

THE PLAINDEALER.

Published Mondays and Thursdays. BY THE PLAINDEALER PUBLISHING CO. J. B. EDDY, Editor. C. Y. BENJAMIN, Manager.



FEBRUARY 15, 1897.

NOTICE. To whom it may concern: W. F. Benjamin having sold his interest in the PLAINDEALER, all accounts of advertising and job work will be paid to C. Y. Benjamin, who will also pay all indebtedness of the firm to date.

WHAT IS A QUORUM?

A correspondent asks for the language of the constitution on the question of a legislative quorum.

Article IV of the fundamental law pertains to the legislative department of the state government, and Section 12 of that Article says:

"Two-thirds of each house shall constitute a quorum to do business, but a smaller may meet, adjourn from day to day and compel the attendance of absent members. A quorum being in attendance, if either house fail to effect an organization within the first five days thereafter, the members of the house so failing shall be entitled to no compensation from the end of the said five days until an organization shall have been effected."

Section 25 of the same Article says: "A majority of all the members elected to each house shall be necessary to pass every bill or joint resolution; and all bills and joint resolutions so passed shall be signed by the presiding officers of both houses."

Section 16 of Article II declares that "under this constitution the person or persons who shall receive the highest number of votes shall be declared elected." And Section 31 of Article IV provides that members of the legislative assembly shall subscribe to an oath to support the constitution of the United States and of this state and to faithfully discharge their duties as such members.

The houses are much larger now than when the constitution was framed and adopted. Then the membership was 16 and 34 respectively, now it is 30 and 60 respectively; but as to what constitutes each house, Section 25 above quoted informs us: "The members elected to each house." There were 30 senators elected and 60 representatives, and these constitute the two houses at the present time. Two-thirds is required for a quorum to do business. Two-thirds of sixty is forty. It is very plain that if Section 12 of Article IV means what it says, the house cannot do business until there are 40 members present. The contention is made that a man's election is not complete until he qualifies, but the organic law says he is elected when he receives the highest number of votes cast and shall so be declared. It is plain then that if 60 members are elected, it requires 40 to constitute a quorum and 31 approving votes to pass a bill. A less number may meet from day to day and compel the attendance of absent members. And here is where the house failed to perform its duty. The law regards a person elected a member of the legislative assembly before he takes the oath and brings him under its jurisdiction by recording him the privileges of a member fifteen days before the time fixed for the session, and the taking of the oath; and here is where the temporary organization was lame. If the Davis organization failed to adopt measures to bring in the absentees, then those present had a right to remove the temporary speaker and elect another. Then the Smith organization, that superseded the Davis, should have compelled the attendance of the absentees until a quorum was obtained, then proceed with its permanent organization and the transaction of its business.

This is not written as an apology for those who are refusing to take part. They were elected to take their seats and act, not to obstruct legislation by absenting themselves from their places. It is an unusual and indefensible proceeding. It is the disagreeable fact with which we have to deal. The house is wrong in maintaining that it is permanently organized, and any legislation that may be enacted under it would be null and void.

It is our opinion, however, that a joint convention could be held under a literal interpretation of the Federal statute relating to senatorial elections, and if attended by a majority of both houses they could elect a senator, but the intent of the statute was evidently the second Tuesday after permanent organization, else why did it not say "on the second Tuesday of the session." The present interpretation was an after thought at Salem, or an attempt would be made to hold a joint convention on January 19. The conditions are to be regretted, but if respect for the law is to be maintained, then its letter and spirit must be complied with, especially by our law makers.

ROASTED.

The Valley Record, populist paper printed at Ashland, has the following concerning the populist representatives from Jackson county: "Howser's talk with 'green goods' agents was good enough for Jackson county delegation for one week. Now then if Bro. Schmiedline will come forth this week with a sensational bribe from some boxen tensive clerk applicant to organize the house, Holt can fill in the last week with a senatorial offer to kidney Howser and Schmiedline. These things will assist in directing people's attention to 'foreign issues' while our delegation returns home without reducing exorbitant county official salaries and regulating local abuses that lie in their power to remedy. These sensational takes can be energetically rehearsed when the reputation our delegation is now making smells like a wet dog when the hot weather of the next campaign strikes us."

