FORTY SHILLING SHIPS

OCEAN FREIGHTS ARE STILL MOVING UPWARD.

For the First Time on Record Ships Are Higher in 'Frisco Than in Portland—Marine Notes.

A ship for May loading was fixed at Portland yesterday at 40 shillings, a figure which ordinarily would be considered pretty high, but in view of the situation all over the coast, the transaction may be viewed in the light of a bargain. This is 6d lower than was paid for a ship on the Sound, and 1s 1d lower than has been paid for an immense carrier in San Francisco; in fact, there has been two charters in San Francisco at 41s 3d. The larger vessel taken at that rate was the British bark Reliance, 2458 tons net. Taking the size into consideration, and the rate paid the Reliance is the highest that has been paid on the Pacific coast for over three years. Fifty shillings freights are something for which shipowners have long waited with a yearning fully equal to that which the farmer has awaited the return of dollar wheat. Now the shipowner is in a fair way to have his hopes realized.

The British bark Kinfauns, the only disengaged spot ship in the Northwest, was yesterday asking 45 shillings, and there is but little doubt that it will be paid, as she is a handy-sized vessel. The present strength in freights in San Francisco, together with the sympathetic effect on Oregon and Washington, is due to heavy showers in California, thus assuring another big crop of grain. This is pressing some of the big stocks of 1899 on the market, and causing a heavy demand for tonnage. From present appearances there is but small hope of relief from the tramp steamers, even though more of them should be released from the government transport service. The Oriental rice ports are paying as high as 22s 6d for steamers to carry rice to Europe, and even at this figure tonnage is scarce over there, and it would require 10 to 12 shillings extra to induce a steamer to cross the Pacific in ballast and undertake the long voyage around the Horn with wheat.

BOTH WERE FLOATED.

Tug Maggie and Schooner Berwick Taken Off the Beach.

A special to The Oregonian from Eugene states that the tug Maggie, which has been aground at Siuslaw for several days, had at last been floated, and had sustained no serious damage. The Florence West has the following particulars of the troubles which attended the floating of the Berwick and the first attempt to float the Maggie:

"Captain Bergman and crew from the lifesaving station arrived on the scene last Thursday night, and set to work to try by use of anchors to pull the Maggie into the channel. They moved her part of the distance several times, and their efforts seemed likely to be crowned with success, but she drifted back again, going further up on the beach than at first. The craft began to leak, and sand washing in made it settle down deeper, and efforts to get her afloat were given up.

"The crew then went to work at the Berwick, which, though further up from the channel, is a lighter vessel, and does not draw so much water. Wednesday morning, with the aid of the Robarts, the schooner was pulled into the channel, having sustained no serious damage.

"The Lillian assisted the lifesaving crew in placing anchors and such other ways as she could, and the Robarts was similarly employed after her arrival Monday. The hawser of the Robarts became tangled in the propeller just as she had succeeded in getting the schooner into deep water, making it necessary to beach the Robarts in order to clear away the rope."

TRANSPORT LENNOX ARRIVES.

Held in Quarantine at Astoria—Also the Beechdale.

ASTORIA, Feb. 20.—The British bark Beechdale, which arrived in today from Honolulu, and the United States transport Lennox, which arrived from the Orient, are both in quarantine in the lower harbor. The Beechdale had no sickness on board, and was fumigated and furnished with a clean bill of health before leaving Honolulu. Still, in accordance with the government regulations, she was fumigated again today, and will be kept in quarantine for 48 hours. The Lennox has no sickness on board now, but shortly after leaving Manila eight of the Chinese crew were taken ill with beriberi, and one of them died before the steamer arrived at Kobe, where all were taken ashore. The vessel was fumigated as thoroughly as possible, and since then no cases have appeared. Dr. Hastings, the local quarantine officer, today disinfected the quarters and baggage of the Chinese crew, and it is expected the steamer will be released tomorrow, unless instructions shall be received from the surgeon-general to hold her for a longer period.

DECEMBER DISASTERS.

Over One Hundred Sailers and Thirty Steamers Lost.

