# CITY NEWS IN BRIEF

**Amusements Tonight.**

MARQUAM GRAND—"The Witch."
CORDRAY'S THEATER — "Shooting the Chutes."
METROPOLITAN THEATER—"The Angel of the Alley."

PLEADED FOR SEAMEN'S INSTITUTE.—Rev. H. W. L. O'Rorke, of the Seamen's Institute, of San Francisco, filled the pulpit yesterday morning at the Trinity Episcopal Church. He spoke upon "Christian Responsibility and Christian Self-Sacrifice," and made a plea for the Seamen's Institute. He said in part: "You save your own soul in trying to save others. You have to bear one another's burdens, though every man must also bear his own burden. The living power of a church is shown in its missionary spirit. If that be absent, the church is dead. Here in Portland this spirit is shown in many agencies, educational and philanthropic. The Seamen's Institute welcomes the sailor who comes as a stranger, and watches over the boys who are far from their homes. It has found many friends amongst the business men, who subscribe to its funds, and many workers, both men and women, who assist in its entertainments and services. In thus doing, you are 'bringing your brother with you,' and to you will be the reward of seeing your God face to face, and hearing his 'Well done, thou good and faithful servant.'"

WINTER COUNTRY SCHOOLS.—Of the 56 school districts in Multnomah County outside of Portland, all but 10 are having Winter school. Each district is, in some measure, a law unto itself as regards the time of holding school, and a good deal depends upon the financial condition. The County School Superintendent, who visits the districts in person, as often as possible, says he desires to have the schools in session from 9 to 10 months of each year, but in some cases the districts are not financially able to support long terms. In other districts, like that of Sauvie's Island, school is held in Summer instead of Winter, as the children find it more convenient to attend. There are about 2700 pupils enrolled in Multnomah County, outside the city.

FREE LIBRARY BOARD.—The monthly meeting of the directors and officers of the Portland Free Library will be held this afternoon at the headquarters in the City Hall. The reports of the attendance, the expenses, the acquisitions by gift and purchase of new books and other business will come up for consideration. The superintendent, Mrs. Pratt, has been energetically canvassing for small contributions for the support of the institution, and has met with good success. There have been several acquisitions of books during the month and the number of those taking out books is gradually increasing.

SWISS AID SOCIETY.—The Swiss Aid Society held its yearly meeting yesterday at 2 P. M. Although only a few years in existence, it has a fund of nearly $700 and a membership of 137. It is a purely benevolent association, aiding and helping the poor Swiss—be they Germans, French or Italians, all sons of the one and the only mother Helvetia. The following officers were elected for this present year: Consul Bircher, president; Th. Spillman, vice-president; Ad. Vuilleumier, treasurer; Stephen Voneschen, secretary; A. Bischofberger, R. Hoehull and Charles Urfer, trustees, to whom the members can pay their yearly dues.

A PORTLAND INSTITUTION.—The Oregon branch of the Equitable Life has its head office in the Oregonian building. Mr. L. Samuel, the manager, has resided here for 20 years consecutively and his chief assistants were born in this city. Policies maturing in the Equitable Life are paid on the very day of maturity by checks on Portland banks, thereby helping to swell our financial transactions, and also giving us the distinction of having here an absolute branch of the home office of the strongest life insurance company in the world.

REOPENING OF PUBLIC SCHOOLS.—The public schools of Portland will "take up" this morning, after the week's vacation. The thousands of children who have been promoted or transferred, will need new books, and a rush is expected at the new and second-hand book stores. Pupils will not have to attend school all day, as they must be given time to go down town and purchase their books after having been assigned to their new ranks.

IN HOTEL LOBBIES.—Hotel trade is fair in Portland, though February is considered the quietest month of the year for that business. Yesterday the principal caravansaries were enlivened by the crowd of legislators and third-house men from Salem who came to the metropolis to enjoy a brief change. Most of them left for Salem by the 4 P. M. train and the hotel lobbies became quiet again.

WILL GRADUATE FROM WEST POINT.—By the special order of the Secretary of War, the first class at West Point will be graduated on February 18, which is three months before its regular time. This class consists of 75 members, and is headed by E. Necie Johnston, of Portland. After a brief furlough, the new Second Lieutenants will be immediately placed on duty at recruiting stations.

