POWER TO ASSESS

Important Street Decision Rendered by Judge George.

INTENTION OF THE LEGISLATURE

Many Assessments Must Be Paid as Result of the Decision in the Case of City vs. Oregon Real Estate Company et Al.

Judge George yesterday decided that of the intention of the Legislature of 1898 to cure defective street assessments, or of the legislative power to cure, there can be no question. This decision was rendered in the case of the City of Portland vs. Oregon Real Estate Company; the suit of the City of Portland vs. S. W. Sigler et al, and City of Portland vs. Christina Sechtem et al. The opinion was concurred in by Judges Sears and Cleland. There are a very large number of contested street assessments covering a period of years past which will have to be paid to the city under this decision, but it is possible that some one of the cases may be appealed to the Supreme Court for final determination of the questions involved.

City Attorney Long and his assistant, R. R. Dunlway, argued the cases for the city, Messrs. Pipes and Tifft appeared as attorneys for the Oregon Real Estate Company; Platt & Platt for S. W. Sigler and others, and V. K. Strode, J. H. Middleton, F. P. Mays, Ellis G. Hughes and Williams, Wood & Linthicum for Christina Sechtem et al.

The court, in deciding these cases, said in part:

"The City of Portland, in its original proceedings of attempted street improvements, was not operating without or beyond matters jurisdictionally intrusted to it, but solely and entirely to matters within the scope and extent of its chartered jurisdictional functions and privileges; and trouble arose, not because of the city's attempt to go beyond and do something outside its invested jurisdictional functions, but simply because it undertook to tax to improve its streets in an irregular and unlawful mode and manner. These irregularities in the attempted exercise of its chartered jurisdiction can undoubtedly be cured, even by legislation largely retrospective, and much more so can they be cured by the method adopted, namely by the state coming in and exercising its sovereign unlimited taxing power by reassessment for the costs and improvements. To quote the syllabus in the case of Nottage vs. City of Portland (Supreme Court decision):

"'In the absence of a Constitutional restriction, a Legislature may validate taxation or assessment proceedings which have been carried on in a way not provided by law, but in a way that might have been originally adopted, and may also declare immaterial statutory requirements that might have been dispensed with in the first instance.'

"And so they there held that city proceedings for street improvements, void because in violation of the charter because of no petition, may be cured because the Legislature, had it chosen, could have authorized originally in the charter the proceedings to have been originally taken without a petition. And the same may be added with reference to the blocking efficacy of remonstrances, the Legislature could have said originally that eventhough there was a unanimous remonstrance the proceedings should go on notwithstanding. For the city to go outside of its chartered jurisdiction and act on matters never intrusted it ultra vires, such act, in many instances, would undoubtedly be incurable, but to confine itself to matters within its chartered jurisdiction and act illegally therein, in the scope of its chartered privileges, is more properly a defective execution of a power intrusted to it, and such an act may, especially in taxation matters, be curable or remediable by the sovereign state.

"Again, it is urged that under the construction contended for by the city it would be in its power to go on now with an improvement without petition, or after petition, in utter disregard of remonstrance, and, though the improvement be finally decreed to be invalid, have it cured by the curative act, and thus as one brief plausibly puts it, 'the city would get power by violating the law which it could not exercise by obeying the law.'

"Counsel are, by this argument, seeking a construction of the first division of section 156, that is, the portion which refers to invalid assessments made under the charter of 1898. The cases at bar all arise under the last division of section 156, that is, the portion which refers to invalid assessments made under charters prior to that of 1898. It is, therefore, unnecessary to consider what is or may be the proper construction of that part of the section which does not refer to the matters at issue. It is sufficient for the purposes of these cases to say that they all arise out of defective attempts of the city under old charters and long before the curative act of 1898, and of the intention of the Legislature of 1898 to cure these defective assessments; and of the Legislature's power to cure there can be no question."

In the Sigler case it was urged that the statute of limitations had run, and on that point the court held to the contrary, on the ground that the cause of suit only accrued on the date of the adjudication of a court that the original assessment by the city was void.

On another point made by counsel for the defense that under the provisions of the curative act the reassessment is made by the court, if it upheld the law, and which the court as a judicial body has not power to do, it was decided that the curative act was a legislative reassessment with full power given the court to collect the assessment.

HANFORD DECIDES FOR WADE.

Case Against Tacoma Bank Will Now Proceed.

Judge Hanford, of the United States District Court of Washington, has overruled the demurrer in the case of F. M. Wade vs. the National Bank of Commerce of Tacoma, and Chester Thorn. Mr. Wade, now a resident of Oregon, had been associated with the National Bank of Commerce, and he claimed that certain litigation instituted against him on the part of the bank was malicious prosecution. Defendants demurred, and Judge Hanford overruled the demurrer in the following interesting opinion.