The administration of the bureau veritas has just published the list of maritime disasters reported during the month of December, 1899, concering all flags, as follows: Sailing vessels reported lost—11 American, 24 British, 1 Chilean, 7 Danish, 4 Dutch, 7 French, 2 German, 1 Greek, 7 Italian, 20 Norwegian, 2 Portuguese, 4 Russian, 1 Spanish, 5 Swedish; total, 108. In this number are included six vessels reported missing. Steamers reported lost—1 American, 1 Austrian, 2 Brazilian, 18 British, 3 French, 1 Japanese, 2 Norwegian, 1 Spanish, 2 Swedish; total, 31. In this number are included three steamers reported missing. Causes of losses: Sailing vessels—Stranding, 54; collision, 5; fire, 4; foundered, 8; abandoned, 9; condemned, 22; missing, 6; total, 108. Steamers—Stranding, 17; collision, 2; foundered, 3; condemned, 5; missing, 3; total, 31.

New Plan to Save Lightship.

ASTORIA, Feb. 20.—Robert McIntosh has decided upon a new plan to take the lightship off the sands at McKenzie head. He has ordered a steel cable 400 fathoms long, one end of which he will attach to the lightship, and have the other end buoyed out to the sea. Then, when a favorable opportunity presents itself, a tug can make fast to the buoyed end and tow the lightship out into deep water.

A bill of sale was filed in the custom-house today whereby P. Jordan, William Rehfeld and D. K. Warren sell the steamer E. L. Dwyer to the George & Barker Co. for $4000. It is understood the steamer will be used as a tender for the George & Barker cannery, on the Sound.

Freight Rates Advance.

SAN FRANCISCO, Feb. 20.—Owing to a scarcity of ships, freight rates have advanced to a figure which has not been touched since 1887. The bark Reliance was chartered today to load for England at 41s 3d. There are only two disengaged vessels in port.

Little hope is held out for the big American ship May Flint, which is now out 86 days from Hong Kong for Tacoma, and reinsurance brokers are offering 30 per cent on her. The British ship Annie Thomas, now out 205 days from Cardiff for Acapulco, is also considered a big risk. Forty per cent reinsurance has been paid on her.

Ore From Corea.

SAN FRANCISCO, Feb. 20.—The steamer Coptic brought to a local smelting company 1840 sacks of ore concentrates from the mines of an American syndicate in Corea, and is the second similar consignment within a few months.

Marine Notes.

The steamer Lennox arrived in yesterday morning, but was detained at quarantine in Astoria. She will probably leave up today.

The steamship Nome will probably finish loading today. She will carry over 30,000 barrels of flour and a large amount of lumber.

The tug Samson made another fast trip up the coast with the Washtucna. She left San Francisco last Saturday, and reached Astoria yesterday morning.

E. Heuckendorff has secured the contract for the building of two more vessels at Marshfield. They are to be larger than the Joseph L. Evenson, and will be used in the island trade by Hooper & Co., of San Francisco.

The German ship Margretha left down yesterday morning. The County of Merioneth will be the next on the list to finish, although one or two others are near enough to the finishing point to get away this week.

Domestic and Foreign Ports.

ASTORIA, Feb. 20.—Arrived—U. S. transport Lennox, from Kobe; steamer Signal, from San Francisco; schooner W. F. Jewett, from San Francisco for Knappton; barge Washtucna, in tow of tug Samson, from San Francisco; British bark Beechdale, from Honolulu. Condition of the bar at 5 P. M.—Moderate; wind south; rainy.

San Francisco, Feb. 20.—Arrived—Schooner Letitia, from Gray's harbor; steamers Rival and Empire, from Coos bay. Sailed February 19—Schooner Sacramento, for Tillamook.

Melbourne, Feb. 20.—Arrived previously—Steamer Indraghiri, New York.

Sydney, Feb. 20.—Arrived previously—Steamer Moana, from San Francisco.

Boulogne, Feb. 20.—Arrived—Statendam, from New York for Rotterdam, and proceeded.

New York, Feb. 20.—Arrived—Spaarndam, from Rotterdam.

San Pedro—Sailed February 18—Barkentine John Smith, for Port Blakeley.

Nanaimo—Sailed February 19—Steamer Mineola, for Port Los Angeles.

Esquimalt—Arrived February 18—British steamer Robert Adamson, from San Diego.

Seattle—Sailed February 19—Steamer Farallone, for Skagway; steamer City of Topeka, for Skagway.

Port Townsend, Feb. 20.—Arrived—Ship Jabez Howes, from Honolulu; British ship Glenalvon, from Seattle; schooner Sequoia, from San Diego; ship Eclipse, from Honolulu.

