

STEWARDSHIP OF LADD QUESTIONED

Heirs to Johnson Estate Bring Action for His Removal.

SAY HE WASTES ASSETS

They Declare If He Continues as Administrator There Will Be Nothing Left for Them to Receive.

A hearing of the petition filed in the County Court by the heirs of A. H. Johnson for the removal of W. H. Ladd as administrator of the Johnson estate began yesterday before Judge Webster. The opening statements of the attorneys on both sides were presented and two witnesses were called to the stand before the close of the first session. The hearing will be continued Monday afternoon at 2 o'clock, and will probably occupy several more sessions of the court.

While comparatively little progress was made yesterday, yet the attitude to be maintained by both sides was clearly defined. It was made plain that the petitioners would confine their case to the work of establishing that Mr. Ladd had been negligent and dilatory in his handling of the estate; that under his management and for reasons not understood by the petitioners, the estate had dwindled in value until there was evidence that it would soon cease to represent any value whatever. Riddell and Dufur are looking after the interests of the heirs.

Defense Is Denial.

The defense, judging from yesterday's proceedings, will consist of a detailed denial of each and every one of the numerous charges made against Mr. Ladd. He is represented by Williams, Wood & Luntz.

The courtroom was comfortably filled with those directly interested when the case was called at 2:30 P. M. Judge Webster stated that he was free to devote the rest of the afternoon to the hearing, and argued that as much progress as possible be made. Mr. Riddell, on behalf of the heirs, arose at once and presented a statement of the case, reciting at length the severe charges that have been made against Mr. Ladd as administrator of the estate.

Charges Against Ladd.

The principal charges reiterated by Mr. Riddell were:

That Mr. Ladd has been unfaithful to his trust and has neglected it to the injury of the beneficiaries of the estate; that he claims certain rights in the estate which are inimical to their interests and inconsistent with a strict and impartial performance of his duties as administrator.

That A. H. Johnson, on January 25, 1904, when about to die, bequeathed to W. H. Ladd, as trustee, property worth \$422,100, "upon the trust only that he shall apply the net proceeds of sales and incumbrances to the reduction of the lawful indebtedness of A. H. Johnson." The indebtedness that was to be paid off by the trustee included \$180,128.94 to Ladd & Tilton, and 27 other claims of \$7,481.07, a total of \$206,009.91.

That W. H. Ladd, as trustee, failed to fulfill the duties and obligations imposed upon him, made no effort to satisfy the indebtedness of the estate from the trust property, but on the other hand allowed the claims against the estate, including the \$180,000 claim of Ladd & Tilton, to be filed against the remaining property of the estate not included in the trust, which was appraised at \$170,452.27.

That W. H. Ladd, as administrator and trustee, has been acting solely in the interests of Ladd & Tilton, a firm "engaged in a general banking business, chiefly in loaning money at the highest rate of interest permitted by law."

That he has not included in his inventory of the estate the trust property appraised at \$122,100; that he claims indebtedness still remains against the estate, only a small portion having been paid, and that at a great sacrifice and after expensive and unnecessary litigation.

That the estate under the administration has steadily diminished in value.

That valuable farms in Washington County have been operated by him at a loss.

That unless a "competent and trustworthy person" is appointed to manage the estate, the indebtedness and accruing interest thereon, coupled with the manipulations, neglect and mismanagement of the administrator, will soon absorb what remains of the estate.

That he has had control of the trust property 11 years without an account being rendered.

That he has operated the Reedville farm at a loss of \$4310.72, when the farm, if properly managed and operated, is capable of producing great profits.

That a part of the assets, a City of Portland warrant worth \$250, was appraised as of no value whatever in his inventory; that he sold the warrant for \$250, and credited it to his account, and deducted the amount from the balance chargeable against him as administrator.

That he failed to include in his inventory 94 accounts due the estate, amounting to \$14,000.

The petitioners ask that he be compelled to make his final report to the estate removed, and that some "competent and trustworthy person" be appointed administrator of the estate.

Request of Riddell.

Mr. Riddell laid emphasis upon the failure of the administrator to make an inventory of the trust property, stating that inasmuch as the estate was interested in that property it should, under the law, be included in the administrator's inventory of the estate. He likewise urged the necessity for prompt action on the part of the court, saying that, in the belief of the heirs, the estate, before the lapse of much more time, would have ceased to represent any value whatever unless taken from the hands of Ladd.

The attorney added that Ladd had never appeared to have in mind the welfare of the heirs and that his action had always seemed to be hostile to them. In illustrating this he recited several instances.