The Globe-Democrat thinks that "the recent gains in gold by the big banks in England, France and Germany and the ease in the money markets in those countries indicate that gold exportation from the United States to Europe is not likely to begin soon. This is a circumstance which is full of encouragement for this country. The treasury, if it is true, is in a better position, with its \$145,000,000 of reserve, to stand a gold raid than it has been at any previous time in the past six years, yet nothing of the sort need be looked for at the present time. Aside from the continuous revenue shortage, the treasury situation is favorable, and this constitutes a very important factor in the general business situation."

The populists of Woodville, Jackson county, the home of Representative Schmiedline, have "resolved" with pride on the firm stand of the minority in the legislature, and denounced Senator Mitchell for his "Judas" top. In this stand, they are not supported by ex-Governor Pennington, who was, at least till the accession of Burnie, the noblest populist of them all. He denounces the "firm stand" of the minority as revolutionary.

No one who expects to do anything or be anything in the future can afford to participate in or uphold methods of obstruction. They are wrong in principle and practice. He who takes them up for expediency, to accomplish some desired end, will live to regret his mistake. Time, the leveler of all things, will show to him his error. Honesty is the best policy, always and everywhere. Straightforward conduct pays in the end.—Guard.

It is improbable that Great Britain ever will claim payment of the Confederate debt under the arbitration treaty, but she might claim for her citizens payment by the United States of repudiated state or municipal bonds. This would be as embarrassing as the claim of Italy on account of the failure of Louisiana to maintain order in New Orleans.—Oregonian.

Both the state superintendent of public instruction and the attorney general have expressed satisfaction with the appeal of school Dist. No. 116 in this county, and hope it may be carried up to the supreme court, as thereby the question of the right of women to vote at school elections under the constitution will be determined.

Senator Morgan, who has been the champion of the Nicaragua Canal bill in the senate, withdrew the bill and took occasion in some remarks to show his disappointment at the turn affairs had taken. There is no question but that this will be one of the leading subjects for the consideration of the incoming administration.

Representatives of the Northern Pacific and O. R. & N. railroads, were over to Olympia last week to put the railroad situation before the committee of the Washington legislature to whom has been referred all sorts of bills looking to the reduction of freights and fares on railroads in that state.

D. Monaster of Portland has made a combination tomahawk and peace pipe for President elect McKinley, but as the Major does not smoke and has no reputation for tomahawking people, the article will have to take its place among the White House bric-a-brac.

Some people in this great country of ours haven't enough to eat or clothing to keep them warm in the inclement season, while others have "money to burn" as evidenced by the Bradley-Martin bal masque.

Senator Driver has perpetuated an old joke at the expense of Representative Barkley. He said Barkley had worn out the knees of his pants praying and the seat thereof backsliding.

Who can now say the senate is not in an economical mood. The entire batch of clerks, sixty-seven in number, were dismissed Thursday.

It is said that the framers of the arbitration treaty won't know the document, expect by title, when the senate is through with it.

McKinley will be the third Methodist president of the United States, the other two were Hayes and Grant.

This is the way the Goldendale, Wash., Sentinel puts it: "Turner's good \$1018 won the day."

The senate is about ready to drop the arbitration treaty with Great Britain.

LEGISLATIVE CHATTER.

Politics Makes Strange Bed Fellows—The Unfortunate Clerks.

As stated in these columns a few days ago, the record of the Davis house, which was the original temporary organization, may be summed up in the few words "Met at 9:30 a. m. and adjourned until tomorrow" and so it has been from day to day, but the end will surely come soon, either in a tearing down of both organizations, Benson and Davis, and a reconstruction upon new foundations, or an adjournment, sine die. The lines are so sharply drawn and there appearing no immediate probability of compromise, it seems that in order to effect organization one side or the other must make a square back down from the position taken. Will they do it? The preponderance of sentiment now seems to be that they will not, but as on several occasions during this alleged session it is expected that has not happened, so it may be in this case.

The joint convention meets regularly at noon every day, calls the roll of the senate and then the roll of the house. The number responding is the same and the individuals are the same, with an occasional gain or loss. Senator Reed went in on Thursday and acted with the convention and has been in every day since. That is, he answered roll call, for up to this writing, calling the roll and a little speculating and a little waiting is all the business the joint convention has transacted.

