

STEVENSON WILL DECISION.

In the local columns there is printed in full the decision of Judge Rising in the Stevenson will case. It admits the will to probate and gives the case to the widow.

The history of the case is briefly as follows:

Some years ago C. C. Stevenson lived in Gold Hill and was considered worth a great deal of money. He was married and had two sons. His relations with his family were pleasant until he met Mrs. Frame whose husband was in his employ. Becoming infatuated with Mrs. Frame he attempted surreptitiously to obtain a divorce from his wife, whom he had previously sent to Michigan with a promise of soon joining her. She became apprised of his act and came at once to Gold Hill, and obtained a divorce from him. About this time Mrs. Frame obtained a divorce from her husband and married C. C. Stevenson.

The willingness of the wife to allow a separation, was due to the receipt of an anonymous letter, warning her that her husband was notoriously untrue to her and that he was unworthy of her. This anonymous letter was produced in the trial of the case, and the proponent, Mrs. Stevenson, admitted it to be her hand writing. Her explanation of this letter the Court stated from the bench he did not consider true. This letter was the entering wedge which broke up the Stevenson family, separated husband and wife, and cut the children and grandchildren off with a sum equal to one one hundred and forty-fourth of the estate, as valued at the time of making the will.

In other words out of every one hundred and forty-five dollars, the flesh and blood of C. C. Stevenson got one dollar, and the woman who had come into the family after the wealth was acquired got the balance, manifestly an unequal division. The contestants held that two years after the will was made, C. C. Stevenson repenting of his act made a codicil. His two brothers testified that he told them that he did so, and it was in evidence that on his dying bed almost with his last breath he told his son Ed that he made a will three years before (the first will was made five years before) and that he must be there when it was opened.

Now he was not allowed to be there when the will was opened. Mrs. Stevenson opened it and after the seal was broken she threw something in the stove. The contestants claimed that this document, so suddenly committed to the flames, was the codicil. She claimed that it was her own will witnessed by Lowe and Havens, attorneys of San Francisco. Lowe and Havens under oath, denied having witnessed it. Had she allowed the other beneficiaries of the will to have seen the paper opened, it would have saved a great deal of trouble. In some States a will must be absolutely above suspicion to be admitted to probate.

The law does not so require in Nevada. One of the features of this case is deserving of special notice. There was an attorney in San Francisco, who was ready to testify under oath that Stevenson came to his office in 1882, and there wrote what he stated was an "addition to his will" in which he said that he had "cancelled a mortgage" and "provided for his two boys." Tremor Coffin the proponent, called at the house of a man in the night and threatened to make certain scandalous exposures if he did not keep his friend, the witness, off the stand.

The witness for this reason refused to testify. Coffin after denying that he had called in the night on the party specified, was finally forced by the witness to admit it. If what the witness says is true, regarding the codicil, and Mr. Coffin's unprofessional conduct, justice has been defeated and Mr. Coffin has been guilty of an act which requires the fullest explanation on his part before the Nevada Bar Association. If he cannot clear his skirts of the accusation made in San Francisco, he should not be allowed to practice law in this State.

The interest of a client should be the first duty of an attorney, but this duty does not require a man to suppress important evidence and transgress the law in the intimidation of witnesses.

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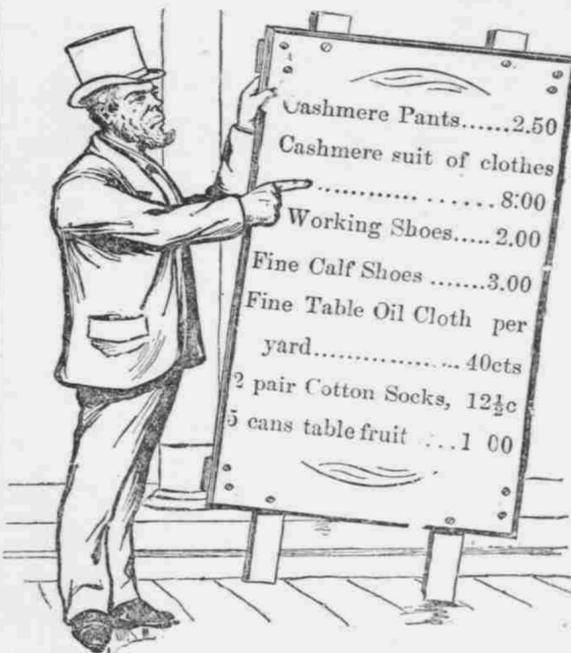
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