

## THE CAPITAL JOURNAL

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### GALLOWAY DECISION CORRECT.

THE OREGONIAN editorially criticizes Judge Galloway's decision in the referendum case decided by him Saturday, and says it cannot follow his reasoning. Of course it is presumptions on the part of any one not on the editorial staff of the Oregonian to have an opinion at variance with that of those who compose that august body. At the same time, and at the risk of being properly squelched for so doing, we humbly beg to be permitted to point out or suggest to the Oregonian editors that their argument is based on false premises, and hence their conclusions are false. They did not take the time or trouble to examine the law, as common, small country editors are compelled to do, else the editorial alluded to had not been written.

The constitution of the state of Oregon, Section 21, Art. I, says: "No ex post facto law, or law impairing the obligations of contracts, shall ever be passed, nor shall any law be passed the taking of effect of which shall be made to depend upon any authority except as provided in this constitution."

Then, again, in Section 1, Article 4, which concerns the legislative department, it says: "All elections on measures referred to the people of the state shall be had at the biennial regular elections, except when the Legislative Assembly shall order a special election."

So much for the constitutional provisions applicable to the matter. Does the special election called by the legislature or attempted to be so called, comply with these requirements of the constitution? Let us see.

Chapter 321 of the Session Laws of 1913 contains the law calling, or attempting to call this special election. Section 1 of that law reads:

Sec. 1.—"There shall be held a special election in the several voting precincts of this state on the first Tuesday after the first Monday in November, 1913."

That is all there is to it as far as calling the special election is concerned. No purpose is stated for which it is called, yet the constitution says special elections can be called only for a specified purpose. The law says a special election shall be held on the first Tuesday in November. There is no statement what for. It provides for an election whether there is anything to be voted on or not. It just says there shall be an election held on the first Tuesday after the first Monday in November. That is all.

The law then provides that: "All measures passed by the 27th Legislative Assembly of the state of Oregon, upon which the referendum may be invoked, shall be submitted to the people for their approval or rejection at such special election."

The only construction that can be placed upon the law, if indeed it requires any, is that the legislature has called a special election in November next, whether there is anything to be voted upon or not, and in case any of the acts of the 27th legislative assembly have the referendum invoked, they shall be submitted to the people at this election. The legislature undoubtedly intended to call this election for the purpose of permitting any bills on which the referendum was invoked to be voted upon then, but it did not do it. In fact, it could not do it, for the simple reason the constitution clearly forbids it in Sec. 21, Article 1, where it says: "Nor shall any law be passed, the taking effect of which shall be made to

depend upon any authority, except as provided in this constitution." The taking effect of this law if it was possible for it to take effect at all, is made to depend upon a contingency. That contingency was and is the invoking of the referendum on any measures passed by the 27th Legislative Assembly. It would depend upon whether or not Parkinson or some one else worked up a referendum on the U. of O. appropriation or on some other bills.

Suppose, for instance, the referendum had not been invoked? Would the state of Oregon hold an election on the first Tuesday after the first Monday in November, 1913? If not, why not? There would be nothing to vote upon, but the election is called in so many words for the date, regardless of referendums or anything else. It is so clearly unconstitutional that extended comment becomes ridiculous.

We feel that we are butting in where a self-respecting angel would fear to tread, the Oregonian's editorial sanctum, and that we are risking our reputation here and our soul's ultimate salvation in daring to criticize an editorial generated in the Oregonian's think-tanks, and request their serene highnesses to let us down to earth as easily as possible and not kick us after we are down. We make the suggestions contained herein in a contrite spirit, yet we cannot help but feel that, while the gray matter in the Oregonian town can settle the authenticity of chapters of the Bible, divide atoms, and stand the law of gravitation on its head, that the acts of the Oregon legislature are beyond even its profound comprehension.