Seattle, Feb. 20.—Arrived—British ship Glenalvon, from Port Townsend; steamer Rosalie, from Skagway; steamer Cottage City, from Skagway.

Yokohama—Sailed February 17—Steamer Tacoma, for Tacoma. Arrived February 19—Steamer Monmouthshire, from Oregon.

Santa Rosalie—In port February 16—British ship Thornliebank, to sail this day for Portland.

Hong Kong—Sailed February 17—Tacoma, for Tacoma.

Gibraltar, Feb. 20.—Sailed—Kaiser Wilhelm II, from Genoa for New York.

New York, Feb. 20.—Sailed—Lahn, for Bremen.

San Francisco, Feb. 20.—Arrived—Steamer Tellus, from Oyster bay; steamer Empire, from Coos bay; steamer Rival, from Coos bay. Sailed—Steamer Walla Walla, for Victoria; steamer Progreso, for Tacoma; steamer Titania, for Nanaimo.

New York, Feb. 20.—Arrived—Friesland, from Antwerp.

INDIAN WAR VETERANS.

Oregon Does Much for Them—The United States Does Nothing.

PORTLAND, Feb. 20.—(To the Editor.)—Major W. J. Shipley, commandant of the Oregon Soldiers' Home, evidently did not read what I said in last Sunday's Oregonian. I there stated that Oregon had generously provided a home for Indian war veterans, and they were as kindly cared for as were the veterans of other wars, etc. In my letter to congressmen I was telling them what they had not done, and not what Oregon had done. That the state of Oregon has kept many Indian war veterans from the poorhouse and placed them in the Soldiers' Home does not redound to the credit of the nation, but to the state of Oregon. It would have been out of place and would have nullified what I was saying to congress, had I stated in that letter that certain societies and the state of Oregon were doing all that is necessary for Indian war veterans.

I was talking of national shortcomings and urging them to do by the veterans of the Indian wars as they were doing by others. The nation pays to the state Soldiers' Home $100 per annum for the support, as I understand, of certain veterans, and does not pay one cent for the support of the Indian war veterans. As far as the nation is concerned, she lets them find a home where they can, be it in a poorhouse, hovel, or in some home not maintained by the United States.

If the government would assist the state to maintain Indian war veterans in the Oregon Soldiers' Home, it would lift a burden from the state and enable the commandant of the Soldiers' Home to receive many whom he cannot find room for now. The state has not made sufficient appropriations to do with and for all who apply, which I know the governor and Major Shipley would like to do.

In conclusion, Indian war veterans have only words of praise for the Oregon Soldiers' Home and its management.

T. A. WOOD.

DAILY CITY STATISTICS.

Real Estate Transfers.

Sheriff to Anna S. Bernard, lots 1, 2, 23, 24, block 6; lots 11, 12, block 10; lots 13, 14, block 11; lots 1, 2, 3, 4, 5, 6, 8, 9, 16, 17, 18, block 5, Riverside addition; February 14.....$ 2000

Fannie V. Ash to S. Josephine Mix, lot 12, block 20, King's Second addition; February 17..... 4000

Jacob Arn to Rosa Fowler, lots 14, 15, 16, block 1; lots 11, 12, block 2; lots 3, 4, 5, 6, block 2; lots 5, 6, 7, 8, block 5, Farrell's Second addition; June 2, 1898..... 1

Amos Marshall and wife to Nellie L. Gustin, lot 81, block 4, Highland Park; December 28, 1898..... 225

Anna S. Bernard to Charles L. Olsen, lots 1, 2, 3, block 5, Riverside addition, Albina; February 20..... 300

Mary D. Rickard and husband to H. Lawson and wife, lots 9, 10, 13, block 54, Sunnyside; February 17..... 2500

Rachel D. Prettyman and husband to Arthur Hedley, 102x100 Cherry street, Mount Tabor Central Park; February 5..... 1

Enos Swan and wife to Edward Thun, lots 7, 8, block 4, Monticello; March 22, 1898..... 75

Nathan Pearcy vs. George S. Pershin et al., lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, block 1, Terminus addition, Albina. 750

Deaths.

February 17—Nicholas Allaesh, aged 42 years, St. Vincent's hospital; tuberculosis of lungs.

February 18—John W. Holman, aged 51 years, 487 Clay street; Bright's disease.

February 18—James Corson, aged 52 years, Good Samaritan hospital; appendicitis.

