ALLEGATIONS AGAINST ATTORNEY MOULTON NOT SUBSTANTIATED

Controversy Over Administration of Estate of Harry E. Potter Settled in Court.

WIDOW WAS DISSATISFIED

Claim as Administrator Reduced and Same Was Allowed; Hearing Had Before Judge Cleeton Yesterday.

Charges made by Attorney John Shillock against Attorney Arthur I. Moulton in connection with the administration of the estate of Harry E. Potter were not substantiated at a hearing held yesterday before the county court, according to Judge Cleeton.

The controversy arose between the two attorneys over the payment of $200 administrator's fees on the Potter estate. Moulton had been attorney for the estate, and Mrs. Potter, the widow, became dissatisfied and employed Shillock.

$6000 Settlement Obtained.

As attorney for the estate Moulton obtained a settlement of $6000 with the Southern Pacific company, by whom Potter was employed when he was killed in a railroad accident. He was employed as attorney through Richard Carey, a former claim adjuster, who agreed with Mrs. Potter to handle her claim against the railroad company for a fee of 25 per cent.

Mrs. Potter contended that the $1500 fee was to include all costs of administration of the estate, while Attorney Moulton declared no such agreement was made. When the administrator, E. E. Wishard, a brother-in-law of Attorney Moulton, was about to present his claim for administrator's fees, Mrs. Potter employed Shillock to contest the claim.

In an affidavit Shillock declared that the administrator had loaned $1000 of the estate on 27 acres of land in Clackamas county which was not worth more than the sum loaned on it.

Says Loan Is Amply Secured.

Mr. Moulton, represented by Attorney William Lord, contended yesterday that the administrator's fees should be paid out of the estate and that the loan was amply secured.

Judge Cleeton asserted that the charges against Moulton had not been substantiated. He reduced the administrator's fees to $105 and allowed the claim. He said as there was dissatisfaction over the loan, he would direct the administrator to call in the loan.

Charges that Mr. Moulton had connived to keep Mrs. Potter out of the state while he was handling the estate matters were denied by him and a letter was read to show he believed she had made her permanent residence out of the state of her own free will.

ESTATE IS WORTH $250,000

John Mock Left Mortgages, Notes and Real Estate.

John Mock left an estate valued at $250,000, according to the petition for probate of the will filed yesterday. He died in Portland August 18.

Of this amount, $225,000 is in notes and mortgages, and but $25,000 in real estate.

Mrs. Mary M. Mock, the widow, will receive the home and the income from a $50,000 trust fund if she does not remarry. The remainder will be divided among the four children, Elizabeth Yeon, Lilly C. Amos, John B. Mock and Margaret A. Mock.

WOMAN FACES NEW CHARGE

Mrs. C. W. Montgomery Gains Freedom Only to Be Rearrested.

Mrs. C. W. Montgomery, 24 years old, this morning was released from custody on a telephone order of Circuit Judge McGinn only to be rearrested at once on a city charge of selling intoxicating liquor. She was released from the county jail yesterday on order of Judge McGinn following filing of a petition for a writ of habeas corpus. The writ was made returnable this morning but Judge McGinn did not appear and she was taken into custody.

The writ was asked in the case against her on a charge of maintaining a nuisance, on which she was sentenced to 60 days in jail by Municipal Judge Langguth. In the petition Mrs. Montgomery charges that her plea of guilty to the nuisance charge was fraudulently obtained, that to send her to jail for the term specified would be vindictive justice and excessive. Deputy District Attorney Ryan contends that Mrs. Montgomery's rights were protected before she pleaded guilty and that the punishment for the offense is light rather than excessive. Attorneys Fitzgerald and Johnson represent Mrs. Montgomery.

$3000 LEGAL FEE IS ASKED

Lillian Embody, Divorce Plaintiff, Files Motion in Court.

Three thousand dollars for attorney's fees is asked in a motion filed yesterday by Lillian Embody, who is suing her husband, C. M. Embody, for divorce. One thousand is also asked for costs.

