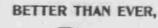
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Portland's Fire and Police Departments.

PROVISION OF NEW CHARTER

Commission Will Be Named by Multnomah Delegation to Carry Out Work-Tax Raised to Eight and One-Fourth Mills.

SALEM, Or., Feb. 14.—Under the new Portland charter the Board of Police and Fire Commissioners is empowered, im-mediately upon their accession to office, to forganize the police and fire departments. which means that any or all of the present members of these departments may be re-moved. The civil service clause is prac-tically abolished, but it is provided that nembers shall not be removed for political casons. The salary of the Chief of Po-lice is reduced from \$500 to \$100 per month. The salary of the Chief of the Fire Depariment is fixed at \$1800 per annum. The Board of Police and Fire Commis-sloners shall be named in the act, to serve until the next general election. The elec-tion of the board is afterwards provided

The salary of the City Engineer is fixed at \$2000, the City Attorney at \$2400, and the Municipal Judge at \$1200, to take effect next term. Senator Josephi opposed all

The Multnomah delegation held a spir-fited meeting last night, lasting until after midnight, to consider the charter, when all of these things were agreed upon. Representatives Story and McCraken were not present, and Representative Notting-ham came in only at the close. The ab-sence of some of the delegation was due to the fact that the House was in session until a late hour. Members in attendance at the delegation meeting absented themat the delegation meeting absented themlves from the House session after 9

36, relating to taxes. The only change made was to increase the levy to 84 mills, providing 1/2 instead of 1/4 mill for the street-repair fund. This, with the moneys to be obtained from the vehicle tax, Chairman Mays explained, would make quite a fund for street repairs. It is also provided that if at any time an emergency shall arise by reason of insufficiency of funds for the support of any of the departments, the Council shall have power, by a vote of three-fourths of its members, to transfer money from the gen-eral fund to such special fund. There was eral fund to such special fund. There was a considerable number of interruptions at the beginning, and the work of reading the sections progressed very slowly. Chairman Mays became somewhat nettled, and remarked that he had done a great deal of work, and he had been criticised enough about the delay, and he was either going through with it or he proposed to out:

roposed to quit. Senator A. C. Smith suggested that the members had been very busy with many things, but perhaps some of them had been a little derelict in their duty. Con-tinuing, Senator Smith said:

"You (Mr. Mays) are the chairman of he delegation, and also of the charter ommittee, and you must expect to do much of the work."

Mr. Mays answered, "I know it." The matter of the appointment of a clerk for the Board of Police and Fire mmissioners and a clerk for the Mu delpal Court and the Chief of Police then ame up. Driscoll moved that the dele-ation name the latter clerk. Hunt mended the motion, that the Board of Commissioners appoint both clerks, and that one of them be a stenographer, which was carried. The salaries are not to exceed \$100 per month. These two clerks are to be in place of the Clerk of the Police ommission, Clerk of the Fire Commis-on, Clerk of the Municipal Court and erk of the Chief of Police, reducing the umber of clerks by two, and it is also oubtless meant not to refain any of the

resent incumbents
After considerable discussion it was de-ided to fix the salary of the City Engiieer at \$200 a year, the chief deputy not o exceed \$125, and other deputies not to exceed \$100 per month, the appointments of deputies to be under the control of the 30ard of Public Works. The chief deputy now receives \$150, instrument men \$15, and the draughtsman \$125 monthly. Senator Josephi opposed the changes. He asserted that \$200 was not too much for a City Engineer. Concerning the deputies, he said the delegation should not fix sal-artes for positions requiring technical nowledge. A clause was inserted that he City Engineer shall devote his entire time to the city, but may perform work for the county, the compensation to be pull to the city. Mr. Mays stated that the City Engineer did some work for the nty, for which he got \$1000, and put it

The salary of the Municipal Judge was placed at \$1200. Senator Sweek favored \$1500 and afterward \$1500. The Senator was asked what his salary was when he was Police Magistrate, and answered that

it was \$5000, which was too much.

