

# MILITARY AND A PROBLE AT STAKE

## Relatives of the Late Amanda W. Reed Contest Her Will.

### RESIDENCE THE QUESTION

If Her Home Was in Pasadena, the  
Request to Reel Institute is  
Void, If in Portland the  
Legacy Is Legal.

The hearing of the contest of heirs of the late Amanda W. Reed against her will, which disposes of property valued at about \$1,500,000, began yesterday morning before Judge Webster. The inventory filed in the Multnomah County Court contains a list of property appraised at \$1,570,000, and there is property in Pasadena appraised at more than \$150,000. Mrs. Reed bequeathed the bulk of her estate, amounting to more than \$1,000,000, to Rev. T. L. Elliot, Judge C. R. Bellinger, C. A. Dolph, William E. Robertson and Martin Winch, as trustees, to found an institute of learning to be known as "Reed Institute." In memory of her husband, Simeon G. Reed. The contestants contend that Mrs. Reed was a resident of Pasadena at the time of her death, and that under the laws of California it is illegal for a person to devise by will more than one-third of an estate for charitable purposes, and as Mrs. Reed bequeathed the greater portion of her estate to charitable institutions, the instrument will not hold. If such a decision be rendered, the property devised to charitable concerns, including the Reed Institute, will go to the contestants.

### Names of the Contestants.

The relationship and residences of the contestants are: Emily Pickering, sister, and Sarah A. Robertson, niece, Portland; Abigail Baxter Wood, niece, and John H. Wood, nephew, Quincy, Mass.; W. H. Faxon, nephew, Buffalo, N. Y.; Helen Faxon Passmore, niece, Philadelphia; Ross Wood Brainard, niece; William H. Wood, nephew; Corinne Wood, niece; Stella Wood, niece, and Nellie Wood, niece, Pasadena.

The contestants are represented by Judge Gibson, an attorney from Los Angeles, and William C. Gregory, of this city, and Joseph Simon and Judge M. L. Pipes appear as counsel in support of the will.

A statute of California pertaining to bequests is relied upon by the contestants, which provides:

"No estate, real or personal, shall be bequeathed or devised to any charitable or benevolent society, or corporation, or to any trust or person in trust for charitable uses, except the same be done by will duly executed at least 30 days prior to such death, and if so made at least 10 days prior to such death, and such devise or bequest, and each of them, shall be valid; provided, that no such devise or bequest shall collectively exceed one-third of the estate of the testator, leaving legal heirs, and in such case a pro rata deduction from such devise or bequest shall be made so as to reduce the aggregate thereof to one-third of such estate; and all devise or bequest made contrary thereto shall be void and go to the residuary legatees or devisees, next of kin, or heirs, according to law."

Mrs. Reed executed her will several years before her death, consequently the only portion of this statute which applies is that which prohibits the giving of more than one-third of an estate for charitable or benevolent purposes.

The attorneys for the contestants allege in their petition that Mrs. Reed was a resident of Pasadena when she died, and that the California statute referred to is now and was at the time of the execution of the will in full force and effect, and that the laws of Oregon governing the disposal of will and the distribution of personal estates of nonresident decedents leaving personal estates in the State of Oregon.

The personal property was appraised at \$559,222.

Several witnesses were called by Judge Pipes and Mr. Simon to prove that while Mrs. Reed and her husband, S. G. Reed, lived for a time in Pasadena, their home was in Portland, and they never lost their legal residence here.

Principal among these were Martin Winch, nephew of Mrs. Reed, who managed her business affairs, and his wife, Mrs. Winch's testimony.

Mrs. Winch proved an interesting witness and related how Mrs. Reed always spoke of Portland as "home," and came here in the summer, living in Pasadena in the winter. Mrs. Winch and Mrs. Reed were almost inseparable, and Mrs. Winch knew Mrs. Reed's personal affairs better than anybody else. She related that Mrs. Reed retained her church membership in Portland, also her society affiliations, and paid her dues to them regularly. Mrs. Reed subscribed to seats in a church in Pasadena, but did so at the earnest solicitation of the minister to help it along.

