

# THE HILLSBORO ARGUS.

VOL. XVII

HILLSBORO, OREGON, JULY 28, 1910.

NO. 20

## ATTORNEYS SUE SUCCESSFUL CLIENT

Loring K. Adams and Geo. R. Bagley ask for Three Thousand

WON VICTORY FOR MRS. GARDNER

Wife of J. N. Gardner Will get Practically Sixteen Thousand

Attorneys Loring K. Adams, of Portland, and Geo. R. Bagley, of Hillsboro, have sued Lucy Ann Gardner for \$3,000 for legal services covering a period of four years, the litigation concerning the breaking of wills of Martin Gillihan and wife, parents of Mrs. Gardner. The Gillihan estate was down the Columbia river, and in olden times Gillihan was known as one of the big stockmen of the lower Columbia. Father and mother made wills identical, and when they passed away it was found that Mrs. Gardner, wife of J. N. Gardner, well known here years ago, was to get one-ninth of the estate—there were nine heirs—provided she outlived Mr. Gardner, the husband. If she died before the husband, she was to get but one dollar and the share was to go to the other eight heirs.

Geo. R. Bagley and Loring K. Adams took the case and after four years, Judge Webster, of Portland, before whom the case was tried, was held with them that the clause as to the demise did not provide for vesting during the life of the husband; and, secondly, it being dependent on the life of the husband, it was contrary to public policy, and she was thereupon given her interest in fee simple. The law was so clear that the heirs accepted the decision, and the property is now said to be going to sale and division. The interest of Mrs. Gardner runs well up to the \$16,000 mark. J. N. Gardner and wife lived east of Hillsboro for several years. Gardner was a stockman for years, and at one time handled Gillihan's livestock on the river. Later he came out here and ran a sawmill near Orenco. He is now on a homestead over on the Siletz somewhere. The will which was broken reads as follows, pertaining to Mrs. Gardner's interest:

"In case my said daughter, Lucy Ann Gardner, shall survive her said husband, then I will and direct that the bequest to her as already written in this item shall remain intact and operative in full force and effect, but in case she, the said Lucy Ann, shall not survive her said husband, then, and in that case I give, devise and bequeath to her in the stead of an equal portion of my property with my other children, the sum of one dollar only, and in case my said daughter Lucy Ann shall die before her said husband does, then I direct that the said equal one-ninth part that would have descended to her had she survived her husband, shall, with the exception of one dollar, become the property of and be divided equally among my other eight children hereinbefore named."

## FOR SALE

Gray mare, 10 years old, weighs 1,250. True to work. Also 30 head goats, nannies and wethers, well bred Angoras.—Oral Gardner, Cornelius, Route 1, 2 miles miles above Mountindale, Pacific States Tel., Glencoe, 97.

C. W. Whitmore, of near Laurel, was in town the first of the week.

W. Denslow, of Cornelius, was in the city Saturday, and called on the Argus.

David Rice, who since leaving Scholls, has been at Roseburg, and then at Seattle, was in town Saturday.

Mrs. Fred Zilly and daughter, Helen, accompanied by T. R. Imbrie, went to Newport, Saturday morning.

Mrs. Oscar Simons and Miss Edna Bacon, daughters of Mr. and Mrs. Geo. Bacon, have been Newport visitors the past week.

Team for sale: Mare and horse, weigh about 1300 each. Good work animals. About nine years old.—H. Harrington, near Centerville.

Mr. and Mrs. H. L. Christenson, of Newberg, were Sunday guests at the home of their daughter, Mrs. F. A. Duncan, returning Monday.

John Masters is commencing the shipment of 900 cords of four foot wood from a siding above banks, on the Pacific Railway & Navigation line. It will be brought to this city for next winter's fuel.

C. E. Lytle, general manager of the P. R. & N., General Manager J. P. O'Brien and Superintendent Fields, of the Southern Pacific, and Chief Engineer Geo. L. Davis, of the P. R. & N., accompanied by E. E. Lytle, president of the local road, started yesterday for a week or ten days' outing on the Salmonberry, where they will fish and hunt, and forget all about traffic, schedules and surveys.