"The demurrer to the complaint in this case raises the question whether an action can be maintained to recover damages for injuries to the plaintiff's reputation and business, caused by the malicious prosecution of a civil action, without probable cause, in which a complaint was filed containing false and defamatory matter, there having been in said action no arrest or detention of the plaintiff, nor seizure of or interference with his property by any form of process. Upon the argument the demurrer was well supported by citations from text-books and adjudged cases. Some of the authorities hold that it is contrary to public policy to permit litigants to reverse their positions and consume the time of the courts in a mere prolongation of disputes which have been once adjudicated. Others maintain that the taxable costs recovered by a defendant in an action is the legal measure of compensation which he may claim for whatever injuries he may have suffered by being compelled to appear in court and defend an action prosecuted wrongfully; and others hold that the courts of justice must be kept open and free to all who may invoke their protection, and that a plaintiff who submits his controversy for adjudication to a lawfully constituted tribunal should not be subjected to the peril of being sued for damages if he fails to secure a judgment in his favor. By other authorities the rule is established that the allegations of a pleading which are relevant to the issue are privileged, in the sense that although defamatory and false, an injured person cannot maintain an action to recover compensation for any injury caused thereby. On these several grounds and upon the authorities referred to the defendants contend that this action cannot be maintained.

"For the sake of brevity I will give only a list of authorities cited, without arranging them with reference to the several propositions supported, or commenting thereon. (Citations.)

"The defendant also contended that if the action can be maintained, the recovery must be limited to the amount of the actual pecuniary loss, in the way of expenses necessarily incurred in defending the former suit, over and above the taxable costs. (Citations.) And that as the complaint alleges expenditures amounting to only $500, and no greater sum can be recovered in any event, the amount involved is not sufficient to make a case cognizable in this court.

"On the main question as to whether an action will lie to recover damages for injury to reputation and business prospects, there is a conflict of authorities, and as the point has not been decided by an appellate court having jurisdiction to review decisions of this court, it is necessary to consider the reasons as well as the authorities.

"The common law of England, so far as it is applicable to existing conditions in this country, furnishes the rule of decision for the courts of this state, and by the ancient common law cases of this nature were controlled by the elementary principle that a wrongful act causing injury entitled the injured party to compensation in money, and there was no rule barring such an action as this on any theory that the rights of an individual may be sacrificed out of regard for public policy or convenience, or any notion that the prosecution of an action in bad faith, and for the mere purpose of inflicting an injury, is matter of right or privilege. The first departure from this rule of the common law has been traced to an English statute of Marlbridge, 52, Hen. III, which gave a successful defendant the right to recover damages as well as costs in the original action—19. Am. and Eng. Ency. of Law, 2d ed., 652. There being no statute or rule of practice in this state by which a defendant can claim damages for malicious prosecution without bringing an independent action, we are not required to blindly follow English decisions based upon the statute of Marlbridge.

"All the arguments which may be drawn from the public policy idea and from consideration of the evil consequences which may result from making one lawsuit the foundation for another, are proper only for consideration of the Legislature. The courts are not authorized to create rules changing the law and denying substantial rights for any such reasons.

"The gravamen of the wrong charged against the defendants is their bad faith in misusing judicial process intentionally to oppress and injure the plaintiff, and I am unable to accept as a right principle the proposition that, to employ the judicial power of the Government as an instrument to inflict a waton injury is any man's privilege. It is my opinion that the true doctrine is affirmed in the text-books, and decisions denying that a case such as this must be excepted from the general rule, making a wrongdoer liable for damages to a party suffering injury as a consequence of his wrongful act. See Cooper vs. Armour, 42 Fed., 215; and cases there cited; Newell on Malicious Prosecution, sections 23, 24, 26 and 28; Eastin vs. Bank of Stockton, 66 Cal., 123; McCormick Harvester Machine Company vs. Willan, 88 Northwestern, 497; Kolka vs. Jones, 71 Northwestern, 558."

The cause will now go to trial on its merits.

Railroad Company's Answer.

The Northern Pacific Railroad Company yesterday filed an answer in the State Circuit Court to the damage suit of Mrs. M. Atkinson. In her complaint she alleges that she boarded a train at Portland on January 27, 1902, to go to Houlton, and was put off by the conductor at Holbrook, which is a long distance from Houlton, and was compelled to walk a considerable distance to the river bank and take a boat and return to Portland. She complains that there was snow on the ground, and that the weather was cold, and, in consequence, she became sick and had to employ a physician at an expense of $200.

The company in its answer denies all of these things, and sets up that Mrs. Atkinson got off the train at Holbrook of her own accord, and not by an order of the conductor, and is herself to blame for any discomfort which she may have suffered. Mrs. Atkinson wants $2000.

Cases Set for Trial.

Cases were set for trial by Judge Frazer yesterday as follows:

Mary Pearl New vs. J. Dudley New, March 28.

