WEPT WHEN HE WAS FORSAKEN

Young Dentist Closes His Evidence Against His Mother-in-law, Denying That He Had Affairs With Other Women.

In the action for damages of John H. Davis against his mother-in-law, Hannah Nicolai, Judge George this morning will decide a motion for a nonsuit made in behalf of the defendant. The motion as argued during yesterday afternoon by O. F. Paxton and J. V. Beach, attorneys for the defense, and by Charles F. Lord and John R. Caples, counsel for Davis. The attorneys for Davis closed their case The attorneys for Davis, closed their case shortly before noon, and the motion for a nonsult was based on the ground that the evidence submitted would not justify any verdict against Mrs. Nicolal.

When court convened in the morning, John Davis recovered the witness stand

John Davis resumed the witness stand to submit to further cross-examination by Mr. Paxton.

In answer to questions, he said he learned to play fare eight or nine years ago, and he was interrogated concerning his drinking habit. He acknowledged that he drank some, smoked and had played poker. Regarding some of his personal poker. Hegarding some of his personal associates, he stated that he had been mostly on chumming terms for the past two years with his attorney. Charles F. Lord, and a well-known local physician. Mr. Paxton remarked that this was a pretty hard crowd. Mr. Lord agreed, but retorted that this was not so hard a crowd as some other people ran with. Davis was interrogarted about his re-

Davis was interrogarted about his re-lations with a married woman on Port-land Heights March 2, 1900, and if he did not secure the services of Luther Baker and have him linger around his office in the Hamilton building to protect him from the woman's husband. Davis emphatic-ally denied all of this.

Questions were put to him about an Alice Brown, of Sumpter, and his fre-quenting the White House of that city. He answered that he did not know Alice Brown, and denied having frequented the White House. He admitted owing several bills that were shown him.

Two letters were introduced, written by him to his wife while she was in California. In the last one he informed Mrs Davis that he was living a "straight life," and had quit whisky entirely. That life," and had quit whisky entirely. That was the cause of their trouble. He loved her; she knew it. He was very lonesome without her-oh, so lonesome. He had given up sporting and was willing to go down on his knees to Mrs. Nicolai and beg her forgiveness. It was also sought to show that he had told Roy Nicolai that he was willing to beg the forgiveness of his mother-in-law for bringing this suit against her. his sult against her.
Dr. L. M. Davis was recalled and testi-

fied regarding the high state of nervous ned regarding the high state of hervolds excitement his son was in after his wife left him. When he learned she had gone to California, he cried and sobbed as if his heart would break. The doctor said he had to administer opiates to his son

for a month or six weeks.

Dr. Davis became very angry at being interrupted by Mr. Paxton when about to state something Johnny had told him, and facing the attorney, said: "Mr. Paxton, let me alone; don't point

your finger at me."

Judge George restored order. Dr. Davis
further testified that his wife made presents of shirtwaists, skirts and other ar-ticles to Lucy Davis, which she wore, and said "Johnny" once paid a dressmaker's

bill amounting to \$100.

Mr. Lord in his argument against the granting of a nonsult contended that there was abundant evidence showing that Mrs. Nicolai persuaded her daughter to abandon her husband and go to California with her, and that she told Mrs. Davis vide for her much better than Davis dis and she could easily get married again after she obtained a divorce.

NORMAN SAYLOR ACQUITTED.

Young Man Charged With Wrecking

O. R. & N. Train Goes Free. verdict of not guilty was returned by the jury yesterday morning in the case of Norman Saylor, who was tried on a charge of placing a spike on the track of the O. R. & N. Co. near Latour-ell Falls on June 7 last, causing a train

Attorney George W. Joseph, who suc cessfully defended Saylor, took the posi-tion throughout the trial that there was no spike on the track, and that the accident was the result of the train going at a fast rate of speed around an eight-de-gree curve, or some other unknown cause. Saylor, who made a confession soon after his arrest, on the witness-stand in his own behalf, flatly denied that there was any truth in the confession. He said he made it under duress, being told by James Nevins, manager of the Pinkerton Detective Agency, that if he did not tell the truth that he placed the spike on the rail he would be landed in the penitentiary within 24 hours. Saylor also stated that he thought if he confessed, as he was advised to, he would be liberated, so he con-sented to admit everything he was re-quested to. Saylor is a queer looking specimen of humanity, and it said to be simple-minded and easily led. He, however, displayed considerable shrewdness in court, and was particular in making a complete recital of everything which he said occurred when he was arrested, even to telling all the profane expressions which he said were used, and kept repeating them after having been cautioned by the Judge to desist.

