

PRODUCTS OF GOLDEN WEST SHOWN

Fine Display of Fruits, Grains and Vegetables Make Great Northern Exhibit Effective Advertisement

The possibilities of Oregon both as an agricultural and fruit state are being played up strongly by the Great Northern Railway at their exhibit in Columbus, Ohio, and the following extract of article taken from the Columbus Journal gives some idea of the beauty and interest created by this exhibit.

and all inquiries made by visitors are cheerfully answered by those in charge. "The Great Northern Railway has not a foot of land to sell," said L. O. Stout, who is in charge of the display. "President Hill wants the men and women of your city to realize the great possibilities of the big, new west."



Great Northern Agricultural Exhibit at Night, 47 North High Street, Columbus, Ohio.

"Go west, young man, and grow up with the country," said Greeley. The actor gave good advice, but he stopped there. "Go west, young man, woman, boys and girls, and grow up with the great new west," said L. W. Hill. Then Mr. Hill, who is President of the Great Northern Railway, and son of James J. Hill, backed up his advice by making it possible for everybody to go west. That the people of Columbus and vicinity may become better acquainted with the wonderful western country, a free exhibition of the grains and fruits of Montana, Oregon and Washington has been opened at 47 North High street by the Great Northern Railway. The exhibition is well worth the visit. Great sheaves of golden wheat, oats and other grains adorn the walls in artistic array. Big crystal jars display the fruits of the far west. Literature descriptive of the wonderful opportunities awaiting the homeseeker are distributed,

Mr. Stout has many large photographs of orchard scenes along the railroad and in the adjacent territory which tell in forcible language the story of the fertile west. As a proof that the apple industry is a great source of revenue in the western country, the fruit growers have sent gorgeous glowing fruits to the exhibition. Piles and crates of apples, such as one seldom sees, grace the tables and counters at the exhibition. Vegetables, too, of great size, are displayed. Beautiful flowers from Oregon, cunningly preserved, add to the beauty of the display. If you have thought of the west as a possible home, go and see this exposition. If you have not given it a thought, then go and see the wonderful things which the trees and vines yield the toilers who tempt fate and win fortunes in a virgin country.—Journal, Columbus, O.

CONCERNS THE SALE OF LANDS.

(Continued from page 1.)
to have more money for this," and when Stewart remonstrated with him on behalf of the plaintiff, the defendant said: "I don't know if this deal is off yet. Let it hang fire a little while yet." The jury might well have taken the two statements together to mean that the defendant was haggling for a better price but leaving the negotiations open so far

as the plaintiff was concerned. The remaining error of which the defendant complains is founded on the refusal of the court to grant a non suit at the close of plaintiff's case, and at the end of all the testimony to direct a verdict for defendant. It is sufficient to test this question by the complaint itself. It is the rule in this state that a real estate broker is not entitled to a commission until he produces a purchaser ready, able and willing to buy the land on the terms offered. In

others words, the broker must produce a purchaser who is not only able to buy but does accept the offer of the land owner in the terms prescribed. To bind the defendant here the acceptance of his offer must coincide exactly with the terms of that offer to sell. Until this situation is developed, the overtures of the prospective purchaser constitute at best only a counter offer which the defendant is not obligated to accept. According to the complaint the defendant, through the plaintiff as his broker, had published an offer like this: "I offer my land for sale at \$18,000 and warrant that the merchantable timber thereon will scale at least 40 million feet." Before he can be bound, either to the purchaser or to the broker, the latter must produce a buyer who in effect says: "I accept your offer and warranty and will pay you \$18,000 for your land." The complaint does not disclose this situation. On the contrary, in substance, it puts into the mouth of the alleged purchaser furnished by plaintiff a statement like this: "I have the money to pay and I would like to buy your land if it has on it that amount of timber, but I am unwilling to close with your offer until I see for myself about the timber. I do not rely on your warranty and so I retain this avenue by which I may, if I choose, retire from further negotiations." This is not an acceptance of the defendant's offer. A prospective buyer occupying that attitude is not one ready to purchase so as to charge defendant for plaintiff's commission. The cause of the plaintiff is not aided by the averment of the complaint already quoted to the effect that the purchaser should have the privilege of examining and scaling the timber. That of itself operates to keep the negotiations open and allow the purchaser to withdraw at his option before incurring liability. If there had been a pre-existing executory contract for the sale of land on which the timber should be of a certain kind and quantity, the purchaser would be entitled to a reasonable time in which to inspect the property to see for himself if it complied with the contract. In this case, however, there is no pre-existing contract and to insist on such an inspection before accepting the offer to sell does not amount to, but prevents a perfect acceptance of the offer. Hence the purchaser insisting upon such a condition is not one ready, able and willing to buy so as to entitle the plaintiff, who produced him, to his commission. The opinion of this court in the case in the case of Hardy v. Sheedy, —, Pac.—, is instructive on all branches of this case.

