

WIDOW NOT CONTENT WITH TERMS OF WILL OF LEE ROY HOUSTON

Nephew Files Petition for Probate, Saying Senator Dislikes Executorship.

WILL BARS REMARRIAGE

If Mrs. Houston Does Enter Wedlock Again She Loses Share in \$10,000 Estate, Husband's Edict.

Lee Roy Houston, who died December 8, 1915, at the age of 52, left his estate in trust for his wife, Mrs. H. L. Houston, on condition that she do not remarry. Senator George E. Chamberlain was named as the trustee and one of the executors and Mrs. Houston was named as executrix. The estate is valued at \$10,000.

Petition for probate of the will was filed today by C. Houston, a nephew, who says that Mrs. Houston is not satisfied with the terms of the will and has failed and neglected to perform her duties as executrix. In naming Senator Chamberlain as trustee, the document provides that she shall have full control of the real and personal property of the estate, to dispose of and invest as he sees fit, with the only condition that the income to go to Mrs. Houston so long as she does not marry. The will specifies that no bond shall be required of Senator Chamberlain, and that the amount of his compensation for his services shall be left entirely to himself to decide.

In the event Mrs. Houston should remarry, then the trustee is directed to give \$1500 of the estate to R. E. Houston Jr., a nephew of the deceased, and divide the balance of the estate equally between A. E. Houston and C. C. Houston, also nephews.

BOY AND GIRL DIVORCED

Cruelty Alleged; Divorces Filed and Other Decrees Granted.

Judge Gantenbein has granted a decree of divorce to the boy and girl who were married at Vancouver, April 13, 1915. The boy is Everett W. Swartout, 17 years old, and the girl is Gladys Marie Swartout, 16 years old. Action for divorce was instituted by the boy's father on the grounds of cruelty.

Divorce was also granted by Judge Gantenbein to Nellie Levenson from Morris Levenson. They were married in Boston in 1897 and have seven minor children. She was awarded \$30 a month alimony.

Other decrees of divorce were granted as follows: Mary A. Bennett vs. Mildred Bennett; Catherine Miller vs. C. R. Miller; James F. Stevens vs. Bertha Stevens.

Suits for divorce were filed as follows: Daisy DeLoof vs. Michael DeLoof, married in Oregon in 1910, desertion; C. W. Rankin vs. Coletha Rankin, married in Iowa in 1897, infidelity.

MORTGAGE TO BE RESTORED

Court Finds Evidence of Fraud in Case.

Finding that D. J. McCallum, L. O. Ralston, A. K. Ralston, E. B. McFarland and N. M. Todd conspired to defraud Robert Carr out of a \$2000 note and mortgage, Circuit Judge Gantenbein has entered a decree restoring the note and mortgage to Carr.

Carr had taken the note and mortgage for a loan of \$2000. The note was past due.

A short time prior to July 18, 1915, says Judge Gantenbein in his findings of fact, "defendants learned

that the plaintiff was the owner of said note and mortgage and they thereupon designed and planned a fraudulent scheme whereby they could defraud and to cheat plaintiff out of his said note and mortgage."

The scheme, as stated by the court, was this: McCallum and Ralston went to Carr's home and induced him to trade his \$2000 note and mortgage for two unsecured notes they had. These notes were signed by E. B. McFarland, whom McCallum and Ralston represented to be worth several hundred thousand dollars, the owner of 100,000 acres of timber land, and a banker of The Dalles. They said to take McFarland's note would be "like having gold in the bank."

Carr traded, and when the McFarland notes became due he found they were worthless.

Title to the mortgaged property is held by Todd and the court enjoined him from paying the \$2000 note to anyone but Carr.

COURTS MAY GIVE RELIEF

Decision Rendered in Case of the Popcorn Men.

Relief for peanut and popcorn vendors, if they are to obtain any, must come from the city council and not from the courts.