Noel, who if his case is tried on its merits, will be unseated, made a speech on Thursday and Dufur with impassioned eloquence appealed to the members to abide by the requirements of their oath of office, on Friday. Both speeches were intended as replies to that of Carter on Wednesday. This is an instance where you can hear a man maintain one position today and another tomorrow, but there still is a shortage of over seven to nine to make the seventy desired forty-six members so that the joint convention might consist of a majority of the members of both houses and thus comply with the requirements of the Federal statutes and vote for United States Senator.

Bilyeu of Lane, and Lee of Polk, demagogues, went in on Monday, but they have not been in since. Their appearance there was merely for political effect. It is reported that there was a greater roar made in Lane county over the action of Bilyeu in going in than was made when a Lane county democrat voted for Senator Mitchell in the memorable contest of 1885, and that if Bilyeu aided in the election of Mitchell by attending that joint convention he'd be scalped when he got home. The absence of himself and Lee may be another case of "hearing from their constituents."

The old saying that politics makes strange bed fellows was never more thoroughly exemplified than at this session of the Legislature. It is not always a good plan to abuse an opponent, because you don't know how soon, in the whirlwind of time, you may both be on the same side of a question. In this case the silver men and the ultra-gold men, who a few short weeks ago were diametrically opposed on a great public question, are now lovingly working together for a common end, and that the defeat of Senator Mitchell, and to accomplish their purpose appear to be banded together in brotherly love. One side saying the senator was a silver man and now he isn't, and the other saying if he is a gold man let him say so. In the meantime every effort and every argument the human mind can conceive is being used to gather them in, but they don't gather. The senator and his friends maintain that they'll get there after a while. The others say "nit."

The clerks are all out of a job, cut down in the fulness of the enjoyment of their office almost without warning and there is much quietness abroad in consequence. Senator Reed introduced a resolution setting forth the condition of things, no house and no business, and consequently no use for clerks and that all clerks be dismissed. Various attempts were made to amend by cutting off half, limiting the number to ten, and so forth, but all failed, and after a prolonged and acrimonious debate, that took in a wide range, the resolution was put to a vote, and on the call of the roll, every senator with the exception of the president of the senate voted in the affirmative, and there was consternation in the committee rooms almost a panic. There was no fainting, however, but much sadness. By that vote 67 official heads dropped into the waste basket and the raid upon the treasury was stopped. If the house organizes they will all be reinstated.

During the debate on the clerks Senator Brownell of Clackamas saw fit to say that the responsibility for the bold uprooted on the shoulders of three men, the editor of the Oregonian, Jonathan Bourne and the president of the senate. For this the first named "came back" in his paper somewhat severely. Indeed the senator from Clackamas gets a "roast." It is dangerous to monkey with a buzz saw.

Interest in the joint convention is rapidly waning. At first the gallery and the lobby was filled with people now but comparatively few persons attend the sessions. Senator King has introduced a bill placing the matter of the selection of clerks for the legislature entirely in the hands of the secretary of state. The senator from Baker served a term in the house, and this is the second session in the senate, and he ought to know enough to know that the members are not going to give up any of their choicest perquisites by passing any such measure as that.

On Friday afternoon both senate and house adjourned to today, the former to 2:30 p. m., the latter to 11:30 a. m. The joint convention of Saturday was merely perfunctory, some of its attendants having gone on the Friday trains. It was not expected that anything would be accomplished and so there were but 35 present. Representatives Vaughan and Hudson have been absent since Wednesday on account of sickness.

THIRTY-THREE PRESENT.

SALEM, Feb. 15, 1897. There were 33 present at the joint convention today, and an adjournment was taken to noon tomorrow.

NEWS NOTES.

Utah was visited by an earthquake last week.

Chauncey Depew may be minister to England.

There is a talk of establishing a high school at Eugene.

And now Turkey and Greece may get into trouble over Crete.

Madame Modjeska, the actress, is seriously ill in San Francisco.

Dan McClain's livery stable at Harrisburg was destroyed by fire Friday.