Mrs. Embody asserts in the motion that she will be compelled to obtain depositions from easterners, which will be expensive. She says that she has no money of her own, but that her husband has $150,000.

Samuel Estate $33,000.

L. Samuel, pioneer insurance man, left an estate valued at $33,000, according to the petition for probate of will. It is left to four children. Mr. Samuel died here August 24.

OREGON CITY VICTOR IN SUIT FOR STRIP OF RIVER FRONTAGE

Judge Campbell Throws Out Plea of Portland Railway to Confirm It in Title.

Oregon City, Or., Aug. 28.—Circuit Judge Campbell held in a decision today that the city owned the triangular strip on the southern end of Main street next the basin, that this strip had always been a part of a public street and that the Portland Railway, Light & Power company, who were suing the city to quiet title, never held any title. He dismissed the case filed by the railway company.

May Be Appeal.

The strip of land which the court held belonged to the city is important to Oregon City, as it gives the city a water right. Should the city ever wish to use water for municipal purposes, this site would be necessary.

The strip of land lies beside the mill of the Hawley Pulp & Paper company and the railway contended that the street made a jog, and the strip in contention was not public property.

It is probable the railway company will appeal to the supreme court. The land has been in litigation for some time. The case was argued before Judge Campbell May 9 and 10. The decision was delayed because the attorneys of the railway company did not file their briefs for several months.

Victory for City.

City Attorney Schuebel, who handled the case for the city, has been interested in the city's right to the property for many years. He made a determined fight as city councilman as far back as 1898 to force the council to take action. Mayor Hackett and other city officials were jubilant today after hearing the decision. "It's a wonderful victory for the city," said Mayor Hackett. "We have made a long determined fight and I am sure that should an appeal be made to the higher court, the decision made today by Judge Campbell will be sustained. I do not know what use we will make of the piece of land, perhaps none for the present, but a little later it will prove invaluable should our plans for a municipal lighting and heating plant go through."

Weatherford at Ashland.

Ashland, Or., Aug. 29.—Mark V. Weatherford, Democratic and Prohibition candidate for representative in congress, has been a frequent visitor in Ashland during the last few days. He is in the Rogue River valley on the present trip, more as a "get acquainted" measure than to do any active campaigning. He is, however, making a thorough canvass of the rural communities during the visit and laying plans for a speaking campaign later in the fall.

Three Charged With Assault.

L. Krattiger and T. J. Ward were arrested by the constable's office last night and charged with assault and battery. The two, with August Fetch, are said to have assaulted E. W. Entriken Saturday at Columbia Beach. A warrant has been issued for Fetch.

SHALL GUARANTEE TO THE CITY BE REQUIRED OF JITNEY OWNERS

Question Affecting Franchise System Discussed by Commissioners This Morning.

DIECK ADVOCATES BOND

Counsel for Union Says Surety Concerns Will Not Act and That Drivers Cannot Personally Guarantee.

Whether or not jitneys under a franchise system should give the city a bond or some similar guarantee to insure continuance of service was the principal issue before the city council today, in its discussion of the proposed franchise sought by the Union Motor Bus company to operate jitneys on the Hawthorne avenue line. Two hours were spent in discussion and the question remained unsettled.

Commissioner Dieck advocated the filing of a bond or adequate guarantee to require the jitneys to give service under the franchise, if granted. This met with the opposition of those behind the movement for the franchise, consisting of the officers of the Chauffeurs' union.

Attorney Arthur I. Moulton, representing the union, said that it was impossible to secure bonds from the surety company, and that the drivers were not in a position to give personal bonds. He also contended that there were no regulations which would prevent the street car company from abandoning certain streets if it so desired, and saw no reason why jitneys should not cease running if they made no profits.

Commissioner Baker also wanted some assurance that the jitneys would continue service during the life of the franchise, and contended that the jitneys should give service in districts not supplied at present.