Drain your low land and make it produce double. We will start the manufacture of the largest tile in a few days. We now have a supply of 4-inch, 5-inch and 6-inch, on hand. Put in your order at once. Our clay is the best for producing good durable tile. Order now.—Groner & Rowell, Co., Scholls, Hillsboro, Ore., Route 2, Ind. Tel. 711

The P. R. & N. will start its excursion to Timber, Sunday, at nine in the morning, and will leave on the return trip, at five o'clock. The trip is a delightful one, and well worth one's time. Fine picnic grounds have been laid out for the comfort of the passengers, and there will be plenty of room for all. As there will be no ball game on, there will doubtless be a good attendance.

Want to rent small place with garden land. Desire ranch suitable for poultry. Will pay cash rent, or cut cordwood for payment. Wish to take possession October 1. Write particulars.—M. C. Post, Cornelius, Or. 17-9

A crew of civil engineers has been surveying a route from Orenco to Glencoe, to collect the United proposed line and the Oregon Electric, both lines being now under Hill control. It is said that a survey will also be run from Glencoe into Hillsboro and then the choice will rest with the most feasible of the two routes.

Groceries at cost—White River flour, \$1.40; A. & H. soda, 5c; best corn starch, 5c; 50 lb. dairy salt, 35c; 50 lb. H. G. salt, 25c; Blue Ribbon corn, 8c; Blue Ribbon tomatoes, 8c. All other articles in proportion.—H. Wehrung & Sons.

The McNamer stage is now running between Forest Grove and Tillamook, and the trip is made to the bay city in one day, with a relay of fresh horses at McNamer's camp. Passengers coming out from Tillamook are started in the morning and landed in time to take the seven o'clock evening car out of Forest Grove.

Dr. G. F. Schmelzel, osteopathic physician, of Portland, will be at the Commercial Hotel, Hillsboro, Tuesdays, Thursdays and Saturdays of every week. Hours 1:00 p. m. to 4:00. 131f

J. Ryan, the rural mail carrier on Route 3, went to Portland, Monday morning, to attend the federal court as a witness against one of the young men who have been making him trouble along his mail route. The young fellow was arrested at the Burlington sawmill.

For sale: Fresh Holstein-Jersey cow, fine milker, in good condition.—C. Sorenson, Beaverton, R. 4. Residence 2 1-2 miles south of Reedville. 19-21

C. H. Mitchell and wife, and Fred Stevens and wife, the latter of Farmington, start Sunday, overland, for Netarts Beach, where they will enjoy the coast breezes for a couple of weeks.

The Climax Milling Co. will furnish sacks free of charge to farmers desiring to sell or store their wheat at their warehouse. 17f

Mrs. G. L. Biggers, of LaGrande, came down last week to visit her parents, Mr. and Mrs. E. L. Abbott. She and Mr. and Mrs. Abbott went to Gearhart the last of the week.

Keep your chickens enclosed! Just received a large consignment of poultry wire. Now is the time to buy.—Emerick & Corwin.

Nick Womer, of near Laurel, was over to the city the last of the week. Mr. Womer was one of the pioneer hopmen of his section.

Thos. Talbot, former mayor of Cornelius, and who is still ready to put his shoulder to the wheel along public lines, was down to the city Saturday.

Money to loan on real estate security. We sell farms. Try us.—The Webfoot Realty Co. Hillsboro. 121f

Chas. Eames, of Oak Park, will soon start for his annual trip over to Waldport, beyond Newport.

## Geo. Kirkwood Back FROM SCOTLAND TRIP

Says the Old U. S. A. is Good Enough for Him, After all

VISITED MONUMENT OF WM. WALLACE

Says Cost of Living is About the Same as in Oregon

Geo. Kirkwood, father of Mrs. W. O. Donehon, returned the last of the week from a two months trip to Scotland—the land of his birth. Mr. Kirkwood says he found but two or three cousins and that he was painfully lonesome at times. He made Edinburgh, Glasgow and Sterling, and while at the latter place ascended the monument of the great William Wallace, Scotland's premier patriot.

