

HIS HEIRS AT ODDS

Contest Over the Will of Joshua Henry.

A SECOND SERIOUS ATTEMPT.

Four Heirs Profiting Under the Will Accused of Influencing the Deceased.

Another contest over the large estate of the late Joshua Henry was commenced yesterday in the Probate Court.

Joshua Henry died in this city on October 21, 1891, leaving an estate in this city of real and personal property of great value.

On October 23, 1891, a document, dated May 21, 1888, purporting to be the last will of the deceased, together with what purported to be a codicil, dated July 20, 1891, was filed in the Probate Court by Samuel J. Henry.

On the 17th of the present month, a petition for probate was filed by Garbar, South & Bishop and W. W. Fools as attorney for Samuel J. Henry, brother of the deceased, George W. Henry and Alvinia Jane Kaugh, respectively nephew and niece of the deceased.

In the petition the heirs-at-law are stated to comprise Samuel Henry, aged 62, George W. Henry, aged 58, Alvinia Jane Kaugh, aged 31, a nephew; John H. Henry, 31, a nephew; Alvinia J. Kaugh, 23, a niece; Harold Green, 23, a grandnephew of the deceased; Mildred Green, a grandniece of the deceased; and five illegitimate children of John M. Henry, 50, a nephew, of South America, John Doe Henry, Richard Rose and Dr. J. H. Henry, of London, England; Mary Siles of Australia.

The grounds of the contest are the usual ones, to-wit: that the will is not the last and best expression of the testator's mind and that the same was procured by fraud and undue influence at the time that it was executed by the testator.

The instrument claims that on May 1, 1888, they had a design to influence and control Joshua Henry in the disposition of his estate, and that they succeeded in the great prejudice of the petitioners and other relatives.

The petitioners allege that Henry at the time of the execution of the will and codicil was suffering from an incurable disease, produced by a fall from a horse, and that they prohibited his attending to business and making him irritable and susceptible to fraudulent influences and artifices of designing persons.

Continuing the petition states that the testator, in 1888, intended that the estate of Joshua Henry to take up his abode with Mr. and Mrs. Samuel J. Henry.

By means of craft and insidious flattery, jealousy, wheedling, importunity, prejudice, and fraudulent representations to deceased Henry to sign the will referred to.

That they on July 1, 1891, persuaded him to execute a codicil to the will, and that the codicil on the 30th of that month, he re-executed at San Rafael, trusting in them, that they would not be detected.

In conclusion the petitioners urge that the four heirs in point made false and fraudulent representations to the testator, and that they were guilty of fraud and that they were guilty of fraud and that they were guilty of fraud.

ST. JOSEPH'S CONVENT.

A New House for the Sisters of St. Francis.

St. Joseph's Home, a new residence for the Sisters of St. Francis, attached to St. Joseph's Hospital, on Park Hill avenue, is being completed and will be pushed to completion as rapidly as possible.

The building, which is in the Spanish-Renaissance style of architecture, with semi-circular windows, is a four-story structure, and is being erected on a site secured by a campaign, upon which a cross will be erected.

The house has a frontage of 75 feet on Fulton street and extends back along Tilden street 110 feet.

The main entrance is a pressed brick and terra-cotta archway and is approached by a flight of brick and stone stairs. The vestibule is finished in oak with a tiled floor.

To the right of the vestibule is the first floor, is the Sisters' dining-room, visitors' parlors, workmen's dining-room, and the rear of the building is a recreation-room, passenger landy.

A broad stairway leads from the basement to the upper floors.

The convent contains the Sister Superior's office and a drugstore at the right of the main entrance, and at the left a parlor and consulting-room for the Sisters.

The chapel is 36x43, diamond-shaped, and will be decorated and paneled. It will have three altars. The main altar will have statues of St. Joseph and St. Francis.

The third floor has an operating-room and physicians' apartments in front and lavatories and a bath at the rear.

BIG BILL BROWN.

His Lively Work Helps the Colonels Win.

ANGELS LOSE BY ONE TALLY.

Oakland's First Baseman and Deward, Aided by Errors, Score Another Victory.

Colonel T. P. Robinson crossed the bay yesterday afternoon with smiles and confidence. He was going to take a fall out of the Angels and he did it, thanks to the errors of the southerners, the fine play of big Bill Brown at first and the walk over that the Colonel anticipated, and had either Balz or Baldwin been able to hit the ball in the ninth inning the result would have been different.

The home team struck a winning gait in their first attempt, after McQuaid had failed to connect with Balz' delivery and Van Halten had been retired at first, a throw of Hulen's led in the first run.

Los Angeles retired one, two, three, four in their first and second attempts and Oakland did not better till the third inning.

When Balz, after stopping a hot grounder from McQuaid, threw wild to first, and Hutchinson hit safely to right field, the southerners did nothing in the third and fourth innings.

In the fifth, after Tredway had got his base on balls, the spot by Brown drove Wright in first, the clowning second and third on Glenaville's hit. An error by Irwin allowed Tredway to reach the plate, and another gaffery played by Brown allowed the slip to the pitcher.

In the sixth Los Angeles went to pieces. Glenaville, Lytle and Hulen being the chief offenders. The pitcher, who had thrown only one safe hit, was made.

When their turn came the Angels were again routed. The pitcher, who had thrown only one safe hit, was made.

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THE SMALLPOX SCARE.

Captain Dickens of the Coast Survey Tells About It.

Late telegraphic reports from the north would lead to the belief that quite a serious epidemic of smallpox was in progress around Coos Bay and vicinity.