The franchise being sought by the union is one of 10 which the union proposed to seek, according to A. A. Thielke, president of the union. He said this morning that the proposed Hawthorne avenue franchise would be used as a model for the others, and that the union proposed to establish an east side cross-town line on East Thirty-ninth street.

The council today fixed the life of the proposed franchise at five years, but came to no definite route that the Hawthorne line should follow. Another session on the matter is to be held tomorrow afternoon.

Resignation Is Irregular.

Failure of O. Jemtegard to resign properly from the fire bureau, caused his discharge a few seconds after he had told his superiors that he was leaving for another position. The rules require that resignation must be in writing. Jemtegard failed to notify the officials in writing. He packed his clothes and started to leave. Then he was discharged. Now his standing on the civil service eligible list means nothing. Had he resigned properly he would have been eligible for reinstatement.

Feed Contracts Awarded.

Contracts for supplying the city's departments with feed for the ensuing year were awarded by the city council this morning as follows: All feed for the fire bureau to Albers Bros.' Milling Co.; feed for park bureau to Lensch Bros.; hay for street cleaning bureau to G. W. Simpson; oats and bran for the same bureau to Albers Bros. and straw to Lensch Bros.

Pupils' Exhibit Attracts.

The work of several hundred children at the 14 playgrounds of the city is represented in the "raffia exhibit" now being held in the Central library. There are more than 600 pieces in the exhibit. All were made by the children during the summer playground season. The exhibit will remain open until Thursday.

City Commissioners Invited.

The city commissioners have been asked to attend a meeting to be held September 15 when 200 foreigners take the oath of allegiance to the United States. The invitation was received from Circuit Judge Davis today. It has not been decided where the meeting will be held.

Burns Are Fatal To Kelso Pioneer

Pierce Choate Was Removing Furniture From Burning Home When Roof Fell; Roy Wirtz Also Injured.

Kelso, Wash., Aug. 29.—Pierce Choate, a pioneer of this vicinity, was burned to death in a fire which destroyed the W. E. Hiatt home in the Shanghai district late Saturday night. Choate, with Roy Wirtz, a recent arrival, was engaged in carrying the furniture from the house, when the roof fell in, scattering burning embers all over them. Choate, who was 64 years old, died at the hospital soon after he had been removed there, and Wirtz, severely burned, is still under treatment.

Mr. Choate is survived by two married daughters and three brothers.

Ad Club Will Stage Circus at Luncheon

Clowns, Acrobats, Hartridge Whipp as Ringmaster and Other Natural Phenomena Will Be Diversions Offered.

With clowns, acrobats, musicians and monkeys, and with Hartridge Whipp as ringmaster, red lemonade and peanuts for refreshments, no reserved seats and side shows free, the Ad club is going to put on a circus of a program at its luncheon tomorrow noon. In the zoo are to be the hippoconarius, the African prosmanius, together with rare specimens of quadrupeds and bipeds. Slightly more serious than the circus will be an inquisition of those who went to Coos Bay, conducted by those who didn't.

H. A. Lewis Is Nominated.

At a meeting of 103 voters at Graebel hall, East Eightieth and stark streets, last night, H. A. Lewis, president of Multnomah County Fair association, was nominated as an independent candidate for office of state senator from Multnomah, Clackamas and Columbia counties. A vacancy exists in the office because of the resignation of George M. McBride, who has become a candidate for county judge.

College Students to Remain in Militia

War Department Temporarily Suspends Order Granting Release From Service September 1.

Washington, Aug. 28.—(U. P.)—The war department today temporarily suspended an order releasing college students from the militia on September 1. This order does not apply to military units composed entirely of college students, which will be disbanded on September 1.

Japan Wants China To Make Amends

Attack on Garrison at Cheng Chia Tun August 14, Taken Up By Japanese Cabinet.

