

GIVE NOTICE

Present Power of State Commission.

IS NOT YET A LEGAL BODY

Definite Action Might Bind Members Individually.

HELP INFORMALLY, HOWEVER

Personal Advice and Suggestions Will Show Lewis and Clark Board What Commission Will Do Officially Later—St. Louis Exhibits.

In compliance with the request of the Lewis and Clark Corporation, the State Commission for the Exposition met yesterday and discussed its relation to the Board of Directors, its legal status and its manner of proceeding so as to avoid delaying preparations for the Fair. It was agreed that the members of the commission should meet with the executive committee of the corporation in an advisory capacity whenever their presence should be desired, but the status of the commission was deemed not to make it advisable to appoint committees or take formal part in any of the proceedings. The idea was that the members, being kept personally in touch with all the work of the corporation, could make informal suggestions and express approval or disapproval of any act of the corporation, and thus guide the corporation in a course that would later receive the official endorsement of the State Commission. It was agreed that the commission should co-operate with the State Fair to get a suitable exhibit for St. Louis.

Professor Young was made temporary presiding officer of the commission. The other members present were: Albert, Flinders, Harry, Myers, Rafferty, R. Scott, Thomas and Williams. Commissioner Albert was opposed to making a formal organization of the commission at this time, for the reason that the body had no legal standing and could not have until the law authorizing it was put into effect, next May. He thought it unwise to appoint the committee of six mentioned in the law for conferring with the executive committee of the corporation, inasmuch as the committee would have no legal jurisdiction of anything and the commission would not be in shape to delegate work to it.

Powers of the Commission.

Commissioner Myers submitted an opinion he had requested from Attorney General Crawford touching the powers of the commission before the act under which it derives authority shall become operative. This was read by Secretary Reed, as follows:

Yours of the 5th inst., enclosing copy of preamble and resolutions adopted by the board of directors of the Lewis and Clark Corporation and American Pacific Exposition and Oriental Fair, and asking my opinion as to whether it is possible for the commission appointed by the Governor, under the act, to form a provisional organization, without the members thereof assuming to exercise the powers of some body making the state responsible for their acts before the bill goes into effect, received.

Section 2 of the act creating the commission recites that the members of the commission shall be appointed by the Governor within 10 days after the passage of the act, and I understand that the act has been passed.

As to what the commission may do before the act takes effect, depends on what they can do after it takes effect. If they are a majority of the members of the commission, they can do anything that the commission can do after the act takes effect.

The commission which the commission provisionally organized might appoint would be a committee of the commission, and I am of the opinion that the act could be passed by the commission when legally organized after the act goes into effect. However, the commission must be organized in accordance with the provisions of the act creating the commission.

Neither a member of the commission or a committee appointed by the provisional organization can incur any indebtedness and then transfer it to the commission by ratification.

Following vs. Commissioners, 30 Pac. 633. In Kilmer vs. Baker, L. R. 2 C. P. 173, the court announced the doctrine that the "principal" must be in existence at the time the contract is made.

In this case the promoters of a company yet unborn entered into a contract on its behalf, and the company was not yet incorporated at the time the contract was made.

But a contract made on behalf of a corporation and voidable at the instance of the corporation may be ratified by the board of directors of the corporation.

Other authorities hold that a corporation may ratify a contract of promoter, and if it accepts the benefit, it is bound without express ratification.

The rule is laid down in 21 A. & E. R. of Law, second edition, page 203, that "persons contracting as officers or directors of a corporation, which has not yet been legally organized, as where a certificate of organization has not yet been filed, or the prescribed amount of stock has not been subscribed, or when for other reason the organization of the corporation is not complete, and the corporation has, there-

fore, no legal existence, are personally liable on such contracts, although they have contracted in good faith, believing that they had power to contract for and bind the corporation." and the doctrine is supported by cases cited in California, Georgia, Illinois, Indiana, Kansas, Kentucky, Missouri, Montana, Ohio, Vermont et al.

My commission is not, strictly speaking, a corporation, but I am of the opinion that it cannot be governed by the same rules, and it cannot be legally organized until the present time. I am of the opinion that the members of the commission should meet with the executive committee of the corporation in an advisory capacity whenever their presence should be desired, but the status of the commission was deemed not to make it advisable to appoint committees or take formal part in any of the proceedings.

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ALL SHOWS FOR PORTLAND

CALVIN S. HELLIG BRINGS EASTERN THEATRICAL NEWS.

City Will Get All Attractions That Go to San Francisco as the Result of Liberal Patronage.