The Board of Police and Fire Commissioners sections were next read and considerably discussed. Three commissioners are provided for, who shall have the management, control and equipment the police and fire departments, and make all appointments. Chairman Mays, with reference to the control of both depart-ments by one board, said: "In New York

one man has control, and if he doesn't do right they shoot right at him." Senstor Josephl said he desired to register his objection. The men gave their services without pay, and it was too much to ask them to double up. Senator Hunt remarked that they only meet once a month. The section that "the commission shall consist of the following-named perons' raised a big row. A blank space and been left for the insertions. Hunt moved that the delegation appoint

the Commissioners in the act to serve until the next general election after which time they shall be elected. Senator Josephi offered an amendment that the Mayor shall appoint the Com-missioners. He said he was in favor of making the Mayor responsible as far as possible for the city government. Representative H. A. Smith said he thought I would be better to have the men appoint-ed by the Mayor. Senator Hunt remarked: "Don't go

back on the men that elected you." Representative Shipley said: 'This is all out of order. This matter was brought up before, and it was decided by the delegation that these Commissioners be elect-

The chairman did not rule the motion out of order, and Representative Orton took the floor and said he was of the same opinion. He also said: "When we went on the ticket it was with that ur derstanding, and during the campaign it was talked about, and is part of the plat-

form we were elected on. Why come up here and deceive the people?"
Senator Smith said there was no disposition to deceive the people, as he had talked with prominent people and Democrata, including Fred V. Holman, who favored the appointment by the Mayor.
Mr. Orton read the pledge on which they were elected, to restore the control of the commission to the people.
Senator Hunt remarked, "It will raise the greatest rumpus ever heard of down there, if we do this."
Senator Josephi said he thought it was consistent with the pledge to put in the hands of the People when placed in the hands of the Mayor elected by the people. Meet in Cincinnati.

hands of the Mays remarked: "It is true ple.

Chairman Mays remarked: "It is true the question was taken up and decided by the delegation, out I don't know if they were all present, and you have the right to open it up, if you want to."

Senator Smith then said: "I think some of us are a little mixed on the pledge. If you vote every two years for Mayor, you put this commission in the hands you put this commission in the hands of the people, and a well-selected Mayor might select this commission better than by an election."

by an election."

Representative Shipley—Not much,

Senator Sweek said he had submitted
the question to a number of lawyers, including Judge Stuart, and thought they
would carry out their pledges either way. Chairman Mays here suggested that Senator Josephi evidently meant that the Mayor appoint the commissioners now, and also hereafter.

Senator Josephi replied that this was his intention, and if this was not under-stood he moved to amend his amendment to that effect, and the chairman refused to accept.

Senator Hunt said: "All there is about it, if we go home giving the Mayor power to appoint these commissioners, we will catch h-l Columbia."

Senator Inman took the position that the election of commissioners by the peo-ple was a more correct method than their appointment by the Mayor, which had been done under three charters, and they was follows: had been done under three charters, and they were failures, and some of them grafters. The Mayor would appoint three men of the same political complexion as himself, and keep them there unless something serious happened. He had come to the conclusion, not because of the pledge, but for numerous other reas-ons, that it was best for the people to

Representative Driscoll called attention to the fallure of commissioners under the Mayor Frank administration, and other administrations, and the frequent changes made, and said it was better to elect by the people. Representative Thompson said that as the Mayor under the new charter shall

receive no salary, perhaps better material might be obtained on commissions. He had talked with numerous citizens, in-cluding Mr. Ladd, who believed in centralized government, and think better men can be secured if the Mayor ap-points.

Representative Smith moved that the delegation appoint now, and the Mayor next term

Senator Josephi said he was not satis-fied with this amendment, but would not oppose it, as he was certain his own amendment would not prevail.

The members for a minute or two be-came somewhat mixed regarding the vi-rious motions but finally host amend.

rious motions but mally both amend-ments were voted down.