ZIONIST MEETING POSTPONED.—The meeting which was to have been held this evening at the Temple Beth Israel for the purpose of organizing a Zionist Society, has been postponed. It will be held on some evening the latter part of this week.

FREE.—Lawyers, contractors and others interested. Complete list county officers Oregon, Washington, Idaho, Montana, Utah, Nevada. The Irwin-Hodson Company.

DUDOON baseball tonight at Y. M. C. A. with M. A. A. C. Members free; others, 25 cents.

## ROBBED DOCTOR HAY.

**Former Superintendent of Seamen's Institute Loses $200.**

Sacrilegious thieves, masquerading as window-cleaners, have stolen $200 in gold, the property of Dr. J. Douglas Hay, from a desk in the Seamen's Church and Institute, at Flanders and Front streets. Three billiard balls were stolen from the tables and were placed in the bed of the assistant superintendent, William Barr. So far, the thieves have escaped capture.

Dr. Hay had charge of the mission since its establishment in the present quarters, 18 months ago, and on January 31 he relinquished his trust to the new superintendent and chaplain, Rev. C. Cummings Bruce. On that occasion, there was a pleasant social gathering of the friends of the mission, and Dr. Hay was presented with a poem, which was read by W. J. Burns, of Balfour, Guthrie & Co., and also a purse of gold, which was promptly locked up in the big, old-fashioned safe in the mission office. Dr. Hay was completely surprised at the gift, and afterward told his friends that he might take a trip to England, after which he purposed to engage in mission work among sailors at New York City.

On the evening of February 4, when the sailors had left the mission and everything was quiet, Dr. Hay and William Barr were upstairs preparing to retire for the night, when Barr suddenly recollected that he required some money early the following morning, possibly before Dr. Hay would be around, and told him so.

"The money is downstairs in the safe, but I'll get it for you," answered Dr. Hay, who, it may be remarked, at that particular moment was clad a la neglige. It was a cold night, and the doctor gave a slight shiver as he went on his nocturnal errand. He took a money bag from the safe, containing a little over $200, and afterward gave $5 to Barr. Instead of again locking the money in the big safe, the doctor placed it in a desk in his room and locked the desk securely. On the next day, both Dr. Hay and Rev. Mr. Bruce had occasion to go out of town on important business, and in the hurry of departure, Dr. Hay forgot about the $200 locked up in the desk in his room. It was a quiet afternoon along the river, and the entire mission force—even Mot Wah, the Chinese janitor—shut up shop for a short rest, about 3 o'clock, and the mission was left to its own devices.

Now, some guileless mission official had decorated the street door of the mission with a notice, reading as follows: "Away on business. Please call in the evening." Two men of the Weary Willie order chanced to pass that way shortly afterward, and what they said to one another after reading the notice is not recorded. Probably they were of the opinion that they were up against a good thing. Anyway, the two wanderers were observed to walk along a narrow ledge of wood which projects from the north end of the mission building and leads to the office window. The footing is insecure, and one stumble might precipitate one into a little gulch about 12 feet below. The sun was shining, and the two wanderers were working in full view of cargo-handlers in the warehouse opposite. But the taller of the two tramps was equal to the occasion. He took a tattered handkerchief from his pocket, and said, with a touch of genius: "I'll clean the window with this." His companion nodded, and two minutes later, when the strangers pulled up the window and went into the room, the people in the neighborhood who witnessed the occurrence thought that the strangers had been sent to clean the windows of the mission.

The big safe was first examined by the thieves, but they evidently did not care to tackle the job. With unerring instinct, they visited Dr. Hay's room, got the $200 in gold from his desk, and opened and searched Barr's trunk, but got nothing of value. While in Barr's room, they had three billiard balls which they had stolen from a room downstairs, and, seizing a copy of The Sunday Oregonian, they wrapped the billiard balls in it and placed the parcel in Barr's bed—to rest. The thieves departed the same way they came, without leaving their cards.

