to be kept or to be broken. It was made innocently and for votes only, or it was made by candid men who have regard for their word. If the Oregonian speaks without their authority, it injures them. If it speaks with their sanction, it injures themselves.

It is said now that flat salaries, other than those named in the constitution, would be unconstitutional. But it is too late now to raise the constitutional question. These men have waived it. They have got into office by assuming and declaring that flat salaries to be fixed by the legislature are entirely constitutional. To assert the contrary now is a fraud on the people. They have promised—all of them—to serve for flat salaries. If this cannot be done without violating the constitution, it can be refused without violating their pledged faith.

We are also told that though the unconstitutional fee system has been in operation for thirty years, the Governor might not to call a special session to abolish it, because to do so and adopt flat salaries would be unconstitutional. Is this solicitude for the constitution or for the officers? Is it tenderness for the people or the politicians?

Now, this is the situation: If we must have one of two unconstitutional laws—either one that will continue to rob the people in many thousands of dollars another four years, or one that will save the people many thousands of dollars, let us take that one which saves the people rather than that one which robs the people. In brief, let the infraction of the constitution operate once in favor of the people, and not always in favor of the officeholder. If, therefore, the special session should be called, as the organ says, "with the express purpose of recommending to the legislature distinct and direct violation of the constitution of the state," the people will be able to console themselves by considering that it is also called with the express purpose of abolishing a more expensive system that is a distinct and direct violation of the constitution.

But if the worst comes to the worst, the legislature can adopt the legal opinion of the Oregonian and cut off all fees and perquisites and leave only the flat salaries of the constitution. If that is the only constitutional way, let it be that way.

A KINDERGARTEN HOMILY.

A clear appreciation of what the kindergarten is—and what it is not—would relieve the coming election of any doubt. It is not a mere playhouse to fill the hours of little children and relieve overburdened mothers of their care. It is not for amusement, though amusement is its instrument. It is not for health, though health is its result, nor for children's happiness, though happiness comes of it.

In the first place, it is the beginning of a useful education, and it begins at the right time. It does not wait for the time of book learning. It helps the mind unfold, so as to be ready for the lessons of a later period.

Proebel did not invent the system. It is not an invention, but a discovery. And he did not find it in learned volumes or abstract reasoning. He got it from little children themselves. It is but the organization of a natural process of development which is always in operation, from the time the little eyes open upon the world. It is only helping and tending the mental growth with intelligence and care, as the gardener tends his flowers. Nature does the rest.

The kindergarten finds the meaning of play, the child's first school. It does not turn play into work, but work into play. It sets no tasks, but gets better results. Children play—always have played. And play means inquiry, investigation, learning, struggling, conflict, force, power. During these early years this is going on, whether there be kindergarten or not. Indeed, every group of playing children is a kindergarten without a teacher. They make things, learn things, grow and develop by play. The kindergarten steps in and becomes a part of the school and guides and informs it. He gives to the play the frolic, the exuberant curiosity of childhood an educative value.

The testimony is unanimous that kindergarten children come to the higher grades apter, more intelligent and with greater capabilities than others. It thus makes the subsequent education more effective, of wider range.

If the state is to educate its generations, it ought to do it the best way. Kindergartens are already approved as the best beginning in thirty-eight states and 50 cities of the Union. It is approved in Portland by the philanthropy of private citizens. It should now be approved by its school voters and made a part of the public school system.

BEFORE AND AFTER.

The Oregonian is still harping on its adopted daughter, the Scuttle issue. Referring to the increased Republican majorities for Congressmen, it says: "Scuttle was the issue, and how much of a Democratic victory was it?" But scuttle was not the issue. The question was not referred to in the canvass in connection with the Congressional contest. What the Oregonian did declare with iterant persistency was that it was the issue in the gubernatorial contest, and that it would be no construed in the East. If the paper was right, then, since Mr. Chamberlain was elected, it follows that the Oregonian is wrong now. But the people did not have the scuttle question in the back of their heads. They voted for Mr. Chamberlain on other grounds. We are pleased to note that our contention that the Philippine question was not involved in the election for governor is now accepted by the unanimous consent of the whole Republican party, including our morning contemporary.