This was the decision of Circuit Judge Davis today when he sustained the demurrer to the proceedings for an injunction brought against the city by Charles H. Rosa and four other popcorn dealers. Judge Davis sustained his action of yesterday, when he dissolved the temporary injunction he had granted a few days ago.

The case for the peanut vendors was argued by Attorney John J. Jeffrey and Thomas H. Hayes, who contended that the city ordinance which prohibits popcorn vendors from standing on the streets in the congested district for longer periods than 30 minutes was class legislation, and that the license fee of \$500 a year was exorbitant and confiscatory.

COURT OVERRULES DEMURRER

Judge Says It Is Not Necessary to Show Irregularities.

County Judge Cleaton today overruled the demurrer to the complaint in the suit brought to oust Mrs. Emeline C. Cleaton, an administratrix of the estate of Joseph Closset.

The complaint, which was filed by a son and daughter of Mrs. Closset, alleged that the plaintiff, in connection with the estate is now inconsistent, as she has brought suit for a divorce right in the same court, and of taking that which was bequeathed her, and in her suit is both plaintiff and defendant.

She demurred contending that no irregularities had been shown. Judge Cleaton held that it was not necessary to show irregularities.

RIGHT TO NAME SUSTAINED

Judge Decides Companies Not Infringing in Use of "Alaska."

Judge Gantenbein held today that the Alaska Bag & Metal company and the Alaska Bag & Junk company were not infringing upon the rights of the Alaska Junk company, which has been established in Portland for a number of years, by using an injunction restraining the other two companies from using a name so similar to its name. It is considered probable that the Alaska Junk company will appeal to the state supreme court.

PAPERS TO BE KEPT SECRET

To Withhold Information Affecting Illegitimate Child.

All information that might indicate a child is illegitimate is to be eliminated from the county court records when a child is adopted, according to new forms that have been prepared for making out papers in such cases.

These new forms have been made up by F. A. McMenamin, probate clerk under County Clerk Coffey, who takes the view that unnecessary information should not be put into court records.

Under the new procedure, a fatherless child which is being offered for

PORTLAND BOYS GAIN VICTORY IN CONTEST AT HIGH SCHOOL

Team of Los Angeles Is Defeated in Debate on Labor Topic.

The Lincoln high school debating team defeated the Hollywood high school team of Los Angeles that evening after two hours of discussion, on the subject, "Resolved, That California and Oregon Should Adopt a Minimum Wage Scale for Unskilled Labor."

The result of the judges was two to one in favor of the Portland boys. Mr. Rockwell D. Hunt of the University of Southern California; Dr. George F. Cook of Occidental college and Dr. Francis H. White of Pomona college were the judges. Donald McClure, president of the student body of the Hollywood high school was chairman.

Principal T. T. Davis of the Lincoln high school, received a telegram last night, announcing the victory.

adoption will be turned over to the juvenile court, whose records are not public, and after the mother signs a relinquishment the child will be placed with the Baby Home or other similar institution, and the adoption will be made from that institution.

In the records of adoption the name of the mother even is not to appear. So, as far as the records will show, it will never be known whether the child is a foundling, an orphan or a nameless babe.

ARGUMENTS ARE COMMENCED

Testimony Given in Suit Against Spreckels & Co.

Arguments were begun in federal court this morning in the suit brought by R. A. Graham against the John D. Spreckels company. Graham was build-up and former owner of the Coos Bay Roseburg & Eastern Railroad & Navigation company, and is seeking to recover his interest in the property.

John S. McNab, former United States attorney for the district of California, in Graham's behalf, asserted that the process whereby Graham turned over his holdings to the Spreckels interest was not by mortgage foreclosure, but by conditional sale. He cited a number of authorities to show the distinction. He insisted that the whole process of the Spreckels was to "freeze out" Graham.