After an absence of five weeks in New York and other Eastern cities attending to theatrical interests connected with the chain of theaters under the control of the Northwestern Theatrical Association, Calvin S. Hellig, manager of the Marquam Grand Opera-House and also president of the Northwestern Theatrical Association, has returned to Portland.

"What is new in the theatrical world now raging between the two rival syndicates, Klaw & Erlanger and Stair & Havlin," asked The Oregonian man.

"I have nothing to say on that point," replied Mr. Hellig seriously. "I do wish to state, however, that after the big theater business done here during the present season, Eastern managers regard the Pacific Coast as being the greatest show section in this country. One circumstance that brought this out is the fact that Miss Anna Held, during her recent four days' engagement between this city and Seattle, played for more money than she has received in any other section during the same length of time. I can promise, as the result of my negotiations, that next season Portland will receive every attraction that usually comes to San Francisco. It has been the general rule for years for many of the larger theatrical attractions to arrive from the East at San Francisco and return home by the Southern line. In this way Portland and the cities on Puget Sound were left in the cold. But that is all changed now. The generous support of theatergoers in Portland, Seattle, Spokane, Tacoma and neighboring cities during the last two seasons has so pleased the big syndicate that a promise has been given me that every attraction that usually comes to San Francisco will be visited by all Klaw & Erlanger attractions sent to the far West.

"We can't give the names yet. You see, we are booked until the end of the season, and we do not book attractions for next season until the summer months. But I don't mind saying that one of our attractions within a short time at the Marquam Grand will be E. S. Sothorn, 'If I Were King.' This is one of the great shows in New York, and I consider it to be one of the best attractions in which I ever saw a show."

"What are the other successes at New York theaters during the present time?" "A former Portland girl, Blanche Bates, who is appearing in Belasco's Theater, at Forty-second and Broadway in Belasco's 'Darling of the Gods.' She is playing to crowded houses night after night. She is quite a favorite in this her native town. You will remember that about six years ago she appeared at the Marquam Grand as a member of the Frawley Stock Company. Miss Bates in this Belasco play presents the best production, in my opinion, of any play in New York."

"I met Miss Bates while in New York, and she said that while satisfied with her great success in New York that she would very much like to take a tour through the Northwest to meet her friends again. She spoke very kindly of Portland."

"And the other theater successes?" "Mr. Bluebird, at the Knickerbocker, and Mark Cabell in 'The New Yorker,' and Bijou. These theaters are jammed every night. While in Chicago I saw John Drew in 'The Mummy and the Humming Bird.' It is a fine production, and is playing to packed houses. I also saw Francis Wilson in the Illinois Theater, Chicago, in 'The Tormentor.' It is quite successful."

"Among the Portland people I met in New York were James J. Montague, formerly of The Oregonian. He is doing dramatic criticism for the New York Journal, and is making his reputation rapidly. Mr. Montague and I dined after business was finished, and had a long talk. He said that New York was good for business, but that he thought Portland is the place for an artist. He told me that Harry Murphy, formerly of The Oregonian staff, is getting along very well in New York, and is rapidly making a name on the Herald."

"The weather was very cold when I was in New York. One day I remember the weather was unusually cold, and there was a big snow storm. The streets were rapidly cleared of the snow, at an expense of about \$250,000. The snow was cleared of snow in one day."

NEWSBOYS' NEW GAME.

Two Lads Fight on Street for Impromptu Prize.

"You can talk about your rapid-fire guns, Jimmy Britt's speed as an impromptu prize fighter, and the swiftness of a football player taking advantage of an opening, but none of them compares with two Portland newsboys who were scrapping for nickels in front of the Perkins yesterday afternoon," said J. Ackley, from Valdes, Alaska.

"The best part of the game was when the two boys were exchanging blows at the most improved style. The larger of the two was about 12 years old, big for his age, and towered over the other boy. For five or six minutes they fought with honors about even. The crowd, with the little fellow, who was making such a gallant stand. At last the little fellow, apparently finding the opening he had been looking for, stepped over onto his opponent's jaw. The big lad's face was twisted out of place, and before he could straighten up several well-aimed blows found lodging in the same spot. That was enough. With a yell like an Indian, he broke through the crowd and fled to the other corner. The little fellow, because of his apparent gameness, calmly picked up the shower of nickels and dimes which were thrown at him."

"I followed the youngster, and two blocks away he tripped and met. The big fellow was rubbing his chin."

"How much did you get?" he asked of the smaller lad.