There was error of the court in refusing a nonsuit. The judgment is reversed and the cause remanded for further proceedings.

JACOB RIIS TO SPEAK HERE NEXT TUESDAY

Next Tuesday evening, April 11th, Jacob A. Riis lectures at the Grand Opera house on "The Making of an American." Mr. Riis is conceded to be one of the half dozen really big men in the United States and has done more than any other one man towards alleviating the distress and loathsomeness of the tenement districts of our large cities. He has been instrumental in bringing about all of New York's recent "clean-up" legislation, and his books, which are in two-thirds of the American homes, have been wonderful agents in arousing the American people to a realization of the existing conditions. Fortunately, Mr. Riis not only knows and has studied young American life better, perhaps, than any other man, but he is a pleasing speaker and can portray so earnestly and vividly what he sees and thinks that his hearers entirely forget the speaker and see and think and feel as one with him. For many years Roosevelt and Riis worked side by side and an idea of what Mr. Roosevelt thinks of him may be had from the following words quoted verbatim from the short talk he made at the train while on his way to Portland yesterday noon: "Jake" Riis, my good friend Jacob Riis, is coming here to lecture next Tuesday and I wish I could be here for he is one of the most useful citizens that the state of New York has ever had. One of the best citizens in America. Best because he displays just that kind of citizenship I would like to preach to all of you—the citizenship of service, sane service. And by the way, its the kind of citizenship that begins by supporting himself. It isn't like the man who, out of his abundant leisure can sit around on the tobacco box at the corner grocery and tells us just how everything ought to be run while his wife is at home taking in washing. We can't be a good citizen until after we have begun to be good citizens in the intimate relations of life. A man must be a good citizen in his home and in his family relations before he can be a good citizen of the state. There is another reason why I want you to hear him. He is a man who is a genuine philanthropist and yet is not a fool."

Such words as these from men who know him best are tributes to his worth that cannot be overlooked. The Endeavor society of the First Presbyterian church is putting on Mr. Riis and they have placed the price of seats at 75c, 50c and 25c in order that he can be heard by every man, woman and child in Salem. Tickets which are being sold in advance may be reserved on Monday, April 10th and may be secured at The Commercial Book store, Y. M. C. A. or at the university office, or if you will phone Virgil Lloyd at Main 273 he will see that tickets are delivered to you. Fifty cent tickets may be secured at the box office on Tuesday, the day of the lecture and 25 cent tickets, which admit to the gallery, will be on sale Tuesday evening.

Notice of Intention to Improve Asylum Avenue.
Notice is hereby given that the common council of the city of Salem, Oregon, deem it expedient and propose to improve Asylum avenue in the city of Salem, Oregon, with concrete pavement from the center line of 24th street to the city limits, at the expense of the adjacent and abutting property within said limits, and according to the plans and specifications adopted for said improvement and on file at the office of the city recorder, which said plans and specifications are hereby referred to for a more specific and detailed description of said improvement; and are hereby made a part of this notice.

This notice is published for ten (10) days pursuant to the order of the common council, and the date of the first publication thereof is the 4th day of April, 1911.

Remonstrances may be filed against said improvement within ten (10) days from the last publication of this notice, and in the manner provided by the city charter.

CHAS. F. ELGIN, City Recorder.

