

## NOVEMBER TERM OF CIRCUIT COURT

Sellwood vs. Reid occupied the attention of the circuit court Thursday. The morning session was devoted to the selection of a jury and the opening statements of counsel. The afternoon session opened with Mr. Sellwood himself on the stand.

The action is for damages to the amount of \$3000 for the alleged unlawful cutting down of 34 prune trees by Fruit Inspector Reid. The laws of 1905 provide that the state board or any of its officers may cut down trees infested with any disease such as the San Jose scale, with which Reid claims Sellwood's trees were affected. The plaintiff's contention is that Reid did not operate within the law in the manner in which he went about the destruction of the trees.

District Attorney Harrison Allen and Deputy District Attorney Schuebel are conducting the defense. C. D. Latourette appears for the Sellwoods.

### BATDORF CASE JURY AGREE TO DISAGREE

It was 2:30 Wednesday afternoon when the jury in the Batdorf case was charged by Judge McBride and sent into the jury-room. It was midnight when they returned from the room and brought in the announcement that they had not been able to arrive at a verdict. Judge McBride discharged the jury from further consideration of the case.

It was evident soon after the jury was sent out that they were experiencing considerable trouble as was expected. About 6 o'clock further instructions were asked from the judge. From then until midnight, 11 jurymen had the task of trying to convince one of them that Mrs. Batdorf was entitled to damages of some kind. The eleven men, however, who were agreed as to her being entitled to damages had not arrived among themselves at anywhere near a decision as to what was due her.

### Doings in Probate.

The will of Mary A. LaMar has been filed and petition made to admit same to probate. Under the terms of the will all the personal property is bequeathed to the husband. To the sons B. W. and J. M. LaMar are bequeathed lots 14, 15, 18 and 19 in Edgewood. To J. W. LaMar is further bequeathed the sum of one dollar. The two sons are appointed executors.

The will of Charles Baker was admitted to probate and J. E. Headick appointed administrator. The estate is valued at \$150.

Henry Johnson of George is made the legatee and also executor of the will of Henry Meinke. He is instructed by the terms of the document to pay to Mary Gibson \$50 out of the proceeds of the estate, the rest going to himself.

May Keep Papers 24 Hours. County Clerk Greenman, Wednesday obtained an order from Judge McBride granting attorneys the privilege of taking out papers in cases pending before the court for a period of 24 hours. Because attorneys had been very careless previously in these matters and had often taken out papers for an indefinite time, sometimes losing them altogether, Clerk Greenman refused to let any papers out at all. The new order gives attorneys a limited privilege and denies them this curtailed privilege if they fail to obey the order and return the papers within 24 hours.

It was admitted by the plaintiff that the trees had some scale on them, and that he had received notice in November to spray within 90 days. It was admitted by the defense that Reid cut down the trees, but not until almost six months and elapsed from the time of giving notice. Judge McBride ruled that absolute refusal to spray was not necessary, but that if plaintiff failed to heed the notice that was in itself a refusal and exempted the defendant.

At the close of the introduction of testimony, Harrison Allen moved to direct a verdict for the defendant, there being no evidence that he did not act as the statute provided.

C. D. Latourette argued to the jury the proposition that the inspector had exceeded his authority by not taking a milder measure of eradicating the evil instead of ruthlessly cutting down the trees. The construction of the statute by Judge McBride made

it very plain that the defendant was not compelled to resort to either one of the alternatives provided, namely spraying or cutting down the trees, but that it was discretionary with him which method he was to use.

The defense introduced expert testimony and produced samples of sprayed and unsprayed fruit, and rested its case without argument. The witnesses for the defense were Professors Cordley and Lewis of Corvallis, Mr. Swallow, County Inspector Lewis, Homer Mullen, J. W. Grassle and Mr. Beard.

### The Gibson Case.

Next Wednesday the case of Clarinda E. Gibson vs. James Gibson, Jr., will be argued before Judge McBride. The case presents some very interesting features.

