

FIGHT ON EXECUTORS

PETITION FOR REMOVAL OF A. C. EMMONS AND A. G. BARKER.

Guardian for Heir to Ida M. Bryant Estate Asks for Accounting in County Court.

Judge Calk was engaged yesterday in receiving testimony in the matter of the petition for the removal of A. C. Emmons and A. G. Barker as executors of the will of Ida M. Bryant, deceased. The petition was filed by A. E. Jackson, guardian of Blinn S. Bryant, a minor, who is the residuary legatee. On account of some difference which arose, Robert G. Morrow, as a disinterested person, was recently appointed guardian of the minor in place of Mr. Jackson.

During the year 1900 several years following the death of Ida M. Bryant, who had control of the property of Julia Blinn and her daughter, Ida M. Bryant. The firm name was Emmons & Emmons. Blinn, Mrs. Bryant, had considerable real estate in Oregon and Washington, and also cash. Emmons & Emmons made collections and investments for them. This firm was dissolved in 1898. Mrs. Bryant died at Redlands, Cal., some years ago. The petition of the guardian recites that the executors have not properly performed their duties, in that they have not collected the debts of Ida M. Bryant against Emmons & Emmons which had not been accounted for at the time of her death, and which has not since been collected. The general condition of the accounts at the time of her death is being investigated.

The petitioner wants new executors appointed, who will account impartially into the affairs of Emmons & Emmons, so far as the same relates to the property of Ida M. Bryant. Judge Calk at the conclusion of the hearing, will determine whether there is any necessity for such action.

Mr. Emmons denies that there is anything whatever due from Emmons & Emmons to the estate.

Charles H. Carey, who appears as attorney for the defense, objected to any evidence whatever on this point, asserting that it was wholly inadmissible. Mr. Carey said if Mrs. Bryant had an accounting with Emmons & Emmons it cannot now be inquired into. And as to transactions which had occurred many years ago the statute of limitations had run. They acted as agent for Mrs. Bryant and her mother for years, and large sums of money passed through their hands. The counsel said the items could not now be all put under the microscope. The petitioner should first set forth that no accounting had been had, or that if there was an accounting that it was not correct, and set forth the items. Mr. Carey argued that if there was an accounting it was final, whether it was right or wrong.

Judge Calk concluded to receive testimony concerning the investigation made by Emmons & Emmons for Mrs. Bryant subject to the objection.

A. C. Emmons was then examined by J. C. Moreland, attorney for the guardian. Mr. Emmons was able to explain all transactions fully and in detail, and said he could produce copies of all settlements made with Mrs. Bryant and could furnish every kind of information pertaining to the matter in the most comprehensive manner. He said the firm received \$250 for the first year for the services performed, and afterwards \$1500 per year and a bonus. The hearing will be resumed at a future date.

HARDY SETTLES FOR \$500.

He Dismisses Damage Suit Against Beckett and K. E. Ervin.

The suit of J. R. Hardy against James A. Beckett and K. E. Ervin was settled and dismissed in Judge Sears' Court yesterday. The defendants agreed to pay Hardy \$500, which he accepted, although he claimed the books showed a greater discrepancy in his favor. This, on the other side, was denied.

As one of the terms of the compromise Beckett and Ervin signed a paper reciting "that it has been made to appear that we have given circulation to a statement affecting the financial responsibility of J. R. Hardy & Co., of New York, of which corporation we were agents, and that they were made to injure the credit of the concern which was unimpeachable." This is said to have been wrong and a mistake, etc.

Beckett and Ervin were previously employed by Hardy at a salary of \$25 per week and one-quarter of the profits, and resigned their places on account of other business engagements.

SMUGGLER GETS SIX MONTHS.

Larry Kelly Is Sentenced in the United States Court.

Judge Bellinger, in the United States Court yesterday, sentenced Larry Kelly, the old opium smuggler, arrested a few days ago and who confessed his guilt, to imprisonment for six months in Multnomah County Jail. In addition to this, Kelly loses opium to the value of about \$600, so he gets about as much punishment as he deserves.

It is said that Kelly was formerly engaged in smuggling Chinese into the United States. There is a story current that on one occasion when he was bringing a load of opium or so called opium into this country from British Columbia, he was closely pursued by Government officials, who were watching for him, but when he was overtaken his entire cargo of passengers had disappeared, and have never since been seen.