Since Mr. Furnish ran better in Mr. Geer's county than he did in Mr. Fulton's, it follows that Charley is a treacherous Republican, and must step down and out. Thus the process of exclusion goes on. And, by the way, Marion did better for Furnish than Multnomah, and so Mr. Scott must go, too. And bye and bye we shall have nothing but treacherous Republicans in the Republican party.

Judge McGinn has discovered since his election that the Republican platform on which he ran declaring for flat salaries is unconstitutional, as to the newly elected state printer. It is like the usual frankness of Henry to wait till he is irrevocably employed by the people to cut

off exorbitant fees and then tell his clients they have no case. He now says that he does not believe "that the compensation of the state printer—let can be changed without violating the constitution, for it is expressly provided that his rates shall not be changed during the term for which he was elected. That is the very reason for an extra session before his term commences. And that is also the very reason why Judge McGinn and the state printer do not want an extra session.

The Oregonian will greatly mistake, it says, if any disgruntled and treacherous Republican shall receive any consideration in the legislature for the United States senatorship. That's the way to talk. It eliminates every possible aspirant but Mr. Scott and Mr. Fulton, who will have the field to themselves to do each other up. And the disgruntled Republicans can say: Whether he do kill Cassio, or Cassio kills him, or each to kill the other, all ways make our gain.

"Some lawyers," we are told, "say that it would be as unjust to change the state printer's salary one day before he takes office as to change it one day afterward." The difference is that in the one case his unreasonable compensation would be reduced and in the other it would be continued for four years. It would not be unjust to reduce it, because he has accepted the office with the distinct agreement on his part that it should be reduced.

Mr. Dan Malarky is the only member of the delegation interviewed who is not against a special session. He is not considered the question. Mr. Malarky has given some symptoms of independence, and if he will cut loose from the domination of men less able than himself, his talents will secure him the leadership which if untrammelled they can command.

The strikers call upon business men to aid in settling the strike. That is entirely proper. We suggest also, that since Judge Williams is not an employer of labor, and has just been elected to the office of Mayor, and ought to command the confidence of the men who voted for him, his services ought to be sought. His position makes him the ideal pacifier.

When Senator Mays says that the abuses of the present salary and fee system can be corrected at a regular session as well as at a special session, does he not know that the state printer's compensation cannot be changed at the regular session? The saving in that office alone would pay a large part of the expenses of the special session.

For what did Senator Mays and his faction enact the senatorship law? If it is a farce now, was it intended to be a farce from the first? If Mr. Fulton, now or Mr. Scott had run, would it have been a farce? And why didn't they run? Have they more reliance on Mr. Matthews' legislature than on the Republican voters?

That was an entirely proper request of Mr. Chamberlain to have no ratification over his election. He can always be depended on to do the graceful and appropriate thing.

The Oregonian thinks the vote for Mr. Geer for United States senator was only intended to annoy some Republicans. It seems to be having that effect.

"And they said to him, say Matthews, and he said Williams, because he could not frame to pronounce it right." And they slew him."—Chicago News.

There are two revisions now receiving minute consideration—the Presbyterian creed and the Republican platform on flat salaries.

The Booth-Kelley Lumber Company carried Lane county by a good plurality over the Democrats and Republicans of the county.

Mr. Geer beat Mr. Wood for senator. Why, isn't that an endorsement of the administration's policy in the Philippines?

Fairs are never ready when they come off. If we try to be ready by 1904 we shall be ready in 1905.

As Hamlet says, "What imports the nomination of this man?" Geer?

At the pie counter many will call, but few shall be chosen.

When Phyllis Trips. When Phyllis trips out in the rain, The smiling sun for me shines fair, The birds sing out a joyful strain, And love makes glad the landscape drear.

When Phyllis in the spring's away, The muffled sun forgets to shine, The birds sing dirges all the day, And mournful then's this heart of mine.

My moral read as you pass by: 'Tis not the spring, nor nature's arts, Nor yet the nestling's sweetest cry, That to the lover joy imparts; But he must smile when'er he can, If Cupid be the weather man."—Frisco Tiger.