The robbery was not discovered until last Wednesday, when Dr. Hay had occasion to open his desk. He ran to the safe, and found that some one had been tampering with the combination, but the contents were safe. Dr. Hay was naturally grieved over his loss, and tried to keep the fact as quiet as possible. On his departure last Saturday night for New York City, particulars of the robbery leaked out. The police are working on the case, and are being assisted in their search by nearly all the sailors in port.

## BETTER LATE THAN NEVER

**Big Crowd Glad It Waited for "Shooting the Chutes."**

It looked for a little while last night as if the 300 or more people who were unable to find seats in Cordray's Theater were more fortunate than those inside, for the Southern Pacific train-dispatcher at 7 o'clock notified Manager Cordray that the Murray & Mack company, billed to appear in "Shooting the Chutes," had been delayed by a landslide, and might not arrive till 9. Mr. Cordray, however, did not intend that the crowd which filled every seat in his theater should be disappointed, and in 15 minutes after receiving the dispatch he appeared before the curtain and announced that, while the company was necessarily delayed, he had secured a number of specialty people to furnish entertainment until it arrived. Just where or how he got the clever entertainers that made enjoyable the three-quarters of an hour that elapsed before the curtain finally rose on the "main show" no one seemed to know, but it is certain that the vaudeville bill he put up was decidedly acceptable, and that the audience had their money's worth before "Shooting the Chutes" was ready for presentation.

Murray & Mack have been seen in Portland before, in "Finnigan's Ball," but the present vehicle they have selected for their eccentricities is beyond question an improvement on that amusing hodgepodge of nonsense. There is no plot to the skit to amount to anything, but it gives the two Irish character comedians who are the chief attractions an opportunity for the rollicking comedy which is their specialty, and there are numerous opportunities for a more than average company to sing, dance and do other things in a fashion that was decidedly pleasing to the audience. The piece was a hit from the start, and it received the most flattering reception of any comedy presented at the theater this season. It is handsomely staged, the girls are unusually numerous and good-looking, and are costumed with excellent taste, and the action is so rapid that it is sometimes bewildering. A number of new songs, and a few comedy sketches and jokes that have not been heard in Portland before, give it an added attractiveness. Beside the stars, who have the center of the stage most of the time, there is little Kittie Beck, with her queer little voice and juvenile capers; Albert Maher, who assists in some of the singing numbers, George S. Betts, in an English character part; Katherine Roberts, as a German domestic, and a number of other good entertainers as principals, as well as a chorus of a dozen girls of a recent vintage.

Among the musical numbers which were best put on were "The Bathing Girls' Chorus," "The Drum and Bugle Call," "Drowsy Babe," by Miss Beck and chorus, and "My Lady Love," by Winnie Jolly.

In the specialty bill which Manager Cordray provided, the Prince family, and the Ellsworth children more than delighted the house, and were warmly applauded.

"Shooting the Chutes" will be the attraction all the week.

## PERSONAL MENTION.

Mr. Lee Townsend, in advance of "The Prisoner of Zenda," is at the Portland.

E. C. Russell, of Juneau, publisher of the Alaskan, is at the Imperial with his wife.

E. J. Godfrey, one of the owners of the Red Boy mine, returned from Sumpter yesterday, after spending 10 days at the diggings.

NEW YORK, Feb. 10.—Northwestern people registered at New York hotels today as follows:

From Portland—Mrs. W. B. Ayer, at the Albemarle; Miss M. F. Merrill, Miss Merrill, at the St. Denis.

From Spokane—J. A. O'Dell and wife, at the Imperial.

From Seattle—Mrs. E. J. McDonald, at the Gilsey; Mrs. J. P. Nordhoof, at the Albert.

**At Talmud Torah Synagogue.**

A largely attended meeting was held yesterday afternoon at the Talmud Torah Synagogue, Sixth and Hall streets, at which a lecture was given by Rev. Dr. Stephen S. Wise. Dr. Wise, in the course of his address, explained the moral, social and civic duties, which are incumbent on every observant and loyal member of the house of Israel. He also referred to the intention on the part of the Council of Jewish Women, in conjunction with himself, to institute religious classes for the benefit of the Jewish children in the southern section of the city. Brief remarks were also made by M. Ostrow, president of the congregation, and by Rev. Dr. Mosessohn.