Mrs. Winch told how Mr. and Mrs. Reed first went to Southern California. Mr. Reed was ordered by his physician to retire from the business bank accounts. Mr. Reed remarked that if he had to loaf he could not stay in Portland, where he knew so many people who were always busy, but would have to go where loafers were, so he went on a trip to California, and moved to Pasadena in 1892. He died in 1895. After his death Mrs. Reed brought the "body" home to Portland, and the remains were interred in Riverside Cemetery. Mrs. Reed was buried beside her husband. The witness said the residence of Mrs. Reed was always in Portland. She never thought of any other place as her residence, although she was attached to "Carmelita," her beautiful place in Pasadena, where she passed the winters.

### Spendthrift's Guardian Acts.

R. L. Durham, guardian of Leon L. Vial, a spendthrift, was authorized by the County Court yesterday to borrow \$600 to reimburse Mrs. Louise Vial for money advanced as bail and attorneys' fees, etc., in a case in which her son, Leon L. Vial, is under indictment in Douglas County for shooting Martha Dumbleton, on March 21 last, at Roseburg.

The indictment is still pending, and Vial will be tried upon it in the near future. Henry E. McGinn will appear as his attorney.

Vial was intoxicated at the time of the shooting, and became intoxicated because Martha Dumbleton ordered him to leave her house. The woman has recovered, and has been paid \$1000 by Vial in settlement of her civil claim for damages. Vial was born and reared in Portland.

Spring humors, pimples and boils are cured by Hood's Sarsaparilla, the great blood purifier.

# JAYLEED IN MEXICO

## Conductors to Protest Against Incarceration.

### RESOLUTIONS UNDER WAY

## Southern Republic Holds Train Men Responsible for Accidents, and State Department Will Take Up Matter.

### WIVES SUE FOR DIVORCES.

#### Cruel Treatment by Husbands Is the Cause Alleged.

Ellis Meade has sued Ralph Meade, a janitor in the Chamber of Commerce building, for a divorce, and she also asks that he be required to pay her \$5 a month for the support of their two children. The litigants were married in Portland in 1891. Mrs. Meade alleges that her husband is

of an insanely jealous disposition, and has frequently accused her of infidelity. She says he has been so abusive and threatening that for her own safety and that of her children, she was recently compelled to flee from her home. Mrs. Meade further avers in her complaint that her friends have been afraid to visit her for fear her husband would insult them. She also asserts that she locked herself and children in a room and Meade threatened to break in the door with an ax, and he afterwards removed the door entirely. The court issued an order restraining Meade from interfering with his wife during the pendency of the suit.

Because of cruel treatment and false accusations of adultery, Louisa C. Schwarz has sued Samuel Schwarz for a divorce. The wife alleges that her husband threatened to take her life. The litigants were married in Portland, June 23, 1900. They have two children, and Mrs. Schwarz asks the court to decree that the father contribute alimony for their support.

August Edwin Bocks, whose wife, Eva R. Bocks, has sued for a divorce, yesterday filed an appearance through his attorney, J. W. Bell.

### Suit to Restrain Hop Pool Falls.

The suit to enjoin Conrad Krebs and other large hopgrowers to prevent them from forming a pool to control the sale price of hops filed by A. C. Her, a hop-buyer, has come to naught. The case was dismissed in the State Circuit Court yesterday by Bernstein & Cohen, attorneys for Her.

The suit was instituted on April 25, when a meeting of a large number of the principal hopgrowers was in session in Portland. The avowed purpose of the meeting was to keep up the price of hops, and Her in his complaint asked the court to enjoin the combine on the ground that it would be unlawful, and create a restraint of trade, to the injury of himself and other hopbuyers. The injunction order was not issued for the reason that the attorney for Her did not push the matter. It is common report that Her was merely a scarecrow for prominent hopdealers and buyers, who did not wish to be known in the case.

### WHAT THE CONVENTION DID YESTERDAY.

Protested against treatment of American railroad men in Mexico.  
Discussed changes in the by-laws of the order.  
Informally considered candidates for the convention of 1907.  
Auxiliary discussed lowering of benefit age limit.  
Decided to adjourn, if possible, on Saturday night.

opposition has arisen to the re-election of Grand Chief Conductor E. E. Clark, and he will in all probability be re-elected. The race for the next convention is warm. Memphis is still in the lead, and her backers are enthusiastic, losing no chance to impress upon the minds of the delegates that the next convention should be held there. Atlantic City has now entered the race and is considered a formidable opponent by the other cities, as it seems to have a special attraction for a great many delegates. Cincinnati is still bidding for the convention, while Boston is by no means deterred.