The Wedding Feast. The bridegroom tried to carve the goose; Oh, gee! But he couldn't find the thigh-bone loose, You see. He plunged the fork into its breast, And the gravy spurted o'er his vest. The guests all grinned like hends possessed! Ah, me! The carver's face turned white and red. They say I'll not repeat the things he said— They say I'll not repeat the things he said— His suspenders parted with a snap, The goose flew up as from a trap, Then sailed into the fair bride's lap— Poor Jay!—Chicago News.

HINTS FOR WOMEN

REELS FOR SHIRT WAISTS. One of the novelties imported from London is the coronation belt. Folded black satin is used for many of these, and the buckle, which is in dull silver, appropriately shows the design of a crown set with various stones. A smaller crown is set in the slide at the back. A belt of black leather piped with red silk, with trimmings of the same leather, is attractive.

FOR MEN. Men's handkerchiefs are large these days. There is one style with a half-inch hem of buff color to go with the buff shirt. Another style seen in the all-white handkerchief is woven in a plaid, a small fleur de lis woven into the material between the lines. Other handkerchiefs have woven lines of color around the edge, with embroidered dots of the same tone scattered thereon.

FOR THE COMPLEXION. The daily use of hot water probably will clear the skin from the annoying light pimples. Fold a Turkish cloth, saturate it with hot water—as hot as the skin can possibly bear—and hold it for several minutes against the face; repeating this for 15 or 20 minutes. The large pimples, which seem to come from far under the skin, may often be dissipated in their incipency by this means, if it is repeated often enough.

CANNED CHERRY TAPIOCA. Cover a scant cupful of tapioca with cold water and let it soak over night. In the morning place over the fire with a saltspoonful of salt and a pint of boiling water; simmer slowly until the tapioca is

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perfectly clear. Stir a pint of stoned cherries into the boiling tapioca; add a cup of sugar (more if the cherries are very sour); turn into a serving dish and set away to cool. Serve with whipped cream.

FOR THE SUMMER BOUDOIR. Blue and white is always a cool looking combination, and especially so for a sunny room. A boudoir should be not severe and stiff. Gaiety and prettiness are not incompatible with simplicity.

The fresh cretonne papers are very dainty and bright, and are particularly appropriate with a couch covered with cretonne. A white paper with a light blue or pink moire stripe is very pretty or a paper with a white ground and tiny pink bouquets tied with blue ribbons is distinctly summery in effect.

A SAVORY BREAKFAST. Picked up codfish is very well in its way, but lacks the savortiness of Finnish haddock when prepared in the same manner. For a spring appetizer at breakfast or luncheon, the following will be found excellent. The fish may be cooked on purpose or that left over used, but it will not be at its best unless soaked in cold water over night, well dried, then broiled over a clear fire.

Remove bones and skin and to each pint of this picked up fish allow the same of milk. Put a large tablespoonful of butter in the frying pan; when boiling hot, stir in two scant tablespoonfuls of flour, then stir the milk in slowly until the mixture is smooth, and like thick cream; now add the fish and salt and pepper to taste; have a well beaten egg ready in a big bowl, stir the mixture into this and serve on a hot dish.

POKER WAS COSTLY. WASHINGTON—A brace of young married couples, living in adjoining flats in a Mohr Pleasant apartment building, have been having little quarter-limit poker saucers in each other's rooms during the past few months. A few weeks ago another young married couple took a flat on the same floor. It didn't take long for the first pair of young matrons to get into conversation with the newcomer on the subject of the care and treatment of rubber plants, the best seawash for sky terraces, the dumbwaiter milk thief and other topics dear to the souls of flatters.

The newcomer was a very demure little thing, who had been raised in the country, and whose clothes, as the other women decided between themselves, were suspiciously "bridey." She hadn't, as a matter of fact, been married very long. She looked as if she would about rank with the class A bunch in a spelling bee in Turnpike-on-the-Pike's little red school house, and she didn't make any pretensions to being next to metropolitan ways.

Her husband looked as if he might run to fire on very slight provocation. He looked as if no suit of clothes could ever be made to fit him, and he had the Rubie walk of an agriculturist trying not to tread on beds of spring onions. He handled his hands and feet as if they belonged to somebody else, and he wore a pale pink crocheted four-in-hand that his wife had manufactured for him with her own little hands—which ought to be about enough for him.

