

WINTERS ESTATE IS GIVEN TO RELATIVES

Much Contested Property to Go to 57 Heirs and Their Various Attorneys.

STATE MAY FIGHT CASE

Question to Be Presented to West Before Further Action Is Taken or an Appeal Made on Testimony Offered.

On the evidence given by two witnesses who appeared in person, and the depositions of 42 other witnesses, the jury in the Henry D. Winters estate case returned a verdict yesterday against the state and in favor of 57 claimants to the estate, represented by Attorneys Gano & Olmsted, Ansel R. Clark and Hall & Lepper, of Portland, and Samuel Griffin, of Medicine Lodge, Kan. The verdict was returned after about 40 hours' consideration of the case, which was submitted to the jury Monday afternoon. The verdict was signed by ten jurors.

The estate involved is worth approximately \$80,000. Those who claim a verdict was returned are first, second and third cousins, most of whom live in Middle Western states.

Attorneys representing other claimants as heirs and Will E. Purdy probably will move to set the verdict aside and ask for a new trial on the ground that the verdict is contrary to the law and evidence in the case. Judge Morrow has already granted Purdy an extension of time in which to file his motion for a new trial.

West to Settle Point.

What action the state will take will not be determined until the matter has been presented to Governor West. The state was a party to the action merely to help in the determination of the heirs, if there were any. As the jury has found in favor of 57 claimants, the state probably will take no part in any further litigation. Attorney Ralph Clifton, however, who appeared with Attorney John F. Logan, for the state, said yesterday that they would make a full report to Governor West, giving it as their opinion that the jury has found erroneously and that the delivery of the estate to those for whom a verdict was returned would be a miscarriage of justice.

After this report has been submitted to Governor, it will be incumbent on him to determine what further steps, if any, the state will take in the matter.

When the verdict was read in court yesterday morning, Attorney Clifton made a motion that it be deferred on the ground that the pleadings filed by the successful claimants and the evidence they offered at the trial varied.

Pleadings at Variance.

"In the pleadings these defendants claimed that Henry D. Winters had four brothers and three sisters," said Mr. Clifton, "and in presenting their evidence they abandoned this sworn answer and proved the contrary. They have misled the state continuously during this trial. In their pleadings they claimed that Henry D. Winters was the son of William Winters, and in their evidence showed that he was the son of Henry Winters."

No action was taken on the motion by the court. Attorney Ansel R. Clark, of Oakland, Cal., who with Attorney Webster, of Portland, represented seven claimants, said after the verdict had been received that Mr. Clifton was right in his statement to the court of the variance between the pleadings and proof offered by the successful claimants, and that he, for one, probably would take an appeal.

"The finding of the jury was a surprise to attorneys and officials who have watched the proceedings closely, and attorneys for the state admitted their disappointment."

"The case of the successful claimants, or at least some of them, was financed by Alex Sweek and John A. Carr, of Portland," said Attorney Sweek, "and in my opinion they are no more heirs than any of the others. My belief is that the jury did not want the property to go to the state, and therefore found for the greatest number of claimants possible."

Henry D. Winters died June 20, 1911, leaving an estate valued now at approximately \$80,000. The largest portion of this property on grand avenue, which Purdy claims through an instrument he says is a deed from Winters conveying the property to him. This claim has been defeated in court twice.

The claimants who were awarded the property by the jury are first, second or third cousins of Henry D. Winters. The largest number of them live in Nebraska and Iowa, others being scattered in Montana, Indiana, Illinois, Nebraska and Oklahoma. The full list of the heirs named in the verdict returned and the attorney through whom their claim was presented follows:

Attorneys: Hall & Lepper, John Winters, Paris Winters, Carrie M. Phipps, Celina Buckley, Martha Quillen, Jacob Ellsbury, William B. Ellsbury, Mary A. Ray, Lavina Phipps, John Ellsbury.

Attorney Ansel R. Clark—L. D. Winters, Ed Winters, Sherman Duncan, Lucinda Winters, Minnie Winters, George Winters, Amanda Love, Henry Winters, Walter Winters, John Winters, Alvin Byers, John Slough, John Winters, Thomas Winters, Alfred C. Winters, Abraham C. Schuler, Isabella Cutlar, Charles Imman.

Attorney Samuel Griffin—Mrs. Mary A. Feltner, Jack Winters, Cindella Winters, Lavette Decker, Orange Decker, Lloyd Decker, Wiley Winters, William R. Winters, Sarah Winters, Amanda Winters.

