

COST BILL IS NULL

Judge George Decides Old Provision Void.

APPLIES TO HILL'S CODE

Suits Brought in Circuit Court Which Might Have Been Tried in County Court Are Affected Thereby.

Judge George yesterday decided that the old provision in Hill's Code regarding trial fees in civil suits brought in the State Circuit Court which might have been instituted in the County Court, was null because the section was not copied in Bellinger & Cotton's Code, which is the latest issue.

The question arose in a dispute over the cost bill in a suit of J. R. Wilson against Dr. A. E. Rockey, to recover for a horse which was won by Wilson, Counsel for Dr. Rockey objected to the cost bill, declaring that as the action was not tried more than \$500 and could have been tried in the County Court, the fees charged against the defendant should not be more than those in the County Court, which are much less than the cost bill in the State Circuit Court, which was large.

The section of the old code cited as authority, and which Judge George declared null, follows: Whenever any action, suit or proceeding is commenced in the Circuit Court which might have been commenced in County Court the plaintiff therein shall pay the trial fees required in the Circuit Court, but shall not be entitled to recover of the adverse party any more of such fees than an amount equal to the fees in the County Court in like cases.

Judge George also decided the case of J. B. Wetherall against the Portland Coal & Development Company in favor of the plaintiff, who sued for \$48, alleged to be due as payment for boring an oil well in Tillamook County. But the court held that this sum should be paid in stock of the company. An assigned claim against the company for \$57 and held by Wetherall was allowed the holder of the claim.

The case of E. F. McCoy against J. B. Wetherall for 2400 shares of stock in the Portland Coal & Development Company was decided by Judge George in favor of the defendant.

WHY HE FAILED TO PAY "Mysterious Billy" Smith Explains to Court He is Moneyless.

William Smith, "Mysterious Billy," appeared in Judge Sears' court yesterday and explained why he failed to obey an order of the court to pay \$100 attorney's fees in the suit of his wife, Mary Smith, for support. His excuse was that he did not have the money. He said the saloon he was supposed to own was the property of Lawrence M. Sullivan, who was now in Goldfield, Nev. Mr. Smith stated that he was only manager of the place. He told how the fixtures were formerly mortgaged to a brewery, and how Mr. Sullivan came to buy. S. C. Spencer enlightened the court concerning brewery mortgages, saying the breweries held mortgages on fixtures of two-thirds of the saloons in Portland, so as to control the sale of their beer. Mr. Smith also produced his books for the inspection of the court, and they were found well and regularly kept.

C. C. Palmer, attorney for Mrs. Smith, contended that Mr. Smith ought to provide for his wife and pay the attorney's fees. Mr. Palmer admitted that under decisions of the Oregon Supreme Court a wife who was at fault was not entitled to support.

Mr. Spencer, counsel for Mr. Smith, asserts that Mrs. Smith is to blame. Judge Sears took the matter under advisement. A contested divorce suit between the Smiths was recently dismissed by Judge Sears.

Suit to Enjoin Life Pence.

Suit against Life Pence and the Pence Company to enjoin the construction of a flume on Williams Heights was filed in the State Circuit Court yesterday by M. F. Henderson. Judge Frazer ordered the defendants to appear Monday and show cause why the injunction should not be granted.

Henderson owns 11 lots in Williams Heights Addition and he complains that the Pence Company has constructed an elevated wooden flume for the conveyance of water and has wrongfully entered upon a portion of his property. Mr. Henderson further alleges that the Pence Company is building a dam on Thirtieth street and is filling in hollow ground and in the process of so doing has encroached upon some of his lots. Williams, Wood & Luthicum appear as attorneys for the plaintiff.

Sue for Non-Delivery.

Sydney Smith and W. N. Jones allege that in December last they purchased an orange-peel bucket or grapple from James H. Lancaster, doing business in New York, and paid him \$257. They aver that Lancaster never delivered the property, and yesterday filed an attachment suit against him in the State Circuit Court to recover the money.

Registration to Date.

Registration up to date numbers over 19,000, of which 3000 electors reside in the country precincts and 16,000 in the city precincts. The last count made showed Democrats, 2492; Republicans, 14,450; miscellaneous, 911. In East Portland the registration was 7955, West Portland 8525. Registration for the primary election closes April 10.

PORTLAND GIRL A STAR

Miss Maldon C. Kelley Makes San Francisco Debut Today.

SAN FRANCISCO, April 7.—(Special.)—Maldon Crabbe Kelley, a handsome girl, who has won considerable fame in the East, will make her first appearance in this city tomorrow at the matinee at the Grand Opera-House in Joseph Lebrant's melodrama, "Caught in the Web." Miss Kelley will play the role of Kate Blackwell.

Miss Kelley is a native of Portland, Or., and it was as a member of the younger society set that she first won distinction in amateur theatricals, which induced her to adopt a professional stage career. Miss Kelley now returns to the Coast as a star.