Glasgow is a great city, Mr. Kirkwood says, and it is kept as clean as a parlor. Living there is about the same as in Oregon, some things being higher, and some, lower. He thought he would buy him some of the celebrated Scotch clothing, but upon examination found that, after all, he could do about as well in old Oregon.

Mr. Kirkwood says he is glad to get back home, although he does not regret the trip. "The old U. S. A. is good enough for me, and now that I've made the trip, and revisited the scene of my boyhood, I'm satisfied."

## MAY PLAY GRESHAM GIANTS

F. J. Sewell is now trying to get the Gresham Giants to come to Hillsboro for a contest, and, if he shall succeed, he will have a series of games that will glad the hearts of the fans. The Gresham Giants are one of the best Aggregations in Multnomah County and they have captured nearly all the games they have played this season. They were beaten by the West Side team, a short time back, but the Cardinal pitcher, Nick Williams, was against them, besides three or four of the Cardinal infield and outfield.

Mr. Sewell is trying to get a game with the Giants for a week from Sunday.

John Algesheimer, of Scholls, was in town Saturday.

Jack Robinson was up from Scholls the last of the week.

The Climax Mill has been building a turret story on top of their main building.

Julius Christensen, of near Laurel, was over to the city Saturday morning.

Miss Minnie Hartramp and Miss Ellen Gillenwater were Newport visitors over Sunday.

August Wedeking, of near Scholls, was in the county seat Saturday.

Chas. Grabel, of South Tualatin, was in town Saturday, taking out harvest supplies.

The Wiley barn on Second Street is being given a new floor, Jos. Loring doing the work.

Jack Wood, of Roy, was in the city Friday, getting out sale bills for an auction on September 1.

Jas. Miltenberger and wife departed the first of the week for an extended trip to Victoria, B. C., and other British Columbia points.

Peter Gotlieb, of North Hillsboro, had a severe attack of asthma, Friday last, necessitating calling in two physicians in consultation. He is now getting along nicely.

The case of Benton Bowman, trustee, versus W. E. Sherrill and wife, has been taken to the Supreme Court and briefs are now under way to send to the Supreme tribunal. From the text of the case it appears, that the trustee sued Sherrill for some Hillsboro real estate which had been deeded to Mrs. Sherrill just before Mr. Sherrill went into bankruptcy. Judge Campbell held that the trustee was entitled to the property for the benefit of the creditors, while the defense alleges that the property belonged to Mrs. Sherrill and that it was only deeded to the husband through the mistake of the scrivener. The attorneys for the trustee, however, allege that the evidence shows that it was Sherrill's property and was bought with his money.

Tony Sinay, of Iowa Hill, was over to the city Monday afternoon.

Gus Steves, of east of town, is again at work at Celilo, above The Dalles.

J. B. Trullinger, in charge of the county quarry at Oswego, spent Sunday with his family.

A. W. Walker, of South Tualatin, was over to the city the last of the week.

Geo. Schulmerich, of the Commercial Bank, made a flying trip to Creswell, Sunday.

We carry a choice stock of fruits and nuts.—Koeber's Confectionery.

Mrs. Thomas Murphy, of above Mountindale, was in the city Monday afternoon.

Fred Rufener, wife and children, were in from Helvetia, the last of the week.

Dan Leisy was over town from South Tualatin the last of the week, getting ready for harvest.

Miss L. E. Ferrin, who taught here last winter, is taking her vacation at Garibaldi beach beyond Tillamook.

Frank Waibel, with Emmott Bros., returned the last of the week from his homestead above Mount Angel.

We will be ready to sell and deliver brick after Monday, July 25. Give us a call.—Klineman Bros., North Hillsboro.

The Misses Jessie and Edna Clemens, of Portland, were guests of Mrs. H. T. Bagley, the first of the week.

Frank Simpson, of South Tualatin, was in Monday, and states that the winter wheat harvest is started in his locality.

For sale: Good cedar posts.—G. B. Hays, one and one-half miles N. W. of Laurel, Ore., on Route 1. 20-22

John Gfeller and Jas. Black, the store keeper of above Mountindale, were down to the county seat Friday morning.