BIG MORTGAGE FORECLOSED

A mortgage for \$190,000 on property owned by the Wildwood Springs company, was foreclosed today by order of Judge Gaten. The suit for foreclosure was brought by John D. McMullin and others. It was not contested. The court allowed Sanderson Reed attorney to the plaintiff, \$2500 attorney fees. The defendant was represented by Attorneys Platt & Platt.

The property involved is in the northern portion of the whole ranch county, along the Columbia river.

Dean Hearing Postponed

Pending an investigation by the grand jury, the case against Dr. Charles Dean, proprietor of Holly Lodge, which was raided a few Sundays ago, has been postponed in the district court. The case was set for hearing yesterday. Dr. Dean was charged with maintaining a nuisance, as prescribed by the prohibition law. It is understood that the grand jury will investigate more thoroughly into the character of the roadhouse.

Fifty Regulars Sent

Washington, April 25.—(I. N. S.)—Secretary of War Baker today ordered 50 infantrymen of the Fourteenth infantry at Fort Lipsum placed at the disposal of the United States marshal at Anchorage.

LINCOLN HIGH SCHOOL TEAM WINS DEBATE



Left to right—Ralph Hoerber, R. Holzman and Jack Levin.

CREDIT PLAN IS ACCEPTED AS A CONCESSION

(Continued From Page One)

fund in lieu of direct taxation, and annual payments made at a price presumably much higher than would be offered for cash, local interests will be better off than if the cash plan were adopted.

Under the amendments made, timber cannot be cut under the deferred payment plan until principal and interest is paid to date of cutting on the particular unit from which timber is to be cut. The purchaser of the timber would then be subject to the lien for unpaid installments and interest. Patent will issue before timber is cut, and when the patent is issued the timber becomes subject to taxation.

Another amendment approved allows settlers who have lands adjoining those of the grant, and may wish to add 40, 80, 120 or 160 acres to their holdings, to apply for the sale of the same, and they must then be given opportunity to purchase, under sealed competitive bids, before the small tracts thus applied for are offered for sale as part of a larger tract.

Representatives of the timber and plank industry, who are opposed to the bill, would have allowed credits to the railroad at \$2.50 an acre for its right-of-way through Oregon in computing the amount to be paid. An amendment was inserted to specifically exclude the rights of way.

BIG PROGRAM FOR CLARK COMMITTEE IN SOUTH AMERICA

Washington, April 25.—The treasury department has issued a statement covering the itinerary and purposes of the committee of three American business men, headed by O. M. Clark of Portland, Or., to Bolivia, Chile and Peru.

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Most of Harkness' millions are invested in United States Steel and Standard Oil securities.

Odd Fellows Plan For Anniversary

Molalla, Or., April 25.—Preparations are being made for the annual celebration to be held here Wednesday evening under the auspices of the orders of Rebekahs and Odd Fellows, in commemoration of the ninety-seventh anniversary of the Order of Odd Fellows.

A program will be given and a supper will be served.

V. H. Dunton and H. A. Kayler have been elected delegates to the grand assembly to be held at Roseburg, Or., May 18. Mrs. Nettie A. Taylor will represent the Rebekahs.

Hayhursts Lose Home.

Oregon City, Or., April 25.—The home of R. B. Hayhurst, located near Redland, burned to the ground Monday afternoon, and the furniture and personal belongings were a total loss. The origin of the fire is unknown. The family was away at the time.

Parcel Post Is Suspended.

Washington, April 25.—An effort has come to efforts to secure the transportation of parcel post to the Netherlands in the announcement of the post-office department that the parcel post convention between the two countries has been suspended.

Quantities of parcel post have accumulated at New York since last fall, when the Holland-American line, just before the Christmas rush, declined to handle the shipments. Efforts were made to find means of sending the mail forward, but these have proved unavailing, and postmasters are now instructed to refuse parcels for Holland, except an assistant will be returned to senders and postage refunded.

Rebate on Coke Shipment.

