

WILL HAS DISAPPEARED

CHILDREN SAY THEIR FATHER DESTROYED IT PERSEVERELY.

Natural Heirs of Frederick Wald Love Him Little in Life, but Scramble for Property.

Testimony was taken by Judge Webster yesterday in the Frederick Wald will contest. Wald was a hotelkeeper at Eugene for a long time, and the estate consists of the hotel property at that place and lots in Hillsdale street. Wald executed a will in March, 1901, by the terms of which he bequeathed the entire estate, except nominal sums given to the four children, to Carl Flesler, a cook.

The will was executed in duplicate. Wald gave the duplicate to Flesler, and retained the original in his own possession. The duplicate copy was filed for probate by Flesler, and the original copy of the will is missing.

Henrietta Wald, a daughter, contests the instrument offered by Flesler, on the ground that her father was unduly influenced to execute it; and also that her father destroyed the original will because he decided that his children were entitled to receive the property.

Le Veauz appeared as attorney for Miss Wald, and John Ditchburn and B. M. Smith, assisted by John M. Piper, of Eugene, for Flesler.

The evidence disclosed that Mrs. Wald obtained a divorce from her husband several years ago, and he afterwards moved to Portland. He worked at the Metropolis Hotel as a cook, and died on November 2, 1902, at the Arcade lodging-house.

Depositions of witnesses taken at Eugene were read. S. J. Stulkey, the lessee of the Wald Hotel, testified that Wald provided for his children and told him to pay the rent to Fred Wald, his son, saying at the time that the boy must learn to manage things, and that he intended to leave the property to his children.

Fred Wald, the son, testified that his father talked of selling the hotel and going into business elsewhere, saying he would take the children with him.

Betta Wald testified that she was in Portland with her father at the time of the last Elks' Carnival. He was kind to her, gave her money, and said, "I will leave the property to the children."

Mrs. Jennie Caldwell testified that Wald informed her that the children would get the property.

Charles Klensinger, an attorney at Eugene, testified that in the Spring of 1902 Wald asked him if it was necessary for him to make a will so the children would get the property, and he told him it was not, and that if there was no will the children would get it.

John M. Hunt, one of the witnesses to the will at the Metropolis Hotel, testified that he did not know its contents. He said he had known Wald a long time and he always favored his children. Mrs. Wald married after she was divorced and the step-father once said something against one of the children. The witness said Wald spoke to him about it and threatened to kill the second husband. He never said he had changed the will.

Adolph Schutz testified that he drew the will and read it to Wald. He tried for several days to get Wald to change his mind and give more to the children, but Wald was very bitter against them, and said he was going to leave the property to Flesler.

Flesler testified that he and Wald were old friends, and that he loaned him \$200 when he was building the hotel at Eugene. He met Wald very frequently up to within a very short time of his death. Wald never intimated to him that he had changed the will. He offered to give it back to him once when Wald spoke of selling the property, because if he sold all the property, the will would be null and void. Wald told him a week before his death, he had received a very insulting letter from his wife because she had heard he was going to sell his property. The witness said: "Wald was troubled because his wife got a divorce and married again. He said, 'All the children are on her side. I don't want to watch my daughter for a birthday present. Do you think she will thank me? No, she will simply look at it and say, 'I could have had that myself.'"

John F. Miller, a pastry cook, testified that Wald told him two days before he died that his wife obtained a divorce from him, and the court gave her the children and some of the property, and that he had left the rest of the property to Flesler.

Evidence was offered to show that the original copy of the will cannot be found after diligent search.

BOOKS MUCH WANTED. But Other Side Says They Would Prove Nothing.

Attorney R. R. Dunlavy yesterday filed a petition in the State Circuit Court in the suit of the Pacific Mill Company against Inman, Foulson & Co. for \$147,000 damages, asking that the defendants be required to appear before Judge Sears on Wednesday morning at 9:30 o'clock, and show cause why they should not be punished for contempt in refusing to produce certain books, papers and accounts.

The Pacific Mill Company is a corporation doing business at Honolulu. It complains that Inman, Foulson & Co. contracted to take stock in the mill company and ship large cargoes of Oregon pine lumber to Honolulu, and afterwards backed out. The suit for damages followed and the attorneys on both sides, for some time past, have been wrangling over the examination by each other of books and accounts, which one side avers will throw light on what transpired between the parties, and which the other says will do nothing of the kind. If Inman, Foulson & Co. should be adjudged guilty of contempt, the punishment would consist of a fine.