New Suits Filed.

Pelix Hirsch has sued Hattie Hirsch for a divorce, on the ground of desertion, and also asks for the custody of their child, a minor. The parties were married in 1890.

R. J. Stewart has sued B. E. Wright in the State Circuit Court for possession of a piece of land 15x100 feet, in Holladay's Addition.

Addie M. Heustis has commenced suit against J. C. Havelly et al., to foreclose a mortgage for \$400 on lots 3 and 4, block 32, Woodstock.

Asbury Brock has begun suit in the State Circuit Court against N. L. David and H. I. Roenthal, to recover \$900 on a note.

Andrew Nelson has sued J. B. Mahana and wife et al., to foreclose a mortgage on lot 1, block 18, Mount Tabor Villa Annex, for \$600.

Della Ferrin has filed suit against Jesse D. Ferrin, for a divorce.

Working on Tax Levy.

County Commissioners Showers and Mack and Judge Calk, together with Auditor Pope, were yesterday engaged in considering the items of expense for the year 1902, with a view of making the tax levy. The figures for 1901 were carefully gone over, and a discussion was had. They will further investigate things today and will probably arrive at a decision by Saturday.

Articles of Incorporation.

Articles of incorporation of the Nellie Stock Company were filed in the County Clerk's office yesterday, by James Neill, Calvin Helling and George L. Baker; capital stock, \$3000. The objects are the production of plays and dramatic performances.

Temple Beth Israel.

The subject of the sermon this evening will be "To Serve the Evil or to Perish for the Good." The services begin at 8 o'clock, and strangers are cordially invited to be present. Next Friday night Dr. Wise will resume the series of addresses on "Suckers After God." A meeting of the class for the study of the propheta will be held at the synagogue vestry Tuesday afternoon at 2 o'clock. A paper will be presented on "The First Isaiah," and

Dr. Wise will give an address on "The Messianic Prophecies of Isaiah." The Altar Guild will meet at the temple Sunday morning at 10:30 o'clock. Talmudic Analects will be discussed at the meeting. Dr. Stephen R. Wise will deliver an address on "Shakespeare as a Moral Teacher" Sunday evening, before the Council of Jewish Women, and is to speak before the Men's Congregational Club of Oregon City Wednesday evening, on "The Gifts of Israel to the World."

MRS. WEATHERED HONORED

Oregon Woman on Governing Board of Press Clubs League.

Mrs. Edythe Tozier Weathered has just been honored by being placed upon the governing board of the International League of Press Clubs. This is the first time in the 12 years of the league that a woman has been thus favored, although San Francisco newspaper people have been honored three times. This came to Mrs. Weathered as a complete surprise, before the league had reached Charleston, January 19. She has been on the executive board of the National Editorial Association for three years, and this is the first time any one person ever served both associations at the same time. Naturally, it reflects great credit

upon the good work and popularity of the bright little woman who represents Oregon.

This places her in a better position than ever to help her home state, and it is needless to say she will not fail to avail herself of it.

Upon the arrival of the members of the International League at Charleston, they were tendered a brilliant reception by the woman's department, and said that she hoped the visitors, when they saw the exposition, would remember that it was the remarkable work, not of a city of a million inhabitants, but of one of 25,000 white people. Mrs. Weathered's speech was full of bright and sparkling thoughts and was loudly applauded.

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NEW BUILDINGS GO UP

MUCH ACTIVITY IN EAST SIDE WAREHOUSE DISTRICT.

Progress Being Made on Studebaker Bros.' Structure—New Building for Deere Plow Company.

There promises to be considerable building activity in the district west of Union avenue this year. Much progress has been made on the new three-story building for Studebaker Bros. on East Second and East Morrison streets. The foundation and first story below the grade of the street are finished, and work will now be started on the upper stories and the structure.

The two-story building which stood on East Second and East Morrison streets is being moved to Supple's wharf. It will be used for storing shipbuilding material.

Joseph Paquet has just finished an extensive dock, 100x150, north of the Morrison bridge, the first built in this part of the city for many years.

Plans for the Deere Plow Company's big

avenue and Russell street, purchased several years ago for the erection of a hall.

SUB-BOARDS ARE NO MORE.