Washington, April 25.—Reparation is to be granted the Salem Iron Works and the Anderson Steel Furnace & Boiler Works of Salem, Or., on eight cars of coke from Wilson, Wash., to Salem, under an opinion handed down by the Interstate Commerce commission. Reparation is to be on the basis of a rate of \$2.55 a ton, instead of the \$3.09 that was charged, the exact sum being a matter for future computation.

McArthur Opposes Astoria Call.

Washington, April 25.—Representative McArthur says it is his purpose to ask for a hearing at the earliest practicable date on his bill removing the requirement that vessels bound to or from Portland shall call at Astoria. He says he is convinced that unnecessary restrictions are thus placed upon Columbia river shipping, with nothing but petty benefits to a few Astoria

NURSE ASSOCIATION IN ANNUAL SESSION, REPORTS ARE MADE

Number of Patients Being Cared for in Departments Are Listed Today.

GARMENTS ARE GIVEN OUT

Many Donations of Clothing, Furniture, Edibles and Bedding Are Gratefully Acknowledged.

The annual meeting of the Visiting Nurse association of Portland is being held this afternoon at Central library. The reports of the officers and committee chairmen were given after which a series of slides showing the work of the association in the past were put on.

The most interesting report is that by Miss Emma Grittinger, superintendent of the association, covering the following items: Total number of patients under observation in the tuberculosis work, 313; total number of visits, 1851; total number of patients discharged, 235; number remaining under observation April 1, 1916, 74; milk received by patients, 2904 quarts; eggs received by patients, 204 dozen.

Some Persons Aided.

Total number of patients cared for in the general work, 1432; advisory visits, 999; grand total of visits, 7852; total number of patients discharged, 1278.

Total number of readmitted patients at Neighborhood House dispensary, 540; total number under observation, 1035; total number of patients discharged, 984; total number of visits to patients to clinic, 2186; total number of visits by nurses to patients' homes, 410; total and adenoid operations, 70; vaccinations, 57.

Total number of patients under observation in the tuberculosis department of the Portland free dispensary, 278; total number of visits to clinic by all patients, 1586; number of serum treatments, 1180; patients discharged, 211; number patients remaining under observation April 1, 1916, 57; total number of nurses' visits in homes, 569.

The supply committee reported that during the year 475 garments had been given out to 324 babies, 79 adults and 72 children. The loan closet has supplied for temporary use 33 sheets, 28 pillow slips, 39 gowns, 5 pairs blankets, 8 pillow slips and 2 spreads. Donations of partly worn clothing, furniture, eatables, bedding, drugs and sundries have been received in large numbers.

Gifts Are Numerous

Acknowledgment is made for donations from the following: Trinity Mission guild, Trinity Episcopal church, guild of First Congregational church, Ladies' Aid, Calvary Presbyterian church, Woman's association, First Presbyterian church, Advent Christian church, Home and Foreign Missionary society, Berean class First M. E. church, Daughters of the Temple, W. M. E. church, First Congregational church, First Presbyterian church, Unitarian Alliance society, Unitarian church, teachers' Vernon school, Girls club of Portland Heights, Walcott club of Piedmont, Miss Callin's school, P. R. O. chapter, E. Meier & Frank sewing club, E. I. House circle, First Congregational church, Mrs. Isom White, F. Steilward, First church, E. Froelich, Plummer drug company, Woodward, Clarke & Co., Blumauer, Frank & Co., Portland Railway, Light & Power company and visiting nurse committee of Junior league.

Ridgefield Club Organized

Ridgefield, Wash., April 25.—Thirty-

Wins on One Count, Loses on Another

Pilot Symes Exonerated on Charge of Being Intoxicated—Use of Abusive Language Charge Sustained.

United States Local Inspectors of Hulls and Boilers Edwards and Wynn have announced their decision in the matter of Harry A. Symes, pilot on the fireboat George H. Williams, who was suspended by Mayor Alden March 13, exonerating him from the charge of being under the influence of liquor as had been charged.