Tokio, Aug. 29.—(I. N. S.)—Demands that China make amends for the attack on the Japanese garrison at Cheng Chia Tun on August 14 were drafted today by the Japanese cabinet. The Japanese foreign office characterized the demands as "moderate" and announced it expected an amicable settlement.

WILLCOX RAPS WILSON FOR NOT PUNISHING BANDITS OF MEXICO

Republican Chairman Says President Promised He Would Protect Citizens.

By William R. Willcox.
Chairman Republican National Committee.

New York, Aug. 29.—(I. N. S.)—In some of my previous letters I have given a few of the many instances which prove that President Wilson is not entitled to too much credence when he talks so smoothly about devotion "to the principle and the bona-fide practice of civil service reform" or repeats his high-sounding asurances that he does not propose "to weaken or discredit the principle of arbitration."

Promises that are not kept, threats that are not fulfilled, assertions that are not backed up, statements constantly unsupported by action, lose their force and credibility after a while, and those who make them cease to be entitled to the public confidence.

The cynical disregard of the platform pledges and of the campaign promises of four years ago, which has been the distinguishing feature of the Wilson administration, in both its legislative and its executive branches, is not to be covered up or glossed over now by the brazen assertions and the hollow pretentions of a new platform or the perfervid assurances of a new campaign manager.

Four years ago the Democratic platform solemnly declared that "the constitutional rights of American citizens should protect them on our border and go with them throughout the world and every American citizen residing or having property in any foreign country was entitled to and must be given the full protection of the United States government, both for himself and his property."

With all the felicity of phrase of which he is such a master, Mr. Wilson pledged himself to that plank in his platform. For more than three years he has been responsible for the fulfillment of that pledge.

In all that time there has not been a day when the opportunity did not press upon him to make good his word. But not for an hour has he made it good. Not for an hour, not for a moment, have the bandits of Mexico, who have been murdering American citizens and destroying American property, been made to understand the righteous wrath or feel the righteous power of the outraged American people.

ROUMANIA'S DECISION CREDITED TO BRIAND, PREMIER OF FRANCE

(Continued From Page One.)

expedition, in which he persisted in the face of bitter opposition. Building up from that, with the Napoleonic possibilities of the situation, he linked one unbroken line of steel against Austria and Germany from the Yser to the Danube, and from the Danube to the Dwina, forging it still stronger by initiating the policy of simultaneous military action against the central empires by all allies.

Having satisfied himself that he had prepared a ghastly blow on Hungary's unprotected flanks and the annihilation of Bulgaria's unquenchable ambitions to become the master power in the Balkans, Briand retired for a few days to the country at the end of last week, and today, when Paris rejoiced in its new stroke of good fortune, the diminutive statesman with the pale face crowned with graying black, bushy hair, was peacefully angling for perch in a stream near Paris, indulging in his besetting vice—cigarette smoking.

General Peace Expected.

Roumania never made a secret of the fact that she would join the side which appeared to be the victor, and that she would only act a few months before a general peace could be expected.

For these reasons the significance of her decision is enormous as regards the duration of the war. Nevertheless, the correspondent failed to gather any authoritative expression of opinion that today's development will make peace more than barely possible for the present year. Even optimistic authorities say that the central empires will not be smashed before the end of next spring.

Greek Help Expected.

The opinions naturally would be modified in the event of Greece following Roumania's example. The dismissal of the pro-German general Dousmanis and the appointment of the pro-ally general Mochopoulos in his place as chief of the Greek general staff revive the hopes in this direction, especially as when King Constantine, asking Mochopoulos his opinion of the conditions of the country, received the reply:

"Sire, if the Bulgarians continue to invade Greek soil I will not answer for the consequences."

Military opinion here inclines to the view that it is just possible that Von Hindenburg will drop all further preparations for a counter stroke against Russia, contenting himself with extending his defensive line, thus enabling Austria to detail divisions to the Roumanian border, where they will eventually have to meet a minimum of 210 Roumanian battalions.