Attorneys Gano & Olmsted—Pauline A. Jennings, Ann M. Dillon, John Duncan, Julia Ridpath, Polly Forbes, A. Winters, Thomas Winters, Sarah Roberts, Elizabeth Clark, Rose E. Henry, May Winters, Margaret Winters, William Winters, Rolla E. Winters, A. D. Winters, O. E. Winters, Ferdinand Winters, Alva L. Winters, Elias Duncan.

PERSONAL MENTION.

C. R. Griffin, of Seattle, is at the Seward.

O. P. M. Goss, of Seattle, is at the Benson.

Henry Date, of Chicago, is at the Multnomah.

George J. Stanger, of Pendleton, is at the Carlton.

Dr. J. A. Fulton, of Astoria, is at the Imperial.

W. H. Adams, of Oakland, Cal., is at the Oregon.

S. D. Sargent, of Salem, State Bank.

Examiner, and his wife are at the Benson.

George A. Nelson, of Astoria, is at the Multnomah.

J. L. Lott, of San Francisco, is at the Washington.

L. J. Merrill, a Mosier, Or., orchardist, is at the Seward.

William V. Kearns, of Los Angeles, is at the Washington.

E. C. Barnes, a Seattle insurance man, is at the Oregon.

Mrs. C. L. Cookson, of Kansas City, is at the Washington.

P. E. Taylor is registered at the Nortonia from Seattle.

Mr. and Mrs. John M. Wall, of Hillsboro, are at the Seward.

S. C. and L. B. Gormely, of San Diego, Cal., are at the Carlton.

W. D. Plue, a Rainier, Or., lumberman, is at the Imperial.

William Van Victor, of Goldendale, Wash., is at the Nortonia.

R. S. Findlay, a merchant from Manila, P. I., is at the Oregon.

T. C. Sherwood and John H. Thatch-

OREGON EXPERT GOES TO CANADA PUT IN SYSTEM.



F. W. Hinsdale, (Special), F. W. Hinsdale, secretary of the Oregon State Industrial Accident Commission, has been engaged to install the office system of the workmen's compensation department in Ontario, Canada.

Mr. Hinsdale, who has been given a two months' leave of absence by the Oregon Commission, will leave for Toronto the latter part of the month. P. T. Garnett, formerly chief accountant of the Washington State Commission, will attend to Mr. Hinsdale's duties while he is away. Mr. Hinsdale has had much experience in compensation work and is regarded as an expert in the Northwest and Canada.

er, of Kansas City, Mo., are at the Oregon.

Mr. and Mrs. D. C. Remick, of Littleton, N. H., are at the Benson.

A. Satterberg and Ed Baker, of Santa Ana, Cal., are at the Carlton.

J. R. W. Craken, of Hissaul, Wash., is registered at the Nortonia.

L. F. Wakefield, a land owner of Crescent, Or., is at the Imperial.

Clark W. Thompson and son, of Cascade Locks, Or., are at the Multnomah.

J. H. Wenandy, proprietor of Burns, Or., garage, is at the Imperial.

E. K. Booth and Mr. and Mrs. H. E. Norton, of Santa Cruz, Cal., are at the Carlton.

Professor H. D. Scudder, of the Oregon Agricultural College, is at the Seward.

Mrs. W. F. Osburn, of Eugene, is in the city, attending the Unitarian Conference, now in session.

C. Uda and Miyaki, professors at the Higher Commercial College at Tokyo, Japan, are at the Multnomah.

Mrs. Lorne P. King, daughter of Rev. W. O. Forbes, is convalescing at the Good Samaritan Hospital after a critical operation last Friday.

ROSE SHOW PLANS MADE

PENINSULA LIST OF PREMIUMS IS ANNOUNCED.

Arrangements Made for Large Display of Blooms and for Presentation of Flowers to Guests.

Red and white have been selected as the colors of the Peninsula Park Rose Show, which will be held in Peninsula Park June 9 and 10, under the auspices of the North Portland Commercial Club and the Women's Auxiliary. At the meeting of the committee of arrangements yesterday, it was decided to have the musical concert by a chorus of 100 voices, which are now being trained by Rev. D. V. Poling, the night of June 9. Many of the penny boxes have been received, but owing to the number still out the time for returning them was extended to June 1. The following classification of the exhibits was adopted:

Section A—Class 1, best 24 Caroline Testout; class 2, best 12 Caroline Testout.

Section B—Class 1, best 4 white roses of any one named variety; class 2, best 4 red, any one named variety; class 3, best 4 pink roses any other variety; class 4, best 4 yellow roses any one variety.

Section C—Class 1, best 6 La France roses; class 2, best Ulrich Bruner; class 3, best 6 Frau Carl Druschki; class 4, best white Maman Cochet.