Notice of Intention to Improve North Cottage Street.
Notice is hereby given that the common council of the City of Salem, Oregon, deem it expedient and propose to improve North Cottage street, in the City of Salem, Oregon, with bitulthic pavement, from the North line of Court street to North Mill creek, at the expense of the adjacent and abutting property within said limits, and according to the plans and specifications adopted for said improvement and on file at the office of the city recorder, which said plans and specifications are hereby referred to for a more specific and detailed description of said improvement, and are hereby made a part of this notice.

This notice is published for ten (10) days pursuant to the order of the common council, and the date of the first publication thereof is the 28th day of March, 1911.

Remonstrances may be filed against said improvement within ten (10) days from the last publication of this notice and in the manner provided by the city charter.

CHAS. F. ELGIN, City Recorder.

Averts Awful Tragedy.
Timely advice given Mrs. C. W. Loughby, of Marengo, Wis., (R. No. 1) prevented a dreadful tragedy and saved two lives. Doctors had said her frightful cough was a "consumption" cough and could do little to help her. After many remedies failed, her aunt urged her to take Dr. King's New Discovery. "I have been using it for some time," she wrote, "and the awful cough has almost gone. It also saved my little boy when taken with a severe bronchial trouble." This matchless medicine has no equal for throat and lung troubles. Price 50 cents and \$1.00. Trial bottle free. Guaranteed by J. C. Perry.

One Conductor Helped Back to Work.
Mr. Wilford Adams is his name, and he writes: "I was confined to my bed with chronic rheumatism and used two bottles of Foley's Kidney Remedy with good effect. The third bottle put me on my feet and I resumed work as conductor on the Lexington, Ky., street railway. It will do all you claim in cases of rheumatism." Foley's Kidney Remedy always rheumatism by eliminating the uric acid from the blood. Specially recommended for elderly people. Red Cross Pharmacy, H. Jerman.

Prompt relief in all cases of throat and lung trouble if you use Chamberlain's Cough Remedy. Pleasant to take, soothing and healing in effect. Sold by all dealers.

Your tongue is coated. Your breath is foul. Headaches come and go. These symptoms show that your stomach is the trouble. To remove the cause is the first thing, and Chamberlain's Stomach and Liver Tablets will do that. Easy to take and most effective. Sold by all dealers.

Get it at Dr. Stone's Drug Store.

The man who doesn't pay running expenses is generally the man who creates the most.

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Gives Aid to Strikers.
Sometimes liver, kidney and bowels seem to go on a strike and refuse to work right. Then you need those pleasant little strike-breakers—Dr. King's New Life Pills—to give them natural aid and gently compel proper action. Excellent health soon follows. Try them, 25c at J. C. Perry's, Druggist.

Some men prefer to marry widows because they don't like anything amateurish.

Foley's Kidney Pills contain in concentrated form ingredients of established therapeutic value for the prompt alleviation of all kidney and bladder ailments. Foley's Kidney Pills are antiseptic, tonic and restorative. Do not allow your kidney trouble to progress beyond the reach of medicine, but start taking Foley's Kidney Pills at once. Refuse substitute. Red Cross Pharmacy, H. Jerman.

Children Cry FOR FLETCHER'S CASTORIA Get It at Dr. Stone's Drug Store

Salem Fence Works
Headquarters for Woven Wire Fencing, Hop Wire, Barb Wire, Poultry Netting, Shingles, Malthoid Roofing, P. & B. and Ready Roofing, Screens, Doors and Adjustable Window Screens. All at the lowest prices.
CHAS. D. MULLIGAN
250 Court street. Phone 124

GRAND OPERA HOUSE
John F. Cordray Mgr.
ONE NIGHT—SATURDAY, APRIL 8
Prices: \$1.00, \$1.50, \$2.00.
Seats Ready Friday.

World's Greatest Musical Comedy Success

MADAME SHERRY

The wonderful Production complete, with its perfect cast, special orchestra, irresistible comedy and all those entrancing melodies, including "Every Little Movement Has a Meaning All Its Own."

REMEMBER

Pay your electric light and gas bills on or before the 10th and receive the 5% Discount

Portland Railway, Light & Power Co.