WHY HE WAS WRONG.

Attorneys Submit Alleged Instances Wherein Court Erred.

A motion for a new trial in the case of G. Antonov, who was convicted of manslaughter for killing Joseph Guglielmo, was filed in the State Circuit Court yesterday. The motion is based on the following alleged errors by the court: In instructing the jury that they could, under the evidence adduced, bring in a verdict of murder in the first degree.

In defining the words "malice," "deliberation" and "premeditation" in the instructions given to the jury.

In refusing to give the jury all the instructions asked by the defendant.

In permitting counsel for the state to argue over defendant's objections that the defendant had been in trouble in British Columbia.

In stating, in the hearing of the jury, that there was testimony tending to show the defendant had been in trouble in British Columbia.

In permitting the prosecution to introduce in evidence and exhibit to the jury the cut and bloody clothing of deceased.

TRIP WAS CHEAP.

Sheriff Storey Says It Cost Little to Bring Back Prisoner.

Sheriff Storey states that the return of the escaped prisoner, George Roberts, from North Yakima to Portland, was not an expensive undertaking, as has been stated, and that he has charged the county nothing for his own transportation except fare one way as far as Olympia.

The bill of items of the trip are as follows: Meals for self and prisoner, \$8.50; telegrams, \$1.50; requisition at \$10.00; requisition at Olympia, \$2.00; prisoner's board in Yakima Jail, \$6; prisoner's fare to Portland, \$9.15; transportation to Olympia for self, \$2.50; streetcar fare, 10 cents. Total, \$39.15.

Raazors in the Air. Thomas Clark, a negro, has filed suit

Meier & Frank Company

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Spring models in "La Grecque" Corsets just received—Expert fitter—Second Floor. Picture Framing to your order—Best workmanship—Largest and best line of moldings—2d floor Beautiful new styles in Veilings and Hat Drapes—Very latest shown.

No Sewing Machine on the market better than our "Willamette"—Instead of \$50.00 the price is \$25.00—Every one fully guaranteed for ten years—Second Floor. We fill mail orders promptly and satisfactorily—Send us a trial order.

Spring Merchandise on Display

There's another transformation. The fairy queen of Spring has raised her wand and lo! the store takes on the garb of the coming season as if by magic. Spring is here in symbol and simile; here in all its brightness and reality, and the timely preparedness of the Meier & Frank store, which is so pre-eminently the people's store and which stands where it is today by and through the unceasing and increasing support of all the people, is the story we have to tell for the coming week. Spring merchandise everywhere, the prettiest and the best; the showing the largest we have ever made so early in the season. We ask you to come and see the new materials, the new styles, even if you have no intention of buying.

Wool Materials

White and Cream



White wool materials for Skirts and Suits will probably be first in popularity this Spring and Summer Season for street and evening wear—For style or for richness there's nothing quite so effective—The new white materials we are now showing are far superior in every way to any ever before produced.

48-inch Cream Hopsacking, yard \$1.50

White and Cream Mistrals at, yard \$1.00

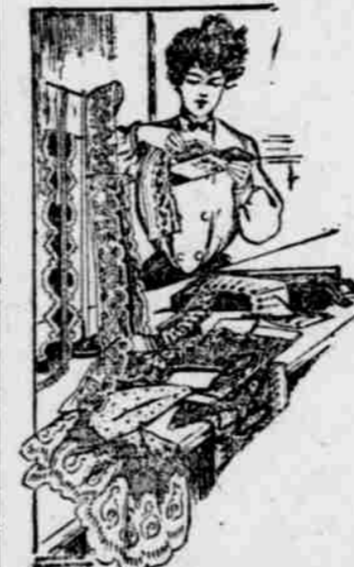
White Etamines, yard \$1.50, \$1.75, \$2

White Serge, variety of weaves, yard \$1.50, \$1.75

White India Silks

Will be in great demand for Waists the coming season—Our stock of white Wash Indias is very large. Prices from 50c to \$2.00 yard.

Laces---Embroideries



The Lace and Embroidery stock is almost in Spring fullness—The newest and best things from across the pond come to us from first hands—Particularly in embroideries we are showing styles and varieties so large and complete that there isn't a fancy but what we can please.

French Embroideries in imitation hand effects.

Embroidered Galloons in new effects.