ON TRIAL FOR BURGLARY.

Gossman's Trouble With Former Wife Ends in Criminal Charge. Robert Gossman, who some time ago created considerable trouble for his former wife, now Mrs. D. C. Burns, was on trial yesterday in the State Circuit Court on

a charge of burglary.
The crime is said to have been committed on July 19 last. Gossman was arrested by Detective L. C. Hartman, who testified that a window leading into the Burns residence was broken and there were evidences of an attempt to set the place on fire. The officer said he saw a person resembling Gossman near the house at 4 o'clock in the morning.

Gossman in his own behalf testified that he was at home on his farm on the East Side at that hour. A number of witnesses were called on both sides, and the case will be submitted to the jury this morning. Gossman has been confined in the county tall for two months. He was first ar rested on a charge of threatening to kill

BECAUSE IT WAS HOLLOW,

Duffy's Son Sues Makers of Cylinder

Head Which Killed Him, The trial of the sult of M. L. Duffy, ad-James Duffy, deceased, against the Willamette Iron & Steel Works, for \$5000 damages, was commenced yesterday before Judge Frazer and a jury. James Duffy was employed at the works and was accidentally killed on September 22, 1902, by the explosion of a cylinder head, which had been sent to the place to be shrunk. The cylinder head was hollow and water and dumb. in it caused an explosion to occur when

t was heated.

The contention of the plaintiff is that The man who had the ticket to Salem

the cylinder head was manufactured at the Willamette Iron Works and the com-pany's officials were aware it was hollow and liable to contain water after it had been used, and consequently liable to burst when subjected to much heat. The defense is that James Duffy and the boss under whom he was working were negligent, and that the accident was caused by their negligence and careless-ness. Governor George E. Chamberlain and John F. Logan appear as attorneys for the plaintiff, and Joseph Simon and Wilbur & Hogue for the defendants.

IS 1903 LEVY VALID! Courts Will Be Asked to Straighten Out Tax Tangle.

Suit to have determined by the courts if a valid levy of taxes for the year 1903 can be made in January next, will be filed soon in the State Circuit Court, and be soon in the State Circuit Court, and be carried as quickly as possible to the Su-preme Court for a final decision. The point at issue is that the tax law passed at the last session of the Legislature goes into effect on January 1, 1994, and the new act provides that the tax levy shall not be made until September. This, the legis-lators meant to apply to the tax for the year 1994, but it is held by many attorneys that the new statute as it reads will also that the new statute as it reads will also prevent any levy for the year 1905, the assessment for which is now almost completed, until September, 1904.

This would deprive the entire state of all tax revenue during the period from January, 1904, until September following.
Governor Chamberlain has stated that he will not call a special session of the Legislature to amend the law, belleving the courts can straighten things out, but if this cannot be done, he would probably convene the Legislature in extra session. The suit will be filed by Attorneys Will-ams, Wood & Linthicum.

ECLIPSED IN FIRST QUARTER. Mrs. Bowen's Honeymoon Ends in

Divorce Suit Thus Early.

Suit for a divorce was cor the State Circuit Court yesterday by Lottie Bowen against Harry Bowen. The de-fendant is charged with infidelity and cruel treatment, and Mrs. Bowen also asks the court to decree that her husband shall return to her \$1000, which she turned over to him to keep for her at the time of their marriage in this city, only a week

She alleges that Bowen, unmindful of the vows taken at the altar to love and protect her, on Wednesday evening, in the carnival grounds of the Multnomah Athletic Club, openly assaulted and beat her. Mrs. Bowen further states that her husband conducts a lodging house at the corner of Third and Taylor streets, from which he derives an income of \$125 a month, and she asks that he be made to pay the expenses of the suit and be not permitted to appropriate her money to his own use, which he threatens to do.

GOVERNMENT SUES FOR DUTY. Cocon Butterine Subject to Tariff Like Other Like Products.

Suit has been instituted by Edwin Mays, assistant United States District Attorney, against the Oriental American Company, a Portland corporation, to re-cover \$1641.92 claimed by the Government as duty on 45,912 pounds of cocoa-butter-ine, which the Oriental American Company is charged with having imported under the name of cocoanut oil. There is no duty on the oil, and the goods came through the Custom-House without charge, but since cocca-buterine is a product which competes with dairy and oleomargarine goods it is subject to tar-iff. The case will probably be heard in

TWO MORE BRIDGE SUITS.

Victims of Accident File Cinims Against the County.