### MISS MORGAN AND HER CLASS.

J. P. MORGAN, besides leaving a fortune of some hundreds of millions of dollars, also left a daughter. Not only did he leave a daughter, but he left one with all his contempt for the poor, and with the inherited, riveted and clinched belief that plutocracy had a right to plunder the world, to starve its working millions, to fix wages at a point where bare existence is possible, and to take all surplus earnings as their legitimate profits. This young lady had herself interviewed recently, and gave the world the wisdom she has accumulated in her 26 sorrow-laden and strenuous years. In this interview she says the girls themselves are disgusted with the assumption that low wages drive girls to vice and immorality, and "that nothing could be finer than their repudiation of the suggestion of the Chicago vice commission that a girl needs \$8 a week to remain moral." As a matter of fact, the Chicago vice commission said nothing of the kind, nothing from which such an inference could be drawn. It did say, in effect, that if the American people want their girls to grow up with the character and morality of true womanhood as their priceless possession, it must stop the damnable custom of commercializing childhood and girlhood, ceasing the budding and blossoming years of humanity, into dollars and cents and adding the unholy proceeds of this enforced toil, of this robbery of youth, this money wet with tears, soiled with sweat, tainted with vice and damned with sorrow, woe and suffering, vice and immorality to their unneeded millions.

Miss Morgan, with millions, who has never known a want or desire that money could procure, is not in possession of the evidence and facts to entitle her to pass judgment on working girls or conditions. She will spend more for

one little bunch of flowers, to please her eye, or delight her rather prominent nose, than she fixes as the amount upon which working girls should exist for a month. True, she does not fix the exact amount. She evades that by saying they should be paid enough to allow them to live. If they can get along on \$4 a week, that is all they should be paid; if \$6 or \$7 a week is absolutely needed for their existence, she would generously allow them that magnificent wage. As a matter of fact, thousands of girls are working for their board and clothes, with no hope of bettering their condition. The white slaves of commercialism are immeasurably worse off than the black slaves of 60 years ago. They had board and clothing, were provided with shelter, had a doctor's services at their owners' expense. Then, too, they were out in God's free air, where they saw the sun, the flowers, the beauty of nature's handiwork. They were not cooped up during their working hours in prisons of stone and mortar, and in the miserable little rooms they called home, surrounded by senseless stones and pulseless mortar, as cold as heartless, as un pitying as the misguided men for whom they toiled. And here let us say that the men for whom these girls give the years of their youth are not so much to blame as we, the great American people, who are moved by greed to get everything at the lowest possible price. We force the merchants' hands, or some of them; and while some of the big corporations grind down their employes unmercifully, the smaller merchants do, probably, about the best circumstances will permit. In the interview granted by Miss Morgan she has demonstrated only the ideas she, and such as she, have of and concerning working people.

## SALEM CHAUTAUQUA PROGRAM IS GREAT

Something About Artists Who Will Be Here to Entertain People This Season.

As the time for the Salem chautauqua draws nearer, the interest becomes greater in the programs which are offered us. Perhaps the greatest interest centers in the White City band and the Thavin Grand Opera company, appearing on the fourth day. This organization, which the official band at the United States land exposition show in Chicago in 1910, will present the best music written for band and orchestral work.

The Thavin grand opera company will give excerpts from such classics, both in ensemble and as soloists. Lovers of music are expecting a real treat when this splendid organization reaches us.

Many promises are made regarding the German violinist, Carl Frederic Steckelberg. It is said that he plays with a tone remarkable for its purity and sweetness, and that his technique is equal to that of the greatest virtuoso. Indeed, friends of this young man insist that he has never as yet taken his proper place in the musical world, owing to the fact that he does not like to do concert work on account of the hardships of travel.

Among the noted orators offered is Senator Burkett of Nebraska. He is a young man, being the youngest United States senator at the time of his election. He is a rapid and fluent speaker who has invariably pleased wherever he has lectured. His chautauqua engagements in number have been exceeded by very few lecturers. His subject here will be "The New Woman and the Young Man," which is said to be his most popular lecture.

Of great interest to all is the coming of Ben Chapin. From an educational standpoint, this is the best chautauqua attraction offered in America today. Mr. Chapin presents "Abraham Lincoln" as he was. In order to do this, Mr. Chapin uses proper wigs and costume until he makes himself look like the Great Emancipator. This is said to be the most sought-for attraction in America today. Mr. Chapin has given "Lincoln" 450 times in New York City alone.

Besides the attractions above noted, we are to have, in music, the Winona Ladies of Indiana, the Artists' Trio, the Georgia Jubilee Singers and the splendid Chicago Male Quartet. Certainly our chautauqua will not suffer from lack of good music.

Of especial interest to the ladies is the coming of Miss Belle Kearney, whose lecture on "The Old South" is said to be a real treat. Miss Kearney is a queenly, womanly woman, with a remarkable speaking voice, so that large crowds have no difficulty in hearing her. Her lecture engagements on her tour of the world were attended by the most prominent of the English-speaking people.

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