G. L. Vanderhoof vs. L. J. Shell, March 31.

Mabel E. Carr vs. Robert Carr, and Leta Todd vs. Charles Todd, April 4.

W. E. Brainard vs. R. C. Bell, April 14.

Court Notes.

A. J. Paul, of Portland, has filed a petition in bankruptcy in the United States Court. Liabilities, $1828; assets, $450.

In the case of Kettleson vs. Bunker Hill Mining Company, 10 days' further time was allowed in which to file a bill of exceptions.

In the United States Court yesterday Judge Bellinger, in the case of Fox vs. Gunn et al., on stipulation, allowed 90 days from date to take testimony.

Articles of incorporation of the Pacific Electric Company were filed in the County Clerk's Office yesterday by A. Welsh, F. W. Newell and F. N. Averill; capital stock, $10,000.

In the case of Thomas J. Hammer vs. F. O. Downing et al., Judge Frazer yesterday allowed the motion of plaintiff to file an amended complaint. The case has already been to the Supreme Court, where it was won by the defendants.

Incorporation articles were filed yesterday of the Pacific United States Fence Company. The incorporators are N. E. Ayer, A. J. Norton and S. B. Linthicum; capital stock, $35,000. The objects are to build iron, wire and wood fences, gates, etc.

Sam Wodtly was appointed administrator of the estate of his father, Samuel Wodtly, in the County Court yesterday. The estate consists of personal property, valued at $150, and a damage claim against the Northern Pacific Terminal Company on account of the death of Wodtly as the result of an accident.

In the case of Lizzie Arbuckle against the Merchants National Bank, to recover on a certificate of deposit for $400, which the plaintiff lost, Judge Frazer yesterday overruled the demurrer to the amended complaint. The contention of the bank was that a certificate of deposit is a negotiable instrument, and that therefore the bank would not pay Lizzie Arbuckle unless she first filed an indemnity bond. The court ruled that a certificate of deposit is negotiable, but as to the matter of a bond as a safeguard, concluded to allow that question to be determined at the trial of the case.

Will Protest Against Car Service.

Residents of Southeast Portland are up in arms against the proposed new service on the City & Suburban, whereby residents from Grand avenue to Richmond junction will have to be content with a 20-minute service, instead of the present 15-minute service; nor are the Waverly-Richmond people very favorably impressed with the idea of having to transfer at the junction. They claim that service is poor enough as it is, and that Richmond should have a 20-minute through service, similar to Woodstock, thus making a 10-minute service on the main line. The matter will be taken up by Clinton Kelly Board of Trade at its meeting this evening, which, no doubt, will be well attended.

Paine's Celery Compound.

HAS THE APPROVAL AND INDORSEMENT OF THE BEST PEOPLE AS A LIFE GIVER.

No Other Spring Medicine Can Give Such Cheering and Happy Results to Sick and Diseased People.

As Spring ushers in, the physically weak, sick, and diseased realize that their condition is one of extreme danger. It is a well-known fact that while the trees bud and dress anew, thousands of men and women are cut off by the common diseases of life. This fact should arouse the attention of the ailing and sick to the folly of underestimating and neglecting the ills that make life miserable at this season.

The use of Paine's Celery Compound at this time will save many a precious life. The great compound equalizes and calms all the nervous tissues and induces the body to take on firm and solid flesh. It purifies the blood, as is plainly shown by the rapid clearing of the skin of all evidence of bad humors within; it regulates the organs of digestion; it gives natural sleep and sweet rest.

All our best physicians recognize Paine's Celery Compound as the one scientific Spring remedy, and it is universally prescribed by them wherever there is need of a vigorous and prompt restoring to health and strength. The use of one bottle of Paine's Celery Compound will bring the happiest results to all weak, broken down and despondent sufferers, and will quickly banish the fears of doubters and unbelievers. Paine's Celery Compound has the approval and indorsation of clergymen, professional men generally, Judges, members of Parliament, merchants, and the best people. Test its virtues, dear sufferer; it cannot disappoint you.

DIAMOND DYES color anything any color. Simple, durable, economical.

COMING ATTRACTIONS.

Blanche Walsh.

The sale of seats will open this morning at 10 o'clock for Blanche Walsh's play, "La Madeleine," which will be given at the Marquam Grand Theater Thursday evening. The play has proven to be a great success. The newspaper comment on it has been flattering in the extreme. The play is by H. J. W. Dam, a journalist of considerable repute, and particularly well known for his reports of the celebrated Dreyfus case. The scenes of "La Madeleine" are laid in Paris at the present day, and the piece is said to illustrate with great facility certain phases of Parisian social life, and to tell a story that is intensely interesting and highly emotional. Miss Walsh herself believes the part which has been assigned to her is the best she has ever had. "La Madeleine" will be given on Thursday and Friday evenings.

On Saturday afternoon and evening "Janice Meredith" will be the bill. It should prove a particularly attractive offering, especially to those who are familiar with the popular novel from which it has been dramatized.