Two damage suits, growing out of the Morrison-street bridge accident last July, were filed against Multnomah County in the State Circuit Court yesterday by O'Day & Tarpley. The amount asked in each case is \$2000.

One of the plaintiffs is Jessie M. Raymond, who says that she was precipitated from the bridge and sustained bruises to her back and side, broken ribs and in-

her back and side, broken ribs and in-ternal injuries.

The other plaintiff, Mary A. Rowley. complains of having suffered like bruises, broken ribs and bones and internal in-

ess in Probate Court.

Laura E. Black was yesterday in the County Court appointed administratrix of the estate of her husband, Joseph Black, deceased, consisting of insurance unting to \$3000. Mrs. Black and two children are the helrs.

The will of Thomas S. Scott, deceased,

was admitted to probate in the County Court yesterday. The property, valued at \$7500, is bequeathed to Clark O. Scott, a brother, and Mary A. Plamondon, a sta-ter, in equal parts, except that there is a bequest of \$100 to Ralph L. Scott, a

Sherman Rancher a Bankrupt. petition in bankruptcy was filed in the United States District Court yester-day by Charles J. Dickman and Carrie M. Dickman, his wife. The Dickmans are prominent ranchers in the vicinity of Monkland, Sherman County, and their appearance as bankrupts has created much surprise. Their liabilities amount to \$8374.30, and according to their prayer their total assets consist of personal property, valued at \$600.

G. P. Nunn's Estate Wound Up. Walter J. Haight and Wilson B. Smith have filed their final account as executors of the will of Green P. Nunn, deceased, The account shows cash collections of \$7765.70. There were no debts, except the funeral expenses and expenses of settling the estate. The money on hand, together with some land in Missouri, goes to the decedent's daughters, Zuda A. Smith, of Condon, Or., and Jennie M. Haight, of Portland.

Tax Claim Is a Cloud. R. C. Edwards has filed suit against Multnomah County to quiet title to block T., Caruther's Addition. The county holds a tax claim against the property.

BUNCOED OUT OF \$2.50. Policeman Slover Done by Fake Deaf and Dumb Man.

Tender-hearted Policeman Slover, who is on duty at the Terminal Depot, and two or three of his friends down there are just out \$2.50 as the result of their philanthropy toward a "fake" deaf and dump man, last night. The stranger was poorly dressed, and was apparently about 25 years old. He was observed wandering about the depot, in an aimless manner, and ultimately he went up to Slover and wrote on a tablet he carried: "I am deaf and dumb. I want to get to Salem. Will you assist me?" Slover might have arrested the man as a vagrant, but the man's seemingly unfortunate condition appealed to his sympathy, and he and friends made up \$2.50 and bought the stranger a railroad ticket to Salem. The trick might never have been discovered in time, had a bridge attendant not strolled into the depot before the Sa-

lem train left. 'There's a sad case of destitution for you" said a railroad man to the bridge employe. "See that man over there? Well, he's deaf and dumb, and Slover here and several othere fellows dug up \$2.50 for his ticket to Salem."

The bridge employe whistled with aston-shment. "Why," said he, "that fellow ishment. came over the bridge about an hour ago cussing because people would not give him money. He's a faker." The man going to Salem looked up and upon being closely questioned he again pretended to be deaf

"S. P. for Salem, Albany-" warbled out

Meier & Frank Company

Meier & Frank Company

Meier & Frank Company

"Peninsular" Stoves, Ranges and Wood Heaters-50 models-every good style and size Cloak Store "Willamette" Sewing Machines, at \$25 and \$26.50, are the equal of any \$50 machine on the market Our Prices Remain Unmatched



No amount of work or expense has been saved to make this Garment Store what It is. The success of yesterday is the starting point for today and not anywhere can be found a more complete, a better variety or a more satisfactory supply of Ladies' and Children's Ready-to-Wear Apparel. We have done the best we ever did this Fall and the great response is sufficient proof of the leadership of our cloak store. Mountains of garments for every purpose, for every event. Prices range up to \$300. No

\$500 garments here—the sky seems to be the price-limit of some stores-when it comes to advertising figures.

Popular-Priced MILLINERY



Thislineof popular priced Hats will impress you as being very expensive until you learn the prices. We've the largest, the best assortment of stylish headwear at \$2.50, \$3.98 and \$4.98 to be found in the city-reproductions of many of the imported models from many of the Parisian makers. Beautiful creations in velvet, felt and beaver, trimmed in the very latest fashions - becoming styles, every one of them. Misses' and Children's

School Hats-new styles at popular prices, in immense

Is Your Boy Ready for School



Boys' School Clothing must be bought today or tomorrow-no better place to buy them than here. We can please the boy in style and the parents in price. These bargains should bring you here bright and early today.