RAILROADS PREPARE FOR RUSH OF PICKERS TO VALLEY HOP YARDS

Southern Pacific Plans to Run Three Special Trains From Portland.

WILL START SATURDAY

Oregon Electric Also Will Make Extra Preparations; Smaller Number Expected as Few Lack Work.

Now comes the annual exodus of the hop pickers.

Just about this time every year, when the hot afternoons bring out the fluffy product of the Willamette valley vines, the thoughts of many tired city people turn to the fields where fun and frolic combine with opportunities for profit to make the picking season a jolly vacation time.

And so, while employment agents say the number of pickers probably will be reduced because there are fewer people out of regular employment than last year or the year before, the railroads are getting ready to handle the crowds out of Portland.

The Southern Pacific has arranged for three special trains to leave Portland with hop pickers on Saturday—one for Brooks leaving the Union depot at 8:45 a. m.; one for Wigrich leaving at 9 and another for Wigrich leaving at 9:30. A special from Lebanon will go to Wigrich on Sunday at 10:30.

The Oregon Electric likewise is getting ready for the rush, many of the biggest hop yards being found along its lines in the valley. It is probable that special train service will be installed for the movement, but for the most part extra cars and extra sections of the regular trains will take care of the rush.

COOS BAY SERVICE BEGINS

Freight Schedule Direct Benefit to Portland Merchants.

Daily freight service between Portland and Marshfield was inaugurated by the Southern Pacific company yesterday, with connections so arranged that merchandise loaded in Portland today will reach the Coos Bay cities tomorrow.

Goods from Portland are handled on the through freight to Eugene, the cars being set out and attached at once to the coast bound trains. Tariffs recently filed by the company allow rates to the Coos Bay country lower than the fares to Roseburg, the existence of water competition being the cause.

General Freight Agent H. A. Hinshaw is preparing to tackle the question of rates from San Francisco to Coos Bay points, and expects to be able to announce them in a few days.

Missing Woman Is Found Near Home

Mrs. Fred Patterson of Newberg Was Walking Along Road Talking Ramblingly When Discovered Early Today.

Mrs. Fred Patterson of Newberg, who disappeared in Portland Friday night, was found this morning walking along the road this side of Newberg.

While the Portland police and her frantic husband were combing the city she had evidently made her way into the country and had walked the entire distance to Newberg.

Mrs. Patterson came to Portland with her husband Friday, Mr. Patterson to transact some business and Mrs. Patterson to shop. That afternoon Mr. Patterson left her with friends, intending to call for her later in the evening. On his arrival at the house he found that she had left, saying she would meet him at the Y. W. C. A.

Mr. Patterson went immediately to the Y. W. C. A., only to find that his wife had departed some 15 minutes earlier.

Search was unavailing and the disappearance was reported to the police. Mr. Patterson offering a reward of $50. It was feared that she had taken her life.

When found on the Newberg road this morning, Mrs. Patterson talked ramblingly of going berry picking and seemed mentally distressed. She was taken to the home of her father-in-law by a deputy sheriff.

Carver Road to Run Extra Train Service

For Clackamas Children Who Want to Attend Portland High Schools Two New Trains Scheduled.

Clackamas, Or., Aug. 29.—Stephen Carver, president of the Oregon City & Portland Railway company, has announced that a morning and evening train will be run during the school year between Carver station, near Baker's bridge, and Portland to accommodate pupils from this vicinity who wish to attend high school in Portland and board at home. Students will pay only half of the regular fare.

PRISON SITUATION TO BE CONSIDERED AT A MEETING TOMORROW

Governor's Plan for Commission May Be Opposed by Other Members.

SOME FAULTS ARE FOUND

Dissatisfaction Believed Partly Due to Refusal of Parole Board to Tell Convicts Reasons for Denials.

Salem, Or., Aug. 29.—The state board of control will consider Governor Withycombe's resolution calling for an investigation of prison conditions at a meeting to be held Wednesday morning at 10 o'clock.