Hugh Rogers and wife, who had been in Portland for a day or so, passed through Friday for their home in Buxton.

H. Harrington, one of Centerville's big ranchmen, was in the city Friday, and called on the Argus.

Sam Paisley passed through to his home above Buxton, Friday, after attending the Republican convention in Portland.

Lit Lindsay, of South Tualatin, and who is one of the lively boys of 80 years, was in the city Saturday.

August Boge, whose land has doubled in value since he bought his fifty acres at the Farmington store, was in town Saturday.

U. G. Gardner was out above Laurel, Sunday, with his auto, and made a run through a little forest fire.

H. L. Burchell, who is with the S. P. carshops, in Portland, was out Saturday and Sunday, greeting friends.

J. T. Young and family departed the first of the week for their annual meeting at Netarts, near Tillamook. They will be absent several weeks.

H. T. King, of Forest Grove, has announced himself as a candidate for county treasurer, subject to the endorsement of the coming assembly.

Wm. Bouesein, of above Mountindale, where there is always plenty of shade and cool running water, was down to the county seat, Monday morning.

Just ask Emrick & Corwin to see one of their new gopher traps. Gets them every time—and there is no chance of shooting yourself or running a spear in your hand.

Eli Bowbeer is laid up with a bad knee, caused by a bruise some time ago. The joint is badly swollen, and it will be some time before he is able to be around.

For sale, cheap, a good Jersey cow, 5 years old. Good milker, and a good flow and test.—Klineman Brothers, North Hillsboro, at brickyard. 19-21

Mrs. C. K. Elder and two children, who have been visiting Mrs. Elder's sister, Mrs. C. E. Lytle, have departed for their home at Brownsville, Pa., after several weeks of Oregon.

C. L. Brown, of near Crawford station, above Banks, was in town the first of the week. Mr. Brown says the fire of last week did no damage, but that the timber on his place and on the Bagley holdings was saved only after a strenuous fight with the flames.

## OPEN SEASON FOR BUCK DEER AUG. 1

Deer Slayers Priming Their Guns for the Open Season

STRINGENT LAWS FOR PROTECTION

No Hunter Can Kill More Than Five Bucks in Season, and no Does

The open season for killing buck deer will begin on Monday, August 1, and will continue until November 1. Dogs are tabooed and the law is very stringent on this point. Local hunters are getting ready to get into the timber by next Monday morning, and Buck Mountain, the Nehalem, and the Wilson, as well as above Mountindale, appear to be the choice of hunting grounds. When a hunter goes out this season, it will be well for him to have a thorough knowledge of the laws that govern hunting of deer in order to avoid trouble.

The statute forbids the killing of females at any time, and no one can have in their possession a female deer, dead or alive. Other pointed expressions of the law are:

It shall be unlawful at any time, within the State of Oregon, between one hour after sunset and one half-hour before sunrise of any day to hunt, pursue, take, kill, injure, or destroy any deer; and it shall be unlawful for any person to take, capture, kill or destroy, in any open season, more than five deer. It shall be unlawful within the State of Oregon, at any time, to sell or offer for sale, barter or exchange, any deer whatsoever, or the meat or flesh of any deer.

The penalty of violation of any of the game laws affecting deer is a fine of not less than \$50, nor more than \$250; or not less than 60 or more than 90 days in the county jail, and the court may, at his discretion impose both fine and imprisonment.

It is also unlawful to mutilate a deer so that the sex may be disguised. Neither can any one sell or offer for sale or trade any hide of deer, or horns, until he shall have gone before a county clerk or a justice of the peace and procured a tag, after which he can go into the market with them. Spotted fawns can not be killed, and neither can a person kill a deer of the first year. Running with dogs is prohibited.

