

Tull & Gibbs, Inc.

Morrison
at Seventh

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This Store Will Remain Open Monday

Our Closing-Out Sale to Be Continued
for Just This One Day

Big Reductions Have Been Made Throughout the Entire Stock for This One-Day Sale

We have decided, while taking inventory of our remaining stock, to extend this one-day opportunity to homefurnishers for taking advantage of final offerings. This positively will mark the discontinuance of selling, vacation of building, our retirement from the merchandising field of Portland

Homefurnishers will still find an assortment sufficiently interesting to warrant their taking advantage. In furniture, office furniture, carpets, rugs, linoleum and matting, wall papers, drapery and upholstery materials, graniteware and utensils, crockery, lamps, ranges, heating stoves, etc., etc.

Also bargains in neckwear, belts, veilings, gloves, corsets and other merchandise. Stove fixtures, lighting fixtures, wagons, teams, harness, window display fixtures, etc., now for sale

Goods to be sold for cash only. No cancellations or exchanges. Selections will not be held for future delivery

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\$85,000 IS ASKED

Morris Bros. Again Sued for
Oregon Water Power Stock.

W. T. MUIR SEEKS PAYMENT

Suit Companion to That Recently
Filed by W. H. Hurlburt—Sum Is
Due for Legal Services Per-
formed, Is the Allegation.

Asserting that 1000 shares of the capital stock of the Oregon Water Power & Railway Company, which he was to have received as part payment for legal services, has never been issued to him, William T. Muir has filed suit in the Circuit Court to recover from Morris Bros. \$85,000, the value of the stock, together with interest on that amount from April 27, 1906, at 6 per cent.

The suit is a companion to that of W. H. Hurlburt against Morris Bros., which was tried before Judge Kavanaugh last week and in which a decision is expected Tuesday or Wednesday. Muir was one of the principal witnesses for Hurlburt, who is also seeking to recover \$85,000, the value of 1000 shares of stock, and interest from April 27, 1906, the date on which the Oregon Water Power & Railway Company stock was sold by Morris Bros. to the Portland Railway, Light & Power Company.

In his complaint Muir declares that he was employed as counsel on February 15, 1901, by Morris & Whitehead, bankers. On December 8 of the same year the Oregon General Electric Company was organized with a capital stock of \$2,000,000, and on June 7, 1902, by the filing of supplementary articles, became the Oregon Water Power & Railway Company. W. H. Hurlburt, J. Frank Watson, A. B. Croasman and the plaintiff, it is stated, subscribed for one share each and became directors. The balance of the stock being subscribed by Fred S. Morris.

On November 24, 1902, it is recited that Morris Bros. and Christensen succeeded to the business of Morris & Whitehead. Fred S. Morris and James H. Morris, operating under the title of Morris Bros., on June 26, 1905, succeeded Morris Bros. & Christensen in the control of the Oregon Water Power & Railway Company, but previously it had been agreed, according to the complaint, that in consideration of the plaintiffs, George I. Brown and W. H. Hurlburt, continuing in the service of the company at small salaries they were each to receive 1000 shares of the capital stock of the Oregon Water Power & Railway Company.

The complaint asserts that the 1000 shares which it is declared should have been issued to Muir were sold to the Portland Railway, Light & Power Company for \$85,000 on April 27, 1906, and Muir declares that he did not receive the proceeds.

Courthouse Notes.

Matie L. McCormack has filed suit in

the Circuit Court to recover \$20,000 from Dr. A. W. Moore. In November or December, 1909, she fell down a stairway, dislocating a shoulder and fracturing an arm. The physician, it is alleged, treated her incompetently.

Antone Wivoda, whose foot was crushed while he was unloading an automobile at Second and Flinders streets, January 27, 1911, has filed suit to recover \$10,000 from the Portland Gas & Coke Company. In the employ of which he was at the time.

A jury in Judge McGinn's department of the Circuit Court yesterday morning returned a verdict of \$1887.50 in favor of the plaintiff in the case of Elizabeth Merriam against Dr. W. B. Hamilton, in which the physician was accused of having injured the health of Mrs. Merriam by treating her for the wrong ailment.

H. L. Keats is made defendant in a suit for \$7500 filed in the Circuit Court by Axel Refthing, father of Walter Refthing, aged 7, who was killed by Mr. Keats' automobile on Twenty-first street June 25, 1909. The complaint alleges that the automobile was traveling at an excessive rate of speed and that the boy was given no warning of its approach.

Young Woman Heart Disease Victim.

Miss Alice J. Houston, of 374 Larabee street, who died suddenly Thursday morning without a physician having been called, was a victim of heart disease, according to Drs. Geary and H. B. Fenton, who held a post-mortem examination yesterday. Burial permit has been refused because of the lack of a physician's certificate, which was made yesterday by Dr. Fenton. Funeral services were held yesterday afternoon from the Hassalo-street Congregational Church.