It was indicated today that Secretary of State Olcott and State Treasurer Kay would not favor the appointment of the committee by the governor if the committee is to report to the board of control. If the committee is to report to the governor, they will probably have no objections to his naming it.

Want to Name Men.

Kay and Olcott feel that as members of the board of control, they should have a hand in naming the investigating committee. However, if the governor wants his own committee, they are willing to let him have it report to him.

The secretary of state and state treasurer also believe that the investigating committee should not take up its time with petty matters but should endeavor to solve the broad questions of the prison, such as the segregation of prisoners, necessity of new buildings and how to make better men of the convicts.

Might Change Rules.

In their investigation, started after the governor introduced his resolution, the secretary of state and state treasurer have reached the conclusion that the discontent prevailing among convicts can be corrected by changing the rules to some extent and, in addition, having the parole board tell a prisoner exactly why he is not paroled and why he is "set back," from several months to a year.

Secretary of State Olcott, who has been investigating conditions every day for over a week, found that one of the greatest causes of dissatisfaction was due to the failure of the parole board to notify the prisoner as to the exact reason why he failed to get clemency.

Kay and Olcott take the stand that the board on control is capable of handling prison administration without any assistance.

Bryant Is Reappointed.

Salem, Or., Aug. 29.—Governor Withycombe today announced the reappointment of W. C. Bryant of Moro, upon the board of regents of the State Normal school. Mr. Bryant's term expired July 1 and his reappointment will be for six years.

Woman Is Invited.

Mrs. Helen I. Tomlinson of Portland, who was a candidate for delegate to the Democratic national convention, has received an invitation to attend the formal notification of President Wilson of his nomination at Shadowlawn. The notification will take place September 2.

Majestic

Now Playing

THEDA BARA

In the much-discussed photoplay,

THE SERPENT

PATHE NEWS

MAJESTIC SPORT FILM

Frank Gotch vs. Jim Essen.
Willie Ritchie vs. Lew Steffens

THEATRE
BROADWAY AT STARK STREET

An Appealing Drama of the Land of Deep Snows—and of Deeper Love—Is

"The Fathers of Men"

A James Oliver Curwood Novel Featuring
ROBERT EDESON AND NAOMI CHILDERS.

HOUSE PETERS
In a Thrilling Railroad Tale,

"The Rail Rider"

Farewell Week of Albert Hay Malotte on Our New $25,000 Wurlitzer Hope Jones Unit Orchestra.

NOW PLAYING AT THE "T. & D."

Columbia

The Theatre Beautiful—Sixth at Washington

A two-fisted "rough diamond," an orphan called Nettles. A setting in the Canadian camps—with a touch of high life in New York, all combine in the dramatic offering.

HELL TO PAY AUSTIN

The Columbia is proving its superiority every week by securing the newest and best dramatic offerings—the most unique comedies and interesting educational films.

KEYSTONE—
one of the real old-style laugh-getters—it's called Pills of Peril.

Strange Birds
A beautiful educational film.

TODAY ALL WEEK

Afts. 2:20 Eves. 8:20

Heilig THEATRE B'dway at Taylor Main 1 and A-1122

INCE'S FAMOUS FILM SENSATION

CIVILIZATION

PROLOGUE
50 LIVING ACTORS
11 REELS
Orchestra
Pipe Organ

Order Tickets Early

PRICES
AFT'S Lower Floor 50¢, 25¢ Entire Balcony....25¢
EVE'S Lower Floor 75¢, 50¢ Balcony 25¢ 50¢ 75¢

SEATS NOW SELLING

Motor Insurance

Being made from Asphalt-base crude, Zerolene maintains its full lubricating value *always*. It insures your motor against excessive wear.

ZEROLENE
the Standard Oil for Motor Cars

Sold by dealers everywhere and at all Service Stations of the Standard Oil Company (California)
Portland

See About the Great Offer at Eilers MUSIC HOUSE

All for $1 a Week

on page 5 this issue