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Main St.

BAKER'S

359
Main St.

ON SALE NOW!

\$25 to \$35.00 Ladies' Spring Suits for . . . \$12.50

Ten distinctive styles in the newest fabrics, the most approved colors and exquisite tailoring.

Our second floor has been the center of attraction during the past few weeks. The display there has aroused the greatest enthusiasm. Women of judgment were quick to recognize the exceptional values in suits we offered. We sold them by the hundreds until the stock was almost exhausted. We waited until the opportunity was presented and it came yesterday. A New York manufacturer wrote to us knowing we had the outlet for any quantity, saying he had one hundred and fifty suits on hand made for a large retail store who had cancelled them owing to late delivery. You can readily understand the extra price concessions gained by a store that does things on a large scale. That's why we are always able to give values like this. These suits are guaranteed to be as represented. All shades and materials in the lot. \$25, \$27.50 to \$35 Suits for

\$12.50

Other Suits Marked Down to . . . \$5.98

Modern In Every Detail
Welch & Kiggins' Saloon
Elaborate Pool Room and Most Complete Bowling Alley in the City.
First Class stock of Whiskeys, Wines, Beers, Soft Drinks Etc.
ONLY SUPERIOR GOODS HANDLED
WELCH & KIGGINS, - - 306 West Pike, Street

A good want advertiser can make a boarding house profitable.
Chick Starter
And all kinds of Poultry feed at
G. M. West's Dealer in
Hay, Grain, Feed, Lime, Plaster and Cement.
5th Street Glen Elk Both Phones

DR. W. B. CONAWAY
Dentist
Pike St., Fidelity Building
Near Post Office
Consolidated Phone No. 65.
CLARKSBURG PRESSING CO.
Heavy House, Prop.
100 N. Third St.
Cleaning, Repairing, Pressing.
Men's Hats Cleaned and Blocked
Phones—Home 469; Bell 211W;
Exchange Bell 214L.

LIABILITY OF OWNER EXCAVATING ON AN ADJACENT PROPERTY

State Supreme Court Hands Down An Important Decision.

"An adjoining owner, excavating on his own land, must exercise care, prudence and skill in doing so, for the safety of buildings if any, standing on the adjacent land," says the supreme court of appeals in an opinion handed down this week.

The opinion was delivered by the court in the case of Walker et al vs. Stroeder et al, from Mingo county and the lower court is affirmed. Judge Hoffenbarger wrote the syllabus, which follows:

1. An owner of land is entitled, ex jure nature, to support for his soil by the adjoining land, but not for buildings erected thereon.

2. An excavation, made by an adjacent owner, so as to take away the lateral support, afforded to his neighbor's ground, by the break away, makes the former liable for the injury, no matter how carefully he may have excavated.

3. Though an adjoining owner has no right of support in his neighbor's land for his buildings, unless he has acquired it by grant or prescription and the latter may excavate in his land so as to cause them to fall, without committing a trespass or taking away a property right, provided the adjacent soil would not have fallen of its own weight, he may nevertheless be liable, in respect to his conduct for the injury done.

4. An adjoining owner, excavating on his own land, must exercise care, prudence and skill, in doing so, for the safety of buildings, if any, standing on the adjacent land. This duty is enjoined, not by any right of support, ex jure nature, that the owner of the building has in the adjoining land, but by legal rule of conduct, requiring every owner of property so to use it as not to injure his neighbor's.

5. A person intending to excavate under such circumstances, should give the owner of the building notice of his intention, as a measure of care and prudence, but the giving of such notice does not absolve the excavator from the duty to use care in the excavation of his work.

6. Neither defective nor improper construction of the building, nor its use for manufacturing purposes, involving the running of machinery, therein, will bar an action for damages for injury thereto, resulting from negligent excavating, under the law of contributory negligence. The excavator must deal with the conditions as he finds them, using

such a degree of care as is requisite under the circumstances, to avoid injury.

7. In case of the fall of a building, occasioned by negligent excavation, a tenant of a single floor, or person thereof, deprived of his right of occupancy and use, and sustaining loss of personal property, by reason of the fall, has a right of action for at least nominal damages, in respect of the tenancy, and for consequential damages, in respect to the personal property injured and destroyed.

8. The rules giving a right of action against a person, exercising an independent employment, to one who is injured by a collateral act of negligence in connection therewith, and absolving the employer from liability, has no application, when the work consists of the alteration of the condition of fixed property and the injury results from the alteration itself.

9. It suffices in a declaration, seeking damages for an injury to a building or a tenant thereof, resulting from negligent excavation, to set forth the relative situation of the properties, the interest of the plaintiff, the duty of the defendant, the acts done, and the results, and charge that the work was done injuriously, wrongfully, carelessly and negligently.

10. Inadmissible opinion evidence is not cause for reversal of a judgment, if the opinion relates to a matter not really controverted.

WEST VIRGINIA PATENTS.