It wasn't very long before the bridey-looking young matron from the country found out, by accident, that the other two couples indulged in semi-weekly poker. The other two women were afraid, when she found this out, that she would give them the cold eye and curl up on them. But she didn't.

"We should like to learn how to play poker, too," she said, alluding to her husband and herself.

So she and her husband were invited to sit in the next time.

"Here," remarked the other two husbands, craftily, "is where we pick up a little loop-the-loop change for the summer. 'I'll be just like knocking 'em down with a juvenile tree and taking it away from them, but look at the wash dresses and summer hats and things our wives need. It'll be a shame to make this trustful young idyllic pair melt down their wedding presents to make good, but haven't they themselves invited ruin by voluntarily 'looting' us?"

It was on the evening of the next day that the three young couples got together. The newcomers didn't display much aptitude at learning the values of the hands until they were about \$14 to the bad, but then they began to pick up. The sedate young matron had great difficulty in apprehending the value of four, which she caught frequently, and she couldn't quite get over the habit of regarding them as two pairs. But she won out on them every time. Her husband couldn't quite do it out why a full house should be better than a straight or a flush, but he consented to let Hoyle have his own way about it, and played the full houses which he began to get about every other deal, until the other folks felt like talking to themselves. They were playing all jack pots, and the newcomers would stay for a quarter and draw five cards each, and then chase the opener to a dark corner of the table.

When cashing-in time came around, with the arrival of midnight the young couple with that alfalfa-and-ensilage look about them were about \$94.55 to the good and the other two husbands were wondering whether their respective disburasing clerks would stand for the hurry touch for the rent coin on the morrow.

"The next time I make an assist in teaching troyes how to play poker," remarked one of them when the new couple had made their escape with all of the money, "it's going to be for sawed-and-split wax matches, and the rate's going to be \$100 per lesson, at that. This game of instructing elephants to box and then taking them on as sparring partners hasn't got enough percentage—break-even in it to muss up a fly leaf on a pocket calendar."

Then his wife—who didn't have to do the hustling for the car fare and morning paper money—called him a hard loser, and the thing broke up with several swirling cirrus clouds on the horizon.

On Little Willie. No mistakes would on Willie grow; He observed it with a frown, "I'll keep it up no longer," he said, And he therefore kept it "down."

HINTS FOR MEN

WITH THE JOKERS. She's far from beautiful alas! Yet this I must declare; That when she travels on a pass She must be passing fair!—Philadelphia Record.

BETWEEN FRIENDS. Sue—Frank says I am a "bird." Mayme—Well, all I have to say is, he is a very poor ornithologist.—Denver Times.

AS TO THE SINGER. "So she said my voice went right through her!" "I guess so; at least she said it bored her."—Chicago News.

A MYSTERY INDEED. Stubb—There goes a man who is full of mystery. Penn—You don't say! Stubb—Yes, he just ate a bowl of chop suey.—Detroit News.

HARD WORK. Freddy—Did you hear that Reggy is working? Cholly—Bah, jove, it can't be! Freddy—Yes, he is rolling his own cigarettes.—Chicago Tribune.

LUCKY ESCAPES. "There goes a baseball man who has made the most runs this season." "H'm! What position does he play?" "Oh, he's umpire. He was running for his life."—New York Press.

NOT VERY ENCOURAGING. Reggy—I just put my last cent on that horse. Tom—I would have saved one cent, Reggy; you may need some chewing gum going home.—Cleveland News.

CRUEL OF HER. "They tell me that fish is good for the brain," said Reggy Saap. "Have you anything to suit me?" "We have canned lobster," responded the pretty clerk in the grocery department.—Mifs.

UNSETTLED. "So the new boarder told the landlady's fortune by a coffee cup. What did he say?" "Well, he said he could tell by the grounds that she would lose some boarders very shortly."—Chicago News.

Short Personal Stories.

The other afternoon Representative Shattuck of Ohio left his seat on the Republican side of the house and walked slowly over to the Democratic side, to Representative Sulzer's desk. The member from New York was busily engaged in writing a letter.