A motion that the commissioners be named by the delegation in the charter, and afterwards elected by the voters, prevailed, Senator Josephi voting no. The remaining sections relating to the government of the police and fire departments were then read. They are about the same as those now in force, except that changes are made to fit their control

that changes are made to fit their control by the new commission. The salary of the two clerks was fixed not to exceed \$100 per month each.

The commissioners are empowered to appoint one Chief of Police, one or more captains, detectives, harbor-master, and a suitable force of regular policemen.

The license officer is cut out, and this office is assigned to the Chief of the control of the con office is assigned to the City Auditor's

department. power to appoint a Chief of the Fire De-partment, superintendent of fire alarm, and police telegraph, drivers, engineers

to some controversy over the forfeit and not to any question regarding the in-junction. The promoters announced that they would abide by the decree of the The Chief of Police shall receive not to exceed \$150 per month, captains of police (Concluded on Third Page) ourt absolutely. Mayor Fleishmann, who granted a per-

SUMMARY OF IMPORTANT NEWS

Hopkins launched a box mbahell among Demo cratic members. Page 2. The Senate devoted the day to the agricultural A President's message urges that the thanks of Congress be extended to Admiral Samp-

Foreign. Parliament was opened in person by King Edward. Page 3.

Prince Charles, of Bourbon, and the Princess of Asturias were married at Madrid, Page 3. Madrid is under martial law. Page 3. Kitchener reports that Dewet is in Cape Col

ony. Page 3. Domestic. A permanent injunction was issued against the Jeffries-Ruhlin fight. Page 1. Mrs. Nation's case came up for trial at To peka. Page 5.

Attempts were made to burn four Chicago he Testimony favorable to Hamilton was in duced at the Minneapolis trial. Page 2. Northwest Legislatures.

mission will reorganize Portland Pire and Police Departments under new charter. Oregon Senatorial deadlock is likely to con tinue this week. Page 4.

Portland Water Committee was Multnomah delegation. Page 4. Railroads will not submit to cut in rates pro-posed by the Washington bill. Page 5. Idaho Senate voted to visit Olympia instead of Salem. House adjourned when vote was to be taken. Page 4.

Pacific Coast. hn E. Scarles has transferred his Western mining beadquarters from Helena to Baker City. Page 10. Pendleton woolen mills will resume operations next month. Page 4.

everal good strikes have been made in the Gold Hill, Or., mining district. Page 10. Commercial and Marine. Wall-street values improving again. Page 11. Iron and steel trade conditions. Page 11. mahip coming to Portland for wheat

Three big steamships arrive yesterday. Page 10. Two German ships reach port after long pass-ages. Page 10. Quick dispatch given grain ships. Page 10.

Portland and Vicinity. hree companies are contesting for railroad right of way between Vancouver and Ka-lama. Page 8. E. W. Bingham's direct primary bill is dead. Rev. Hobert McLean's congregation stand by him to a man. Page 12.

Catholic jubilee is extended to August 15. Page 12. persons along star routes. Page 8.

Jeffries and Ruhlin Will Not

VICTORY FOR LAW AND ORDER

Judge Holl.ster Issued a Permanent Injunction Against the Proposed Championship Contest - Case May Be Appealed.

CINCINNATI. Feb. 14.—There will be no contest between Jeffries and Ruhlin or any one else in Saengerfest Hall in this city tomorrow night, and no other date has been fixed for the event. Neither will there be any mobilization of troops outside of the hall or anywhere else tomorrow night or any other time in this city to keep Jeffries and Ruhlin from meeting there. The permanent injunction

the proposed champlonship contest to-morrow night or at any other time has caused the indefinite postponement of the

arrangements of the state and county officials, as well as the promoters of the

fights are very jubilant, and the promoters are correspondingly depressed over the davelopments of today. When the joint conference of light managers and Saengerfest Hall directors adjourned tonight, it was announced that another meeting

would be held tomorrow to determine whether the case would be appealed and whether the contest would be postponed

to any set date. There was very little sale of tickets today, although the Saengerfest people announced that all money received for tickets would be refunded if the fight does not come off. It is re-

