PICKETT WILL CASE SETTLED

Decided in Favor of Joyce, Hoffman, Et Al.

The Will Is Held by County Judge Kincaid to Be Valid---- A Long Drawn Out Case.

The famous Pickett will contest, which has been occupying the attention of the county court for a long time, has been decided by Judge Kincaid in favor of Agnes Joyce, W. H. Hoffman, Helen Hoffman, S. B. Eakin and George B. Morris, the defendants and contestees in the case.

The will was contested by Kate White, E. M. McGinnis, James McGinnis, Julia A. Vaughan, George Fullerton, Mary Woods, John Trout and wife.

The contestants alleged that the will in question was not the last will and testament of George M. Pickett. That the said pretended will was not executed nor attested as required by law, mainly for the reason that it was not read to the testator, who was blind, in the presence of the witnesses when his name was signed to it. That the testator was not possessed of a sound and disposing mind, by reason of his mental and bodily infirmities. That he was subject to undue influence by the beneficiaries.

After hearing the testimony of a large number of witnesses and hearing arguments on both sides by some of the most prominent attorneys in the state, Judge Kincaid took the matter under advisement and after due deliberation decided this week in favor of the defendants and contestees.

The will gives to Kate White, neice of the testator, $1000; to W. H. Hoffman and Helen Hoffman, his wife, each $500; to each of the brothers and sisters of the testator, if living, $250, or if they are dead, to their surviving children, the same amount to be divided equally among them; provides for a monument for the testator; appropriates $100 to keep his grave in repair; and gives the remainder of the estate to Agnes Joyce, sister of the testator.

The estate is valued at $30,000. The contescees of the will are neices and nephews of Mr. Pickett.

Courthouse Items.

REAL ESTATE TRANSFERS.

California and Oregon Land Co to Georigana Mary Knox; 40 acres in tp 19, s r 4 w. $200.

Mary J Tibbetts to J W White; lots 9 and 10, blk 24, Packard's ad to Eugene; also 160x50 feet in Mulligan's donation to Eugene. $1.

R E and Mary Warner to A A Tussing; half interest in "Pearl" mining claim, Blue River district $1.

Henry S Criddle to Mrs L A Hoge; 63.22 acres in tp 20, s r 4 w. $400.

Fred C and Laura E Bean to Levi and Alva A Hollenbeck; 29 acres in tp 18, s r 10 w. $1000.

Albert and Bessie Larson to S R Green; certain land in extended survey of Springfield. $225

S B and H L Green to Joseph P Fry; certain land in extended survey of Springfield. $700.

A J and Elizabeth Wortman to the Hyland Lumber Co; certain land in tp 16 s, r 1 w. $1200.

James H and Laura A McFarland to school district No 45; 322 acres in tp 20, s r 3 w. $600.

John R Campbell to Daniel Gaby 36x114 feet in Mulligans' donation to Eugene. $1500.

B F and Marsena Braman to Albert C Goddard; lot 9, blk 4 Fairmount. $175

M S and Carrie M Barker to Albert C Goddard; lot 8, blk 4 Fairmount. 145.

Laura B and R S Currier to C Grant 160x66.8 feet in Eugene. $1200.

J H and Annie Copeland to W O Prosser; certain land in Christian's second ad to Eugene. $1.

Colonel F. and Angie Smith to N M Clem; lot 1 blks 13 Fairmount. $200.

Fred Fisk sheriff, to Pauline Seifert; 60 acres in tp 20s, r 3 w. Sheriff's deed.

CIRCUIT COURT.

McMasters vs Jacob Koontz, Koontz and A C Ruby to money. John H Bauer attorney for plaintiff.

Mills Lumber Co. vs Long & Graham Lumber Co; to recover money. Louis Barzee, attorney for plaintiff.

POWER OF ATTORNEY.

California and Oregon Land Co to Frederick Vivian Knox.

TRIBE OF RED MEN ORGANIZED

A "tribe" of Red Men was instituted in the theatre lodge hall last night with 39 members, the instituting officer being Hon. G. M. Orton, of Portland, great sachem of this reservation. He was assisted in the work by G. F. Street, who has been here for the past several weeks organizing the lodge.

After the work of instituting the new lodge was completed the members repaired to the Hazelwood restaurant, where a sumptuous banquet was served. The officers elected are as follows:

Sachem, J. O. Watts.
Senior sagamore, S. W. Taylor.
Junior sagamore, L. J. Straight.
Prophet, J. W. Bray.
Chief of records, F. S. Haroun.
Keeper of wampum, Dr. F. E. Selover.

Married.

At the residence of T J Wilson, South Willamette street, on June 4th, Wm A Elliot and Miss Margaret A Crabtree were united in the holy bonds of wedlock, T J Wilson officiating.