The plaintiff alleges that she and the defendant intermarried in May, 1905, and that at the time defendant was possessed of property which it was agreed should become the possession of both after marriage.

Subsequently two sons, Dick and H. F. are supposed to have treated their step-mother in a very bad style and made life miserable for her. Then the husband, too, turned on her, according to her account, and told her that he only married her to get the land away from his sons entirely. Later he even went so far as to deed the land to Dick and H. F. and they finally made life so unbearable for her that she had to leave.

She is over 60 years old, claims to have no means of support and prays for a verdict of \$100 alimony and attorneys fees, with \$15 per week for her maintenance.

The defendant filed an answer Thursday denying most of the allegations and asserting that the wife left of her own free will, being urged to do so by relatives, and that she expressed herself as being somewhat disappointed at her new husband's longevity. She is said to have expressed the opinion that she expected him to die sooner when she married him.

George C. Brownell appears for the plaintiff and G. L. Story and G. E. Hayes for the defendant.

### GOTTLIEB AND MINNIE MARRIED BY JUDGE McBRIDE.

At 5 o'clock Thursday afternoon the two principals in the case which promised to be the most sensational on the circuit court docket, The State vs. Gross, were quietly married in the judge's chamber in the circuit court room. Judge McBride performed the ceremony. Only immediate relatives were present. Minnie Frederick, the youthful bride, is but 15 years old and the groom, Gottlieb Gross, is 25. The marriage is a happy solution of a troublesome situation. Gross was bound over by the justice court recently charged with a statutory offense. At that time he was determined to fight the prosecution, and retained G. C. Brownell as his attorney. On sober second thought and at the suggestion of the attorneys interested in the case, he decided to do the right thing and married the complaining witness, to whom he was supposed to have been engaged for some time.

The young couple will live on Gross' ranch south of Oregon City. The groom is pretty well known in Oregon City where he has a brother. The bride lived with her parents, Mr. and Mrs. Frederick about three miles south of the city.

### Settled Out of Court.

The two cases of H. E. Cross and The Gladstone Real Estate Association vs. The Southern Pacific Railway company were Thursday ordered dismissed, and will be stricken from the circuit court docket. The two actions were for damages for the destruction of a barn and its contents, of a total value of approximately \$700. A short time ago the corporation offered to settle for about \$450, but their demurrer was overruled and now the case has been settled out of court on some other basis. The litigation arose in the first place because of a fire caused by sparks from defendant's locomotives.

### Sued for Rent.

Suit was begun by Henry Wagner and Paul Wessinger against George H. Young for rent due on the premises known as the Log Cabin saloon. The place was rented in February of this year and the amount due is from June 1 to November 1, \$150. Plaintiff prays for judgment for the amount due and costs and disbursements of the suit.

The case of the O. W. P. vs. A. D.

Burnett has been ordered dismissed. The dispute arose over the right to cut some trees. Judgment and an order of execution was entered against N. Boodean Wednesday for the sum of \$738.80, \$665.70 being the sum allowed Mrs. Patrick by the jury and \$73.10 being the aggregate costs.

A decree of divorce was granted Mary F. Biggs from Thos. F. Biggs, Wednesday morning. Mrs. Biggs testified that her husband left her in September, 1891, after they had been married but five months. The last she heard of him was over ten years ago when rumors came to her that he had been drowned in the Snake river in eastern Oregon.

The couple were married in Oregon City and Mrs. Biggs has lived in the

state all the time since their marriage, a good deal of the time in this vicinity. Desertion is alleged as the ground for divorce.

Mrs. Annie McDonald was, Tuesday, awarded the custody of ten minor children and costs amounting to \$27.70, the decree of divorce having been rendered some days ago. The ages of the children range from one and one-half years to 17 years.

Mrs. McDonald is a hard-working, industrious woman and is apparently willing and able to make the stupendous effort of supporting so large a family. The husband has not been ordered to contribute to their support.