ported that the question of the \$5000 for-

felt was under consideration this after-noon, and that this was the principal cause of the adjournment until tomorrow

without definite action. The cases against Jeffries and Ruhlin, charged with train-ing for a prizefight, were to have been heard this afternoon. Prosecuting Attor-

ney Hoffheimer says he will drop them if the defendants abide by the injunction

Lack of definite information from the

omoters tonight is believed to be due

mit for the contest, was in communica-tion with the Governor during the after-

attempt whatever to disregard the in-

The decree of the court permanently

restrains the managers of the contestants and the Saengerfest Athletic Association

and all connected with the proposed event

from participating at Saengerfest Hall on

Attorneys for the defendants gave no-

tice of appeal and took exceptions to the law and facts in the finding of the court. If the case is carried to the court of last resort, it is expected that counsel on both

sides will agree upon a mere entry in the

Circuit Court and proceed thence to the Supreme Court next Tuesday. Since the issue has been raised on an alleged distinction between prizefights and boxing contests, those interested on both sides seem now to want a decision in the court of last resort in Ohio for a precedent in the future.

There was a large crowd at the court-

room. The members of the Saengerfest Athletic Association, with their counsel,

the prizefight managers and a large assemblage of clergymen and other citizens

Judge Hollister's Decision.

The state won on all points at issue according to law as well as in fact, but it was not until the Judge reached the last part of his opinion that it was possi-

ble to tell which way he had decided. In reviewing the testimony, Judge Hollistes praised that of Manager Brady, in which he testified that the contestants would

do their best to win, and that any other kind of a meeting between Jeffries and Ruhlin would be a fake on the public.

He severely reviewed the testimony of Manager Madden, who held that there

had been no prizefights since the day of Sullivan, and that the proposed contest here was to be one on points rather than on merits. He then reviewed the con-

Circuit Court and proceed thence

and afterward he stated to the press that he would offer the whole po-lice force of Cincinnati to the Sheriff as the officer of the court if there was any

Jeffelos and Bublis

ontest.
Those who have been opposing the

the contentions of the defendants that they proposed to give a boxing contest had not been maintained.

Second—That the proposed fight would constitute a public nuisance, such as courts of equity are bound to restrain.

Third—That as a court of equity he had the power to enjoin the fight, although there was legal remedy after its occurrence.

stances he was bound to grant a perma-nent injunction against such a public nuisance as was contemplated in the pro-posed fight.

The Judge stated that he found a prize-

The Judge stated that he found a prise-fight, rather than a boxing contest, to be contemplated not only by the evidence of the state, but also by that of witnesses of the defense. After quoting from various decision on the contention of counsel as to the difference between private and public nuisances, Judge Hollister said:

"The difference between public and private nuisances is that a private nuisances." vate nulsances is that a private nulsance involves private property and a public nulsance involves all the interests of man-kind."

The court stated that a city's fair name

PRINCE CHARLES, OF BOURBON, AND THE PRINCESS OF AUSTRIA, MAR-

RIED AT MADRID YESTERDAY.

BINGHAM BILL DEAD

Senate Elections Committee

Rejects Primary Reform. SMALL SHOW FOR LEGISLATION

Law Proposed for Multnomah County Alone, but Delegation Does Not Appear to Be Unauimous for It.

Direct primary legislation on lines prosed by E. W. Bingham, of Portland, as been given its quietus by the Senate mmittee on elections, which is composed of Hunt of Multnomah, Kuykendall of Lane and Marsters of Douglas. Bingham, who has been at Salem in the interest of primary reform in general and his bill in particular, returned last night with the conviction uppermost in his might with the conviction uppermost in his mind that a "primary bill providing for the direct nomination of candidates will either not be enacted, or if enacted, will not be of any service." Mr. Bingham's faith in the Multnemah members of the Legislature was shaken by his experience with them af Salem. When they were candidates last Spring they were recovered to their properties. were profuse in their promises of the things they would do to give the state a wholesome primary law. "My opinion of the Multnomah members," said Mr.

of the Mulinomah members," said Mr. Bingham. "he that they are keeping the letter, but breaking the spirit of the promises they made last Spring."