February 18—F. M. Boster, aged 43 years, 511 Marguerite avenue; tuberculosis.

February 19—Jannita Cos, aged 21 days, 205 Monroe street; inflammation of bowels.

February 18—Fred Smith, aged 38 years, Sixth and Couch streets; heart disease.

February 16—Marguerite Wilson, aged 6 years, 501 Columbia street; diphtheria.

February 17—Charles F. Collins, aged 50 years, Good Samaritan hospital; nephritis.

Contagious Disease.

Finley Merryman, aged 13 years, 620 East Twenty-third street; scarlet fever.

Marriage License.

J. G. Meyhrunn, aged 32, Mary Windle, aged 24.

Camille d'Arville to Wed.

SAN FRANCISCO, Feb. 20.—The engagement of Miss Camille d'Arville, prima donna, and E. W. Crellin, a local capitalist, is announced. The date of the wedding has not been fixed.

Dr. Sanford's Liver Invigorator.
The best Liver Medicine. A Vegetable Cure for Liver Ills, Biliousness, Indigestion, Constipation.

PRESIDENTIAL CAMPAIGN

HOW THE PROBLEMS INVOLVED ARE VIEWED AT WASHINGTON.

Republican Fears Regarding Popular Apathy and Prejudice Against an Aggressive Policy.

The coming presidential election and its effect upon national policies is already the subject of a good deal of quiet discussion among public men, writes the Washington correspondent of the New York Journal of Commerce. While the feeling generally prevails among the republicans that President McKinley will be re-elected without difficulty, there are members of that party who feel some anxiety in regard to the situation. They are by no means convinced that Mr. Bryan and the silver democracy will command a majority of the electoral votes cast in December, but they feel that the party in power will have to be on guard against a variety of contingencies. The importance of the election to the business interests of the country, from their point of view, is such that these interests ought to give a cordial support to that party which can be counted upon to pursue a resolute national policy abroad as well as to maintain the gold standard at home. The experience of previous elections has shown, however, that the business interests are sometimes indifferent, unless, as in 1896, they are thoroughly alarmed. It is well understood that the conditions of that year cannot easily be reproduced. The average business man is expected to vote for the party which is avowedly for the gold standard and the promotion of our trade interests abroad; but it is recognized that the large laboring vote drawn from the democratic ranks by fear of the result of the silver standard upon wages cannot be unified to the same extent as in 1896 for the republican national ticket.

The republican leaders are somewhat strengthened in the belief that they will retain control of the country by the fact that the silver democracy cannot well secure a majority of the electoral college without the votes of one of the three old-time democratic states of the East—New York, New Jersey and Connecticut. It is assumed that these states will certainly vote against any candidate standing upon the Chicago platform of 1896, even if that platform is somewhat obscured in the discussions of the campaign. Mr. Bryan had 176 electoral votes in 1896, which was 59 less than a majority of the electoral college. If he should carry Indiana, the border states of Kentucky, Maryland, West Virginia and Delaware, and every state of the West which he had in 1896, with North Dakota, California and Oregon added, he would have 235 votes, or 11 to spare. This is a mathematical combination, however, which is extremely improbable. It would be broken by the loss of Maryland and West Virginia with 14 votes, or California and Oregon with 12 votes, or by the loss of Indiana alone with 15 votes. Nothing but a popular revolution in favor of Bryanism would be likely to combine the necessary number of votes to make a majority of the electoral college, where so many favorable contingencies would be required to co-operate. Notwithstanding this favorable situation for the republicans, it is recognized that such contingencies might occur if the republicans should be indifferent or should adopt a course which might sacrifice the support of one of the large sound-money states. There are several elements of uncertainty in regard to the attitude of the two parties which are being carefully weighed by the leaders with a view to guarding against undue risks.