Match Sets, Cambric, Nainsook, and Lawns.

New Skirt Embroideries.

Beautiful new All-Overs in large variety.

Venise Appliques—Many new patterns.

The new Laces and Dress Trimmings are commencing to arrive by every express—Before the week is over the stock will be complete.

Wash Fabrics



Thousands of yards of the beautiful new Wash Fabrics arriving daily—The display is already the largest and best we have ever made—Fabrics from Switzerland, fabrics from England, fabrics from France, besides a liberal showing by our own United States.

Embroidered Swiss in many styles.

French Organdies—Pretty patterns and colorings.

Colored Vestings 75c, \$1 yd.

Oxford Whites with colored stripes, 50c, 75c, \$1.00, \$1.25 yard.

Japanese Crepe floral effects 60c yard.

Windsor Pappillon Cloth, 25c yard.

Figured Batistes and Dimities to please every one.

A mammoth showing of White Goods for Shirtwaists—Cheviots, Madras, Oxfords, Damasks and Vestings, 25c to \$2.00 yard—Piques in splendid new variety.

Great Waist Purchase



One of the first things the cloak chief did in New York was to purchase a big sample line of about 200 Silk Waists—Taffetas and Peau de Cygne—at about 25 per cent below the cost of manufacturing. Every waist desirable in style and quality and the prices we quote are so low that we don't expect to have one of them left when closing time comes tomorrow.

Lot 1.—\$11.00 Silk Waists—Peau de Cygne, best quality—Tucked yoke—Open work effect—Latest style sleeve—Colors white, blue, navy, black and pink—Beautifully made and trimmed

\$7.85 Each

Lot 2.—Taffeta Silk Waists—Tucked and hemstitched yoke—New style sleeves—All sizes—Color black only—\$7.50 value for

\$4.85 Each

Lot 3.—Peau de Cygne Waists in white only—Tucked yoke, large button trimmed, all sizes—Regular \$7.50 value, while they last

\$4.85 Each

New style Belts for Spring now being shown in large variety. New Veilings and Hat Drapes—Very latest styles—50c to \$3.00 yard.

Spring Silks, Foulards, Etc.

The new spring silks receive their first airing tomorrow morning—A great share of the honors belong to the foulards and the pongee shantungs—The foulards, Cheney Bros. famous make, in a large variety of striking patterns—The polka dot in various styles and sizes seems to have unusual prominence—The dots are the favorite by a big margin—Colorings and designs in variety large enough to make one dizzy, qualities better than ever and the prices are most reasonable.

\$1.00 and \$1.25 Yard

Plain Pongees in many grades. Pongee Shantung in embroidered dots and figures. Pongees with printed figures. Pongee will be the popular waist material.



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The New Suits and Costumes



The Cloak chief isn't allowing any grass to grow under his feet these days. Seven days after he arrived in the market the first shipment of new apparel commenced to arrive. He must have started buying by the "wireless" system. Ever since the express packages have been coming daily, two, three and four at a time, until the cloak section has taken on an air of Spring freshness that's pleasing to everyone looking for something new and pleasing in ready-to-wear apparel.

100 new Dress Suits in cheviots, broadcloths, etamines—Very newest Spring styles—Richly made and trimmed.

New Dress Skirts in granite cloths, etamines and cheviots—New cut and trimming—Latest styles shown.

Walking Skirts in homespuns, cheviots and zibelines.

11 magnificent new costumes—Etamines, white cheviot, silk crepe, broadcloth, etc.—Very height of elegance—Prices from

\$50.00 to \$175.00

They are here to be shown to you—Second Floor.

"WILLAMETTE" Sewing Machines at \$25.00 are the equal of any \$50.00 or \$60.00 machine on the market.

Alteration Sale

Second floor.

Continuation of the second floor alteration sale.

The many improvements under way demand that as much space as possible be given to the workmen—Stocks must be reduced—Men's and Boys' clothing at ridiculously low prices.

Corsets at very low prices. Undermuslins are greatly reduced.

Bargains in infants' wear. Pictures less than cost. Children's cloaks reduced. SECOND FLOOR.

Baby Carriages

Last Friday the O. R. & N. Co. delivered to us our annual spring carload of baby carriages and go-carts—About 400 in round numbers. They come from America's largest and best carriage builder, and every one a leader—Go-carts, baby carriages, folding go-carts in 50 styles—Superior in construction to any other line—Patent brake—Patent hub fasteners—Best rubber tires 1/2 or 3/4 inch—Body provided with the easiest working adjustments—Patent parasol rod—All are handsomely upholstered—They will be on show tomorrow for the first time—Intending purchasers will do well to examine our line before buying.