"Howdy do, general," said Mr. Sulzer, looking up; "what can I do for you?" "Why I came over to ask you if you did not want to go with me to see the ball game," said Gen. Shattuck.

"Sorry, but I can't go," was the reply; "I'm too busy playing the national game," and Mr. Sulzer resumed his writing.

When his wife died the late J. Sterling Morton had erected over her grave a tombstone bearing the inscription: "Caroline French, wife of J. Sterling Morton and mother of Joy, Paul, Clark and Mark Morton." "Why did you put the boy's names in?" inquired a friend of him one day. "I took my boys out to the cemetery," said Mr. Morton, "and showed them their mother's grave. 'Boys,' I said, 'your mother is buried here. If one of you does anything dishonorable or anything of which she would be ashamed if she were alive, I will chisel your name from her tombstone.'"

The Old Enmity. "There is an acquaintance of mine," remarked the doctor, "who gives himself airs because he was given up to die 30 years ago and has kept himself alive till now by taking oxygen." "How old is he now?" asked the professor. "Over 60."

"He's what you would call an oxygenarian, is he?" said the professor, looking at him with half shut eyes.

A New Definition.

"Josiah," asked Mrs. Chugwater, "what is a bucket shop?" "It's a place, I suppose," replied Mr. Chugwater, looking impatiently up from his newspaper, "where they empty the water out of stocks."—Chicago Tribune.

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ODDS OF INFORMATION. At the present time many valuable species of big game in South Africa are threatened with extinction. It is proposed to establish regulations for their preservation, and it is suggested that camps should be set apart for the purpose of breeding certain species in order that the country may be restocked with game. "Fashoda, though an important post, is a dreary and desolate collection of huts and tents reeking with malaria and mosquitoes," writes Sir Edmund Lechmore, who recently undertook a journey up the White Nile. To the south of Fashoda he found the natives quite destitute of cloth and old saris in great demand for necklaces. The reported discovery of beds of nitrate of soda near Lovelock, Humboldt County, Nev., may prove of considerable importance. Chili at present furnishes the world's supply, and the use of the mineral for agricultural purposes is increasing, due to the results that have been gleaned in that all-important matter of "mixing brains with the soil." At the headwaters of the Orinoco Spanish traditions located the land of El Dorado. The "Gilded Man," a potentate whose country was so rich in gold dust that he had his body anointed with oil and sprinkled with gold every morning, so that he shone in the sun as though gilded. It is a curious fact that the country in which tradition located this marvelous being has never been explored by a white man. St. Louis has joined the list of cities employing "white wings" on its street-cleaning force, and 30 men have been dressed in the regulation white duck suits and set to work on the streets in the business section to keep them clean. This number is only the starting of the improvement, and the entire force will be uniformed as fast as possible. In addition to the white blouse and overalls the men will wear gray-black rimmed caps.

Workmen Dug Dog Out. After being imprisoned in a six-inch iron pipe buried in the roadway at Main and Taylor streets, at Milburn, N. Y., since Friday, a little curly haired, yellow dog was released late Saturday by workmen who dug up the pipe. A large crowd watched the rescue. The dog was following a man and darted into the opening of the drain, which is about fifty feet long. About half way through the pipe he became wedged fast. The police were appealed to, but they did nothing, and late Friday night the overseer of the roads was appealed to. Saturday a force of men started to dig up the pipe. After several hours' labor one length of the pipe was unearthed, but the dog was in another length, and more digging had to be done. At last the animal was released amid cheers.—New York Tribune.

Must See the Show. Representative Dovenor, of West Virginia, was coming down town on a street car yesterday with a colleague, and reached New York arena just as the circus procession came in sight. Mr. Dovenor "rubbed" all the way around to get a good look at the lovely ladies in tin armor, the red and gold charlots, and the elephants. "Oughtn't we to get off?" asked Dovenor. His companion was too busy watching the approach of the pagant to answer. Again Dovenor asked the question, and again without reply. "I can't help it," finally exclaimed the West Virginia member. "I must see the show." And, again like a little boy, he skipped off the car, and stood on the pavement until the steam calliops and the tumbling clowns brought the procession to an end.—Washington Star.

Good Cause. The man with the bad sore throat still has something to be thankful for. He ought to be glad he is not a graffe.

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