ST. JOHNS YOUNG MAN IS IN-
VENTOR OF NEW
INCUBATOR.

J. Edwin Gage.

ST. JOHNS, Or., July 1.—(Special.)—An incubator that is said to solve all the problems that hinder the raising of perfect chicks by incubation has been invented by J. Edwin Gage, a young man of St. Johns.

The chief features of the invention is an automatic double compound regulator, whereby perfect ventilation, heat and moisture combined are attained.

PAPERS ARE DENIED

Missouri's Demand for Lents
Man Is Refused.

SICK WIFE MUCH CHEERED

Man Under Sentence in Mississippi
Valley State Will Not Have to
Return—Plea of Innocence
Is Heard by Governor.

Governor West yesterday refused to honor a request for extradition of Lee Baker, Sheriff of Pulaski County, Mo., who was seeking the extradition of Alfred Kilman, a resident of Lents. Kilman was sentenced to serve five years in the Missouri State Penitentiary in 1898, but escaped before his bond was canceled. For the past six years he has been in Portland, and for four years has worked as a carpenter for Morgan, Flidenner & Boyce, building contractors, under the name of G. W. Smith.

Governor West received many petitions asking that he refuse to allow the extradition of Kilman. He has a wife and two children. Mrs. Kilman is ill in a local hospital. She received the news of her husband's successful fight against extradition yesterday with tears of joy.

"When I was married in 1896, my wife had a pretty gold watch, and we decided to trade it for something more useful," said Kilman yesterday, after the governor's decision had been announced. "I gave it to Joe Haley, whom I had known all my life, for a cow and a set of harness. Later it developed that both cow and harness had been stolen, the cow from John Bell, who lived three miles from me. I was tried in justice court on a charge of stealing the harness and acquitted."

"Then the grand jury indicted both Haley and me for the theft of the cow. Haley had money and influence, and I had not. I was out on bond and told the case was going to go against me, and was advised to skip. I knew my bonds were worthless, and I took the advice. I believe that the attempt to extradite me was spite work. Haley and my brother got into trouble, and there was a lawsuit a short time ago, in which Haley lost."

In his letter to Governor Hadley setting forth his reasons for not allowing extradition of Kilman, Governor West writes:

"The crime for which Mr. Kilman was convicted consisted of the larceny of a cow and was committed on or about August 15, 1907. For the last seven years Mr. Kilman has been living in a suburb of Portland, Or., with his wife and two children. During that time he has conducted himself as an honest and hard-working citizen and has built up a reputation for industry and sobriety that is commendable. He has provided for his family a comfortable home and has sent his children to school."

"He has met all his obligations promptly and in every way conducted

himself as a respectable and responsible citizen should. Mrs. Kilman is now in St. Vincent's Hospital in Portland, having recently undergone a serious surgical operation and is in so precarious a condition that the difficulty into which her husband has been put through the request for extradition has been withheld from her by order of her physicians. During her illness Mr. Kilman has been constantly at her bedside and to remove him now from the state would endanger her life if it did not result fatally.

Release Deemed Just.

"Never before have I heard of a similar case where so much popular sentiment has been aroused. The residents of the entire neighborhood in which Mr. Kilman has maintained his home for the last seven years and men prominent in the business life of Portland have joined in the request that this extradition be denied and that Mr. Kilman be allowed to remain in Oregon."

In view of all these circumstances

and taking into consideration the fact that the crime of which Mr. Kilman stands convicted is not a heinous one and that its having hung over him for 14 years being in all probability a sufficient punishment, it seems to me that the interests of justice will be best subserved by allowing him to remain in Oregon and follow the course which he has pursued for the last seven years of providing a home for his family and an education for his children. It is a peculiar case surrounded by strange conditions and in my opinion justice will be best served by tempering it with mercy here.

"I understand that you are soon to be in Oregon and in that event should you desire I will be pleased to discuss the subject with you more in detail personally."

130 Churchmen Coming.

A special train bearing members of the Brotherhood of Disciples of Christ precipitation last month was 1.25 inches. The maximum temperature

Northern road at 7 o'clock on the morning of July 4. They will remain here for the week to attend the Christian Church convention. The party consists of about 130 members and was recruited in the Middle West. A special car bearing home-seekers and prospective settlers on their way from Minneapolis to Sutherlin, Or., will be handled over the Great Northern and Southern Pacific roads next week, passing through Portland, where the excursionists will remain for a day. The party consists of 18 persons, many of whom will remain permanently in the state.

Astoria Rainfall Light.

ASTORIA, Or., July 1.—(Special.)—According to the records in the office of local Weather Observer Gilmore, the June rainfall was 1.79 inches less than the average for the corresponding month in previous years. The total precipitation last month was 1.25 inches. The maximum temperature

was 74 degrees on June 10, while the minimum temperature was 44 degrees on June 5.

Running water over aluminum plates is said to be a better scale cure.



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