"Dat's all right. It's good for tomorrow," said the big one, "only don't come in so strong at de finish."

tracts they could in almost every case use the same service courtesy by the Eastern printers. The union label cannot be placed upon much of these goods, and if the Portland men who give their orders elsewhere realized what an advantage this would be to them, they would do the share toward letting the union printers of the city do as much work as possible."

The Allied Printing Trades Council held a meeting last night at the headquarters of the union, and elected the following officers: Grant McDonald, president; C. Lippert, vice-president; Cliff Ackley, secretary and treasurer. The term of office is for one year. Mr. McDonald, the president, was the only one re-elected, all the others being new men in the positions.

MAY BE THE FIREBUG.

Suspicious of Vancouver Fire Department Aroused by Stranger.

VANCOUVER, Wash., March 12.—(Special.)—The man who started a number of fires in Portland last week is thought to be in Vancouver. The members of the Vancouver Fire Department were bothered for some time last night by a visitor who seemed very anxious to find out all he could about the working of the department. This man answered in every way the description of the person that was seen running away from the Victoria dock shortly after the fire was started.

W. M. Deveny returned last night from a trip to Vancouver and reports that the citizens there are very much alarmed and are expecting incendiary fires at any time. The man referred to in the above dispatch is thought to be the pyromaniac who has created such havoc in Portland during the past few days.

The matter has been reported to Chief of Police Hunt, and he will send men today to try and capture the firebug. Vancouver citizens noticed him about the city on Wednesday, and say that his actions were suspicious. No one saw him yesterday.

"How much of a fire department have you here?" he asked a member of the company, as he came into the engine-house and looked around.

"Where do you see?"

"How long does it take you to answer an alarm?"

"Do the members of the department remain quiet day and night?"

"Are you troubled with many fires?"

Questions of this nature were asked until the boys became tired of their visitor, and asked him to leave the place. They did not regard his acts with suspicion at the time, but after they had talked the matter over they became convinced in their own minds that their visitor was none other than the firebug who is being sought for in Portland.

The City Marshal has been informed of the matter and is looking for the strange inquirer. Although many people saw him yesterday, no one saw him yesterday, and it is feared that he has gone.

Mr. Deveny reported the matter to Chief of Police Hunt yesterday as soon as he came back to Portland. The Chief said that the description of the man was much the same as the description of the Portland suspect. The case was placed in the hands of Captain Sam Simmons, of the detective force, and men will be sent to Vancouver today to look into the matter, and if possible to capture the suspect.

The man who created the excitement in Vancouver is described as being rather tall, and slender. He is about 35 years old, and has a long black overcoat. His actions were very peculiar, and the members of the Fire Department were of the opinion that his mind was affected.

"I am baffled in my own mind," said Mr. Deveny, "that the firebug is in Vancouver, and that he visited the engine-house there. As soon as the matter was reported to me I made as much investigation as I could. I found a number of citizens who had seen him yesterday, but no one who saw him today. They all agree that his actions were suspicious and that he seemed to be deranged."

The members of the Fire Department are of the same opinion now, but did not think of it at the time they were talking to him."

BROWN FLEES FROM JUSTICE

Chief of Police Asked to Arrest Ogden, Utah, Man.

A telegram which has been received by Chief of Police Hunt explains the mysterious disappearance of J. B. Brown, salesman for George A. Lowe & Co., of Ogden, Utah.

Brown is a fugitive from justice, and has fled from Portland, because he knew the officers of the law were after him. The following is the dispatch that was received by Chief Hunt:

Portland, Or.: I have a warrant for one J. B. Brown, for obtaining money under false pretenses. He is about 25 years old, 5 feet 10 or 11 inches tall, smooth shaven, dark hair, dark eyes, blue eyes, 140 pounds; is salesman for George A. Lowe & Co., Ogden, Utah. He was in Portland Monday. Arrest and wire me.

The story of Brown's downfall is the old-time story of wine and women. For more than five years he was in the employ of Lowe & Co., of Ogden, Utah. So long as he was in the employ of the firm, he was a very successful salesman, and he was given a large salary.

The position which he held with the firm was important. Every confidence was placed in him, and he was given complete charge of his department. At Boise, Idaho, he drew a check for \$500 on his firm which was promptly paid. The charge is made, however, that during the past few months Brown's career has not been as honorable as in past years. His fondness of living the life of a sport led him to spend more money than his means afforded. Recently he had been investigated by the firm, and found to be short.

The check at Boise was not forged, but it was a false check. Brown signed the name of the firm he represented, and after it his own name. It is said that he was not authorized to use the firm's name in this way.