**WHAT SHALL WE HAVE FOR DESSERT?**

This question arises in the family every day. Let us answer it today. Try Jell-O, a delicious and healthful dessert. Prepared in two minutes. No boiling! no baking! simply add boiling water and set to cool. Flavors: Lemon, Orange, Raspberry and Strawberry. Get a package at your grocer's today. 10c.

Dan Dorlarity, a farmer from the suburbs south of Tacoma, has been bound over to the superior court charged with the shooting of I. W. Hardy, in a saloon scuffle. Hardy was wounded in the leg.

# DIRECT PRIMARY BILLS

**RESUME OF PROPOSALS BEFORE THE LEGISLATURE.**

**Mr. Bingham Betrays a Pardonable Preference for the Measure He Himself Drew Up.**

PORTLAND, Feb. 10.—(To the Editor.)—There are about 10 bills pending in the Oregon Legislature concerning elections. Two of them, Morgan's bill introduced as Senate bill No. 65, and House bill No. 183, and Bingham's bill, introduced as Senate bill 194 and House bill 307, may be called direct primary election bills.

Three bills known as Lockwood's Senate bill No. 74 and House bill No. 175, and Senate bill No. 191 (unknown author), and Representative Dresser's bill, House bill No. 170, are mere amendments or substitutes for the primary law of 1891.

The other bills aim to amend sections of the general election law, for better or worse.

The Morgan bill makes 45 printed pages. Its main features are the same as the Minnesota law. By section 5 it is declared: "The name of a candidate of any political party, as defined in this act, shall not be printed on the ballots to be used at the ensuing elections unless such candidate be selected at the primary election, and according to the methods provided for in this act. * * *" Therefore, it is intended to be the exclusive and compulsory method for making party nominations for public office, and party committeemen, etc., and sections 7 and 8, after the first primary election held under the act, it is made a misdemeanor for any person to promote or attempt to conduct a political party otherwise than under the act, punishable by fine of from $100 to $500 and imprisonment from three to six months.

Section 28 prescribes the form of ballot. It is to be "so printed that one column on the ballot shall be devoted to the primary election ticket of each political party, in which single column shall be printed the names of candidates for nomination for party offices, for delegates and for recommendations, and the propositions to be voted on by members of that party to which such single column is assigned." A fraction of a sample ballot is attached to section 53. Names and propositions are to be printed thereon (section 28) "on petition of individual electors of the respective parties, signed by electors, members of the party, and sworn to in the petition, in number equal to at least ten (10) per cent of the vote polled at the last general election by the party. * * *" Or if a new party then by one (1) per cent of the total vote cast at the preceding general election in the electoral district for which such petition is presented.

The primary election is to be held (section 4), on the first Monday in April, 1902, and biennially thereafter; that is, two months preceding each general June election.

Sections 61, 62, regulate the manner of voting. After receiving the official ballot, "the elector shall forthwith * * * retire alone to one of the compartments or places provided and there mark opposite the name of the candidate of his choice for each nomination, party office or honor, or recommendation. Sections 28, 33 and 34 regulate the effect of the ballot or how it shall be counted.

Section 33. Each elector shall have the right to vote for names of candidates and for or against propositions printed on the ballot as part of the ticket of the party with which he affiliates, or for names written in the blanks in such ticket, and otherwise.

Section 34. "If, in making the canvass as aforesaid, the Judges shall find that an elector has voted for names or propositions in more than one ticket, they shall determine in which ticket he has cast the greatest number of votes, and the ballot shall be counted for that ticket only. * * *"

Here is one of the main features of the act under which the Supreme Court of California held the late California primary law unconstitutional, in the case of Brittan vs. Board Commissioners, 61 Pac. 1115.

In the California law, as in this Act, it was the exclusive and only way in which the political parties could act, and at the polls one blanket ballot for all the parties was given to the voter, and it was left to the option of the voter with which party he would affiliate or vote. He could consequently vote with and nominate the candidates of a party to which, in fact, he did not belong. This was held by the court to be an unwarrantable invasion of the rights of political parties and therefore unconstitutional.