A motion to transfer the custody of their child from Idella K. White to her former husband Charles White,

was denied, there being not sufficient grounds to warrant the change at this time.

Reduction on all trimmed Hats. Mrs. H. T. Sladen.

### Had a Close Call.

"A dangerous surgical operation, involving the removal of a malignant ulcer, as large as my hand from my daughter's hip, was prevented by the application of Bucklen's Arnica Salve," says A. C. Stichel, of Milletus, W. Va. "Persistent use of the Salve completely cured it." Cures Cuts, Burns and Injuries. 25c at Howell & Jones' Druggists.

**Big Stock Sale.**  
J. J. Kuntz will sell at his residence, 1 1/2 miles east of Beaver Creek store, on Saturday, December 1, a lot of live stock and farming implements. The former include a finely matched team, other horses, riding ponies, 10 milch cows, a bull, lot of calves and other cattle, hogs, etc. The implements are in good shape. It will be a big sale and W. W. H. Samson is the auctioneer.

It appears that the residents of Alabama discovered a Republican in the state so they got rid of him by sending him to Congress.

Of course Mr. Rockefeller believes implicitly in Providence. Does he not always advise the public to keep its lamp trimmed and burning?

# Shower of Golden Nuggets

From the Skies could bring no Greater Boon to the People of Oregon City than does the Drastic Slaughter of Rosenstein's \$20,000 stock of Fine Suits, Overcoats, Pants, Cravenettes, Hats, Shoes and Men's Furnishing Goods Stock and Womens Wear in the Monster Fire Sale now at its height at Main St. Oregon City, 2nd door south of post office.

**We Are At It Values Piled Higher!  
Prices Cut Deeper!**

The People are flocking in from all directions to share in the Stupendous Values! All are welcome to come and investigate our prices and look at our fine stock at such low prices as were never given to the people of Oregon City before at

# Rosenstein's Fire Sale

Go where you will and you will find folks discussing the sensational and extraordinary values being distributed thru the mastadonic Fire Sale of the Rosenstein stock. People are flocking in from miles around. Every sort of conveyance is being pressed into service to bring the crowds and hundreds are trooping in afoot. From every point of the compass they come! From every town, city and hamlet for miles around. Portland is contributing her quota of buyers at this great sale. It's the peoples buying opportunity, a boon indeed to those who care to save dollars hard earned. The merchandise is but slightly damaged, some not hurt at all except from mussing thru handling. The Insurance companies have paid the loss, yours the benefit. Nothing reserved! Everything slaughtered! Buy now for months, yes for years ahead - 'tis the opportunity of a life time! To miss it is your loss. Competition is helpless! One might as well try to lift himself in a basket as to match these values! Read!

### OVERCOATS AND CRAVENETTES—

This most elegant stock consists of the best brands known. But smoke and water has done its work. They will be sold at Fire Sale Prices. Some of them are in perfect condition, but go they will and go they must. A big stock.  
\$6.85—Extra fine Overcoats and Cravenettes worth to \$15 according to condition.  
\$9.85—Tailor made Overcoats and Cravenettes, worth to \$20.00 according to condition.  
\$12.85—Finest Imported Goods, Overcoats and Cravenettes up to \$27, according to condition.

### FIRE SALE PRICES—

\$4.85 for up to date \$12.00 suits, according to condition.  
\$7.85 for up to \$18 suits, according to condition.  
\$9.85 for up to \$25 suits, according to condition.  
\$12.85 for up to \$30 suits, these are as fine as they make them.

### KNEE PANTS SUITS—

Watch them go—Some for a song. These Fire Sale Prices is like finding them. Assorted according to condition.  
35c for a lot of damaged, up to \$3.00 suits.  
85c for Good condition, up to \$3.00 suits.  
\$1.85 Splendid condition up to \$4.50 suits.  
\$2.85 Extra Fine Suits up to \$6.00.

### CHILDREN'S OVERCOATS—

\$1.35—\$1.85—\$2.85—\$3.85, Good order worth \$3.00 to \$8.00.