It seems that Brown told none of his friends of the position he was in. He is said to be a man of a very proud disposition, and he has the habit of spreading the word that he has the power to get justice to ask his friends to help him.

TO PROTECT THE TREES

Park Board Decides Permission Is Necessary Before Killing Them.

... Meier & Frank Company ...

"Peninsular" Cookstoves and Steel Ranges—A carload of new models just received—Basement. Artistic Picture Framing to your order—Best moldings and workmanship—Low prices. "Rubbry" Bath Towels make a swell shirtwaist—Takes three towels for a waist—50c each. New Spring styles in boys' Clothing, Suits, Topcoats, Dresses—Superb fashions.

The Spring Millinery

With each day the Millinery Section grows more interesting—In our opinion there has never been a season in which the head-gear has been so attractive—the variety of styles so large and the prices so reasonable. The popular priced walking and dress shapes at

\$2.98 up to \$10.00

are the grandest values ever offered, and it is not our policy to have any particular style reproduced by the hundreds because it may be popular. It is our plan to bring out new things every day, showing different shapes, different trimmings, different taste, ideas different from others. Come and see styles and values in every sense not obtainable elsewhere.

White Fabrics White Cotton Wash Fabrics—New arrivals in madras, chevrons, vestings, piques and other fancy weaves—We are showing by far the largest and best variety of White Wash Fabrics ever seen in the Far West—**25c to \$2.50 yd.**

Friday Surprise Sale

Today's Surprise Sale, the 698th one, is comprised of 700 pairs of ladies' high-grade Footwear, which we offer at a decided reduction from the regular selling price. Styles for street or dress wear, "vici" kid, patent leather, patent colt; light or heavy soles, all sizes and widths. The special price for today only

\$2.28 Pair

See the Fifth-Street Window Display.

"Hawes" Hats \$3.00 Spring styles in men's "Hawes" Hats—Derbys or Fedoras—A hat the equal of any \$5.00 product on the market—We are sole Portland agents for this well-known line.

Beds, Mattresses, Springs, Pillows

There is power in repose, but repose is dependent upon comfort. Tired nature has a right to demand comfort in bed as a means to restful sleep. Hence good bedding is a necessity. Believing this, it would be sublime folly for us to supply anything but first-class beds, springs, pillows, comforters, etc.

Brass and Iron Beds—All styles, grades and sizes. "Ostermoor" Patent Elastic Felt Mattresses. Hair Mattresses. Bed Springs, Pillows—Many styles and sizes. Comforters, Blankets, Lace Bed Sets, etc. Third Floor.

A Few Grocery Pricings

Demonstrating the Actual Saving When Buying Groceries and Provisions From Us—Phone Private Exchange 4—Basement.

1 qt. C. & B. malt vinegar.....25c	Pacific Coast matches, 6 for.....25c	1 gal log cabin maple syrup.....\$1.15
1 lb Baker's unsweetened chocolate.....25c	Poppy cream, 3 cans for.....25c	15 lbs Western dry sugar for.....\$1.00
1 can Baker's sweetened chocolate.....25c	Seeded raisins, 3 packages for.....25c	Postum cereal, per package.....25c
1 can Baker's cocoa.....25c	Durkee's salad dressing, 10c and.....25c	1 qt C. & B. oil for.....25c
1 lb Baker's cocoa.....25c	Boat Brand, the magic elixir for.....25c	2 bottles Snyder's catsup for.....25c
Bottle "Blue Label" catsup.....25c	1 lb shrimp for.....25c	1 lb can Borden's sauce.....25c
Bottle Columbia catsup, only.....25c	2 cans La Rochelle sardines.....25c	3 1-lb cans corn oysters for.....25c
Jello, 3 packages for.....25c	2 packages Maita Vita.....25c	2 cans R. & H. asparagus.....25c
Grape Nuts, 2 packages for.....25c	2 cans peaches for.....25c	1 lb Royal baking powder.....25c
Babbit's tea, 2 packages for.....25c	1 gal Puritan maple syrup.....25c	1 lb ground chocolate.....25c

200 Other Special Prices 2 Cans Sultan Pineapple, 20c 200 Other Special Prices

Meier & Frank Company Meier & Frank Company Meier & Frank Company

city charter provides that the Park Board shall have the general management and supervision of all parks, squares, openings and public grounds, and shall have the right to acquire, own or have power to regulate and control the planting, trimming, growing, use, preservation and maintenance of the trees and ornamental trees, shrubs, plants or flowers in, upon or over any street, boulevard, path or park of the city; and

"Whereas, There has been reported to this board the recent apparently unnecessary destruction of shade trees upon residence streets; therefore be it

Resolved, That hereafter before any trees, except cottonwoods and poplars, are removed from any of the streets, boulevards or openings of the city application shall be made to the Park Board and the permission of the said board given therefor.