"Only a short time ago," he said, "one of the heirs, who was in the city, was at the time, went to Mr. Ladd hoping he might secure a small advance. He was met by the statement that it was doubtful if there were enough left of the estate to pay off the outstanding indebtedness."

Serious Charges Made.

"After the death of Mr. Johnson," continued Riddell, "Mrs. Johnson was asked to pay \$40 a month rent for a house controlled by Mr. Ladd, in which she was living. She did not feel she could afford it and moved out. Shortly afterwards the house was rented for \$20 a month. Then C. N. Johnson, a son of the deceased, wished to rent the Spring Hill farm of the estate on shares. His offer was refused. Later \$5 was rented to a stranger who has neglected the crops and injures the farm by conducting a dairy farm thereon."

"Again, in his inventory of the estate," continued the attorney, "he passes over a claim of \$14,000 held by the estate against various creditors with the statement that some of the notes are outlawed, some are not good and that none can be collected. He has failed to inven-

tory considerable property, whereas the law expressly provides that all shall be inventoried.

Estate Will Be Used Up.

"Then he is continuing right along with the farming operations of the estate, but without any authority from this court or provision of the will. He is paying out hundreds of dollars on those farms each year and taking in much less. In fact, all the expenses on the farms are large and the income from them correspondingly small."

"At the present rate of increase," concluded Mr. Riddell, "it will be only a matter of a few years until there is no estate left at all. And it is this result to which the heirs are making objection."

Mr. Williams, on behalf of Ladd, put forward the statement that Mr. Riddell had not made a fair statement of the case. He denied that his client had ever claimed the trust property as his own or that he had been guilty of mismanagement.

To the fluctuating value of real estate he attributed the shrinkage of the estate. At the time of the Isaac White deal property was at a low value, he said, and the \$18,000 derived from the land sold was all that could possibly have been secured under a forced sale.

Creditors Do Not Complain.

"It is a peculiar thing," said Mr. Williams, "that if the estate has been subjected to mismanagement some of the creditors have not complained. There are 25 of them, and they are deeply concerned in this matter, but they appear to be entirely satisfied with the manner in which Mr. Ladd has conducted the affairs of this estate."

Regarding Ladd's statement concerning the invalidity of the \$14,000 in claims held by the estate, Mr. Williams said most of these claims were held against relatives of the deceased, and were, in fact, of no account. In explanation of the sale of the street warrant for \$250 after it had been appraised by Ladd as having no value, Mr. Williams said the purchase had been made by an individual who wished to have the warrant out of the way because it affected property owned by him, and who considered it of no value. In conclusion, Mr. Williams said that his client was willing that the light of day should be turned full on all his dealings in connection with the estate; that the result would be established that the affairs of the estate had been handled to the best possible advantage; that all information asked for had been given the heirs bearing on the estate; that 67 per cent of the original indebtedness had been paid off, and that the affairs of the estate had been handled in the best possible manner.

Examination of Witnesses.

The examination of witnesses was then begun. R. Rasmussen was first called by Mr. Riddell. His testimony was of little importance. He was over 60 years of age, and at the time thought it should bring a rent of \$200 a month. On cross-examination, he said the buildings on the farm were old, and that there was much room for repairs.

C. N. Johnson, son of the deceased, was the second witness. His testimony was interrupted by the adjournment of court. He will show that the Spring Hill farm has been badly neglected under the Ladd regime. The rest of his testimony will be taken Monday.

Very few witnesses are to be called. The proceedings, for the most part, so it is believed, will deal with the examinations of records and reports.

RETURNS WITH DAUGHTER

Mrs. DeBord Recovers Child Whom Father Kidnaped.

Grace DeBord, the 2-year-old daughter of George and Lizette DeBord, of this city, has had some adventures since the little one was stolen from the arms of her mother some seven weeks ago, and taken to San Francisco by her father, who had separated from the pretty little Hungarian girl to whom she was married some three years ago.

The young mother learned that her errand spouse had gone to San Francisco after securing possession of the little girl, and she followed with the idea of recovering the child.

After a search lasting several weeks the husband was located at 223 Jessie street, where he was living with a woman whom he introduced as his wife and mother of the little girl, but as the young one continued to cry for "Mamma Lizzie," the deception was soon discovered and on the appearance of the real Mrs. DeBord, the child was legally turned over to her and was brought back to Portland; mother and child arriving here yesterday morning.

While in this city DeBord held a lucrative position but his desire for fast company led to an estrangement with his wife and resulted in the kidnapping of the child and desertion of the little woman who bears his name.