Boys' all-wool, 2-piece School Suits, extra good quality and well made, serviceable mixtures, browns and grays, ages 7 to 15 yrs, \$2.98 regular \$4 value. \$2.98

500 pairs of Boys' all-wool Knee Pants, made with extension waist band, in gray and brown plaids, checks and mixtures, 4 to 16 years, regular 75c values 59c

Boys' all-wool Overcoats, in dark oxfords, \$3.85 Young Men's Suits-best styles-lowest prices.

75c Waist Flannels 37c Yard



Astonishing value in Waist Flannel. Hundreds will have new Fall waists at little cost, the result of this tempting offer. New Granite Flannel Waistings in a big assortment of styles-all the leading shades, cream, cardinal, navy, black, turquoise, old rose, pink, olive and so on. Every yard 75c value. This lot today and tomorrow

37c Yard

\$1 Flannelette Gowns 65c

We not only keep in mind the doings here of today but what more can be done for tomorrow

and the day after! The forehanded have always the advantage. We buy ahead of others-

search the market centers for each season's novelties ahead of others—gain buying advantages

ahead of others. That's why our prices remain always unmatched. Today's bargain budget

500 pairs of ruffled net cur-Ladies' \$1.00 flannelette night tains, 3 yards long, 45 inches gowns, our entire line in a wide; 7-inch ruffle, lace edge superb assortment of styles and insertion. Our regular and colorings; all sizes. To-\$1.75 values, today only at day only, 65c.

is an exceptionally good one and you'll find everything just as advertised.

Nurses' \$2.50 Shoes \$1.89 35c Hdkfs. at 18c each

The famous "Grover" hospital shoes for women, flexible soles, elastic sides; also Norman & Bennet's elk sole Oxfords for nurses; \$2.75 values choose today at \$1.89.

\$1.75 Curtains \$1.10 pair

\$1.10 per pair.

\$1.00 Golf Shirts 49c

50 dozen men's golf shirts, the regular \$1.00 styles, in superb patterns and colors; very best styles, all sizes; \$1.00 kind

Hooks and Eyes Ic card

Patent hump hooks and eyes, black and white, sizes 1, 2, 3. Buy all you want today at 1c

Not 25c and 35c values, but all the finest 35c Thistle lawn, ‡ and 1-inch hems. We sell thousands at 35c each. Today the greatest handkerchief value ever offered at 18c each.

10c Kid Curlers 6c

We don't sell the "cheap" kind. Today we offer you the best 10c kid curlers, 12 in a package, at the low price of 6c per package.

25c Lunch Boxes 15c

The best 25c patented Lunch Boxes for 15c today. A style that will give satisfaction. -Third Floor-

\$1.50 Union Suits, 95c

Our famous "Stratford" union suits for women; "Oneita" style, handsomely made and trimmed. All the \$1.50 values today only, 95c.

25c Soap Boxes 14c

Handsome celluloid soap boxes in different colors. All the regular 25c styles are marked down to 14c each for today

Soap at Ic a Cake

5000 cakes of olive oil and witch hazel soap. Buy all you want today at the low price of 1c per cake.

Great School Sale

Tomorrow-all lines of Wearing Apparel for boys and girls at special low prices-Our school sale saves money.

Today the 726th Friday Surprise Sale

\$1 Velvet Waistings 59c



You can't resist the unequaled value in handsome Velvet Waistings for this 726th Friday Surprise Sale-3000 yards in the lot; all new, desirable styles in dots, figures, metallics and chenille dotted effects; immense assortment to choose from; a most seasonable offering of stylish waist or dress material; very few yards of 75c grade, the great majority being regular \$1.00 value. Come early if possible - we don't expect the best patterns to last through the day - your

See Fifth-Street Window Display

Blanket Sale

The great September Sale of Blankets and Comforters continues to interest hundreds of economical housewives. No better time of year for supplying heavy bed covering.