It is acknowledged by some of the republicans that the practical abandonment of silver by the Bryan organization and conservative declarations regarding the protection of American trade interests in the East might so far disarm the hostility of gold democrats with a certain degree of party loyalty as to tempt them into support of the Bryan ticket. The fact that a number of conspicuous sound-money democrats and independents in the East have declared their purpose to support Mr. Bryan is not perhaps so disturbing to the republican leaders as certain influences which they fear may operate within their own party. The issue of "anti-imperialism," if it is made in a clean-cut way, is counted upon to strengthen President McKinley as a candidate rather than to weaken him. The few men of ability who are swayed by sentiment in opposition to the retention of the Philippines under American sovereignty are thought likely to be more than offset by business men and economists who recognize the enormous commercial importance of finding new fields for the employment of capital and of sustaining freedom of trade in China. The fact that Great Britain stands shoulder to shoulder with the United States in China is in some respects a source of uneasiness, however, to those republicans representing large German-American and Irish-American constituencies. Sympathy for the Boers against Great Britain is thought to be a sufficiently potent influence among the German-Americans to offer some risk that they will desert the republican organization if the McKinley administration is in obvious co-operation with Great Britain in the East. The Irish-American voters, although not largely republican in any state, are naturally anti-British. How far these two influences will operate against the republican organization is an unknown element, but its very uncertainty is a cause of uneasiness to those politicians who look upon race prejudices as important factors in politics.

The republicans will endeavor to make it plain that the continuance of their party in power is of vital importance to the execution of a comprehensive national policy. If they can demonstrate as clearly to the mass of voters as they believe they have done to thoughtful economic students, that the prosperity of the country and the continuous employment of labor are bound up with commercial and territorial expansion, they will have little fear of the result of the election. There is a possibility, however, in the opinion of some, that the position of the Bryan party might be considerably improved in popular opinion if its national convention should outline an intelligible and defensible project for the nominal independence of the Philippines under paramount American influence. The republicans feel that thus far the so-called "anti-imperialists" have been at a disadvantage because they have appeared to have no definite programme and no agreement among themselves. The republicans anticipate no difficulty in unifying a country against a policy of negation. Their position might lose something of this prestige if the contest were reduced upon its face simply to the question which of two systems of American predominance was to be preferred. While it is believed that thoughtful business men would have little confidence in Mr. Bryan and his advisers, even if they stood upon a defensible proposition in regard to commercial interests in the East, and that his election would threaten a timid and evasive policy of a most disastrous character to American prestige abroad, it is not perfectly clear that this view could be brought home to the masses of the voters under such conditions. There is also some fear lest the republican organization may be put in the attitude of neglecting, in appearance at least, the interests of the masses and becoming the tool of organized capital. An effort will be made to divert this danger by intelligent legislation for the regulation of the trusts, and by the effort to demonstrate that a resolute national policy, opening new markets, widening the field for American products and the opportunity for the employment of labor, promises greater benefits to the masses than the narrow policies and quack remedies offered by the Bryan organization.

The Name "Oregon."

PORTLAND, Feb. 20.—(To the Editor.)—In view of recent communications from Mr. George H. Himes and others, I wish to ask what is the earliest mention of Oregon in writing or in print. If we can locate this, possibly some light may be thrown on an interesting problem. Also, when, and by whom, was Cape Papetua so named? For there was a Saint Perpetua of Carthage who suffered martyrdom in (I think) the third century, and who, with Saint Felicitas, is commemorated in the Roman breviary on March 7. My theory, or working hypothesis, is that Spanish navigators gave the name to the cape and called the land Aragon. And I can furnish a curious illustration of the confusion of the two words; for it so happened, a very few years ago, that a gentleman living at Bassano, in northeastern Italy, had occasion to speak of me to a resident of Florence, touching a matter of private interest, and, forgetting my name at the moment, he called me "il Professore Aragone." The person addressed was at first puzzled, but soon perceived what was intended.

RICHARD H. THORNTON.

Times without number The Oregonian has said that the word "Oregon" was first written, so far as can now be ascertained, by Jonathan Carver, in his book of travels, published in London in 1778. The materials of his book were gathered about 10 years earlier. It was an account of his travels through the country of the Great Lakes and into the territory now occupied by the present state of Minnesota. He professed to have obtained the name "Oregon" from Indians there. He passed the winter of 1767-68 on the Minnesota river, at some point that cannot now be exactly ascertained. A county in Minnesota is named for him.

HAVE BEGUN REPAIRS.

East Morrison Street Elevated Road Will Be Restored.