John Randolph Tucker died at his home in Lexington, Va., Saturday.

The Portland newsvoyers are said to be developing quite a penchant for gambling.

The Willamette Valley was visited by an unusually heavy rainstorm on Thursday last.

The parliament buildings at Ottawa, Canada, were partially destroyed by fire last week.

Anti-Spit Laws.

This country is great on something new, and every day something new turns up. Now, in many cities of this land it is an offense, punishable by fine, to spit in a public place, on the floor of a street car, omnibus, or other public conveyance. It is a decree of the board of health, and with the police authorities they are enforcing the order. It is presumed that the expectation of the human family contain germs which breed disease, and to prevent its spreading from this cause, city authorities have framed and passed ordinances prohibiting this great public expectation, and it's a good thing—push it along. It is an offensive habit, and should be suppressed.—Albino.

Competition never worries us, because we "buy right" hence "sell right."

The facts are these, every move in our business is only made after the most careful consideration, nothing left to chance. Shoes have advanced in price but not with us. We sell you a good oil grain shoe for \$1.25 and upwards, fine shoes in proportion. If you doubt us, come and see us, convince yourself that we have what we advertise. We don't care to do all the business in town, but want to get a share of it. We firmly believe that a concern that gives its customers exceptionally good values in every instance is bound to go ahead year by year. This idea prevails throughout our entire business. Every dollar's worth of goods must give the wearer satisfaction, even the all wool absolutely fast color \$8.00 suits.

Oregon Scenery.

On Feb. 25, 1897, Mr. H. W. Werco, who has been for the past year devoting his time traveling over the state in the interest of the Pacific Northwest Immigration Board, collecting photographic views of Oregon scenery and industries, will give the people of Roseburg an opportunity to see Oregon as shown to Eastern people by the stereopticon. This includes mountains, rivers, hunting and fishing scenery and industries in all sections, including several in and around Roseburg, and which have never been shown on canvas before. This entertainment will be given under the auspices of the ladies of the W. C. T. U., in the M. E. Church at 8 p. m. of the above mentioned evening.

This is Your Opportunity.

On receipt of his card, such or stamps, a generous benefactor will be entitled of the most popular Col. and Day Leader Co. (Little Green Corn) and will be sent a strain of the most beautiful and profitable corn.

Threw Away His Cane.

Mr. H. Willey, ex-postmaster, Black Creek, N. Y., was so badly afflicted with rheumatism that he was only able to hobble around with canes, and even then it caused him great pain. After using Chamberlain's Pain Balm he was so much improved that he threw away his cane. He says this balm did him more good than all other medicines and treatment put together. For sale at 50 cents per bottle by A. C. Marsters & Co., Roseburg, Ore.

City Treasurer's Notice.

Notice is hereby given to all persons holding Roseburg city warrants indorsed prior to April 25, 1897, to present the same at the city treasurer's office in the city hall for payment, as interest will cease thereon after the date of this notice. Dated at Roseburg, Ore., this 8th day of February, 1897. J. A. FRANKS, City Treas.

Stray Notice.

Came to my ranch about the 14th of this month, one bay saddle mare about 9 years old. The owner can have the same by calling on me and paying for this notice. G. W. ALDERSON, Cleveland, Oregon.

For Sale.

One fresh milk cow, inquire of E. A. Kruse, Roseburg, Oregon.

Good Blood.

Is essential to health. Every nook and corner of the system is reached by the blood, and on its quality the condition of every organ depends. Good blood means strong nerves, good digestion, robust health. Impure blood means scrofula, dyspepsia, rheumatism, catarrh or other diseases. The surest way to have good blood is to take Hood's Sarsaparilla. This medicine purifies, vitalizes, and enriches the blood, and sends the elements of health and strength to every nerve, organ and tissue. It creates a good appetite, gives refreshing sleep and cures that tired feeling. Remember, Hood's Sarsaparilla.

Notice to Tax Payers.