"Way Down East."

Manager William A. Brady's production of Lottie Blair Parker's play, "Way Down East," will be given at the Marquam Grand Theater beginning Monday, March 31, for an entire week, with matinees Wednesday and Saturday. This is the same great play that for several months crowded the Manhattan Theater and the Academy of Music, New York, 427 times. It will be given in this city with a splendid cast, elaborate scenery and effects, with every attention to detail that tended to make its metropolitan engagement so noticeable. The play is a splendid study of New England life, full of sentiment, and that peculiar appealing quality which strikes home to every heart. It is called a story of plain people, and they are plain, every-day characters, engaged in the homely pursuits of domesticity, but the series of events which are unfolded in the course of the play are of a deep dramatic interest, enhanced by the simplicity and naturalness of their telling. The best of critics pronounce it a superior play to "The Old Homestead," or "Shore Acres." And wherever it has been presented scores of letters from clergymen, school teachers and others have been received telling of their delight at the story that it so aptly teaches. The dialogue is stirring, the wit and the humor bright, and the love scenes deftly arranged.

FANCY PRICES FOR PRUNES

Salem Man Says He Gets It; Portland Dealers Say So.

If Mr. H. S. Gile, manager of the Willamette Valley Prune Association, is desirous of making easy money, he should come down to Portland and show the big prune-shippers of this city how to secure higher prices than it is possible for them to get out of the product. If he has a market that will take up prunes on the basis of 2¾ cents, he can secure all of the prunes remaining unsold in this city at half a cent under the figure, and thus make a handsome profit on the transaction. It was reported from Salem a few days ago that the Willamette Valley Prunegrowers' Association was making sales at 2¾ cents basis for the four sizes, or 5 cents for the 40-50 size in 25-pound boxes. The accuracy of these figures was questioned by the dealers of this city, and an effort made to secure corroboration in the way of more definite information as to where prunes could be disposed of above market prices. Mr. Gile declines to divulge the name of the market which returns more for prunes than they can be sold for in New York, Boston, Chicago or other big centers, which "make" the price on practically all of the prunes that are sold.

"The price of prunes is regulated like that of any other staple article of general consumption," said Isador Lang, of the firm of Lang Bros., who are among the heaviest shippers of prunes in the Pacific Northwest. "When a broker or a packer is offering Columbia River salmon at $1 70 per dozen, does it stand to reason that a buyer in touch with the market will pay $1 85 per dozen for the same stock? The situation with regard to prunes is exactly the same. We are offering prunes at a 2¾-cent basis, and are unable to clean up even at that figure; in fact, the best offer we can get is 2⅝ cents, and some of the offers made us when we have put the stock before Eastern buyers are but 2 cents. We have the prunes and offer them at 2¾ cents, but are unable to sell. Now, how can a man sell the same stock for half a cent above this figure?"

Mason, Ehrman & Co., Kelly, Clarke & Co., and other dealers, reported much the same condition of affairs. Mason, Ehrman & Co. were negotiating yesterday for the sale of a carload of assorted sizes in 25-pound boxes. The car is now in the East, but they were unable to secure an offer of 2¾ cents for the prunes, an eighth under that figure being the best offer made. There was no secrecy about the prices among the big shippers in this city. Telegraphic and mail offers and counter offers were shown in elaborate detail so convincingly that there is no questioning the fact that Eastern buyers will not pay 2¾ cents for prunes, and there is also indisputable evidence that they can secure the prunes at that figure. There can be no question as to the quality of the stock, for Portland shippers have built up a fine reputation by great care in packing prunes, and the different firms engaged do not care to jeopardize the reputation of their brands by putting out anything but first-class stock.

Most of the dealers attribute the low prices now ruling to the presence in the market of a considerable quantity of old California prunes. Some of this stock is offered as low as 1½ cents per pound, and, while it does not compare with choice Oregon prunes, it fills a certain demand and accordingly curtails the demand for higher-priced stock. The best prices for the 1901 prune crop were received soon after the crop was cured, and there is not much in the situation to warrant the belief that there will be a material improvement in the market for old prunes.

1842-1902.

The Hardman piano needs no instroduction to the American public. For 60 years it has been known in the United States, and claims to be the only piano that improves with age. Its claims to the recognition which it has obtained are based upon its possessing every point of excellence contained in other pianos of the highest rank, and also upon its having a combination of essential points not found in others. The recent destruction of their factory by fire will create an unusual demand for them.

HARDMAN PIANO FACTORY

DESTROYED BY FIRE

Fortunately it finds us with a splendid stock of those matchless pianos on hand, embracing all the 1902 styles, in various woods, and to those who prefer it to other makes, it will be to your interest to secure one at once, before they are all sold, as it will be some time before the factory will be able to fill orders again; besides we are naming prices that will make them go quick. Our easy-payment plan is popular with the people.