There is general rejoicing on the East Side over the commencing of work on East Morrison street elevated roadway, which will now be fully repaired between East Water street and Union avenue. There had been so many delays and hitches in getting the proceedings in shape for letting the contract that the people of Central East Portland had become disheartened and they were fearful that something would come up to prevent the repairs; but the piledriver is being put in shape to drive the piles that are needed between East Second and East Third streets. For this block there had been constant settling of the roadway, as the piles used when the roadway was first constructed were not driven to a solid foundation, and it has been necessary to frequently raise the roadway to grade. Practically this portion of the roadway will have to be made new, as much of the superstructure will have to be renewed. The entire roadway will be overhauled between East Water street and Union avenue, and when the repairs have been completed the roadway will be practically new. It is to be hoped now that the contracts have been let for the repairs that the work will be crowded forward with as little delay as possible, and there are indications that this will be done.

Road Through Judy Tract Dedicated.

The Woodstock Improvement Association expected to have a hard time to get a county road through the Judy tract, a parcel of land between the Powell's Valley road and the Richmond tract. It may be stated for the information of the members of the association and all others interested that there is a 60-foot dedicated county road, north and south, through this tract, making a connection with Tabor avenue. Councilman Hanson, who had something to do with the transfer of the property to the present owners, Mr. and Mrs. Frank Mitchell, and the dedication of this road, said yesterday that when they acquired possession they dedicated and gave a deed, which is recorded, for a county road. Deputy City Attorney Dunlway prepared this deed, and there is no question about it. The road is there. The owners preferred having a county road through their land rather than a street, as it will be in the hands of the county and may be improved. This gives an open thoroughfare from the Powell's Valley road through to the Base Line road, intersecting the Section Line road and Hawthorne avenue. As the road through the Judy tract is a recent dedication, none of the maps show it, and for this reason the Woodstock Improvement Association was not aware of its existence.

Moved Into Holladay Building.

Professor Kiggins, principal, reported yesterday that the Wetmore hall, on Union avenue and East Weidler streets, which had been occupied by pupils since the first of the year, has been permanently abandoned, and three of the rooms in the new part of the Holladay schoolhouse occupied. These three rooms were hastily occupied before the oiled floor had thoroughly dried, but this could not be avoided, as space for the increased attendance of the children had to be provided for. There are also three more rooms in the building which are practically completed, but these will not be occupied till the floors have been thoroughly dried. This will take about three weeks more, when the rooms may be occupied. There has been a large increase in the attendance since the first term. Before there were 475 pupils in the Holladay schoolhouse, but now the principal says that the number is nearly 530. When the new building has been occupied he looks for a still further increase in the lower grades. The principal states that it is probable that the new structure will be entered and occupied as a whole as soon as completed, which may be within three or four weeks.

Bidding His Friends Farewell.

Anthony Whitaker, a pioneer of the state, is seriously ill at the home of his daughter, 600 East Ellsworth street, and his condition is regarded as critical. He does not expect to recover, but calmly bids his friends farewell when they call to see him, and says that he cannot live long. He has nearly rounded out a century, and might have done so but for an accident several months ago, when he was injured by a fall. Last November he was 98 years old, and at his birthday was in fair health, bidding fair to live perhaps several years more. Afterwards his eyesight failed, and it became impossible for him to get about without the help of some one. He continued to come down to see his physician until he became too feeble to do so. His physician thinks his condition serious, although he may live for some time yet. Yesterday there was indication of paralysis, and there was some wavering of his mind.

Want a Postal Station.

Now that there is to be a change in the postmastership at Sellwood, the people there would be very glad to have the postoffice changed into a postal station, and in time have free delivery. Mrs. Mintie Prather, who has been the postmistress there for a number of years, has resigned, and her resignation has been accepted, but her successor has not yet been appointed. Mrs. Prather retained the office some time after she desired to retire, at the request of friends. She has been an efficient postmistress, and goes out with the good wishes of the people of Sellwood.

East Side Notes.

Carl Thornton, clerk of the East Side justice court, is off duty on account of illness. He hopes soon to be able to resume work at the justice office.

John Conley, of road district No. 9, was in the city yesterday. He stated that there is nothing doing at present in his district, and he is taking things easy.

Dr. Wise is at room 514, Dekum.

BUSINESS ITEMS.

If Baby Is Cutting Teeth.
Be sure and use that old and well-tried remedy, Mrs. Winslow's Soothing Syrup, for children teething. It soothes the child, softens the gums, allays all pain, cures wind colic and diarrhoea.

THE NEW REGISTRY LAW

WHAT PROOF IS REQUIRED FOR REGISTRATION?

Letter From District Attorney Sewall to County Clerk Holmes.