Mr. Bingham appeared before the Senate elections committee Tuesday night and held the floor until 11:40, explaining his bill. Previously, Charles E. Lockwood and Churles M. Morgan had argued in favor of their measure. Before adjourn ing, the committee appointed a meeting for Wednesday afternoon at 4:30 to hear Mr. Morgan's answer to Mr. Bingham's attack upon the constitutionality of his measure. Mr. Morgan appeared Wednes-day afternoon and had said but a few words when the committee informed him that if his bill applied to the entire state it would not be favorably reported. That put Mr. Morgan and Mr. Bingham out of the race. When the meeting adjourned, Chairman Hunt informed Mr. Bingham that the committee had decided to recom-mend the Lockwood bill, which regulates the election of delegates to county convenone and is amendatory of the primary

Equity will not enjoin a crime merely be-cause it is a crime, but when that crime tions and is amendatory of the primary law of 1891.

Before leaving Salem yesterday afternoon, Mr. Bingham met Senator Marsters, who said that whatever Senators Hunt and Kuykendall decided upon would be satisfactory to him, provided it did not involve expense to his county. Sharily afterward, Mr. Bingham met Mr. Lockwood and Mr. Morgan in the State Library. They were sitting at the same table and at work upon bills. Mr. Bingham inquired about the programme and asked what, if any, instructions they had omes a public nuisance equity can step Courts cannot make new principles of law, but can apply old and well-established principles to new combinations of circumstances." He cited an Indiana Supreme Court injunction against a prisenget as one of the main precedents on which he based his right to grant the injunction. He said that in the beginning of the present suit he had doubts as to his right to grant ne nad counts as to his right to grant the injunction, but those have all been dissolved. He referred at length to the fact that after the defendants had se-cured a permit from Mayor Ffeischmann for a boxing contest they had, through Attorney Witte, entered into contracts with Brady and others, and the plans of the latter involved a prizefight, or such an avent as is probabiled by the Chic asked what, if any, instructions they had received from the committee. They re-plied that they were drafting a compro-mise bill, which should be applicable to such countles as desired direct primaries. It will be a sort of local option di-rect primary bill; if direct primaries are wanted a certain percentage of voters must petition therefor.

an event as is prohibited by the Ohio laws; that the defendants now absolved themselves from responsibility and threw all responsibility on the Mayor. The court reviewed the testimony of Mayor Fleischmann at length to show that such events as he regarded as contests for points in boxing ware really presentable. events as he regarded as contests for points in boxing were really prizefights as contemplated under the Ohio law.

The Judge expressed the highest conficonsiders the undertaking hopeless in The Judge expressed the highest confidence in both the Mayor and the defendants, but insisted that they were so mistaken in their judgment as to be in league for such a performance as was illegal in Ohio. He recited the facts that the participants in this event could afford to view of the tangle over the Senatorsh and the lack of knowledge of direct primaries. He says direct primary legisintion will be put on the statute books of Oregon in identically the same man-ner as the Australian ballot law was in 1861—by creating public sentiment in its ticipants in this event could afford to forfelt their bonds, if arranged by the Sheriff and the Prosecuting Attorney, for training or proceeding in such an event favor and by getting candidates for the Legislature to pledge themselves to it. A Direct Primary League will be organized and a mill drawn for introduction in the Legislature of 1902. Mr. Bingham is as is held to be a felony under the Ohio laws, and that the remedy in preventing a public nuisance was justified by the law and the facts. The court held that the confident of ultimate success. He says proposed prizefight was the worst sort of the Australian ballot law was not a gift from the bosses, and primary reform will not be one. He says that while he was public nuisance that could be named, While he was confident that he was right in this holding, as well as in having jurisat Salem many people who are not members of the Legislature expressed them-selves as favorable to direct primary nominations. They and all who will condiction in the premises, he ordered a per-manent injunction to issue forthwith against the defendants in their intentions for the proposed contest at Saengerfest nect themselves with the league will create a sentiment that the Legislature of 1903 will not dare to ignore.