Section D—Class 1, best 1 hybrid perpetual, any color; class 2, best 1 hybrid tea; class 3, best 1 tea; class 4, best 1 Marechal Niel rose.

Section E—Class 1, best collection 5 varieties any color of 4-bloomer each; class 2, best 12 vases distinct variety in single vases; class 3, best 5 roses on variety, single vase.

Section F—Class 1, best 3 Lyon roses; class 2, best 3 Joseph Hill; class 3, best 3 Madame Melaine Souper; class 4, best 3 Betty; class 5, best 3 Kaiserin Augusta Victoria; class 6, best 3 Lady Roberts; class 7, best 3 Lady Ashton; class 8, best 3 J. B. Clark; class 9, best 3 Mrs. Aaron Ward; class 10, best 3 General McArthur; class 11, best 3 varieties of new roses other than contained in this list.

Special awards—Best rose shown in the exhibit; best light rose of any variety.

Competition of mass exhibits will be made by the following districts: Kenton, Peninsula, North Portland (Albina), Vernon, Alberta, Walnut Park, Woodlawn, Piedmont, West Piedmont, Overlook, Oakley Green, University Park, Bortsmouth and St. Johns.

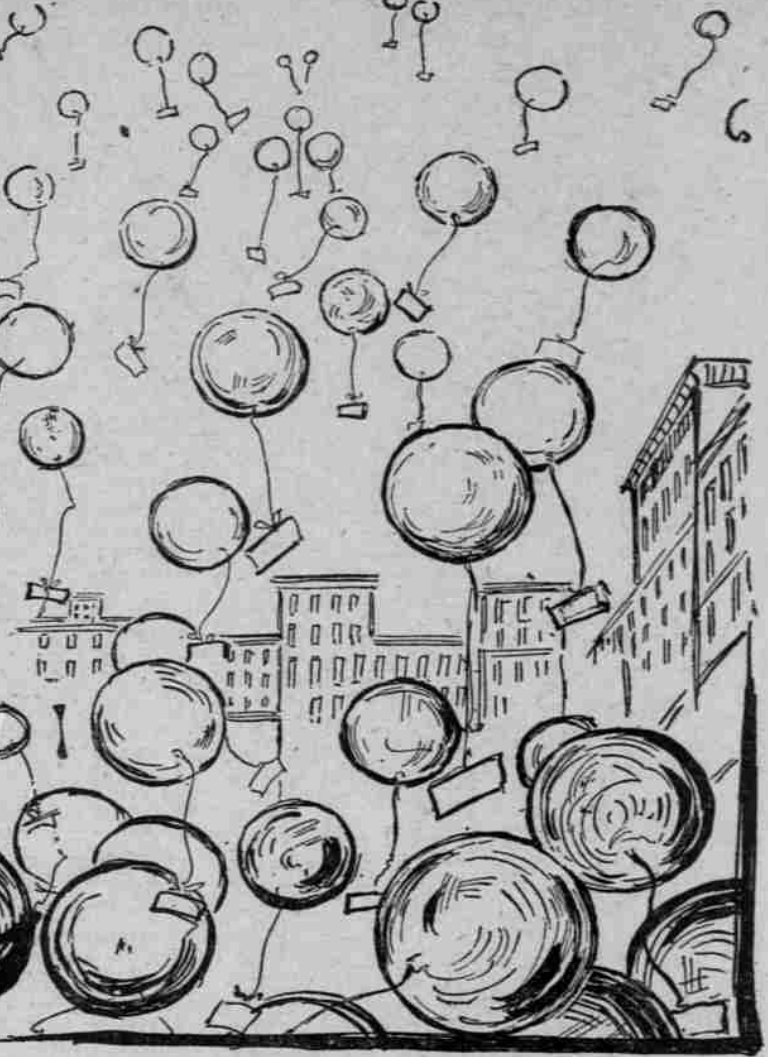
S. L. Osborne, chairman of the rose committee, announces that those who make exhibits should be careful to retain the foliage of the rose and not substitute other foliage. The different neighborhoods will be asked to furnish two young women to give away roses in the park during the two days

125 BALLOON ASCENSIONS FRIDAY!

At 3 o'Clock Sharp on Friday Afternoon

The Manufacturers' Association of Oregon

Will Launch 125 Toy Balloons, Each Carrying Prize Coupons as Well as



BLANK BALLOTS FOR ROSE FESTIVAL QUEEN CANDIDATES

To Interest Every Man, Woman and Child in the

Home Industry Exhibit

AT

Meier & Frank's

BASEMENT--MORRISON-STREET WAY

The Members of the Manufacturers' Association of Oregon

Will Offer 125 Valuable Prizes

To the lucky finders of the balloons. Attached to each balloon will be a Prize Coupon entitling the finder to a prize. 250 Blank Ballots for Rose Festival Queen Candidates will also be attached to each balloon