New Mine Road.

A letter from W L Beckner, superintendent of the Badger mine in the Blue River district, conveys the news that work was commenced this week on building a wagon road from the Lucky Boy mine to the Badger mine, a distance of over a mile. Mr Beckner writes that just as soon as the road is completed the ten-stamp mill for the Badger will be hauled in and set up. The Badger property is situated on the Calapooia side of the dsitrict and will be tributary to Brownsville when the Calapooia wagon road is completed.—Brownsville Times.

Baseball Notes.

Cartwright, the young Californian, who has played with the Portland Browns, has been signed by Albany, and is playing third base. He is said to be a very fast man on the infield.

The Albany and Roseburg ball teams will play today's and Sunday's games on the Coast League grounds in Portland.

Catcher White, of Roseburg, formerly with the Blues, is sick in Albany with the measles. Morrow's team is right now pretty badly crippled. He has signed a new catcher and a new outfielder, who were expected to join the team today.

Cottage Grove Items.

Leader: Mrs. Nancy Buren returned home Saturday from Indiana, where she spent the past winter and spring visiting with relatives and friends at her old home. She reports a pleasant visit.

Mr. and Mrs. Darwin Bristow and family, of Eugene, attended the Memorial Day exercises in this city and visited with relatives and friends.

The C. M. A. band has just received 24 pair of white duck pants to complete its summer uniform. Its dark green, gold braided coats and white trousers will make a great summer combination. Its a swell band anyway.

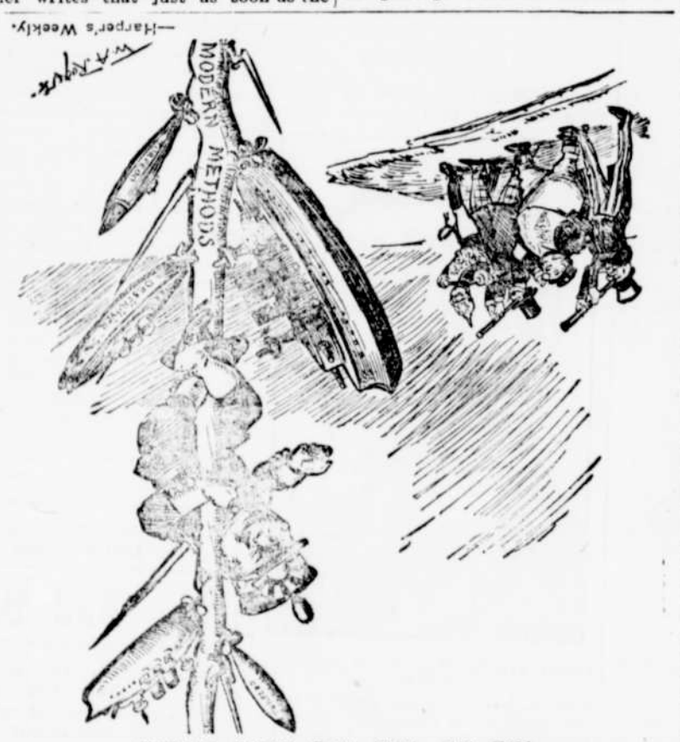
By order of the city council Main street was thoroughly cleaned up this week and all of the loose gravel was removed A marked improvement is the result of this work, Main street now being a credit to our enterprising city.

Some extensive improvements will be made in the Blackbutte quicksilver mines again this season, commencing July 1st. Albert and William Wallace have the contract for the masonry work. Jack Baker, the painter, has been doing considerable work at the mines during the past month, painting both the interior and exterior of the buildings.

Married—At the Smith boarding house, in this city, Wednesday, June 1, 1904, Charles Bowen and Josephine Lee, his honor, Squire Vaughn, officiating. Mr. Bowen is well and favorably known at this place, having been section foreman on the S. P. railroad south of this city for many years. Mrs. Lee, the bride, is from Yoncalla, and is a very estimable lady.

Eugene Gets Nothing.

Spokane is to have $1,000,000 for a federal building, instead of $400,000, as first planned. Salem got $100,000 at first and more since, and will keep on getting. Portland has had a few millions, and keeps on getting. Baker City, Astoria and nearly every place along the coast have been or are being provided with public buildings furnished by the national treasury. Eugene, which is larger and a better town than some of those that have been favored, has got nothing and keeps on getting nothing. Why don't the Commercial Club, and, if need be, the legislature at its next session, petition or memorialize congress to get a move on?—State Journal.



—Harper's Weekly.

THE JAP AND THE BEAN STALK.

Divorce Granted.