Mrs. DeBord announces that she intends to bring suit for divorce against the father of her child, who has failed to provide for his family and has deserted them for another woman.

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WANT CHEAPER FARE

Vancouver Residents Demand a Reduction.

A. BURNHAM LEADS FIGHT

Declare That Rate To and From Portland Should Be Reduced to Fifteen Cents, and Insist It Shall Be.

Residents of Vancouver are aroused and indignant over the fares charged by the Portland Railway Company, which operates a line between that place and Portland, and will make a determined fight to have the rates reduced. Such is the message of A. Burnham, Auditor of Clark County, who has begun and is leading the fight against the Portland Railway Company.

Mr. Burnham stated yesterday that he had the support of the business interests of Vancouver, and that a fund would shortly be raised to fight the company. He says that a bill will be introduced before the next Oregon Legislature to prohibit any street railway company which operates in a city of more than 50,000 inhabitants from charging more than 5 cents fare for the first three miles of its lines which run outside of the city limits. He firmly believes that it will pass, and will do all within his power to see that it is enacted. The Portland Railway Company now charges 25 cents for one-way fare to Vancouver, or 45 cents for a round-trip ticket.

Was Put Off Car.

Mr. Burnham has been thrown off the cars of the Portland Railway Company between here and Vancouver because he refused to pay the 25-cent fare.

Mr. Burnham has had several interviews with the officials of the Portland Railway Company, but says that they refuse to do anything. He says that unless the fare is reduced that he will sue the company for damages for putting him off its cars when he refused to pay what he considers an exorbitant fare.

According to Mr. Burnham, the citizens of Vancouver believe that not more than 15 cents should be charged a passenger for one way. This would give the company 5 cents from the business districts of Portland to the city limits, 5 cents from the city limits to the ferry landing, and 5 cents for the ferry, which makes a total of 15 cents for one way.

Its Present Tariff.

The Portland Railway Company charges 5 cents for passengers from the business districts to the city limits. Then 15 cents is charged from the city limits to the ferry landing, a distance of about 2 1/2 miles. Another 5 cents is collected for the ferry, which makes a total of 25 cents for one way.

"We are going to have the fare reduced from 25 cents to 15 cents, and there is no if about it," said Mr. Burnham, yesterday afternoon. "We shall keep fighting for it until the company is compelled to give in. Ever since the line was started the fare has been 25 cents. Traffic has increased, but there has been no reduction. The traffic from Portland to Vancouver and from Vancouver to Portland is very heavy, and undoubtedly the line yields big profits. From 100 to 150 persons cross the ferry daily when there is no special occasion. When there is some big attraction in Portland the traffic is much heavier. This is to say nothing of the many teams that are freighted

across the river by the ferry. For a two-horse team and wagon 25 cents is charged for passage one way. This, also, is unreasonable."

CLEVER FILIPINO FORGER

Copies General's Order, But Makes One Slight Mistake.

WASHINGTON, April 12.—A sample of Filipino cleverness and imitativeness has been unearthed at the War department in the course of an examination of some old claims by the church authorities for property alleged to have been commandeered by American troops in the early days of the insurrection. The church authorities in this particular case alleged that some of their valuable herds of cattle had been taken by American troops, while this claim was met by the charge that the insurgents had seized the cattle. In support of the latter statement was what appeared to be a pass issued in due form by General Stanley, the commander of the division. In February, 1901, to Battalion 28 and 29 fellows who alleged that they were simple herders,

but who were charged with having really stolen the cattle from the church. The curious feature was that this pass was in every line executed by pen, although the words of the document were supposed to be in English, and printed characters.

The imitation was so clever as to almost defy detection, and this would have been the case save for a curious idiomatic blunder made by the forger, whose mission was set out on the pass as "for the purpose of to buy bluffs, horses and carriages."

but who were charged with having really stolen the cattle from the church. The curious feature was that this pass was in every line executed by pen, although the words of the document were supposed to be in English, and printed characters.

SAYS IRRIGATE THE VALLEY

Elwood Mead on Advantages to the Farmers.

For the purpose of laying plans for extensive experiments with irrigation in the Willamette Valley, Elwood Mead, Chief of the Bureau of Irrigation and Drainage in the Department of Agriculture, Washington, D. C., was in Portland yesterday conferring with officers of the Portland Board of Trade and State Engineer Lewis. Mr. Mead was accompanied by A. F. Stever, of Pendleton, who has charge of Government irrigation experiments in Oregon. Mr. Mead is one of the most eminent irrigation authorities in the United States and is the author of several books and pamphlets on the subject. He has recently been in California conducting investigations.