The law requires that each male between the ages of 21 and 50 years living within the county shall pay a poll tax of \$1 at the time of assessment, and if not so paid to be reported to the sheriff of the county for collection at once. The law allows no exemption for poll tax, except to active members of the Oregon National Guard and all active firemen who have been members of any company for one year next preceding the time of assessment, and exempt firemen. That there may be no cause for complaint I ask that each person liable to poll tax be prepared to pay the same to the assessor or his deputy at time of making the assessment. I ask the aid of every person within the county that the law may be strictly complied with. Persons exempt will be required to show their certificate of exemption. Roseburg, Or., February 13, 1897. W. S. BIRN, Assessor, Douglas County.

PIANOS.

In order to close out our stock of new and second hand pianos, we will offer them at cost. It is our intention to close out our business as quickly as possible, and in order to do this we will be compelled to sell at a very low figure and on such small installments that it will not pay you to rent. Therefore we will call in all our rented pianos and organs and give you the benefit that we have received as rent. We have in all sixteen pianos which we will sell from \$100 to \$400; \$5 and \$10 per month installments. Reasonable discount for cash.

Great reduction in violins, guitars and all musical goods. Short music \$50 per cent discount. Send for catalogue. All orders promptly filled.

ROSEBURG LODGE, NO. 16, A. O. U. W.

Meets the second and fourth Mondays of each month at 8 o'clock in Odd Fellows Hall. Members of the order in good standing are invited to attend.

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Society Meetings.

B. P. O. ELKS, ROSEBURG LODGE, NO. 16, B. P. O. ELKS, hold their regular communications at the I. O. O. F. Hall on second and fourth Thursdays of each month. All members requested to attend regularly, and all visitors and friends cordially invited to attend. FRED PAUL, W. M. HERMAN MARKS, Secy.

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SUMMONS.

IN THE CIRCUIT COURT OF THE STATE OF OREGON, for Douglas County. E. L. HARRIS, Plaintiff, vs. J. D. Nicholson and H. J. Johns, Defendants. To Daniel E. Harke one of the above named defendants.

SUMMONS.

IN THE CIRCUIT COURT OF THE STATE OF OREGON, for Douglas County. John B. McGee, Plaintiff, vs. J. D. Nicholson and H. J. Johns, Defendants. To J. D. Nicholson and H. J. Johns, defendants.

NOTICE.

NOTICE IS HEREBY GIVEN THAT the undersigned has been by the County Court of Douglas County, State of Oregon, appointed administrator of the estate of Charles LaPoint deceased. All persons having claims against the estate of Charles LaPoint are requested to present the same to the undersigned at his home in Roseburg, Oregon, on or before the 15th day of February, 1897.

STRICTLY FIRST-CLASS.

HOTEL

McLALLEN.

HEADQUARTERS FOR TRAVELING MEN.

RATES REASONABLE.

Large, Fine, Sample Rooms.

Free Buss to and from Trains.

ROSEBURG.

EDENBOWER POULTRY YARDS

ROSEBURG, OR.

BREEDER OF FINE POULTRY.

S. C. Brown Leghorn, Barred Plymouth Rock, Black Langshan, S. S. Hamburg, Black Minorcas, B. B. Red Game EGGS, \$1.00 PER 13.

Buy your eggs from Edenbower Poultry Yards and save money. The largest brooder in Southern Oregon. Eggs you buy of us are from our best birds and prize winners; pure, stout, vigorous and healthy. We are breeding in my yards. With great success have mated most of my hens of Lincoln, Ohio and Illinois. One of our birds won the Lion's Share of Honor at the Southern Oregon District Fair, at Oregon State Fair, Brown Leghorns ranked on brooding tests superior to any other breed on record. Write for the best on exhibition. Orders promptly filled at Kruse & Shanbrook's Grocery Store, address above for particulars. Send stamp for reply. E. A. KRUSE, Manager.

MOUNTAIN VIEW

Poultry and Stock Farm, CLEVELAND, OH.

Having just engaged in the business, would say: I have spared no time or money to purchase the very best for my breeding stock. Silver Laced Wyandottes, Barred Plymouth Rocks, Golden Polish, Silver Spangled Hamburgs, Single Comb Brown Leghorn. EGGS, \$1.00 PER 13. Poland China Hogs, Angora Goats. Give me a trial. Correspondence solicited. L. A. MARSTERS, Proprietor, Cleveland, Oregon.

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