The charge of using obscene language, however, was sustained, on the strength of his own and other witnesses' testimony.

The inspectors suspended Pilot Symes' license for a period of 16 days. He will not seek reinstatement on the fireboat, he says.

SCHOOLS SHOULD BENEFIT

Resolution Says Amount Now Inadequate to Even Existent Educational Needs of State.

Pleasant Valley grange, in common with the rapidly mounting list of organizations over the state, has gone on record as protesting against the diversion of the proceeds from the sale of Oregon-California grant lands by congress to the federal reclamation fund and has passed strong resolutions indorsing the Chamberlain bill.

The grange, in its resolutions, urges the Oregon delegation to "use every lawful means" to secure the passage of the Chamberlain bill with the original appropriation of sales proceeds of 40 per cent to the irrevocable school fund of the state, 40 per cent to the road fund of the land grant counties and 20 per cent to the general school fund for administration purposes. The resolution follows:

Fund Inadequate Now

Whereas, The common school fund in this state is entirely inadequate to meet the future as well as the present needs of its growing commonwealth, and

Whereas, We are firmly of the opinion that the proceeds obtained from the sale of the forfeited Southern Pacific grant lands could not be used to better advantage than for the upbuilding of our common schools, and

Whereas, The subcommittee in congress has reported out a bill in substitution of the Chamberlain bill giving to our common school fund a sum of 10 per cent only of the proceeds obtained from the sale of said lands instead of 40 per cent as now provided by law,

Favor Chamberlain Bill

Resolved, That the Oregon grange No. 348, assembled this 23d day of April, 1916, that we are heartily in favor of the Chamberlain bill as originally introduced in congress and we hereby urge our delegation in congress to use every lawful means to have said bill enacted into law and 40 per cent of the proceeds derived from the sale of said lands saved to our common school fund and 40 per cent to the road fund, and be it further

Resolved

Resolved, That a copy of this resolution be sent to our delegation in congress and the national grange and its committee on legislation at Washington, D. C.

Welfare Code Will Now Be Prepared

A meeting of the conference committee representing employees, employers and the general public to prepare a code of rules for the industrial welfare commission will meet tomorrow afternoon at 2 o'clock in the offices of the commission, courthouse.

New Span in Place

Vancouver, Wash., April 25.—Span No. 1 of the new interstate bridge was floated into position late yesterday, but it was not until today that it was finally placed in its final resting place on the piers. Pier No. 1, on which the shore end of the span rests, is somewhat lower than the other pier, and it was necessary to rest the span on blocks on the pier, take out some of the blocking on the uprights on the barges, and again raise the span before it could be lowered into position.

It is intended to place the remaining four completed spans the week. The lift span is next in order, and that will be placed either late today or some time Wednesday.

Five Students, Boys and Girls of the Ridgefield schools, have organized the Ridgefield School Garden and Canning club. They have elected the following officers: Ruel Chandlee, president; Miss Zeldia Olsen, vice president; Miss Vonda Chandlee, secretary. H. H. Kiem, a rancher and dairyman of Bachelor island, just west of here, was unanimously appointed as leader of the agricultural club.

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GRANGE IN FAVOR OF DIVIDING GRANT UPON CHAMBERLAIN'S PLAN

Pleasant Valley Says O. & C. Money Should Not Be Devoted to Reclamation Fund.

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Packard

and other prominent automobile engineers favor motor oils from Western crude.

Exposition juries at San Francisco and San Diego gave highest competitive awards to Zerolene—an oil from Western crude.

Zerolene is the best oil for your motor because scientifically refined from selected California crude asphalt-base.

Government experts tell us that oils correctly refined from asphalt-base crude "distill without decomposition" do not break up and

lose their lubricating value under cylinder heat] and are "much better adapted to motor cylinders, as far as their carbon-forming proclivities are concerned, than are paraffine-base Pennsylvania oils"

When