UNION BUYS A LOT.

Carpenters Pay \$6500 for Site of Their New Hall.

The property for a hall to be used by the Carpenters' Union on Tenth street between Park and Burnside streets went into the possession of the union yesterday, the amount paid being \$6500. The lot is at 86 Tenth street and the ground is at present occupied by a two-story frame dwelling which will not be disturbed for some time, as the union does not intend to build its hall this year. Mrs. Anna V. Switzer was the former owner of the property and the price represents an increase in value of \$3 a year exclusive of rents for the past ten years.

The purchase of this property is the first instance in the history of Portland unions where a union has bought ground upon which to build for itself. Though the hall will not be erected for several months the rent of the building will prove a good investment to the buyers, the rent being now \$40 a month. It is the plan of the members of the union to build a hall not only for the use of the Carpenters and Joiners' Union, but also to provide room for such other unions as desire to use a part of the building as meeting place or permanent offices. This is a step toward the labor temple to which all the union men are looking anxiously forward, though such a building as is contemplated would require much more ground than one lot. As there are nearly 20 unions in the city and as many meet weekly it is evident that it or a large hall would be necessary, as well as a large auditorium capable of accommodating 1000 people or more. The scheme of the union men is that the members of the Federated Trades Council take shelter in the building and that it become the acknowledged headquarters of organized labor in Portland.

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SENATOR ANKENY HELPS Gives Personal Attention to Improvement of the Columbia.

The recent request of the Portland Chamber of Commerce to Senator Ankeny, of Washington, to co-operate with Senators Mitchell and Fulton, of Oregon, in urging forward the matter of improving the mouth of the Columbia River, has brought this response to President Livingston:

I have given the Columbia River matter my personal attention, and am assured work will progress as fast as possible.

LEVI ANKENY.

This is taken as assurance that Senator Ankeny will assist in the endeavor to clear the mouth of the Columbia River of obstructions to navigation, and his influence is regarded as important in the matter.

BOYS CARRIED OFF WHEAT Five Are Arrested on Larceny Charge at Victoria Dock.

Wholesale stealing was carried on at the scene of the Victoria dock fire yesterday, and five boys between the ages of 10 and 14 years were arrested.

The wheat which had been stored in the dock fell in large piles after the dock was burned, and the interior of each pile was not destroyed. The boys seemed to think that the wheat was of value as feed, and were on hand with sacks to get as much of it as possible.

We want a policeman at once," came the cry from the telephone booth yesterday afternoon. "The boys are carrying off all the wheat, and we want them stopped."

"Take a 4-year-old club and go after them until an officer gets there," was the answer from the police station. "We will assist upon coming back as soon as we can, and you must keep them away until we get there."

The policeman warned the boys and drove them from the place, but they insisted upon coming back as soon as they left the scene. At last he became tired of being troubled and arrested a number of them. Frank Nolan, Chester Hopkins, John Ashburn, John Lind and Peter Krigen will appear before Municipal Judge Hogue this morning on a charge of larceny of wheat.

MAN AND MONEY MISSING Ed Lund, Who Had \$600 on Him, Cannot Be Found.

Ed Lund, who recently came to Portland from the East, has been missing since the Victoria dock fire, and his friends are much alarmed concerning his safety.

When last seen by his friend, Ed Kvarney, Lund had \$600 on his person. If he was killed or injured or harmed in some way his friends are sure that he would communicate with them.

Lund came to Portland only a few days ago from Dakota. He and Kvarney were assisting upon coming back as soon as they left the scene. At last he became tired of being troubled and arrested a number of them. Frank Nolan, Chester Hopkins, John Ashburn, John Lind and Peter Krigen will appear before Municipal Judge Hogue this morning on a charge of larceny of wheat.

Since that time Kvarney has heard nothing from his friend. He does not think that Lund could have been harmed during the fire, for no reports were made of any accidents.

The police have been notified of the man's mysterious disappearance and are doing all they can to locate him. They have little upon which to work, as no one has seen a man of that description.

The missing man is described by his friend as being 5 feet 10 inches tall, and weighing about 150 pounds. He has a very light complexion, and speaks broken English.

Thousands of new patrons have taken notice of the Sarsaparilla this season. You should try it.