In a former decision in Spier v. Baker, 52 Pac. 660, the court held a previous primary law unconstitutional because it prescribed a "party test" or qualification not known to the constitution.

In a communication from Mr. Morgan printed in The Oregonian, December 10, 1900, page 8, replying to substantially the same criticism as above, Mr. Morgan said:

"The law points raised by Mr. Bingham are supported by nothing beyond the divided opinion of the Supreme Court of California.

The decision to which he refers is one of three in that state overthrowing primary election laws, and is dissented from by the two Judges who wrote the opinions in the other two cases. The reasoning in this case is puerile, as shown by one of the dissenting Judges.

In my judgment the Supreme Court of California was right in its conclusions in each of the three cases, and I do not think it advisable to follow the lead of a bright newspaper writer in Minneapolis. Mr. Day, who claims to be the originator of the Minnesota law, in the face of the decisions of so eminent a court as the Supreme Court of California, When the Minnesota law reaches the Supreme Court no doubt it will be asked to follow the precedent in the California court, and here likewise. I do not think our Supreme Court would be convinced by the mere assertion that the reasoning of the California court "is puerile." It is held in the California decisions the Legislature cannot regulate primary elections or restrict the freedom of voters at primary elections any further than it could at the general elections. That the primary elections are a part of our system of filling public office and the constitutional safeguards surround the one as much as the other. No one would for a moment contend that such provisions as those I have set forth above, as contained in Morgan's bill, could be prescribed for the general election. In all probability his bill would therefore be declared unconstitutional, if enacted, and before an election could be held under it.

Morgan's bill, and the proposed Wisconsin bill noticed editorially in The Oregonian three days ago, practically forbid political action in other ways than by the method prescribed in the act. That is, the act desires to abolish conventions of delegates and the like. In my judgment it would be as easy to establish a state religion or church, and make it a misdemeanor for individuals to organize or ministers to preach in any but the established church. In other words the Legislature can no more abolish freedom of political action than it can freedom of religious worship.

Article 1, section 2, of the Constitution, declares: "All men shall be secured in their natural right to worship Almighty God according to the dictates of their own consciences."

Article 2, section 1, declares: "All elections shall be free and equal."

Article 4, section 23, declares: "The Legislative Assembly shall not pass special or local laws in any of the following enumerated cases, that is to say, "(13) Providing for opening and conducting the elections of state, county, or township officers, and designating the places of voting."

Representative Dresser, of Clackamas, has introduced a bill, House bill No. 170, applicable only to cities of 2500 inhabitants or more.

The Supreme Court of California in Marsh vs. Hanley, 42 Pacific, 975, held: "The statute of 1895 regulating the holding of primary elections, which is made applicable only to counties which cast a certain number of votes at the last election, which makes it applicable to only two counties (San Francisco and Los Angeles Counties), is unconstitutional as special legislation."

Lockwood's bill, Senate bill 74, is to regulate the nomination of all political party candidates for public offices to be voted for within a single county. * * *" It leaves all the higher offices to be nominated by conventions of delegates. But for the county offices section 6 provides: "The county central committee of each party shall have the power and it is hereby made their duty to elect, at least 30 days preceding primary day, whether the nominations of their party for public offices to be voted for wholly within a single county, shall be made by direct vote of the party electors at the primary election or by delegates to be elected to a convention, provided, however, that in the event of a petition signed by at least one-half of the number of votes cast at that party's last primary election asking for the adoption of one of these methods, then such method shall be called for by said committee."

This petition must be signed and presented to the committee at least 100 days before the June election.

The Lockwood and Dresser bills, and another, Senate bill 191, by an unknown author, are in fact mere amendments or re-enactments in another form of the primary law of 1891, which was applicable "in cities of 2500 inhabitants or more," and are not direct primary election bills at all.

Another bill of unknown authorship, Senate bill 186, aims to amend 16 sections of the Australian ballot law. The first section creates a Board of Election Commissioners for each county, which board is to appoint all the judges and clerks of election in the county and canvass and certify all the election returns and issue certificates of election. The kernel is found in the provision that "the County Judge shall appoint two capable and discreet citizens, who, with himself, shall be known as the Board of Election Commissioners for that county." This must have been suggested by a Kentucky immigrant, it savors so much of Goebellism.