ALLEN & GILBERT CO

Successors to The Wiley B. Allen Co.

209-211 FIRST ST., PORTLAND, OR.

New Wall Paper

You ought to see our new Stripes, Chintzes and Fabric Effects. Our Burlaps, Denims, Tapestry, etc., are not to be excelled. It will surely be to your interest to make your selections here.

E. H. Moorehouse & Company

Picture Frame and Art Store

Both Phones 307 Washington

Modern Methods of Lighting

Show as much difference between the primitive tallow dip and gas or kerosene as between the electric light and the latter. Let us put in electrolier and fit your house, store or factory with electric lights, bells or telephones, and you will enjoy all the conveniences of the age in electrical supplies at a satisfactory cost.

Western Electric Works

305½ Washington Street

Phone South 961. Portland, Or

COME AND SEE

Our pretty windows. See the class of merchandise we carry—compare our prices with others, who handle inferior goods—you'll be surprised to see how many times our prices are lower than others, notwithstanding the difference in quality.

JOHN ALLESINA

TWO STORES:

286 Washington St. Near Woodard, Clarke & Co. — 306 Morrison St., Near Meier & Frank Co.

DAILY METEOROLOGICAL REPORT.

PORTLAND, March 24.—8 P. M.—Maximum temperature, 45; minimum temperature, 38; river reading at 11 A. M., 6.7 feet; change in the past 24 hours, 0.00; total precipitation, 5 P. M. to 5 P. M., trace; total precipitation since Sept. 1, 1901, 31.71 inches; normal precipitation since Sept. 1, 1901, 37.11 inches; deficiency, 5.40 inches; total sunshine March 23, 0:38; possible sunshine March 23, 12:18.

PACIFIC COAST WEATHER.

STATIONS.	Max. temp.	Precipitation last 12 hours.	Velocity.	Wind. Direction.	State of weather.
Astoria	50	0.01	*	SW	Cloudy
Baker City	46	0.00	12	NW	Clear
Bismarck	46	0.00	12	E	Cloudy
Boise	50	**	6	NW	Pt. cloudy
Eureka	48	0.00	6	N	Cloudy
Helena	42	0.01	*	NE	Cloudy
Kamloops, B. C.	56	0.00	*	E	Cloudy
Neah Bay	46	0.06	6	SW	Raining
Pocatello	46	**	8	N	Pt. cloudy
Portland	45	**	6	SE	Cloudy
Red Bluff	58	0.00	6	N	Clear
Roseburg	48	0.00	*	NE	Cloudy
Sacramento	56	0.00	6	SW	Clear
Salt Lake	48	**	*	NE	Cloudy
San Francisco	50	0.00	16	W	Clear
Spokane	52	0.00	8	SW	Clear
Seattle	52	0.00	*	NW	Cloudy
Walla Walla	54	0.00	6	W	Clear

*Light. **Trace.

WEATHER CONDITIONS.

Although the weather in the North Pacific States has been somewhat cloudy and threatening during the last 12 hours, no rain or snow of consequence has fallen, and the temperatures continue generally below the normal.

Sharp frosts occurred Monday morning in the Sound country, Eastern Washington, Northern Idaho, Eastern Oregon and Northern California.

The indications are for showers Tuesday in Western Oregon and Western Washington, and increasing cloudiness in Eastern Oregon, Eastern Washington and Northern Idaho.

WEATHER FORECASTS.

Forecasts made at Portland for the 28 hours ending at midnight Tuesday, March 25:

Portland and vicinity—Showers, with winds mostly southerly.

Western Oregon and Western Washington—Showers; southerly winds.

Eastern Oregon and Southern Idaho—Fair; westerly winds.

Eastern Washington and Northern Idaho—Increasing cloudiness; winds mostly southerly.

EDWARD A. BEALS, Forecast Official.

NEW TODAY.

CARPENTERS—WOULD LIKE TO LET ON contract carpenter work on a 5-room cottage. Call at room 503 Marquam.

LADDERS

For painters, tinners, electricians and fruit-pickers. Pacific Ladder Works, 85-87 East Eighth st.

MORTGAGE LOANS

On improved city and farm property, at lowest current rates. Building loans. Installment loans. MacMaster & Birrell, 311 Worcester blk.

MORTGAGE LOANS

On Portland real estate at lowest rates. Titles insured. Abstracts furnished.

Title Guarantee & Trust Co.

7 Chamber of Commerce.

10% NET

Improved corner lot on North Third st., now earning over 10 per cent net, and can be made to do better. This is the greatest snap ever offered in inside business property.

ROUNTREE & DIAMOND,

241 Stark st., cor. Second.

CHEAP MONEY

$8000 to loan on mortgage for 3 or 5 years at five

5% Interest

On good city property, by

ROUNTREE & DIAMOND,

241 Stark, cor. Second.

RENTS GO HIGHER.