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In the State Circuit Court against Stella Clark for a divorce. He states in his complaint that she has assaulted him with a knife and threatened to kill him, also that she has been unfaithful to her marriage vows. They were married in Portland in August, 1901.

Nothing in It. In the divorce suit of W. H. Becker against Minnie Becker, the defendant has filed a demurrer to the complaint setting forth that it does not state facts sufficient to constitute a cause of action.

State vs. Ed Sheehan and Hugh Traynor. Motion for a new trial.

Henry Kratz vs. C. H. Jackson. Motion for leave to file amended complaint.

On Monday morning, Judge Sears will

announce decisions in the following cases: C. H. Jones has filed an attachment suit against Alvin S. Hawk and Mrs. L. A. McGregor, to recover a balance of \$450 due on a note.

A petition in bankruptcy was filed in the United States District Court yesterday by John H. Tilley, of Richmond, Wheeler County, who placed his indebtedness at \$2618. His assets were \$695 and the total value of exempt property was \$1800.

Opposed to Incorporation. An effort is being made to induce Governor Chamberlain to veto the Milwaukee charter bill. T. R. A. Sellwood went to Salem with a petition from Milwaukee the first of the week.

The promoters of incorporation profess not to be concerned much over his mission. The bill passed both houses without opposition, and they feel confident that the Governor will not interpose a veto. Mr. Sellwood has about

100 acres of land inside the corporate limits of the new city, and he fears that the taxes will be high to maintain the city government. He is also apprehensive that the movement to force the powder-houses out will result in a long and expensive litigation.

What a Portage Road Would Do. Senator Johnson's bill for a portage railroad around the obstructions in the Columbia River above The Dalles should pass, but probably will not, coming as it does after the big Lewis and Clark appropriation. No reasonable man expects that the Government will cut a canal through the dalles within the next ten years, during which time with a portage road many millions of dollars would be saved to the producers and consumers of Oregon. Ten years is a longer period than the average Eastern Oregon

farmer can afford to stay in the business, with present freight rates, and promised relief some 20 years hence interests him but little. A portage road, while it would not and could not handle the great bulk of immense freight of the inland empire, would so affect the price that the reduction would give a margin of profit for the farming of numerous tracts of good land in the interior that cannot be farmed now except at a loss. Much as the forthcoming Centennial will do for Eastern Oregon, in the way of promoting immigration, the proposed portage road would do far more, as it would be instrumental in providing homes for the immigrants, who will be a detriment rather than an advantage to us unless we shall have a place to put them, where they may join the grand army of producers and become prosperous, contented citizens.

Nor is this all. Volume of trade will be the best possible argument with which to approach the National Government for permanent relief, and the in-

creased population made possible by cheaper freight rates will in due time give us more Congressmen to wage an unceasing battle for our rights, and hasten the time when boats will complete our emancipation by making unbroken voyages from tidewater to the headwaters of one of the grandest waterways within the reach of man—the mighty Columbia River.

Where Love Is Lost. Troy Times.

It is pretty clear that the British voter has little love for the alliance with Germany in the Venezuelan business. The first by-election that has been held since the joint demonstration against Venezuela was that at Newmarket, where C. B. Rose, the Liberal candidate for the House of Commons, defeated L. Brassey, his Tory opponent, by 290 votes, though in the last election the district went for the Tories by 1000 majority. In the canvass Rose denounced the German alli-

ance, while Brassey defended it, in that respect following the example of nearly all the leaders of the Tory party, who of course uphold the Ministry, which is responsible for the alliance.

The election is significant, and the Tory government can hardly avoid perceiving the lesson it teaches. If the people in a district which is nominally Tory by a big margin feel that way, what can the sentiment be in localities where political strength is more evenly divided, and of which there are many in Great Britain? The Conservative Ministry would seem to be inviting sure defeat by persisting in a course which the British masses do not approve.

BUSINESS ITEMS.

If Baby Is Cutting Teeth. Be sure and use that old and well-tried remedy, Mrs. Winslow's Soothing Syrup, for children's teething. It soothes the child, softens the gums, allays all pain, cures wind colic and diarrhoea.