Navy Department Needs Clerks.

WASHINGTON, April 7.—In the three months which ended March 31, 28 persons either resigned their employment at the Navy Department or in Navy-Yards, or refused to accept appointments. The percentage is unusually large, and



Who's to Blame?

"A NOTHER kick this morning," said the Clothing Salesman to the Fur-nishing Goods Expert. "He had a 'mad' for sure. I sold him the suit only two weeks ago. Same old story—rainy day—dampness—Collar lost its shape and sagged away from the neck—Coat wrinkled in front and back—Sleeves stood away from the vest—sleeves binding under the arms;—just a simple case of Hot Flat-Iron 'dope,' showing up when the rainy season arrived."

"Couldn't blame him for being 'sore.' Wanted to know who was to blame for selling him such a suit;—bound to have Satisfaction."

"It wasn't my fault. I sold him what he asked for. With I had insisted on his buying a Sincerity Suit, in the first place."

"Eighty per cent of clothes-makers employ Dr. Goose as the resident physician to doctor up clothes that don't come out right."

"He did I fix him? Oh, I Arbitrated. Sent the suit up to the Presser and stretched it out so that it looked all right again."

"That's all a salesman can do with clothes that are 'faked' with the Hot Flat-Iron."

"When he came in I thought I saw my Finish;—but a little more Flat-Iron 'dope' fixed him all right for the time being."

"Now all this clothes 'trickery,' such as caused this trouble with a Good Customer, can be avoided."

"If all clothes were made sincerely, instead of having Defects masked by the Hot Flat-Iron method, they would be revised, when necessary, by the Shears and Hand Needle Work."

"That's the way SINCERITY CLOTHES are made. It's the only sure method of giving garments permanent shape and style-character."

Now, Mr. Reader, probably you know of a good many cases similar to this, and you realize that there isn't any good reason why you should be asked to buy clothes that are "doctored" in this way. Style doesn't count unless it has Permanence.

Style and Shape-Insurance can be had only by making sure that you get clothes that are made right.

If you consider it worth while, let your next purchase be a SINCERITY garment.

Look for the label and be sure you get it. It reads as follows:

"SINCERITY CLOTHES" MADE AND GUARANTEED BY KUH, NATHAN AND FISCHER CO. CHICAGO

Send for "The Test"

Secretary Bonaparte is worried about the lack of desirable employees.

The positions vacant command salaries ranging from \$50 to \$100 a year, and the failure to fill these places is due chiefly to the provision of the law that a certain quota of employees must be taken from each state. The pay in the Navy Department is lower than in many other departments.

For Selling Liquor Without License.

John C. Caswell, who has been running an illicit saloon at Klugaver, was arrested yesterday for selling liquor without license to R. L. Kelly and F. W. Ziegler, District Attorneys, obtaining an information against Caswell in the State Circuit Court. Caswell was released by Judge Frazer on \$500 bonds. Several months ago he was arrested for the same offense. He pleaded guilty, and promised not to violate the law in this respect again. The lowest fine is \$200.

Midshipman Hoover Resigns.

HOQUIAM, Wash., April 7.—(Special.)—Midshipman Ralph Hoover of this city, who received an appointment from Congressman Jones to Annapolis, has resigned. Hoover was at one time Midshipman Meriwether's roommate, and the trouble over the court-martial has resulted in Hoover resigning.

MADE FROM NATIVE ROOTS. SAFE AND RELIABLE.

That the roots of many native plants, growing wild in our American forests, possess remarkable properties for the cure of human maladies is well proven. Even the untutored Indian had learned the curative value of some of these and taught his relations about use. The Indian never liked work so he wanted his squaw to get well as soon as possible that she might do the work and let him hunt. Therefore, he dug "pawpaw root" for her, for that was their great remedy for female weakness. Dr. Pierce used the same root—called Blue Cohosh—in his "Favorite Prescription," skillfully combined with other agents that make it more effective than any other medicine in curing all the various weaknesses and painful derangements peculiar to women.

Many afflicted women have been saved from the operating table and the surgeon's knife by the timely use of Doctor Pierce's Favorite Prescription. Tenderness over the lower pelvic region, with backache, spells of dizziness, faintness, bearing down pains or distress should not go unheeded. A course of "Favorite Prescription" will work marvelous benefit in all such cases, and generally effect a permanent cure in for a reasonable length of time. The "Favorite Prescription" is a harmless agent, being wholly prepared from native medicinal roots, without a drop of alcohol in its make up, whereas all other medicines, put up for sale through druggists for woman's peculiar ailments, contain large quantities of spirituous liquors, which are very harmful, especially to delicate women.