PORTLAND, Feb. 19, 1900.—Hon. H. H. Holmes, Clerk of the County Court, Multnomah County, Oregon: Dear Sir—In answer to the questions that have arisen under the registry laws, heretofore submitted to me, I would most respectfully beg to say:

Upon an examination of the act of the legislature referred to (see session laws 1899, page 119) I am of opinion that it was the intent of the legislature to admit to registry all citizens of the state of Oregon who are qualified to vote at the coming election.

It was not intended by this act to work a hardship upon any citizen, but simply calls into operation a method of ascertaining whether the necessary constitutional qualifications of electors are possessed by our citizens, in order that elections may be fair and free from illegal voting, and that the qualifications of persons entitled to vote may be reduced to writing, under the oath of the applicant for registry to tell the truth concerning the necessary facts, which qualify each to register, and the same to be filed for public inspection, so that the facts therein stated may be examined, and it be ascertained whether or not the person registered possesses the requisite qualifications, for the reason that should any illegally register, the fact could be easily ascertained, their votes duly challenged and the offender apprehended and punished, according to the provisions of law. The law simply prescribes the manner of regulating and conducting elections. (Constitution, section 8, article 2.)

The first question for consideration is whether it is necessary for persons born outside of the United States, whose fathers at the time of their birth, or before they became of age, were naturalized citizens of the United States, to produce before the registering officer any proof of their citizenship or right to register further than their own oath.

The constitution of Oregon, article 2, section 2, provides: "In all elections not otherwise provided by this constitution, every —— male citizen of the United States, of the age of 21 years and upwards, who shall have resided in the state during the six months immediately preceding such election . . . shall be entitled to vote at all elections authorized by law."

The revised statutes of the United States, section 2172, of the naturalization laws, provides:

"The children of persons who have been duly naturalized under any of the laws of the United States . . . being under the age of 21 years, at the time of naturalization of their parents, shall, if dwelling in the United States, be considered as citizens thereof; and the children of persons who now are, or have been citizens of the United States, shall, though born out of the limits and jurisdiction of the United States, be considered as citizens thereof . . ."

Section 1993 of revised statutes of the United States provides: "Children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were, or may be at the time of their birth, citizens thereof, are declared to be citizens of the United States; but the right of citizenship shall not descend to persons whose fathers never resided in the United States."

By virtue of the above statutes of the United States, such persons as are referred to in the above question are citizens of the United States, and being such come within the provisions of the section of the constitution above referred to. This section of the constitution prescribes the qualifications of the electors, and it was not the intention of the legislature to add others. In the exercise of its powers to make laws for the regulation of elections, it has required citizens of the United States to register as a reasonable regulation of the code of exercising the right to vote and the ordinary oath required of any citizen of the United States showing his qualifications as a citizen and voter is all that could or should be required of a person who is made a citizen of the United States by virtue of the foregoing sections of the revised statutes of the United States, on the subject of naturalization.

The next question submitted for opinion is whether in registering foreign-born citizens to vote, who have been naturalized under the laws of the United States or have declared their bona fide intention to become citizens of the United States one year prior to the time of election, what kind of proof is required by law to be exhibited by the elector to qualify him to register?

The constitution, article 2, section 2, provides: "In all elections not otherwise provided by this constitution . . . every . . . male of foreign birth of the age of 21 years and upwards, who shall have resided in the state during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States one year preceding such election, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote at all elections authorized by law."

The laws of the United States on the subject of naturalization are familiar to you, and you are informed that an alien must first upon oath declare his intention to become a citizen of the United States and then receives what are commonly called his "first papers," and upon his admission to full citizenship, receives his "final papers."

The registry law, 1899, section 7, specifies the facts to be enumerated by the registering officer, upon the sworn statement of the applicant concerning his right to register. The eighth of these specifications reads as follows:

"Eighth—If naturalized, the time, place and court of naturalization or declaration, as evidenced by legal proof thereof, exhibited by the elector."

It was the intent of the legislature that the naturalized voter or the alien who had declared his intention to become a citizen of the United States, should exhibit the best evidence obtainable of that fact to the registering officer, to qualify him to register, which evidence would be either the "first papers" or the "final papers" themselves, both being the original documents, or if they cannot be produced before the officer, then a certified copy of the same from the court of record where the papers were issued.

The production of such proof would, of course, be the best evidence, and is conclusive proof of either the declaration of intention or of naturalization of the elector and of his right to register.