Circuit Judge Cleland at Portland yesterday granted Emma Bentley a divorce from John S. Bentley. No children, alleged cause desertion. They were married in Eugene in 1879. Mr. Bentley conducted a brickyard near Henderson Station for several seasons till about five years ago.

Low Chittim Bark Price

A gentleman from the Siuslaw country informs us that many of the chittim bark peelers are about to suspend operations down there on account of the extremely low price offered by Eugene buyers.

School Board Meeting.

The school board met yesterday afternoon and transacted regular business. Nothing was done in regard to electing a city superintendent of schools.

HOOSIER STATESMAN

FAIRBANKS OF INDIANA, WHO MAY BE VICE PRESIDENT.

Most Talked of Republican Candidate—Born on a Farm, He Worked His Way Through College--Noted as a Railroad Lawyer.

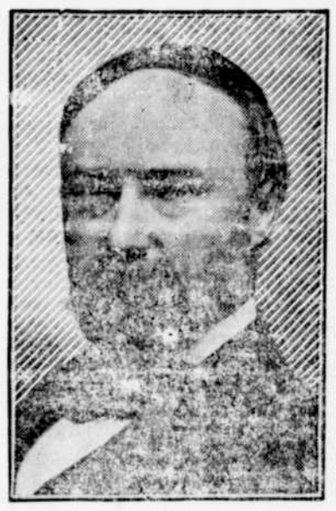
Although Senator Charles Warren Fairbanks of Indiana has stated that he is not a candidate for the vice presidential nomination, he is the most talked of man for the honor and has come to be regarded as the probable nominee of the Republican convention

The movement for Mr. Fairbanks seems to be spontaneous, and he has persistently refused to sanction any effort of his friends to make a canvass for his nomination. This attitude of the Hoosier statesman, say his friends, is not to be construed as an evidence that he does not appreciate the honor, but that he believes the office should seek the man. Should the choice of the Republican national convention for second place fall on Senator Fairbanks there would be little doubt of his acceptance.

Mr. Fairbanks was elected to the senate in January, 1897, to succeed Daniel W. Voorhees. He went to the senate a new man, not having previously held any public office. He was at that time comparatively unknown outside of the states of the middle west, but it was not long before he was recognized by his colleagues as a man of great ability. Before his first term expired in March of last year he was re-elected by the unanimous vote of his party, and unless chosen vice president next fall he will continue in the senate until 1909.

As a speaker Senator Fairbanks is neither emotional nor eloquent. He is calm and deliberate of utterance and has a sincerity of manner that commands respect and generally carries conviction. In debate there are few men in the senate more keen and ready than the senior member from Indiana

The story of his life is interesting. It is another of the many examples of a poor boy rising to fame and fortune by his own exertions. He is a descendant of Jonathan Fayerweather, who came from England in 1636 and settled at Dedham, Mass. Charles was born on a farm in Union county, O. and spent his boyhood there, attending the schools of the neighborhood. When



CHARLES WARREN FAIRBANKS.

he had gone as far as the local schools would take him he decided to go to college.

While not absolutely poor, his father was unable to stand the expense of such an undertaking, and young Fairbanks was compelled to work his way. The Ohio Wesleyan university was not far from his home, and with another lad he rented a room, their parents providing the necessary furniture and provisions. While working on the farm young Fairbanks had learned how to use carpenters' tools and did odd jobs in this line to add to his slender resources. He was graduated in 1872 with high honors, studied law and began the practice of his profession in Indianapolis. His success as a lawyer has been great, and he is said to be worth several million dollars. He has manufacturing interests in Ohio, a large farm in Illinois and is considered one of the best authorities on railroad law in the country.

Senator Fairbanks is the tallest member of the upper house of congress and is one of the best dressed men in that august body. He wears a beard of rather peculiar cut. There is a large bushy mustache, and underneath and mingling with it a thick and close cropped growth covering the entire chin. At a little distance the mustache and beard merge into one dark patch, the mouth being almost entirely hidden.

Senator Fairbanks' family consists of a wife and five children, four sons and a daughter. The latter is the wife of Ensign John W. Timmons of the navy. The eldest son, Warren C., is secretary and treasurer of a large manufacturing company. The second son, Frederick C., graduated from Princeton last year and is now studying law at Columbia university. Richard, the third son, is at Yale, and the fourth, Robert, is preparing to enter Princeton.

Mrs. Fairbanks is a daughter of Judge Cole of Marysville. Miss Cole was a classmate of Mr. Fairbanks at Wesleyan university and was associated with him in the editorial conduct of the college paper. They were married in 1872. Mrs. Fairbanks occupies a leading position in the social life of the national capital and Indianapolis and entertains on a large scale. She is president general of the Daughters of the American Revolution.