"Favorite Prescription" contains neither alcohol nor harmful habit-forming drugs. All its ingredients are printed on each bottle wrapper. It is a powerful invigorating tonic, imparting health and strength in particular to the organs distinctly feminine. For weak and sickly women, who are "worn-out," or debilitated, especially for women who work in stores, office, or school-room, who sit at the typewriter or sewing machine, or bear heavy household burdens, and for nursing mothers, Dr. Pierce's Favorite Prescription will prove a priceless benefit because of its health-restoring and strength-giving power.

For constipation, the true, scientific cure is Dr. Pierce's Pleasant Pellets. Mild, harmless, yet sure.

The SEASON'S MANY REQUISITES

Suggest themselves at this, the forerunner of the Summer season. The many seasonable comforts that combine to make life one of ease and pleasure. Of everything most desirable, our stocks are now in readiness, embracing in their completeness the most reliable of the many season needs. This great display of Summer requisites is alone worthy a visit to our store.

FIFTY HANDSOME STYLES IN RECLINING AND FOLDING GO-CARTS

All of which are of the latest and most approved models. The new gear of many of these new patterns is of the double coil construction, a most desirable feature in that it greatly reduces the jolting. The designs of the bodies are the handsomest which we have ever shown, and in such variety as to offer every conceivable idea to choose from. The reclining and folding mechanism and the foot brake are the most modern. The reed work is most artistically woven, and is coated with reed enamel. Another most desirable feature is the new enamel handle with its nickel trimmings. The parasols are in many dainty net effects, also in many colored satines. These 50 new styles embrace a wide range of prices—\$3.50 to \$42.50.

ZINC AND PORCELAIN LINED The "GLACIER" REFRIGERATORS

Are built on scientific principles. They are so constructed that there is a constant circulation of dry air of uniform low temperature in the food chamber, which continues in one direction, passing out after coming in contact with the foods and condensing and purifying itself on the ice, thus preventing contamination. Requires less ice than other Refrigerators. We have 22 different sizes and styles to select from, ranging in price from \$8.00 to \$70.00. Sold on special terms of \$1.00 down and \$1.00 per week.

The "OLD HICKORY" FOR PORCH AND LAWN FURNITURE

The everlasting kind, the kind that appeals to us all, that affords the most solid comfort. This is the Furniture that can be left out in all conditions of weather without the least injury. The "Old Hickory" line comprises Settees, Arm Rockers, Arm Chairs, Tables, Tabourettes and many other novel pieces for porch and lawn. We have Chairs as low as \$1.75.

A SPECIAL SALE OF HANDSOME SIDEBOARDS

This sale will continue throughout the week. We have selected nine attractive designs from our line of Sideboards—this because we find that we have too many samples on our floors. Your opportunity of selecting a desirable dining-room piece lies in this sale.

- \$32.00 Sideboard in polished quarter-sawed golden oak, handsomely carved; has heavy beveled plate mirror and brass trimmings; sale price \$23.50
- \$35.00 handsomely carved Sideboard in quarter-sawed oak, hand-polished; has upper and lower beveled plate mirror and brass trimmings; sale price \$25.50
- \$35.00 Sideboard in polished quarter-sawed golden oak, carved ornamentation; is of heavy design and has shapely heavy plate mirror. Sale price \$26.00
- \$40.00 Sideboard of excellent design, in polished quarter-sawed golden oak. Has large beveled plate mirror and fancy brass trimmings. Sale price \$30.00
- \$42.00 Sideboard of well proportioned design, in richly polished quarter-sawed golden oak. Has large bevel plate mirror and heavy brass trimmings; sale price. \$31.00
- \$48.00 Sideboard in richly carved design, in polished quarter-sawed golden oak. Has extra large plate mirror and fancy brass trimmings. Sale price \$35.00
- \$50.00 Sideboard, handsomely designed and richly carved, in quarter-sawed oak, hand-polished. Has swell front and fancy brass trimmings, also large beveled plate mirror. Sale price \$37.00
- \$60.00 Colonial Sideboard, in highly polished quarter-sawed golden oak. Has fancy front and large beveled plate mirror, also solid brass trimmings. Sale price.... \$44.00

\$35 SIDEBOARD \$26

RELIABLE LAWN MOWERS

The easy running, perfect cutting kind; made of the best materials throughout, standard construction. We have them in several different sizes.

ADJUSTABLE PIN CURTAIN STRETCHERS

The most satisfactory Curtain Stretchers made. Can be arranged to hold any size or style of Curtain. A most important home necessity. These in our Drapery Department.

BISSELL'S SWEEPERS

Are indispensable where Carpets or Rugs are used. Saves both Carpet and unnecessary labor. The Bissell's are the most perfect of all Sweepers. We carry the full line in our Carpet Department.

TULL & GIBBS

COMPLETE HOUSE FURNISHERS

FURNITURE POLISH — OLD ENGLISH FLOOR WAX

YOUR CREDIT IS GOOD

MAKE YOUR OWN TERMS

"HOPI" (Hodge's Filter) SANITARY CARPETS AND RUGS