Get a home. Save rent. We will furnish the lots at University Park and build you a house to suit for one-fifth cash, balance monthly. If you join our co-operative series you can get a home for $5 cash and $5 monthly, and for $25 cash and $15 monthly you can get a 5 room cottage, and excellent barn and 75x100 feet of ground. Take your choice. Portland Home-building Co., 151 Sixth street, near Morrison.

CLASSIFIED AD. RATES

"Rooms," "Rooms and Board," "Housekeeping Rooms," "Situations Wanted," 15 words or less, 15 cents; 16 to 20 words, 20 cents; 21 to 25 words, 25 cents, etc. No discount for additional insertions.

UNDER ALL OTHER HEADS except "New Today," 20 cents for 15 words or less; 16 to 20 words, 40 cents; 21 to 25 words, 50 cents, etc.—first insertion. Each additional insertion, one-half; no further discount under one month.

"NEW TODAY" (gauge measure agate), 15 cents per line, first insertion; 10 cents per line for each additional insertion.

ANSWERS TO ADVERTISEMENTS, addressed care The Oregonian and left at this office, should always be inclosed in sealed envelopes. No stamp is required on such letters.

The Oregonian will not be responsible for errors in advertisements taken through the telephone.

AMUSEMENTS.

MARQUAM GRAND THEATER—
CALVIN HEILIG, Mgr.
Mr. Ben Stern presents
BLANCHE WALSH
BLANCHE WALSH
And her excellent company. Thursday and Friday nights, March 27-28, in "LA MADELEINE." Saturday Matinee and night, "JANICE MEREDITH."
Prices (both Matinee and night)—Lower floor, except last 3 rows, $1.50; last 3 rows, $1. Balcony, first 3 rows, $1; second 3 rows, 75c; last 6 rows, 50c. Gallery, reserved, 35c; balance, 25c. Boxes and loges, $10. Seats now selling.

THE BAKER THEATER—
GEO. L. BAKER, Manager.
Phones—Oregon North 1076, Columbia 506.
ANOTHER LARGE HOUSE LAST NIGHT.
EVERY NIGHT THIS WEEK, WITH MATINEES WEDNESDAY AND SATURDAY.
SEE THE GREAT "CYCLE WHIRL."
SEE THE GREAT "CYCLE WHIRL."
O'BRIEN, JENNINGS AND O'BRIEN.
The Duffy Children. Carter and Thornhill. Clara O. Moore. Leando Bros. Lynne and Kennedy. Wm. Walton. Frank Bacon & Co.
Prices—Matinees, 10c, 15c, 25c. Evening, 15c, 25c, 35c, 50c.

CORDRAY'S THEATER—
One week, commencing Sunday, March 23, and Saturday Matinee,
Bartley Campbell's Immortal Drama,
"THE WHITE SLAVE."
Entire New Scenery, Mechanical and Electrical Effects.
SEE—The Mammoth Plantation. The Steamer La Belle Creole. The Red Devil's Island. The Wreck on the Mississippi. A series of magnificent stage pictures. A grand revival introducing an immense chorus of darkies singing the sweet songs of long ago.
Usual prices—25c and 50c.

FREDERICKSBURG MUSIC HALL—
SEVENTH AND ALDER STREETS
FLYNN'S LONDON GAIETY GIRLS
Presenting
"A NIGHT IN A TURKISH HAREM"
Introducing
LITTLE EGYPT,
in her sensational dances.
General admission, free; reserved seats, 25c; boxes, according to location.

AUCTION SALES TODAY.

At Gilman's salesrooms, 411-413 Washington st., at 10 A. M. S. L. N. Gilman, auctioneer.

At Baker's auction rooms, cor. Alder and Park. Sale at 10 A. M. Geo. Baker & Co., auctioneers.

MEETING NOTICES.

A. & A. S. RITE, MULTNOMAH COUNCIL OF KADOSH, NO. 1.—Regular meeting this evening at 8 o'clock. Work in 30th degree. By order EM. COMMANDER.

MULTNOMAH COUNCIL, NO. 1481, ROYAL ARCANUM.—Regular meeting this (Tuesday) evening. Auditorium Hall, 8 o'clock. All members and visitors cordially invited.
JERRY BRONAUGH, Sec.

HAWTHORNE LODGE, NO. 111, A. F. & A. M.—Special communication this (Tuesday) evening at 7:30 o'clock. E. A. degree. All E. A.'s cordially invited. By order W. M.
F. GLAFKE, JR., Sec.

EUREKA LODGE, NO. 123, A. O. U. W.—Grand Master Hogue will meet with the lodge this evening. A cordial invitation is extended to members of sister lodges to visit with us and give the Grand Master a rousing reception.
J. L. ANDERSON, Rec.