Have No Connection With Board of Trade and Act as Local Bodies.

According to the reorganization of the Portland Board of Trade, there are no more sub-boards, no provisions having been made for them in the new constitution. The various push clubs which were organized at Sellwood, Montavilla, Central Albina, University Park and elsewhere a year ago by William Killingsworth were made a part of the Portland Board of Trade. They were expected to pay an assessment to the central organization of a per cent of the dues collected per month, but very few paid the amount required. Each club was given a representative to the head organization.

These push clubs have been very effective instruments in promoting the growth of the community in which they met. With most of the clubs the novelty has worn off, leaving the few active men, found in every community, to do the work and pay the bills. The effective clubs are the Sellwood, Montavilla, Brooklyn, Central Albina, Clinton Kelly and University Park Boards. These clubs all have something to show to their credit, and are

doing good work. The Sellwood and the Central Albina Boards have the largest membership, each having 100 on the roll. These two have maintained their membership from the start, and attendance at their meetings is as large now as when they were first organized. The Montavilla Board has 25 members, and is one of the active clubs. The Brooklyn Ward Club, with a membership of 125, has not held a meeting for months. While the clubs have been first organized, the public hall since the installation of the officers. A building will continue their work as local boards of trade.

Mr. Mayo says that the reports indicate that the posts have generally made substantial gains during the last half of the past year. The post having the largest membership in the state is the J. J. Geer post, of Eugene, which has 159 members. George Wright, of Portland, comes next with 145 members. Made post, of Oregon City, has 117 members. Lincoln, of Portland, has 81. Sumner post has 68. The adjutant says that the G. A. R. in this state has never been in a more prosperous condition than at this time.

Grange Officers Installed.

The officers of Milwaukie Grange, No. 203, Patrons of Husbandry, were installed Saturday, in the Town Hall. There was a business and social session, followed by the installation of the officers. A dinner was served at noon. The long tables fairly groaned under their load of good things. It was a reunion of the members, and the time was highly enjoyed.

The following officers were installed by Mrs. Howard, of the Oregon State Grange: Worthy master, Richard Scott; overseer, L. S. Holm; steward, John James; assistant steward, William A. Sellwood; chaplain, Mrs. S. A. Taylor; treasurer, J. S. Risley; secretary, Mrs. M. A. Johnson; gatekeeper, E. W. Brunell; Pomona, Mrs. J. M. Sellwood; Flora, Miss Jessie Squires; Ceres, Miss Eva Sargent; lady assistant steward, Miss Ethel Holmes. Many visitors from neighboring granges were present.

Montavilla District Levied 22 Mills.

At a meeting of the taxpayers of the Montavilla School District, held Tuesday evening, a tax of 22 mills was voted to meet the expenses of the school for the ensuing year. The bonded indebtedness of the district is \$12,000. No provision was made for retiring any of these bonds. Some of the rooms of the building are overcrowded. Professor Bowland is the principal, and there are seven assistants.

Teachers' Meeting at Milwaukie.

The regular monthly meeting of the Clackamas County Teachers' Association will be held at Milwaukie tomorrow. An excellent programme has been arranged. State Superintendent J. H. Ackerman will be present and participate in the program. All persons in any way interested in educational matters are invited to attend.

Will Have Large Membership.

The Brooklyn Republican Club, recently organized, will have a large membership. It will be held at Milwaukie tomorrow. A dinner was served at noon. The long tables fairly groaned under their load of good things. It was a reunion of the members, and the time was highly enjoyed.

WHAT SHALL WE HAVE FOR DINNER?

This question arises in the family every day. Let us answer it today. To feed a hungry and healthy family, prepared in two minutes, no boiling, no baking, simply add water, sugar, etc., to the following: Lemon, Orange, Raspberry and Strawberry Get a package at your grocer's today. 10c.

The ingredients of Hood's Sarsaparilla are in effect, strength, vigor and tone—what you want.

CAMPAIGN FOR FUNDS

RELIEF OF WILLAMETTE UNIVERSITY THE OBJECT.

Presiding Elder Rockwell, Bishop Cranston and President Coleman Will Start Movement.