The Senate and House committees will probably hold a joint session next Tuesday evening to consider all these bills.

E. W. BINGHAM.

## NEW PRESIDENT STATE HORTICULTURAL SOCIETY.

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# TO FLOAT THE LIGHTSHIP

**VESSEL WILL BE MOVED ON LAND TO BAKER'S BAY.**

**Portland Man Starting on the Work of Hauling Her Three-Quarters of a Mile.**

Andrew Allen, a Portland housemover, who has the contract to launch lightship No. 50 in deep water, will leave tomorrow for Ilwaco, near where the vessel is stranded. A bargeload of heavy timbers, jackscrews and chains left the city Saturday for the scene, and another load will be taken down Thursday.

Mr. Allen's plan of rescuing the stranded vessel is to rais cher out of the sand with the aid of jackscrews, after a stout cradle has been built under the hull, to keep her in position. Then she will be moved bodily across a sand spit for three-quarters of a mile, where ways will be built, and she will be slid into deep water again.

The vessel weighs about 600 tons, and six capstans, run by horse-power, will be used in moving the hull over the stout plank tracks, of which there will be two, each eight feet wide. Six Oregon fir timbers, 12x24, 25 feet long, will be run under the hull crosswise. These timbers will support he cradle, which is to run on rollers over the plank ways. A capstan on board the lightship will be used as an auxiliary to those on the land, as the machinery of the vessel is said to be little damaged. Mr. Allen has 35 days to do the work, and will be fined $100 a day after that period has expired, should the job take longer. The Government is to pay him $17,500.

Lightship No. 50 was driven ashore on the ocean beach at McKenzie Head by a storm in November, 1899. Several attempts have been made to get her off with the aid of tugs, but the power was not strong enough, and the vessel refused to budge. She now lies broadside to the beach, and so will have to be turned around at an angle of 45 degrees before starting on her overland trip. She draws 11 feet of water without ballast, and is now imbedded in seven feet of sand. She is said to be worth $75,000, so the Government will be the gainer if she can be put afloat for $17,500. Mr. Allen examined her last week, and thinks she is not injured to any extent. She is a wooden vessel, with iron knees. Between 40 and 50 men will be employed in her rescue.

## UNJUST DISCRIMINATION.

**Union County Farmers So Charge Army Horse-Buyer.**

LA GRANDE, Or., Feb. 10.—Considerable indignation was aroused among the farmers and horsemen of Union County this week by what was alleged to be unfair discrimination on the part of Captain Cheever, who purchased 43 head of horses for cavalry and artillery purposes. About a month ago it was announced by the Portland press that the United States Quartermaster at Vancouver wished to secure for the Government 500 head of horses in Washington, Oregon and Idaho, and that he desired to buy direct from the farmers. This was the only notice that the farmers received, and they were at a loss to know when to submit their animals. It was observed, however, that the McDonald Bros., who had previously acted as agents for the Government, were were busy collecting horses, and this led to the discovery that a selection would be made at Union last week. The speculators run in 57 head, from which 29 were selected. The farmers discovering the "lay of the land" submitted only 23 head, and from these only four were selected, these four being the property of the man at whose stable the sale was held. Naturally the farmers are inclined to believe that the selection was determined largely by "pull."

**House Will Give Tonight to Charters**

SALEM, Or., Feb. 10.—Monday evening the House members will endeavor to get all the charter bills out of the way by devoting a night session for that exclusive purpose. It's the same old story every session regarding those charter bills. Nearly every member has one, and fully one-third of the time is lost in consideration of them. Members are now seeking some remedy, and a number favor the enactment of a general law that will take the granting of charters, or amending them, out of the province of the Legislature. The Portland charter will hardly reach the House until near the close of the session, but all others are, it is hoped, to be disposed of tomorrow night.

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The next term will open Monday, Feb. 4, at 9 A. M. Classes will be opened at the beginning of the term in Algebra, Geometry, Latin, Greek, English History, Roman History, Physical Geography, Chemistry and Botany. Special students received for one or more studies, if taken with the regular classes. For catalogue address PORTLAND ACADEMY, Portland, Or.

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