

ATTORNEY KEPT HIS FEE

JUDGE WOULD NOT ORDER HIM TO REPAY IT.

Declined to Set a Dangerous Precedent—Williams is Arraigned for Murder of George Hicks.

Judge Sears yesterday refused to order Attorney John F. Logan to return \$25 fees which he had earned in a divorce case, and while his honor did not say so, he doubtless thought that it is contrary to the rules of the profession for a lawyer to give back anything he has received in the way of fees. There was perhaps also a doubt in the mind of the court of the ability of most of the attorneys to repay fees after several weeks had elapsed.

Judge Sears said he knew of a case some years ago where some of the parties interested in the litigation wanted \$150 returned, but the money had been spent by the attorney.

The controversy yesterday was in the case of Little Wright against William Wright, on the motion to set aside. Mrs. Wright began a suit for a divorce, and upon the appearance of the husband obtained an order requiring him to pay \$25 as court money, before he could come to court and defend the suit.

The money was paid to Mr. Logan, who was the attorney for Mrs. Wright, and she afterwards and before the date fixed for the trial, dismissed the case. Wright then endeavored to have the court require the repayment of the suit money.

Judge Sears held that the wife could compel payment of her attorney's fees, whether she prevailed in the case or not, because it was a necessity which the husband was bound in equity to assume, and as Mr. Logan had performed services he could not be compelled to repay the money advanced by the husband. It was therefore ordered that Wright be awarded judgment for costs.

WILLIAMS IS ARRAIGNED.

Slayer of George Hicks Given Till Thursday to Plead.

James Williams, who shot and killed George Hicks, alias "Cockey George," about two weeks ago, was arraigned before Judge Sears yesterday, and was allowed until Thursday to plead.

John Ditchburn, attorney for Williams, demanded a preliminary examination for his client. He said the District Attorney had no authority to file an information in the State Circuit Court against a defendant until the question of a preliminary examination had been disposed of.

Judge Sears denied the motion, and the attorney then asked time until Monday to plead, which was granted.

The position of John Ditchburn is that an accused is entitled to an immediate hearing under the statute, which right has not been accorded to Williams.

The United States Supreme Court, in a California case, decided that it is not necessary that there be an indictment by a grand jury in the prosecution by a state for murder, and that an information will suffice where provided for by law, but the Supreme Court in this case relied on the fact that information was filed after examination and commitment by a magistrate. The latter is the point made by Ditchburn—that Williams has been denied an examination before a magistrate or otherwise, and is consequently held without due process of law.

Will of Julia A. Ready.

The will of Julia A. Ready, deceased, was admitted to probate in the County Court yesterday. The estate, valued at \$230, is devised to the husband, John Ready, who is named as executor without bond.

Articles of Incorporation.

Articles of incorporation of the Bethany Free Methodist Church were filed in the County Clerk's office yesterday by Herman Schulze, Samuel Schulze and C. G. Brisco.

GUATEMALA EARTHQUAKE

Harrowing Experience of a Former Portland Boy.

Eugene Lacour, formerly a Bishop Scott Academy student in this city, but for a number of years a resident of Guatemala, had a narrow escape from death during the late earthquake in that republic. His sister, Edwin Russell, of this city, has received from him the following account of his experiences, dated San Felipe, April 22:

"On April 15 the whole country, from as far as can be learned, underwent a most terrible earthquake, laying everything waste. The devastation and suffering were terrible.

"I was on a hill with my partner in Quetzaltenango, that night. Fortunately we were all taking a walk in the plaza together, when all at once there was a rumbling noise and three-story granite and brick buildings began to fall around us. They crumbled like many toys. People were running in every direction to evade the walls, and in order to reach their homes and rescue their children from the terrible catastrophe.

"They were obliged to pass between buildings and when doing so the walls would fall in and crush them in the streets. In San Felipe, where there are more than 3000 deaths, the same thing happened. One vast ancient ruin, in fact the whole town is ruined, likewise the whole republic.

"All my friends escaped death; my partner's family lost all their effects, but no personal harm overtook them.

"Next morning I ventured over the mountains to come down to my home in San Felipe. It was a most difficult task, owing to the landslides which had taken place, three-fourths of the road being cut out in the bank of a basaltic lava which the road winds up. At the bottom, 20 to 30 feet, you have the river. At several places I was obliged to crawl on all fours over fresh slides of earth.

"At 3 P. M. reached San Felipe. I found all my family in the house safe and three-fourths of the town in ruins. Four walls of my store fell in with all shelving and liquors and goods on them, but the roof still there and we are protected from rain.

"My partner, Mr. Wieseberg, has been obliged to sleep outdoors in the rain for the last three nights with all his family, consisting of three small children. All their effects are a total loss. Our loss through damage, wine, etc., mixing up with the calico, etc., is about \$500, for which, of course, we get nothing. There were about 10 deaths in San Felipe. Otherwise I am all right, as are all my friends. We are young and can begin again. The country, I think, is ruined and famine may occur."

SAMPLE BALLOTS OUT.

Are at County Clerk's Office and Ready to Be Distributed.

The sample ballots are out and are being sorted in lots for distribution in the various precincts by County Clerk Bretland. The bids received for the printing of ballots and envelopes were as follows:

Union Printing Company.....\$112.50
Schwab Bros. Printing & Litho-
graphing Company.....125.00
C. H. Crocker Company.....155.00

The latter was the lowest bidder, and the contract for the printing of the ballots alone. The bids called for both ballots and envelopes. The envelopes are used to seal the ballots in. This includes the official ballots, which have been voted.

Two years ago the printing cost less than \$100. Other elections it has cost

IS THIS A JAY TOWN?

Mr. Goodwin Said So—And He Had a Little Adventure.

While on his recent visit to Portland, Mr. N. C. Goodwin, the comedian, gave a free performance in his specialty, which consists in endeavoring to convince everyone in his immediate vicinity that he is a very great man, and the rest of the world is composed mostly of Indians, to use a term of obloquy common to the stage. Mr. Goodwin needed a collar, which he had to make known to the three as the star-eyed Maxine Elliott, did not care to allow his taste in collars too much latitude, so she accompanied him on a journey to a Washington-street haberdashery in quest of one.

The search party arrived in front of the counter where the destinies are directed by Bert Kerrigan, high diver and all-around athlete, and made known their wants. Mr. Kerrigan laid out collars, and Mr. Goodwin called for others. Others were exhibited to his critical gaze, but they wouldn't do. Still others were hauled from the shelves and spread on the counter, but the comedian declined to accept any of them.

At last, after a long search, a collar was found which suited Mr. Goodwin's taste. He paid for it and went on his way. The comedian then turned to the counter and said to the high diver: "Now, Bert, I want you to look at this collar. It is a very fine one, isn't it?"

"Yes, it is a very fine one," replied Bert. "But it is a little small for you. Why don't you try that one?"

"That one?" asked Mr. Goodwin. "What do you mean?"

"That one," replied Bert, pointing to a collar on the counter. "It is a very fine one, isn't it?"

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