However, I am informed that in a number of instances electors have appeared before the registering officer, who claim to be naturalized citizens of the United States or have declared their intention to become such, and demanded the right to register, but who are unable to exhibit either their "final" or "first papers," or duly certified copies of the same for many reasons.

It is not strange that many persons have failed to preserve these papers. In many instances I am informed such is the case of our oldest and most respected citizens. Many years have elapsed since the time of taking out their citizenship papers, and never having had any special use for such documents, they have not preserved them or they have been lost in moving from place to place, or have been destroyed by fire or accident of some kind. In some cases the electors are unable to remember the time, place and court where they were naturalized or declared their intention to become citizens, having had no occasion to think of such fact, or they may remember the approximate time and place, but cannot remember the particular court, there being in large cities many courts of record where such papers might be issued, and in some instances the records themselves are inaccessible for many reasons, such as carelessness in keeping the records, improper indexing or filed away in long-forgotten places or lost and destroyed by other means. For these and many other reasons I am informed by you that electors claim that it is practically impossible to exhibit before you either their first or final papers, or duly certified copies of the same.

In such cases the law may work more or less inconvenience upon the elector, but I am of opinion that the original papers or certified copies of the same should be exhibited to you as proof of citizenship and right to register, or satisfactory proof should be produced before you to show that it is impossible to exhibit the same, before any other kind of proof would be admissible as evidence.

The general law of evidence (see section 691, volume 1, Hill's Annotated Laws of Oregon) provides that when a lost writing is sought to be proved, the party offering the evidence of the same must first prove that due diligence and reasonable search was made in all places where the original was likely to be found, unless it is proved to have been destroyed, and then the oath of witnesses may be offered to prove the contents.

Applying this general rule of evidence to this case, the elector who cannot produce his citizenship papers or copies thereof should be made to show that due diligence and reasonable search had been first made in order to exhibit the best evidence of his right to register, and such proof should be sufficient to satisfy you that it is impossible for the elector to obtain and exhibit his papers or copies of same before you, for good and sufficient reasons. When you are satisfied upon this point, I am of the opinion that secondary or other proof of the contents of such lost or missing papers can be produced by the elector to satisfy you of his right to register.

The law should be reasonably construed and an effort made to allow every citizen who has the right to vote at the forthcoming election, the privilege of registering, and this, with as little inconvenience and expense as is possible, while observing a faithful compliance with the law.

The law is made for the benefit of the general public, and will afford a sure safeguard against illegal voting and repeating at the elections, and protects and upholds the purity of the ballot. It should therefore be supported by all good citizens, and they should be willing to submit to any small inconvenience in registering for the reason that when their ballot is cast they may know its effect will not be counteracted by any illegal or spurious vote.

Section 20, of said registry act, provides: . . . The qualifications of the applicant as an elector shall be determined in the first instance by the registering officer, from the evidence produced before him, and if he finds the applicant disqualified to vote at the next election he shall reject the application, but if he finds him qualified he shall register him. . .

It was the intention to make you the judge of the qualifications of the elector entitling him to register, and therefore if the elector cannot exhibit the best evidence as above mentioned, he must produce proof before you, in form of affidavits of the fact of the time, place and court of his naturalization or declaration of intention, or such other facts as will prove to your satisfaction that he is a citizen of the United States or has declared his intention to become such, that he has resided in the state a sufficient length of time, and that he is qualified to vote at the coming election, which seems to me to be the true test of the right to register, upon which showing I am of the opinion that such proof is a substantial compliance with the law, and the elector should be admitted to register.

The law requires in addition to the oath of the elector himself, the oath of six freeholders of the county to prove to the satisfaction of the judges of election the right of an elector to vote at the polls, who has failed to register, as provided by law, and who desires to vote at the election, to the effect that they believe the statements of the elector are true, and that they are personally well acquainted with the elector and his place of residence, and it seems to me that such number of freeholders would be a safe and sufficient number for you to require before you to prove such facts regarding the electors who fail to exhibit their first or final papers or certified copies of the same; at any rate a sufficient number of good and substantial property-owners to make such oath as will satisfy you of the right of the applicant for registration to vote at the forthcoming election, before he be admitted to the privilege of registering. Trusting I have made myself clear upon the questions submitted, I am yours very respectfully,

RUSSELL E. SEWALL,
District Attorney.

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