## AUCTION SALE

The undersigned will sell at public sale at his farm near Roy, on the P. R. & N. Railway, at ten a. m., on

THURSDAY, SEPTEMBER 1  
Mare, 6 years old, 1200 lbs., with sucking colt, 2 months old; sorrel mare, gray mare, two yearling colts, 2 cows, one fresh this fall, one now fresh; year old heifer, fresh next March; 3 heifers, 18 months old; disc plow, Canton clipper plow, new; harrow, hayrake, disc harrow, 2 buggies, 2 sets buggy harness, set work harness, cultivator, wagon, 3 hogs, some household furniture and other articles too numerous to mention.

Lunch at noon.  
Terms of Sale—Under \$10 cash; Ten and over, one year bankable note, 8 per cent interest. Two per cent. of cash over \$10.  
Jack Wood, Owner.  
J. W. Hughes, Auctioneer.

"I am mighty glad to see Hillsboro improving so rapidly. It gratifies me to see that three-story hotel going up on Main & Third, and I'll be here at its opening, without doubt. And, to show you that I want to do the right thing I'm spreading the news everywhere I go."—Hon. Hubert Bernard, citizen of Yamhill and Washington Counties, who was in town Saturday.

Milton A. Elliott, of Dillon, Mont., and who has large property interests in that thriving city; and Chas. Martin and wife, of Portland, were out, Sunday, guests of O. Westcott and family, of Shady Brook. Mr. Elliott was many years ago a neighbor of Mr. Westcott back in Nebraska, and Mr. Martin is a half brother of Jas. May and a brother of Mrs. Westcott.

E. W. Dant was up from Reedville, Saturday, and will soon have his threshing outfit in the field and add another season to his lengthy career as thresherman in Washington County.

Haybaling has commenced on the plains and some of the cut has already been received here for shipment. Late oats are not coming up to the standard and many acres have been cut for hay.

A. B. Smith, formerly with the P. R. & N. Co., in the days when the company was building its own grade, was out from Portland, Saturday, and went on out to Buxton.

The value of advertising in the Argus was shown when last week a ticket from Portland to the East was recovered and restored to its rightful owner.

## High Quality Drug Store

The Place where you are always getting Drugs of absolute purity and High Quality and compounded by pharmacists who take pride in the accuracy of their work

**EXCLUSIVE AGENTS FOR**  
Whitman's Celebrated Chocolates, and Candies. "THE BEST EVER"  
Kaminsky's Make Man Tablets and  
Dr. David Roberts Veterinary Remedies

**The Delta Drug Store, Hillsboro, Ore.**

J. A. THORNBURGH President  
J. E. BAILEY Vice-President  
W. W. McELDOWNEY Cashier

## Forest Grove NATIONAL BANK

FOREST GROVE, ORE.

Capital Stock \$25,000  
Surplus and Undivided Profits 20,000  
Exchange to all parts of the World  
Interest Paid on Savings Accounts and Time Certificates.

**DIRECTORS**  
Thos. G. Todd John E. Bailey J. W. Fuqua  
Wilbur W. McEldowney J. A. Thornburg

## Save Your Money

By buying Your GENERAL MERCHANDISE at the  
**J. E. BAILEY**  
—STORE—  
Forest Grove, Oregon

We have quite a number of pairs of child's, women's, and men's shoes which are slightly damaged and more or less out of style which we will sell for one-third price viz \$1.50 shoes for 50c; \$2.25 shoes for 75c. Men's and women's up to \$3.50 for \$1.00.

These are all good material but not up to present styles. Now is the opportunity to get a good shoe for little money. We shall be pleased to show them to you as long as they last.

## THESE INDICATIONS THE REMEDY

If in reading you often have to stop and rest, or rub your eyes, it is a certain indication that you need glasses. If the type blurs and runs together, if the eyes burn or ache, if there is a tendency to hold the book at arm's length, or very close to your face, your eyes should have attention at once. With some people severe headaches are the only symptoms of eye-strain. Others can read or sew without tiring, but do not see distant objects well.

Still others have none of these symptoms, but find by alternately covering each eye that they are doing nearly all their work with one, while the other sees very poorly. In nearly every case these troubles can be entirely relieved by glasses. I will be glad to make an examination of your eyes, and will tell you just what condition I find them in.

**LAUREL M. HOYT**  
Watchmaker and Jeweler Graduate Optometrist.