Rev. L. E. Rockwell, D. D., presiding elder for Portland district, announces that the campaign to relieve the Willamette University from debt will open at Salem Monday, February 11, and close Wednesday, February 13. The chief speakers will be Bishop Earl Cranston, now at Denver; Rev. W. F. McDowell, D. D., Rev. E. M. Mills, D. D., and the new president of the university, Rev. J. H. Coleman, D. D.

Sunday, February 2, Bishop Cranston and Dr. Mills open the campaign for the university in Portland. They will speak in the different churches on that day. Sunday, February 3, the day will be employed in the same way in Portland. Some of the other speakers, probably Dr. McDowell and Dr. Mills, will make the addresses.

Dr. Rockwell said yesterday that Bishop Cranston had secured the services of these prominent ministers from the East for this campaign, and that much was expected to come out of the effort. He said that the Willamette University carried a debt, which greatly hampered its progress and usefulness, and it is proposed to make this effort to raise the money to pay it off.

Bishop Cranston, he says, has interested himself in the movement. The occasion of Dr. Mills and Dr. McDowell, two strong men from the East, is regarded as especially auspicious for the campaign. After the convention in Salem and the Portland meeting, the speakers will be held at important cities of the Willamette Valley, and perhaps other places in the state.

Rev. John H. Coleman, of New York, is the new president of the Willamette University. He is said to be a man of excellent judgment, an attractive speaker, full of energy and enthusiasm. He will participate in the meetings.

LEVIED FOUR MILLS.

South Mount Tabor School District Will Employ Five Teachers.

At the annual meeting of the South Mount Tabor School District, held Thursday evening, the taxpayers levied a special tax of 4 mills for school purposes. Clerk G. F. Peterson read the financial report, which showed that the district is out of debt and has \$400 in the treasury. Last year the district paid off the \$10,000 bonded indebtedness of \$2000 with the money accruing from two annual levies.

The directors found that the four rooms of the main building are overcrowded with pupils, and they were convinced with the necessity of providing another room and another teacher. For this purpose they asked for 4 mills. In the rear of the main schoolhouse stands the old schoolhouse, which has been used as a public hall since it was displaced by the new building. It is proposed to fit this room up and use it next year. The school will manage to get along this term without this additional room and teacher. Professor Low and three assistants are employed.

COMPLETING WOOLEN MILL.

Two-Story Building for Dryhouse Has Just Been Finished.

The superintendent is getting the plant of the Portland Woollen Mill Company at Sellwood in shape for starting up. A new two-story building, which has been finished on the east side of the warehouse, for a dryhouse. It is partly built of brick. Several large tanks are provided for washing wool. Some of the machinery recently shipped from the East has arrived. The remainder is expected soon.

Water is flowing through the big flume. It is carried underneath the track of the Southern Pacific Railway Company by a big syphon, which works well, although there is some leakage at the ends of the syphon and along the flume. The plank will soak up after a time, and the loss of water will be very small. A road has just been finished to Umatilla avenue, and thence to the Milwaukee road. It takes time to build and put in operation such an extensive manufacturing plant. The original plans have been greatly extended.

School Committee Will Report.

The report of the committee on public schools, appointed by the East Side Improvement Association, may be expected at the next meeting. Dr. M. Donough is chairman. He says that the committee has subdivided the work among the members, and a complete report may be expected as soon as the sub-committees have completed their work. The subjects of main interest will be the establishment of an industrial school on the East Side, the question of levying school taxes by the Board of Education instead of by the taxpayers as at present, and the matter of furnishing of scientific reduced rates of fare to school children to and from school. These questions are being looked into, and an interesting report may be expected.

Local Board of Trade Meetings.

An important question will come before the Sellwood Board of Trade this evening, that concerns the people of that portion of the city very closely. President Doane asks that a second meeting be held, as well as all members of the board.

The Peninsula Board of Trade will hold its regular meeting this evening at University station.

To Be Operated on Again.

Miss Edna Ogilvie, daughter of W. E. Ogilvie, living on Clinton and East Fourth streets, will go back to the University Hospital today for a second serious surgical operation. She underwent an operation several weeks ago, from which she recovered and returned to her home. Necessarily for another operation has arisen. It will be performed tomorrow.

East Side Notes.

C. S. Bell and Andy Wood have bought lots on East Eighth street, south of Bacon, and will shortly start work on two handsome cottages.