### WOMEN'S WEAR—

Ladies Jackets—about 200 of them—fine ones at that—but they got wet.  
69c for choice of up to \$10 Jackets.  
50c for values up to \$8.50.  
Ladies U. Suits 50c—\$1.25 values.  
Ladies' Skirts, \$1.45—\$3.00 values.  
Ladies' Hose, 10c—25c values.

### WOMEN'S SHOES—

Get here quick—like finding money.  
90c Big lot of little damp up to \$2.50 values.  
\$1.65 Perfect condition, smoke smell, to \$3.  
\$2.35 Fine Dress, etc, worth up to \$3.50.  
Watch paper for new prices daily—in a few days they are gone.

### SUITS—

to fit youths and men from 31 to 46 breast measure, while these hundreds of suits no man can detect any damage except the smell of smoke which would go away if aired a few hours, and there are others more or less damaged by water. We assort them into lots according to condition and cut the very life out of former prices. The insurance loss is your gain and in some cases far less than half price.

### MEN'S PANTS—

2000 pair smoke and water damaged.  
65c Badly wet, all kinds, worth to \$2.00.  
\$1.35 Fairly good condition, worth to \$3.00.  
\$1.85 Wet, worth up to \$4.00.  
\$2.75 Damp and wet, worth up to \$5.00.  
\$3.75 Fine—All my tailor made worth \$7.00.

### MEN'S SHOES—

2000 Pairs a little water, lots of smoke.  
95c for Men's \$3.00 values.  
\$1.65 Calf, velour, etc worth to \$3.00.  
\$1.95 Patent Vici Calf, etc, worth to \$3.50.  
\$2.65 Takes our fine Hand Bench Made, up to \$4.50.

### MEN'S AND BOYS' FURNISHINGS—

Damp, Smoke, Broken Boxes, Etc.  
Mixed lot of sox, all kinds, 45c doz.  
25c sox 3 for 25c or 90c doz.  
35c sox( 3 for 50c.  
63c Boys' Sweaters, \$1.50 values.  
44c Boys' Sweaters, \$1.25 values.  
\$3.00 Men's Sweaters, \$5.50 values.  
\$4.50 Suit Cases, \$7.50 values.

### UNDERWEAR—

43c wool fleece, etc, all kinds.  
95c Wool stock, many kinds up to \$2.00.

### SHIRTS—

15c Soiled and mussed, all kinds.  
45c Fine Golf and Neglige, worth \$1.50.  
45c Best of Good Dress Shirts, worth \$1.25.

### CHILDREN'S SHOES—

Wet, Smoke, Broken Sizes, etc., 35c pair up to \$2.25 values, \$1.25.

### Men's Hats—

The firement raised Cain in the Hat stock—the insurance company paid for the trouble.  
85c Mixed lot \$2.50 and \$3.00.  
\$1.35 Soft and stiff worth to \$2.50.  
\$1.85 Soft and stiff worth to \$3.50.  
\$2.75 John B. Stetson \$5.00 and \$6.00 Hats.  
This big fire loss gives you a fair, square chance to visit a genuine fire sale and buy the very best of everything at prices that no one can help but appreciate. The insurance companies stood the loss. The people surely can stand the gain. Delay no longer; such values cannot last—get in and share ere in a few days they're gone. Watch paper daily for new prices.

# Rosenstein's Big Fire Sale

2 doors south of post-office

# Rosenstein's Fire Sale

## Old Coughs

For Coughs that "hang on" there is no better remedy than Huntleys White Pine Balsam. No matter what "Cough Cure" you may have tried or are trying you have left a stone unturned if you have not tried Huntleys'. You are close to relief and cure when you start to take **Huntleys' White Pine Balsam** for all kinds of Coughs, Colds, Sore Throat, Hoarseness, Bronchitis, etc. Price 25c. Your money back if it doesn't do the cure.

**HUNTLEY BROS. CO.**  
The Rexall Druggists