WASHINGTON, D. C., April 30—Patents issued: J. T. Callana, Parkersburg, well pumping mechanism; J. C. Lafferty, Lowman, casing of pipe wrench.

How's This? We offer One Hundred Dollars Reward for any case of Catarrh that cannot be cured by Hall's Catarrh Cure. F. J. Cheney & Co., Toledo, O.

We, the undersigned, have known F. J. Cheney for the last 15 years, and believe him perfectly honorable in all business transactions and financially able to carry out any obligations made by his firm.

Walding, Kinnan & Marvin, Wholesale Druggists, Toledo, O. Hall's Catarrh Cure is taken internally, acting directly upon the blood and mucous surfaces of the system. Testimonials sent free. Price 75 cents per bottle. Sold by all druggists. Take Hall's Family Pills for constipation.

WORK WEAKENS THE KIDNEYS

Don's Kidney Pills Have Done Great Service For People Who Work in Clarksville.

Most Clarksville people work every day in some strained unnatural position—bending constantly over a desk—riding on jolting wagons or cars—doing laborious housework; lifting, reaching or pulling or trying the back in a hundred and one other ways. All these strains tend to wear, weaken and injure the kidneys until they fall behind in their work of filtering the poisons from the blood. Don's Kidney Pills cure sick kidneys, put new strength in bad backs. Cures effected in this locality form the strongest proof of their efficiency. Read the testimony.

Alison Bartlett, Hepshah P. O., five miles North of Clarksville, W. Va., says: "Hard work no doubt was the cause of my poor health. About two years ago, I was so bad as the result of rheumatism that I was laid up and I was stiff and lame all over. For years I suffered from backache and any movement caused sharp, shooting pains through my body. The kidney secretions were also irregular in passage and finally when I saw Don's Kidney Pills advertised, I began their use. They drove the rheumatism away and relieved the pains in my back. They are the best medicine I ever took and I have recommended them to many people. I feel that I cannot praise Don's Kidney Pills too highly."

For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo, New York, Sole Agents for the United States.

Remember the name—Don's—and take no other.

Real Estate

House of six rooms on Mechanic street, lot 50x178 feet running through from Mechanic to Lee St., fine location and a bargain at the price of \$5,200; terms, one-third cash with balance in one and two years with interest.

House of 6 rooms on Sumner St., near Dale avenue, lot 33x60 feet, price \$1,500.

Seven vacant lots near the center of Adamston on Church street, each lot 35x154 feet and facing on two streets. All the lots have been graded and will grow into value rapidly, price \$600 each on reasonable terms.

House of five rooms on Elliott street, lot 30x60 feet, price \$1,500, on reasonable terms.

A fine suburban home in Glenwood, house has 8 large rooms, two stairways, good cellar, excellent well of water, large lot, beautiful green lawn, near the Glenwood stop with a 5c fare to any part of Clarksville, the house alone would cost to build at least \$4,000; our price for a few days \$3,500 on very reasonable terms.

House in Meatherell addition, 5 rooms and bath, lot 40x100 feet and within ten minutes walk from court house. Price \$1,500; one-third cash balance reasonable terms.

Three vacant lots on street car line in Stewart addition, \$400 each on easy payments.

One vacant lot in Industrial, fronting 60 feet on Capitol Ave., price \$250; one-third down, balance in one and two years.

If you have property to sell or to rent list with us; or if you want to buy or rent property in any part of the city or county see us.

The Lynch-Elliott
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HAVE YOU CORNS?
SKIDOO'S LIQUID CORN REMOVER
WILL MAKE THEM GO
ONE BOTTLE "SKIDOO" LIQUID CORN REMOVER
AND CAMELS HAIR BRUSH ALL FOR 15¢
SOLD BY ALL DEALERS

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CONFIDENTIAL LOAN
Waldo Building, Fourth Street.
Loans money on everything. You can save money on everything by buying here.
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GRAND OPERA HOUSE

Monday, May 3d, 1909

The Garrick Management, Inc., Present for a Return Engagement

Florence Davis,
WITH
ELLIOTT DEXTER

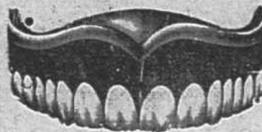
And a Specially Organized Company in

"A Doll's House"

A play in three acts by the noted Norwegian writer, Henrik Ibsen

PRICES :: 25c, 50c, 75c, \$1.00 and \$1.50
Seat Sale Monday Morning at 9 O'Clock

Crown and Bridge Work a Specialty



In no department of dentistry does experience and skill count for so much.

We do more crown and bridge work than any other dentist in Clarksville, and we're getting more of it to do every day. Do you miss an important tooth that has been pulled in the past? Let us bridge over the gap and give you the joy of biting down hard on your food—just as if you never lost that tooth.

All our work is thoroughly guaranteed.
Full Set of teeth 5.00 up
Gold Crowns - 5.00 up
Bridge Work, per tooth 5.00
Fillings of all kinds 50c up



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