300 pairs of 10-4 White Wool Blankers, blue, pink and yellow borders, regular \$5.00 value, for this \$3.95 September sale, pair \$3.95

100 pairs of 11-4 White Wool Blankets, fine quality, colored borders, silk bound, regular \$6.00 value, exceptional bargain for this \$4.97 50 pairs of the finest 11-4 White

All-Wool Blankers, colored borders, silk bound, regular \$7.50 value, for White Cotton-Filled Comforters, silkoline covered, good patterns, special

big value for this sale at the low price of \$1.27 Lanated Cotton-Filled Comforters, silkoline covered, very best patterns,

and colorings, \$1.85 value, \$1.52 \$2.50 Silkoline-Covered, Lanated, Cotton-Filled Comforters for the great September Sale at \$2.17

Knit Underwear

For women and children at special low prices this week-Winter-weight garments at a saving of about one-third -best styles-all sizes.

Meier & Frank Company

Ribbon Sale

choice at, yard.....



Enormous Ribbon business all day yesterday-from 8 o'clock until closing time the department was lined with eager buyers. Two surpassing values, and quantity enough to supply everyone up to 9:30 tomorrow night.

Thousands of yards of the finest quality all-silk Liberty Satin Ribbon-41 inches wide, in all the leading shades, cream, rose, white, mais, black, yellow, navy, light blue, pink; the most desirable offering of ribbons made this season, yard 22c

Fine all-silk Ottoman Ribbons, in black, white, tan, green, jasper, red, pink and other good shades, 51 inches 22c wide. Great bargain at.....

New Neckwear



Take a peep at this Neckwear showing for women next time you are in the store. A bewildering array of styles from the best-known makers in the land. Silk, cotton, chiffon novelties by the hundreds-every pretty shade, every new combination. The most extensive showing we ever made, and remember we are sole agents for

"Keiser" Neckwear

Mexican hand-drawn Turnovers, Scts and Novelties, "Keiser" Belts in new variety. New Marabout Feather Boas in light shades. New Ostrich Feather Boas-all lengths.

Meier & Frank Company

Meier & Frank Company

will probably be settled by the president

"Let him go," said Slover, "the money won't do him any good, and Portland is

well rid of him."

Meier & Frank Company

Ploods Sweep Mississippi Valley. LA CROSSE, Wis., Sept. 17.—Hundreds f families in the district adjacent to La Crosse are fleeing with what valuables they can grasp to the hills which skirt the Mississippi to escape the floods which are sweeping the Mississippi Valley. It is teared that the financial loss will be sev-eral hundred thousand dollars.

Continues Canada's Statement.

location of the Portland Channel. The Attorney-General's argument will not be Mailen, who was operating the machine, completed before September 21. David T. was severely injured and another man Watson, of Pittsburg, will open for the American side September 22.

Meier & Frank Company

More Postal Fraud Indictments. WASHINGTON, Sept. 17 .- The Federal grand fury today returned three indictments in the postal cases, involving two people, one of them being a joint indictment. The names of the indicted persons were not made public.

Auto Leaves Beath Behind, ST. JOHNSBURY, Vt., Sept. 17,-An

addenly looked up with lively interest and of Canada, the discussion of the proper | dashed over a 15-foot embankment, caus-

named Garrick was hurt. Assets of Talbot Taylor & Co. NEW YORK, Sept. 17.-The schedules of Taibot J. Taylor & Co., bankers and brokers, who assigned on July 24, were filed y. They show liabilities of \$8,717,476; inal assets of \$21,016,762, actual assets

Folsom Escape Captured in Texas. FOLSOM, Cal., Sept. 17.-A telegram just LONDON, Sept. 17.—At today's session of the Alaskan Boundary Commission Attorney-General Finlay continued in behalf miles an hour at the fair grounds today conveying the information that he has in

custody convict 4748, Richard M. Gordon, one of the men who escaped in the jail delivery on July 37, and asking the amount of the reward. There can be no question of the reward. There can be no question but that the Texas officer has the right man, but how he was captured is a mys-tery, as there are no particulars at hand.

Fall Into Vat of Boiling Water. ST. LOUIS, Sept. 17.-Moses Hart, Lois Brooks and Charles Ronk, employee of the Swift Packing Company in East St. Louis, were fatally scalded today by

falling into a vat of boiling water. Railroad's Demands Up to Hill. ST. PAUL, Sept. 17.—The difference between the Great Northern and its engi-

neers and firemen over a new wage scale

J. J. Hill. The demands of the men are now clearly outlined, and all that remains is for President Hill to say whether they will be granted or rejected, Mineworkers' Meeting Advanced.

FLORENCE, Colo., Sept. 17,-The Dis-trict Convention of the United Mineworkers of America of Colorado, Utah, Wyom ing and New Mexico, was today advanced one month and will meet in Pueblo September 23.

BORQUIST & REFFLING'S

Importation of exclusive Winter woolens all received, 231 Washington street.