

The Dalles Chronicle.

VOL. VIII

THE DALLES, OREGON, TUESDAY, MARCH 19, 1895

NO 66

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ANOTHER WILL FOUND

Latest Sensation in the Fair
Will Case

PRODUCED IN COURT TODAY

It Divides the Estate Almost Equally
Between Fair's Son and Two
Daughters—Where It Has
Been.

SAN FRANCISCO, March 18.—The contention in the courts over the millions left by James G. Fair developed another sensation this morning. When the case was called before Superior Judge Slack, a great stir was caused by the introduction of what purports to be a later holographic will written in lead pencil on two sheets of legal cap paper. It was brought into court securely framed between two plates of glass by Reuben Lloyd, who has been retained in the case by Mrs. Oelrichs and Virginia Fair, daughters of the deceased. This alleged will divides the estate almost equally between the two daughters and Charlie Fair. It bequeaths a few thousand dollars to certain orphan asylums, and makes no provisions for such a trust as the estate is left in control of under the will previously filed.

Messrs. Angus and Crothers are two of the four executors named in the previously filed will. Referring to this alleged will, Attorney Lloyd informed the court that the document, according to its date, was executed three days later than the will previously filed. He said he would prove that the existence of this will had been known to several persons, and that it had finally been found in the possession of a very estimable old lady, whose name Lloyd did not divulge. Lloyd said the old lady had not produced it because she had read of the other will being offered for probate, and had supposed that it was a later document than the one she held. The

fact that this new alleged will has been presented in court by Attorney Lloyd would indicate that Charlie Fair and his sisters have joined forces to contest the will of their father.

The attorneys who represent the executors under the will previously filed, and of which the original copy was stolen, intimated very strongly that they believe this latest alleged will to be a forgery. The case was finally continued to April 2.

The alleged will produced today bequeaths to various brothers and sisters of deceased and their children about the same amounts as was left to them under the will previously filed. Under the first will the families of these brothers and sisters would acquire a large proportion of the estate at the death of Fair's children, Charles, Virginia and Mrs. Oelrichs, but under the will filed today the brothers and sisters, and their families would receive only the amount of cash stated in the will and the balance of the \$40,000,000 estate could be distributed at once among the three children of the deceased.

The Suit Was Dismissed.

WASHINGTON, March 18.—The supreme court of the United States today dismissed a bill of the state of California against the Central Pacific Railroad company, involving possession and control of the water front of the city of Oakland, for the reason that it was not a case in which the court had had original jurisdiction. The court holds the city of Oakland and the Oakland water-front company not being parties to the suit the court ought not to proceed in their absence. But even if they were present and included within the scope of litigation, the court could not exercise original jurisdiction, and the bill is therefore dismissed. The effect of this decision is that the state must renew its litigation in another tribunal of which the supreme court of the United States has appellate jurisdiction.

Harlan and Brewer dissented. They held if the supreme court would not exercise its original jurisdiction, in this case it was difficult to see where it would do so.

Justice Field read a brief statement to express regret that the controversy between the state and railroad company, owing to the limited jurisdiction of the supreme court of the United States, could not now be heard and finally determined, for the controversy would seriously effect the interests of both until it was so determined. He expressed the belief that by proceedings begun in the state courts and reaching the supreme court of the United States by that route the state would speedily find means of ending the controversy.

The Dropping of the Suit Was Expected.

OAKLAND, Cal., March 28.—W. R. Davis, who represented the city of Oakland in the water-front suit in Washington, says the dropping of the suit by the supreme court is an advantage to neither and is merely what was anticipated. During the hearing last December the justices gave several plain intimations that they were likely to take this course. Attorney-General Hart commenced this suit against the advice of the attorneys for the city, who did not believe it could lead to any result.

There are now in court three other water front-suits, two of which are under submission before Judge McKenna, of the United States circuit court, and one before Superior Judge Ogden. Decisions in these may be expected soon, and whoever loses will certainly appeal so that the water suit in a proper form will get into the United States supreme court again before a great while.

A Woman is Lynched.

OMAHA, March 18.—A special to the Bee from Butte, Neb., says: Mrs. W. E. Holton, of Keya, Paha county, was found dead in her house last night by neighbors. Her body was lying on the floor with a piece of rope 10 feet long and a hatchet and hammer beside her. An autopsy showed that she died of strangulation and also had been assaulted. The woman was living alone, her husband having been sent to an insane asylum. It is supposed that the motive of lynching was to prevent the woman from giving testimony against cattle rustlers, as she had been summoned as a witness. She bore a good reputation. It was evident that she fought hard for her life and honor, as the bedding and clothing were torn and scattered around the room.

Export Duty Suspended.

THE HAGUE, March 18.—Owing to a heavy fall in the price of sugar, the government has presented a bill suspending for one year, from June 1, the export duty on sugar grown in the Dutch Indies.

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