CASTLE LODGE, NO. 13, K. OF P.—Regular convention this (Tuesday) evening. Auditorium, at 7:30 o'clock. Work in the rank of Page. Visitors welcome.
N. POLSON, C. C.
J. M. MANN, K. of R. & S.

ELLISON ENCAMPMENT, NO. 1, I. O. O. F.—Regular meeting this evening at 7:30 o'clock. Work in the Patriarchal degree. Visitors welcome. CHAS. GRAHAM, C. P.
S. GRUTZE, Scribe.

OREGON ASSEMBLY, NO. 1, UNITED ARTISANS, meets tonight in their hall, Abington building, Third and Washington sts.
J. R. STIPE, M. A.
E. E. VAN ALSTINE, Sec.

DIED.

MASH—At Sellwood, March 24, Harry Mash, aged 49 years, 7 months. Funeral notice later. St. Paul, Minn., papers please copy.

MILLER—In this city, March 24, 1902, at the family residence, 710 Fourth st., Charles Miller, aged 17 years, 11 months. Funeral notice hereafter.

STROWBRIDGE—In this city, March 24, 1902, at 3 P. M., Thomas Holmes Strowbridge, son of Justus M. Strowbridge and Alice Holmes Strowbridge, aged 42 years. Funeral notice later.

FUNERAL NOTICES.

BUSBY—In this city, March 23, 1902, Margarette Busby, aged 62 years, 2 months, 8 days. Funeral will take place Wednesday at 10:30 A. M. from St. David's Episcopal Church, cor. East Morrison and East 12th sts. Friends invited. Chicago, Ill., and Grand Haven, Mich., papers please copy.

J. P. FINLEY & SON Progressive Funeral Directors and Embalmers. Cor. Third and Jefferson Sts. Competent lady ass't. Both phones No. 9.

EDWARD HOLMAN, Undertaker, 4th and Yamhill sts. Rena Stinson, lady assistant. Both phones No. 507.

CLARKE BROS., 289 Morrison St. Fine flowers and floral designs.

NEW TODAY.

SHEEHY BROS. CARRY A SELECT LINE of wall paper, painting and kalsomining; good work. 108 Sixth.

ELECTION

Judges and Clerks can cash their fees at 210 Fourth st. A. H. Maegly, Abe Tichner.

FOR SALE—REAL ESTATE.

BEST BARGAINS IN REAL ESTATE IN ALL parts of the city are to be found at Gruesi & Higley's, 132 Third st., between Washington and Alder. Telephone Main 395.

$1000—NEAT COTTAGE AND LOT 50x100 feet, at Woodlawn; part cash, balance in installments. Inquire at M. Billings' Shoe Store, 229 Morrison.

FOR SALE — GOOD HOUSE AND LOT, barn, chicken-house; range for stock; $800; $300 down, balance $30 quarterly; snap. X 57, care Oregonian.

AT PIEDMONT—8-ROOM HOUSE; EVERY convenience; two lots; owner leaving. Also piano and furniture. W 54, care Oregonian.

CLACKAMAS COUNTY TAXES — CONSULT taxroll and pay taxes at abstract office of E. F. Riley, 608 Chamber of Commerce.

$700 BUYS 12 ACRES, HOUSE, BARN, 3 OR 4 hours' drive from Portland. 67 East Ninth north, between Davis and Everett.

$2200 FOR THAT FINE, MODERN 7-ROOM house, 974 East Morrison st.; part cash. Fields & Co., 210 Alisky building.

5-ROOM COTTAGE, BLOCK UNIVERSITY Park Station; terms easy. Owner, J. A. Gray. Phone Pink 1063.

7- AND 5-ROOM HOUSES, 25TH AND Thurman; sell both or separate. 534 Chamber of Commerce.

10 ACRES, 7 IN CULTIVATION, A FEW blocks from Lents, $1250. 534 Chamber of Commerce.

HOUSE, 7 ROOMS, AND LOT, SUNNYSIDE. Also 11 acres, Oregon City. L 52, care Oregonian.

BARGAIN — NEW 6-ROOM HOUSE, NOT finished, $1450, if sold at once. 401 San Rafael.

SEVEN LOTS 50x100, NEAR ARBOR LODGE, $125 each. See owner, 235 Washington st.

FOR SALE—REAL ESTATE.

$3000—100x100 AND FOUR NEAT COTTAGES on E. 7th st.; close in; pays over 10 per cent.
$8000—50x100 and three new modern 6-room houses, bringing good rental.
$400—50x100 and 5-roomed cottage on E. 43d st.
$1000—25x100 and 5-room cottage, close in on East Pine st.; lot is worth the money; easy terms.
Canadian Employment Company, 226½ Morrison.

J. W. OGILBEE, ROOM 11, 145½ FIRST ST. Good 9-room residence, with 1¼ acres of ground; 66 fine bearing trees, shrubbery, etc.; good stable, chicken yard and other improvements; within three blocks of two car lines, between Morrison-street bridge and Mount Tabor; lies finely, and makes a choice home, with nice, quiet surroundings. Very reasonable in price, for $4500.