THESE BALLOONS WILL BE STARTED NEAR

Lincoln High School Washington High School Jefferson High School

FRIDAY--PROMPTLY AT 3 O'CLOCK

Coupons Taken From Balloons Will Be Honored Until 6 P. M. Saturday, at Which Time This Intensely Interesting Exhibit Will Close

OTHER EXHIBITS WORTH SEEING

At Which Desirable Prizes Are to Be Given

Doernbecher Company
Bergmann Shoe Company
Carman Mfg. Company
Oregon Chair Company
Reliance Wire & Iron Co.
Modern Confectionery Co.
Pacific Face Brick Co.
Portland Hair Company
Northwest Lead Pipe & Machinery Co.
Art Plating & Stove Repair Works
Universal Bed Co.
Multnomah Trunk & Bag Co.
Portland Curled Hair Co.

BALLOON PRIZES GIVEN BY THE FOLLOWING MANUFACTURERS

Crown Mills, Flour
Dougherty Shoe Mfg. Co., Shoes
Jobes Milling Co., Flour
Knight Packing Co., Pickles
Zan Bros., Brooms
Independence Creamery Co., Butter
American Brush & Broom Co., Brushes
Pacific Ladder Works, Ladder
Hazelwood Co., Butter
Columbia Milling Co., Flour
Hudson Clam Co., Canned Clams
Oregon City Woolen Mills, Indian Robe
Reliance Wire & Iron Works, Hanging Basket
Union Meat Co., Lard
Hoody Peanut Butter Co., Peanut Butter

Dwight Edwards Co., Coffee
Northwest Rug Co., Rug
Portland Flouring Mills, Flour
Mason Ehrman & Co., Canned Fruit
Wadhams & Co., Jelly
Nolan Knitting Mills, Doll's Clothing
Closset & Devers, Salad Dressing, Coffee, Tea
Fret Pickle Co., Pickles
Pacific Coast Syrup Co., Preserves
Haradon & Son, Crackers
Albers Bros., Pancake Flour
Wadhams & Kerr Bros., Canned Fruit
Oregon Brass Co., Bubbling Fountain
Modern Confectionery Co., Candy

Additional Prizes

To Be Given at Booths

Apply at Booths for Information

Mahogany Dressing Table
\$5 Cash at Shoe Exhibit
Ladies' Desk
3 Hanging Baskets Filled With "Grown-in-Oregon Flowers"
One Rose Trellis
Three Additional Prizes
\$14 Chair

of the show. The roses will be placed under canvas near the garden at the south side of the park. Application from some of the schools have been made to exhibit their work in the garden buildings, which probably will be granted.

'GYM' PERFORMANCE GIVEN

Y. M. C. A. Holds Sway at Ad Club Dinner and Addresses Made.

For 20 minutes yesterday at the Ad Club luncheon part of the main dining-room of the Portland Hotel was converted into a gymnasium. It was Y. M. C. A. day with the club and the physical department, under direction of A. M. Griley, was the big attraction.

If Director Griley could guarantee that all of his pupils would develop into muscular wonders like the Flint brothers the Y. M. C. A. physical department would be swamped with applicants, for the balancing exhibition they gave would entitle them to a place on any vaudeville circuit in the country. Seven other members of the club's gym class gave a creditable drill. Robert Livingstone, vice-president of the Y. M. C. A.; Harry W. Stone, general secretary, and R. C. French, director of the educational department, made brief talks on the good influence of the association.

Nearly \$100 was subscribed toward the candidacy of Miss Sadie E. Vignas as queen of the Rose Festival, the Ad Club's choice.

before the County Commissioners tomorrow and urge that the approach question be given a rehearing. At this morning's hearing a large number of citizens from the Peninsula are expected to attend.

DERBY STREET APPROVED

Church Mass Meeting Results in Adopting Resolutions.

Resolutions were adopted Tuesday night at a mass meeting held in the Pilgrim Congregational Church under the auspices of the Overlook Improvement Club approving the Derby-street-Patterson-avenue approach to the inter-state bridge. M. E. Thompson, O. F. T. Johnson, Frank Deuster and Harry Yankwich were appointed to appear



The Connecting Link

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255,227 was the average number of daily telephone calls in Portland during the month of April, making a total of nearly eight million calls for the month.

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