The election of officers for the Auxiliary will probably take place today. It is expected that the present officers will be re-elected. Mrs. J. M. Sewell is instructing 30 ladies of the order in a Japanese drill, which is to be given at the Armory tomorrow night at 8 o'clock for the benefit of the women of Mount Hood division. The drill will be given in Japanese costume.

One of the leading matters being considered by the Auxiliary is the advisability of lowering the age limit in the benefit or insurance department. The limit at the present time is 35 years, but it is probable that it will be lowered to 30 years. The matter will be settled this morning. The ladies in particular are charmed with Portland and Portland's

# ARCHIVES ARE ENRICHED

## Loans Are Made to the Historical Society of the State.

The archives of the Historical Society have been enriched by the loan of several interesting articles owned by Mrs. Kate W. B. Powers, the daughter of John Ball, one of the earliest pioneers of the Rocky Mountains. The loan is a letter roll carried across the plains by her father when he came here in 1822. It consists of several old-style steel pens, brass inkstand, besides a complete sewing outfit, including bone buttons, bone-made pins, thimble and other crude implements peculiar to the period. The thread is very coarse, and resembles fine sack twine. It was spun by his mother. There is also a piece of red flannel cloak worn by Sarah Nevada Ball when a girl, prior to the outbreak of the Revolutionary War. She likewise spun the cloth from which it was made, and it is still in a remarkably fine state of preservation.

Mr. Ball was a famous character in the early history and development of this country. Near Champeau, Marion County, in 1822, he raised the first crop of wheat in the State within the boundaries of the present State of Oregon, and at Vancouver Barracks, in 1822, taught the first school established west of the Rocky Mountains. The term began in November of that year, and lasted all through the winter, and his engagement was at the request of Dr. John McLoughlin, a chief factor of the Hudson Bay Company, who had arrived at Vancouver, chief factor previously. There were no full-blooded white children in the country then, and Mr. Ball's pupils consisted of half-caste and Indian children.

The Historical Society has also become possessed of a piece of the wallpaper from the bedroom of Martha Washington, at Mount Vernon. It was presented to Curator Himes by his son, the late Judge H. H. Holscomb, who resides in Bradford, Pa., and who, as a member of the Mount Vernon Restoration Society, assisted in the work of replacing the wallpaper at the old homestead. The new paper put on the walls by the restoration society is a duplicate of this.

### ANNIE ABBOTT ENJOINED

## Broke Contract Here to Appear at Astoria, It Is Alleged.

Another chapter of the vaudeville war has been enacted, and this time the Georgia magnet, Miss Annie Abbott, holds the center of the stage and stands in the glare of the limelight. Miss Annie Abbott contracted to play the present week at the Baker Theater in this city. Messrs. Keating and Flood, the managers, were disagreeably surprised to wake up one morning and find Miss Abbott contracting to play in Astoria, the city by the sea, where there is a playhouse belonging to the Considine circuit, and which goes by the name of the Unique Theater. As soon as Keating and Flood learned of the actress' act, they formed the train for Astoria, where he petitioned for an injunction restraining Annie Abbott from tripping about the Unique stage, and aiding in the same. The injunction was granted by Circuit Judge McBride, who was absent from the city and County Judge Trenchard. After hearing what Mr. Keating had to say, Judge McBride granted an injunction restraining Annie Abbott from acting at the Unique pending the hearing of the case. Mr. Keating returned to Portland to prepare for the legal battle, the Considine circuit, and the legal forces and Miss Annie Abbott looks at the audiences of the Unique down in Astoria with some apprehension, because the cruel law steps in and keeps her from winning the popular approval from Washington.

Mr. Keating alleges that the contract between Miss Abbott and the Baker was the regular order, and that the Considine circuit, which is much desired by the theatrical men, ignored the contract and jumped to Astoria from no cause whatever. The side of the Considine people is not without merit. The law will now decide whether an actress may toss her pretty head in the air and slap a contract in the face of the whim so moves her, or whether she must behave in a modest manner and do what her contract says she must do.

### Hidden to Give Violin Recital.

Many friends and pupils of Reinhold L. Hidden will be glad to learn that he is to give a violin recital at the Marquam Grand Theater on Wednesday evening, May 11. Mr. Hidden returns from Prague after being an absence of nearly two years and brings with him well earned laurels from the Bohemian capital, where he had the good fortune to be a favored pupil of Professor Sevcik.