SPECIAL BARGAIN—10¼ ACRES, CREEK loam, on Johnson Creek; 8 in cultivation; all fenced; good barn; on main graveled road; ½ mile Mount Scott electric cars; 5-cent fare; must be sold, about half price. O. R. Additon, real estate office, Lents, Or.

$3000 WILL BUY A DOUBLE-WALLED, 8-room house in best part of East Portland; fireplace, gas, electricity, sewer and all modern improvements; small cash payment; balance monthly installments. G. H. Dammeier Co., 503 Marquam.

INVESTIGATE—CHOICE QUARTER BLOCK in Irvington; beautiful building lot on Tillamook st., $685; monthly payments; bargain. Owner, 629 Marquam blk. Phone Grant 921.

FOR SALE—FARMS.

87½ ACRES, SITUATED 6 MILES EAST OF Salem; all under cultivation; 15 acres prune orchard, Italians and Petites; splendid evaporator, 200 bu. capacity; no other buildings; good grain and fruit locality; ¾ mile to school and R. R. station, church-house, etc.; splendid water and sightly location; price $4000. Address J. B. Early, Route 6, Salem, Or.

$4000—1000 ACRES FINE STOCK OR DAIRY farm in Douglas County; 100 acres in cultivation, dwellings and outbuildings; S. P. R. R. runs through, and station on place; two creeks run through this farm, which makes it an ideal property for dairying. Address Fields & Co., 210 Alisky building.

FOR SALE—8½ ACRES, MOSTLY ALL IN bearing fruit, with drier; new house, with all furniture and household effects, barn, one horse, three head of cattle, two wagons. For further particulars call on proprietor, Jacob Ernstberger, Milwaukie, Or.

FRUIT FARM AND CHICKEN RANCH, 10 acres choice land; 800 healthy, bearing trees, mostly pears; good 6-room house and outbuildings; very cheap this month. See or address owner, Dr. Parrish, Woodburn, Or.

IMPROVED FARMS FOR SALE IN ALL parts of Oregon and Washington; payments made to suit purchasers. For full particulars as to various properties apply to MacMaster & Birrell, 311 Worcester block.

HOMESEEKERS — FARMS AND FARMING land for sale near Portland, Oregon City and Oswego, in quantities to suit purchasers; easy terms of payment. Apply Oregon Iron & Steel Co., 339 Sherlock building.

FARM, 320 ACRES, 12 MILES FROM OREGON City; 100 acres in cultivation, balance pasture and timber; two dwellings, large barn; 3 orchards. Dr. O. C. Blaney, Alisky bldg.

FARMS! FARMS! FARMS! IN WESTERN Oregon and Washington; all kinds and prices. Also choice acreage tracts. Favorable terms. W. O. Wadtel, 205½ Morrison st.

39 ACRES LAND ABOVE OREGON CITY, one-quarter mile from river; part timber, some cedar; $800; no agent. F 58, Oregonian.

TWO WELL-IMPROVED FARMS FOR SALE, reasonable terms; one 400 acres, other 160 acres. Address J. L. Croisant, Kingston, Or.

RANCHES FOR SALE IN BRITISH COLUMBIA; cattle, fruit or grain; near railroad. Address W. H. Pegram, Kamloops, B. C.

20-ACRE FARM, PARTLY CULTIVATED, near Portland; house, 2 barns and bearing orchard. 468 Davis.

FOR SALE—10-ACRE FARM, IN FINE CONDITION; 2 acres in fruit trees. H. J., 635 Fourth st.

FOR RENT—FARMS.

SMALL FARM, NEAR PORTLAND; COWS, implements. Particulars, 9 North Third.

TIMBER LAND FOR SALE.

LARGE AND SMALL TRACTS, YELLOW and White Pine, Fir, Spruce and Cedar Ranches; Cranberry farm, Combined Farm and Gold Mine, Splendid Working Mines, Also Coal, Gypsum and Turquoise. Government Lands and Scrip, Mills, and Municipal Bonds. J. L. Martin & Co., 601 Oregonian.

WE ARE NOW PREPARED TO LOCATE A few more desirable timber claims. For particulars call at M. Billings' shoe store, 229 Morrison st.

TIMBER LANDS—A LARGE TRACT, RAILroad through it, for sale. J. G. Mack & Co., 58 Third st.

280 ACRES, ABOUT 15,000,000 FEET OF timber; only $850; half cash. 504 Goldsmith street.

TO EXCHANGE.

ENTIRE BLOCK, 8-ROOM HOUSE, STABLE, 100 bearing fruit trees, Dufur, Or.; will sell for $800, or exchange for Portland property. Address A. J. B., care Blumauer-Frank Drug Co., Portland.

GOOD FARM PROPERTY I