The Methodist Ministerial Association will hold memorial services in the Methodist Church of University Park Monday forenoon, at 10:30, in memory of the late Rev. H. K. Hine.

The physician attending C. C. Murphy, who was struck by a street-car on Williams avenue a few days ago, yesterday reported that he is getting along nicely. There have been no serious developments in his case.

As has been the case for the past 10 years, the taxpayers of the Russellville district will not be called on to pay a special tax for school purposes this year.

The district is out of debt and has a comfortable balance in the treasury.

Jacob Deckenbach, of the East Side, has just returned from Cleveland, O., where he went to attend a meeting of the First New Jersey Battery, of which he was a member. There was a rousing reunion of the organization. He was gone several weeks.

The candidates for the office of Justice of the Peace for the East Side district held a meeting last evening at the residence of J. B. Easter, an attorney of the Eleventh Ward; Waldemar Seton, of the Eighth Ward; John Mann and Fred Olsen, of the Ninth Ward.

Wise Bros. Gentists. Both phones. The Telling.

No Occasion for Clemency.

WOODBURN, Jan. 21.—(To the Editor.)—Religious persons who are petitioning executive clemency, and offering moral and religious reasons for commencing the sentence of Dalton to life imprisonment, ought to remember that under the just government of the holy God there is a sin and crime which can never be shown clemency. It is the sin against the Holy Ghost, which works with the devil in so great light and is a blow at the fundamental principles of God's government, and at the Divine Being himself, that the guilty is left absolutely inexcusable. Analogous to this in the realm of human government is the crime of murder, of which Dalton is guilty. Murder was in his heart. He went forth determined to murder rather than be captured. His whole object for years has been murderous. He ought to be dealt with as a murderer, and not as a criminal. The murderer is an enemy of society. He is entitled to no clemency at the hands of society—but like the man who commits the unpardonable sin, he ought to be forgiven only at the end of the law. Your editorial ought to be headed by all lovers of law and order, that they place no obstacle in the way of justice, which so often meets defeat.

Respectfully yours,

W. E. BENNETT.

DOES FARMING PAY?

A Dallas Contributor Takes Exception to J. Cragh's View.

DALLAS, Jan. 20.—(To the Editor.)—In your issue of January 19 appears an article with the above on farming from the pen of J. Cragh. Some of his statements are so very far removed from the facts as they exist that I cannot let them pass without notice. Many of his statements are so grossly untrue that they are almost unbelievable. Some poor Easterner with a mind not very well balanced might credit them, and come here to raise 50-cent potatoes and 5-cent eggs. How easy it is for some men to farm on paper, especially if they have real estate to sell. Mind you, Mr. Cragh does not say he is doing any of these wonderful things, but says if he were farming he would do so and so. First he says a cow should make nine pounds of butter weekly for three months, which he figures at \$2.50 cash; this would be 28 cents per pound. Nine-pound-a-week cows are scarce, so is a 28-cent market for butter—I have sold hundreds of pounds since coming to Oregon for 8 to 10 cents. (But I suppose he would hold this butter with his 28c eggs.) He further says he would only milk two tests; does he want us to believe that he can make nine pounds of butter from the milk of 100 cows and so? Let us now look at his potato figures. He states that 300 bushels is an average crop. If he will show me one acre that will produce that I will show him 100 acres that will not average 100 bushels to the acre. Then he says he can get 75c a bushel, and that the price never goes below 50 cents. Five years ago I could buy 100 bushels of potatoes for 10 cents and so. If Mr. Cragh doesn't believe this I can give him the names of the buyer and seller.

He says he would only sell his Winter-laid eggs when the price is up to 35c a dozen. I would ask him how often they have been worth that price in the last five years. Eggs were 35c a few days in Dallas this winter. But in summer they are as low as 10c and 15c. I forgot—he would not sell them. Not every farmer is able to build a cold storage plant to hold them in. He says if a farmer needs tea, sugar, etc., he should have eggs to dispose of to get them. Must he lay in a supply when the price of eggs is at 35c to lose him until they touch that figure again?

I should like to ask Mr. Cragh where

I can get land that will average 200 bushels of potatoes to the acre? Where the market is located where they never are less than 50 cents a bushel? Where I can get 25c a dozen for my eggs, and what to do with the great surplus we have in the Spring and Summer, when they are 8-10-15c? He certainly must know all these things.