DISLOYALTY TO GRAND ARMY Charges of General Rassieur Against

Hall between Jeffries and Ruhlin.

Congressmen. BOSTON, Feb. 14.-In his address to the Massachusetts Grand Army of the Republic on the occasion of its annual meet-ing in Fancuil Hall, General Russieur, the commander-in-chief of the National body, charged Congressmen who are members of the Grand Army with being disloyal to the organization in the matter of legislation. The commander-in-chief said in

the course of his address:
"In Washington, I am sorry to say, we have not had the success I hoped for. In Chicago, last year, matters looked bright,

Chicago, last year, matters looked bright, but they don't look so now in Washington, and the White House.

"Your committees have worked like Trojans. The trouble is with Congressmen, and chief among them are some who wear the little bronze button. They think they know better than you what you want. The time may come when the head of this organization may be called upon to report of their actions, and he will not be slow to so report, though it may reflect upon the comrade who stands mand diller announced that in their judgment the state at large was not ready for they are known also to have reflected the sentiments of Chairman Hunt said he would accept as cheerfuly as he could the decision of the committee and later he offered a subtitute measure, which was the Morgan bill, suitably altered to fit Multnomah County.

It is not yet certain that the Multnomah delegation will be unanimous for may reflect upon the comrade who stands in the highest place in the land.
"If a comrade is false to his obliga-tions, we had better know it now, when we are strong, than when we are too weak to have any influence."

Expunged From the Record.

tract between Brady and Madden and others, providing that the men were to fight under the rules of the Marquis of Queensberry. The court read these rules and held that a contest under them for TOPEKA, Kan., Feb. 14.—The House expunged from the record today the note of King Edward VII, thanking the Legislature for its resolution of sympath; over the death of Queen Victoria, because the championship of the world was cer-tainly a prizelight under the Ohio law and in fact. He reviewed the three kinds of the communication contained the word "loyalty." The note was received yesterday and entered in the journal of the House without delay. Today a Legislator raised an objection to the word "loyalty" contests referred to by Brady, Madden and others in their evidence: first, prize-fights, unlimited in the time of rounds: second, fights limited in the number of rounds; third, contests limited in time and in the note, and it was stricken from the number of rounds and decisions rendered thereon on points. The court held that a fatal knockout could come under any of these classes, and that any contest for a

Generals to Retire Today,

PRIMARY REFORM.

Bill Suggested to Apply Only to Multnomah County. SALEM, Or., Feb. 14-If any direct pri-

SALEM, Or., Feb. 14.—If any direct primary bill at all passes this assiston, it will be made to apply to Multnomah County alone. The joint committee on privileges and elections, which has had the Bingham, Lockwood, Dresser and Morgan bills under consideration, did not manifest an exceptional degree of interest in the reform, though Chairman Hunt did all he could to impress upon the members the importance of envorable action. here the importance of favorable action. When it came to final action only four were present. Representatives Poorman and Miller announced that in their judg-

mah delegation will be unanimous for this measure. If it is, the chances for a primary law may be deemed fairly good; if not, very bad. Mr. Bingham, when he learned of the turning town of his bill, was much disappointed, and did not hesitate to inform all persons be met just how he felt about it. The reasons for the re-jection of his bill are said to be that it was framed as to cover the whole state, and could not be altered to be made ap-plicable to Multnomah alone.

New York Yacht Club Election. NEW YORK, Feb. 14.-The New York Yacht Club tonight elected officers, as well racert clue tonight elected orders, as well as 118 new members. The officers chosen will officiate during the international yacht races in the Fall. Some changes were made in the rules. Daniel S. Lamont and J. J. Hill are among the newly elected members. The new officers of the club are:

prize was a prizenght, in which resort to brutality might take place at any time. The court cited cases at great length in deciding the following points:

First—That the proposed contest was to be a prizenght, in fact, and such as is prohibited under the Ohio statutes, and that the club are: