

WILL IN STAKE

Reed Document Is to Be Re-Probated.

COUNTY COURT SETS DATE

Issue Based on Provision of California Law.

VIEWS OF JUDGE BELLINGER

Says Oregon Statute Will Protect Requests for Charitable Institutions From Encroachment of Outside Enactment.

Mrs. Amanda W. Reed's will is to be reprobated by the County Court March 28. On that date all interested in the will are to be cited to appear. The contest concerning the validity of the instrument will be held on that day, and the question will be decided as to whether a California statute can extend to the State of Oregon when Oregon has a law covering the case.

The heirs of the late Mrs. Reed have been attempting to break her will by the probate of a California court which she bequeathed a fortune of \$1,322,819, mostly to charity, and particularly to an educational and industrial establishment to be known as the Reed Institute. She was a resident of Oregon for many years and a great portion of her estate was here, but of late years she had been living in Pasadena, Cal., and died there. She had, however, always claimed Portland as her home.

Mrs. Reed having died in California, the heirs have attempted to have her will probated by a California court and dealt with by the California law, which permits only one-third of a testator's estate to go to charity. This would make a great difference in the distribution of the estate, the heirs would get a good deal more and the charitable institutions would lose in consequence.

The will was probated by the County Court of Mendocino County, and the executors duly qualified to perform their office, but the heirs have petitioned to have the matter reprobated by the court, all interested being cited to appear at the time.

Heirs Plead California Statute.

The contesting heirs have explained in their petition why they wish the will reprobated. They explain at length the California statute, which prevents a testator from bequeathing more than a third of the estate, saying the heirs claim that the California law in effect in Oregon as well as in California. Those interested in the charitable institutions affected by the will consider the petition of the heirs as an encroachment, and do not doubt that the California statute will be adjudged not to extend to Oregon.

payable \$2000 in cash and the balance in, or before, six months. If he desires to purchase after 90 days and prior to six months, the price is to be \$2500. On January 7, 1935, Deitz alleges that Stephenson extended the option for the purchase of a second one-fourth interest for 30 days, in writing.

On February 6 last Deitz says he elected to purchase the additional one-fourth interest, and Stephenson refused to sell and declined to accept \$2000 tendered him as the first payment. Deitz avers that when he and his wife took charge of the hotel on November 7, 1934, the business was run down, and by their efforts they improved it a great deal. The Scott Hotel Company, which claims some interest in the hotel business, is said to have been fully informed of the contract between Deitz and Stephenson, and Stephenson, on February 5, 1935, is alleged to have caused an adjustment and settlement made between the stockholders of the Scott Hotel Company, whereby he obtained the full and absolute control of all the stock of the corporation.

GETS JUDGMENT FOR \$5000.

Court Awards Louis Montgomery Full Claim for Commission.

In the suit of Lewis Montgomery against Marshall J. Kinney to recover \$5000 balance due as commission for the sale of timber land near Westport, in 1922, the jury in Judge Seab's court yesterday returned a verdict in favor of Montgomery for the full amount sued for. The lands, comprising about 6000 acres, were sold for \$125,000. Of this amount Kinney received, he testified, \$7,000, and one Parsons got \$125,000. Montgomery testified that the total amount of the commission was \$10,000, and that he was paid only \$5000. Kinney explained that he lost the option on the land during that year. General Dix was a field officer of the regiment when it was mustered in, and served until the close of that war. The regiment was consolidated with other regiments, and lost its identity for a time, but was reorganized at the time of the Mexican war and fought under General Winfield Scott in the battle preceding the capture of the City of Mexico, and mustered out at the close of the war.

Fair to Clear Synagogue Debt.

Extensive preparations are being made by the members of the Congregation Ahama Sholem for a fair, by which they expect to raise sufficient money to pay off the \$6000 mortgage now outstanding against their new synagogue on the corner of Park and Clay streets. Many large donations have already been made, and there has been subscribed some \$1500 in goodie. The fair will take place March 15 to 22 at Merrill's Hall, corner Seventh and Oak streets. Many unique ideas have been advanced to make the fair an unusually attractive one. Masquerades, candlelight and minstrel shows, dancing and theatricals will be included in the programme. A first-class restaurant will serve the finest delicacies.

Suspected Robber Released.

A. D. Hendryx, who was arrested as an accomplice in the Lebanon bank robbery, was released from the County Jail yesterday on his own recognizance. After the preliminary examination of the case in Albany, on Thursday, it was decided to hold Hendryx only as a witness. Mrs. Ed Dunn is held as a witness, but the sheriff has discovered evidence warranting the filing of a larceny charge against her. George J. Cameron has been retained by Dunn as counsel, and John F. Hattis and John Ditchburn represent Harry Reynolds.

STALWART QUARTET TO SING.

Attractive Programme at Y. M. C. A. Today—Chaplain Smith to Speak.

An attractive feature of the Sunday Club meeting at the Y. M. C. A. this afternoon will be the musical programme by the "Stalwart Male Quartet" of Salem. This quartet is well known throughout the state, as the members have been singing together for a number of years. The personnel of the quartet is Jake Wenger, first tenor, Dr. H. C. Epley, second tenor, Jesse Turner, first bass, and Jay F. Powell, second bass. Mr. Jake Wenger, the first tenor, is the star singer yodler in Oregon and is always received with enthusiasm.

STALWART MALE QUARTET OF SALEM TO SING AT THE Y. M. C. A. TODAY

The quartet comes to Portland especially for the Sunday Club and has planned a programme that will give delight to the audience, as follows: Quartet—"Sun Rise"; Quartet—"Sweet Sabbath Eve"; Solo—"Beautiful Isle"; Dr. H. C. Epley—(Voice accompaniment) Duet—"Switzerland Home"—Yodie; Dr. Epley and J. Wenger; Quartet—"Last Hope"; Quartet—"Southern Home"; The address of the afternoon will be given by Chaplain S. J. Smith, of the infantry, who has been serving in the Philippines for some time, and it is in the nature of relief from foreign duty that the transfer is being made.

SEASONED TO WAR

Fourteenth Infantry Has Seen Valiant Service.

FOUGHT WITH SECOND OREGON

Regiment Assigned to Vancouver Barracks Has Long and Brilliant Record Covering Many Wars—Stationed in Philippines.

The orders of the War Department transferring the Fourteenth Infantry to Vancouver Barracks from the Island of Samar, P. I., have aroused the interest of many of the officers and members of the Second Oregon Regiment, with whom they first journeyed to Manila during the Spanish war. The Fourteenth has been stationed in the Philippines for some time, and it is in the nature of relief from foreign duty that the transfer is being made. According to the orders, the regiment will leave the Island of Samar on the 15th of March, and should reach Vancouver Barracks within 30 days thereafter.

The Fourteenth Infantry was first organized in 1817, and took an active part in the campaign along the Canadian border during that year. General Dix was a field officer of the regiment when it was mustered in, and served until the close of that war. The regiment was consolidated with other regiments, and lost its identity for a time, but was reorganized at the time of the Mexican war and fought under General Winfield Scott in the battle preceding the capture of the City of Mexico, and mustered out at the close of the war.

After the Civil War the regiment was again reorganized and sent to Arizona under Colonel Lovett. Later the command was sent to Wyoming, where it did gallant service against the Sioux and the Cheyennes, and according to the records of regimental losses during the war had the heaviest loss of any regular regiment during the war.

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ANOTHER LOVELY HOME HAS A WEBER PIANO.

A Prominent Portland Attorney Purchases One of the Most Costly and Beautiful Styles.

There is probably no style of the Weber piano that appeals so much to the artistic taste as the one just selected by Mr. Miller Murdoch, of the prominent law firm of Murdoch & Moser. The instrument in question is the Colonial style. It is made of very rich mahogany, and is finished in plain panels and simple fluted pilasters, that give it a classic symmetry strongly suggestive of beauty and dignity. It has that sympathetic tone which is the characteristic of Weber pianos.

TAX MONEY IS POURING IN

Collections Are Much Heavier Than Those of Last Year.

The total tax collections on the 1934 tax roll for the city of Portland, 17 were \$131,524.30, which is about \$100,000 more than was taken in at this same date one year ago. On Monday the Sheriff will make a return to the city of the amount of the 1934 tax. The bulk of the money collected will then have been placed in the hands of the County Treasurer. Taxpayers are requested to send in a list of their property in order that statements may be made up and mailed to them. A great many have already obtained statements, but the office force is sufficient to do a little more work of this kind without crowding. Those who secure statements will avoid the final rush, as they can pay their taxes without delay. A rebate of 2 percent is allowed on all taxes paid in full on or before March 15.

MURDEROUS HEATHENS GIVE BAIL.

In the Municipal Court yesterday morning the three alleged henchmen charged with the murderous assault on Leo Moon were ordered released on bonds of \$1000 each. Their fellow-townsman quickly provided the necessary bonds. Bridge, where Captain Bogardus Eldridge was killed, Colonel Woolcott, who served in the vicinity as a Major of the Fourteenth Infantry, was killed in the battle of San Juan Hill, in Cuba. In July, 1906, the Fourteenth Infantry formed a part of General Chase's command, which advanced from Tinian to Pekin. For the conspicuous part it took in this campaign the regiment received the highest commendation. It was a bugler boy of the Fourteenth who scaled the walls of the sacred city and opened the gates for our troops to march in. These seasoned warriors, largely men of Oregon and Washington, who recently fought as well as usual, but after the capture of Pekin maintained the strict discipline and showed such a kindly disposition towards the conquered population that the Chinese officials were lavish in their praise of the regiment. They are now returning from their second tour of duty in the Philippines. The Colonel of the regiment is Colonel S. N. Jocelyn, once stationed at Fort Townsend. Lieutenant-Colonel Witherspoon is a member of the War College. The senior Major is Charles McClure, once Judge-Advocate of the Department of

MONTEVILLA

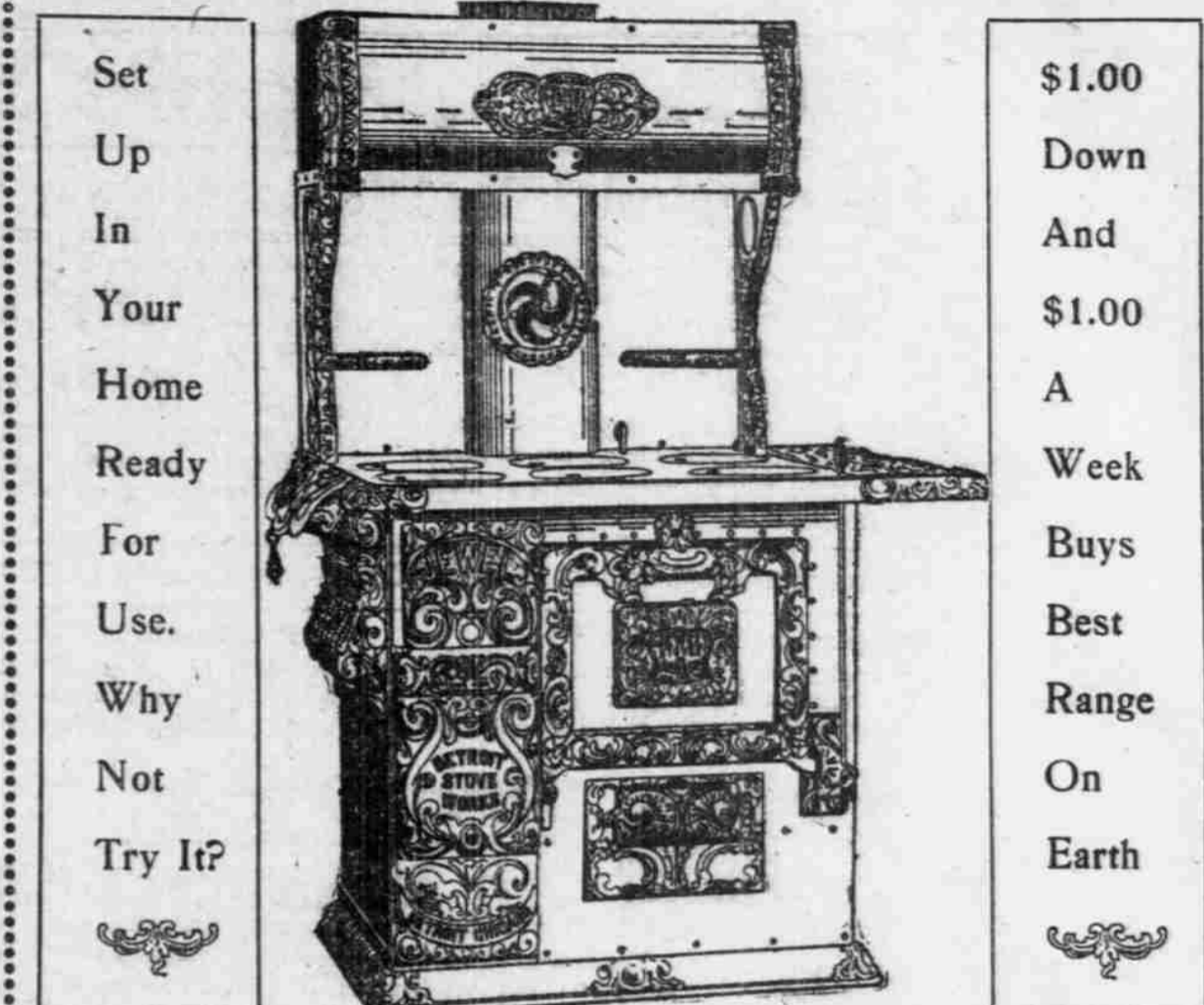
5-ACRE TRACTS

At Montavilla Station, on O. R. & N. Convenient to street-cars. Good drainage. Pure air. The most healthful and rapidly growing suburb of Portland. Railroad center of a heavy population. For sale on installments.

PRICE \$1250 EACH \$100 DOWN AND \$15.00 PER MONTH

Apply to B. M. LOMBARD, 514 Chamber of Commerce.

JEWEL STOVES AND RANGES WHAT \$1.00 WILL DO BUYS A JEWEL STEEL RANGE



Set Up In Your Home Ready For Use. Why Not Try It? \$1.00 Down And \$1.00 A Week Buys Best Range On Earth

Just a Word about the Jewell Steel Range. The quality is on the inside as well as on the outside. It saves fuel—excels all others. We sell it because we know it's right. Any range bought here can be returned and we refund the money paid if it is not just as we represent it. What more can you ask? POWERS FIRST AND TAYLOR

WOES OF MARRIAGE NEWBRO'S HERPICIDE

Unhappy Couples Seek Relief in Divorce Court.

WIFE HUGGED ANOTHER MAN

Cyrus Quint Complains That She Threatened Him With Butcher-Knife When He Objected to Misdirected Carresses. "She hugged another man in my presence, and when I remonstrated she picked up a butcher-knife and said if I did not like the way she was doing to get out of the house or she would make me go."

CHARGES EXTREME BRUTALITY.

Because she says he kicked and beat her on numerous occasions and threatened to kill her, Mary A. Kruse has sued A. H. F. Kruse for a divorce. She asks that her maiden name, Smith, be restored to her. Mrs. Kruse, in her complaint, sets out that she was married to Smith in Idaho in 1931. In December, 1934, while they were living in Baker City she says he struck her in the face with his clenched fist and kicked her. In September, 1934, he came home drunk and beat her with his fists and blacked her eye, she says.

LEGAL JOTTINGS.

The Portland Flouring Mills Company has filed an attachment suit in the State Circuit Court against Meino & Wilder, grocers, on East Burnside street, to recover \$17 for goods sold. Judge Webster has arranged to keep office hours in the future from 9 to 11 o'clock A. M., and from 2 to 4 P. M. to receive persons having business to transact with the County Court. Between 11 and 2 o'clock, and after 4 o'clock, he will attend to the examination of insane cases, poor farm matters and many other incidental duties.

LEGAL JOTTINGS.

A motion for a new trial in the case of George Milger, convicted two months ago of striking John Kern on the head with a rock on October 5 last, was denied by Judge Sears yesterday. Milger was fined \$100. Kern, who was badly injured, after the criminal trial was over, sued Milger for damages in the State Circuit Court and obtained a verdict against him for \$2000.



DR. W. NORTON DAVIS & CO.

VITAL WEAKNESS

Above all other things, we strive to save the thousands of young and middle-aged men who are plunging toward the grave, tortured by the woes of nervous debility. We have evolved a special treatment for Nervous Debility and special weakness that is uniformly successful in cases where success has been before and by other doctors deemed impossible. It does not stimulate temporarily, but restores permanently. It builds up and strengthens the blood vessels, restores the jax and unduly expanded glands, contracting them to their normal condition, which prevents lost vitality. It tones up and strengthens the blood vessels, thus carry nourishment. The patient realizes a great blight has been lifted from his life.

St. Louis Medical and Dispensary Cor. Second and Yamhill Streets, Portland, Or.