Upon leaving Prague Professor Sevcik presented him with a very flattering certificate, or testimonial letter, for work accomplished. This is especially valuable and gratifying coming as it does from the greatest master of the violin of modern times.

This will be the only opportunity of hearing Mr. Hidden for the present, as he will be absent in the East for some time filling concert engagements. Edgar E. Courson, one of the best musicians on the Pacific Coast, and well known to Portland audiences, will be associated with Mr. Hidden in this concert.

### Banner Show at the Star.

Vaudeville, the kind that is so popular in the East and for which high prices are charged, is found at the Star this week at Star prices. All the acts are the best of the Eastern circuits, except D'Urban's Royal Italian band, and the Star circuit is the only one that has ever attempted to put a full brass band on its programme. This band changes its programme at every performance and brings down the house. John Drew is cracking the impersonator, is another, and so is Kimo, the Japanese juggler. Still another Eastern act is that of McIntyre, Fletcher and McIntyre, pretty singers and dancers, who wear swell wardrobes. The Brewers have also been brought to the Star from Chicago. The rest of the bill is the kind you like, too.

### Sue to Recover for Grading.

Miller & Bauer, contractors, have sued William Stevenson, in the State Circuit Court, to recover \$25 for grading work done on East Main and East Twenty-seventh streets.

# CALL SUFFRAGE MEETING

## ANNUAL CONVENTION WILL BE HELD IN PORTLAND.

### Susan B. Anthony and Other Prominent Leaders of Cause Issue Official Announcement.

The official call has been issued for the fifth annual convention of the National American Woman Suffrage Association, which is to be held in Portland at the First Congregational Church, from June 8 to July 5. The call is signed by Susan B. Anthony, honorary president; Rev. Anna Howard Shaw, president; Carrie Chapman Catt, vice-president; Alice Stone Blackwell, recording secretary; Kate M. Gordon, corresponding secretary; Harriet Taylor Upton, treasurer, and Laura Clay and Cora Smith Eaton, auditors.

A cordial invitation is extended to all who believe in the inalienable right of women to self-government, and also to those not yet in sympathy with the purpose of this association. A government of men and women—not by women alone, not by men alone, but a government of men and women, by men and women, which represents the interests and ideal of our association.

One hundred years ago Oregon was an untrodden wilderness. The transformation of the primitive territory into prosperous communities, enjoying the highest degree of civilization, could not have been accomplished without the work of women. No restriction should be placed upon energies and abilities so potent for good. The extension of the right of suffrage would remove a handicap from the efforts of women and give them an opportunity to work for the welfare of the State.

We do not claim that women's voice in the government would at once sound the death knell to all social and political evils. But we do believe that a government representing the interests and the beliefs of women and men would prove itself, and is proving itself, where it now exists, to be a better government than one which represents the interests and beliefs of men alone.

### Arrested for Horse-Stealing.

John Aldrich and Roscoe Wilson have been arrested at Prineville on charges of stealing horses and riding outfits from the ranch of L. O. Ralston, near Arlington, Or. They probably have their preliminary hearing in the near future at Astoria. The stolen animals and outfits were recovered.

Those unhappy persons who suffer from nervousness and dyspepsia should use Carter's Little Nerve Pills, made expressly for this class.

### BODY AND BRAIN

## Are Equally Nourished, Invigorated and Strengthened

When Winter Chills have Weakened You, When Overwork has Exhausted your Brain and Nerve Cells, When Kidney and Liver are on Strike and refuse to Arbitrate, When Life seems all wrong and everything is out of gear, You Need

### Ozomulsion

To Wind Up, so to speak, your Internal Machinery, which you have allowed to Run Down, And when Run Down, Blue and Miserable, Many Dangerous Diseases are likely to take occasion to get a footing in your body. Ozomulsion will prevent and cure Coughs, Colds, La Grippe, Pneumonia, Consumption, Catarrh, Bronchitis, Weakness of Lungs and Chest and Throat Trouble. It is the greatest Recuperative for the recovering from Wasting Diseases.

Sold by all Druggists—Two sizes, 50c and 1.00 per bottle.

Will be present in the city of the Portland Oregonian on request so that sufferers in every walk in life can test it for themselves. Ozomulsion will be sent to you by mail, prepaid. Address

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