Captain Dickens of the United States Coast and Geodetic Corps, who has just returned from there, says that it is mostly a newspaper talk, however, and that only a few violent cases have been met with.

In speaking of the matter yesterday Captain Dickens said: "I went to Coos Bay on some business connected with the sale of condemned property."

"Upon my arrival I found the whole country under quarantine and the people as badly frightened as the Long Islanders were during the cholera scare in New York last year."

"All the roads leading out of Coquille and Coos Bay were heavily guarded with shot-gun men, and nobody was allowed to pass in any direction."

"This was very embarrassing for me, as I had to make a long detour of places in connection with my work."

"I made one or two unsuccessful attempts to get through, but each time, and finally after a third artificial fever, the head officials that I must be allowed to continue on my journey."

"Even after this these men were difficult to go on, as some of the men on guard either had orders to let no one pass, no matter who they were, or to let no one pass who had a disease that one could not get near enough to touch them with a ten-foot pole. They just would avoid the hurry and the shouting out to go back to their tents."

"The usually went back."

"There were only five or six cases while I was there, but the only wonder is that any one should have escaped as they were so strict. I took the best means in the world of spreading it."

"I started in this way. A man from Coquille was taken sick and died at a hotel in Coos City and the local physician pronounced the man to be suffering from smallpox. He was given a public funeral in the town hall, in which a political meeting, however, was held, and the funeral was held a few days afterward there were naturally several cases in town, and that is the way the disease spread to the other towns of the coast and carelessness."

"Captain Dickens had an exceedingly rough trip, and he says that he was very glad that his season's work was finished."

THE WHALING FLEET.

Only Seven More Ships to be Accounted For.

The list of arrivals in the whaling fleet was increased yesterday by the return of the steamer Belvedere and the bark Warner. The former had 850 barrels of oil and 20,000 pounds of bone, a rare lucky haul for a vessel of that size.

There are now only seven whalers left of the forty-seven comprising the fleet left to come in, and in each case it is known. The bark E. H. Hornum is clear, the bark John and Winthrop has one whale, the steamer Jesse A. Freeman four whales, the bark William Baylis five whales, the brig John H. M. Mearns one whale, the bark Edward one whale and the Hilda a clean sheet.

The 25,000 pounds of bone on the Hunter and the 20,000 on the Belvedere will be a bonanza for the owners if the price of bone keeps up. It may vary anything from \$5 to \$5 a pound with a tendency to the latter figure.

The Australia arrived from Honolulu yesterday after an uneventful trip. The only passengers of note were Judge H. A. H. and his family. J. S. Willey, ex-Surveyor-General of this State, the United States consul at Honolulu, and the United States consul at Honolulu.

The Occidental and Oriental steamer Galia left for China yesterday, two and a half hours late. There was another very low tide yesterday, and the Galia left for China yesterday, two and a half hours late.

The codfish fish is now all in port, and the total catch for the season has been estimated at 100,000 tons.

During October six ships from this port arrived at ports in Great Britain, with a total catch of 100,000 tons of codfish, and one from Oregon with 22,451 tons of whale.

It is believed that the whaling ships now port will have to accept a charter of 20 shillings or remain here during the winter. The money yesterday \$487,750. The ship Louis Walsh to Oakland, the ship McLeod to section 3 of the seal, the Texas to section 3 of the seal, the act of the ship Norma to sea, the bark Argo to sea, the brig F. A. Barstow to Main street, the schooner Belvedere to Main street, the ship India will go to Mission No. 2 and the bark W. W. Crapo to sea.

The New Fulton Works. The survey of the site of the new Fulton Iron Works to be erected at Harbor View was completed yesterday.

Two pile-drivers arrived upon the spot and building operations commenced immediately.

The material to be used for filling in the swamp, which is the site chosen for the new buildings, will be taken from the hills behind the site.

MARKET REPORTS.

WEDNESDAY EVENING, Nov. 16.

MARKET SUMMARY OF THE MARKET. Silver unchanged. Wheat lower. Heavy steady. Live grapes scarce and higher. Foreign receipts of bananas. Vegetables unchanged. Treasury statement to-day.

English Wheat Market. Liverpool—Nov. 16. The spot market steady. Futures—Nov. 16. The spot market steady. Futures—Nov. 16. The spot market steady.

Chicago Markets. Chicago, Nov. 16. The market quiet. Futures—Nov. 16. The spot market steady. Futures—Nov. 16. The spot market steady.

Portland Business. Portland, Nov. 16. Clearances, \$474,000; exports, \$139,000.

Treasury Statement. The deficit for the month of October, 1892, was \$2,541,917.10 in Mexican gold, \$951,212.00 in gold, \$200,000 in silver.

Exchange and Bullion. Sterling Exchange, 60 days, 4.84 1/2; 3 months, 4.87 1/2; 6 months, 4.90 1/2; 9 months, 4.93 1/2; 12 months, 4.96 1/2.

Produce Market. FLOUR—No. 1 extra, \$2.00; No. 2 extra, \$1.90; No. 3 extra, \$1.80; No. 4 extra, \$1.70; No. 5 extra, \$1.60; No. 6 extra, \$1.50; No. 7 extra, \$1.40; No. 8 extra, \$1.30; No. 9 extra, \$1.20; No. 10 extra, \$1.10; No. 11 extra, \$1.00; No. 12 extra, \$0.90; No. 13 extra, \$0.80; No. 14 extra, \$0.70; No. 15 extra, \$0.60; No. 16 extra, \$0.50; No. 17 extra, \$0.40; No. 18 extra, \$0.30; No. 19 extra, \$0.20; No. 20 extra, \$0.10.

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