Mr. Mead said yesterday that the chief purpose of the experiments would be to determine the extent of benefits that might be derived from irrigation in the Willamette Valley, where there is an abundance of moisture except during about three months in the summer. The advantages to be gained are in the assurance of a good yield every year, the increase in the quantity and the improvement of the quality of crops produced. That irrigation will make crops more sure, increase the production and improve the quality, there is no question, but the matter to be determined is whether the benefits thus derived will make irrigation profitable.

Mr. Mead has no doubt as to the result of the experiments, but what he is after is a practical, indisputable demonstration of what can be done with irrigation in the Valley, and when the advantages have been shown by experiments he feels certain that farmers will undertake irrigation wherever water is available. Irrigation will be such a valuable thing to dairymen who need green feed for their cows during the summer. Experiments in other countries have shown that even where there is as much rainfall as in Oregon, but where the summers are similarly dry, the quality of wheat produced has been greatly improved by irrigation. In fact, where such a valuable thing as water rights, particularly with a view to providing for the administration and control of the use of water, so that each user shall be secure in the enjoyment of what is right, it is almost self-evident for it, and so that there shall be an equitable division in years in which there is a shortage. He also believes there is need of a compulsory registration of all water rights so that there will be a reliable source from which to secure information as to the extent of existing water rights.

Mr. Mead believes that there is need of legislation in this state upon the subject of water rights, particularly with a view to providing for the administration and control of the use of water, so that each user shall be secure in the enjoyment of what is right, it is almost self-evident for it, and so that there shall be an equitable division in years in which there is a shortage. He also believes there is need of a compulsory registration of all water rights so that there will be a reliable source from which to secure information as to the extent of existing water rights.

MRS. W. W. JOHNSON WINS

Is Elected President of the Portland Women's Club.

The Portland Women's Club yesterday elected Mrs. W. W. Johnson as president. The new president is eminently fitted for the position to which she has been elected. Her opponent was the former vice-president, Mrs. Robert St. Luke, who has great ability as a presiding officer. Mrs. Johnson won by three votes.

The new officers are: President, Mrs. W. W. Johnson; vice-president, Mrs. G. M. Gillett; second vice-president, Mrs. M. A. Ogden; recording secretary, Mrs. Charles Smith; financial secretary, Mrs. W. H. Fear; treasurer, Mrs. C. N. Rankin; auditor, Mrs. C. E. Runyon; directors, Mrs. H. E. Gile, Mrs. Ellen Ross-Miller.

PERSONAL MENTION.

Alex. Gilbert, a well-known capitalist of Astoria and Seaside, has returned with Mrs. Gilbert from a protracted visit to California. Mrs. Gilbert's health is much improved.

Miss Gladys Lang, daughter of I. Lang, was successfully operated upon at St. Vincent's Hospital yesterday for appendicitis. Her speedy recovery is promised.

Mrs. C. M. Wood, president of the Oregon Congress of Mothers, left Portland last night for an extended Eastern trip. Mrs. Wood will attend the National Florence Crittenton Convention in Boston as a delegate from Oregon, and after visits at New York and Washington will return West by way of Los Angeles, where she will be present at the National Congress of Mothers.

CHICAGO, April 12.—(Special.)—The following Portland, Or., people registered at local hotels today:

At the Auditorium—J. F. Batchelor. At the Great Northern—D. Marx and wife.

At the Palmer House—Mrs. J. W. Hall. Mrs. Davis.

NEW YORK, April 12.—(Special.)—The following people from the Pacific Northwest registered at New York hotels today: From Portland—Mrs. L. Hoffman, Miss Hoffman, H. G. Eilers, at the Hotel Astor; F. B. Morris, at the Imperial.

From Spokane—W. C. Hooker, at the Continental.

From Seattle—Miss N. Paterson, at the Bristol; M. P. Wolcott, A. F. Edwards and wife, at the Wolcott; J. W. Cowson, at the Hoffman; W. Slover, at the Gilsey. From Tacoma—T. L. Peterman, at the Earlington.

STORM SWEEPS PRAIRIES

Western Nebraska and Eastern Colorado Under Snow and Sleet.

OMAHA, April 12.—A wind, snow and sleet storm of unusual severity is reported sweeping over the western part of Nebraska and extending into Eastern Colorado. At Lincoln, Neb., the Pacific headquarters the storm was reported most severe in the vicinity of Julesburg, Colo., where the wind was blowing at 40 miles an hour, and a heavy snow was falling and drifting. East of North Platte, Neb., the storm was also severe.

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Consumption and Hemorrhages Cured