

JOHN L. BLYTH'S WILL

Hearin' This Day on the Petition to
Set Aside the Probate.

TESTIMONY OF THE WITNESSES.

24. It is stated that the Decedent was of sound mind when he signed the instrument.

In the probate court this morning the hearing began on the petition recently filed by Charles Rlyth, by his guardian, Margaret McKay Rlyth,

entered on May 20, 1900, admitting the will of John L. Hyatt to probate, he refused. A copy of the will of the deceased was published in full in the

and still in the petition that the instrument in question was neither lost nor was instrument of the late Mr. High, Birmingham on at the time

reasoned, y disease and confused in mind, by reason of his affliction and circumstances, that he could not have excused it understandingly. All the more of his own father, who was

Attorneys Kane & Kane and Attorney John M. Capron represent the living half of the deceased (Charles Hylle) and the test of the heirs at law.

Alfred Le Grand Young prepared

The hearing was set for 10 o'clock, but the adjournment of Monday postponed

Joseph E. Taylor, one of the witnesses to the will, was first examined on the stand and testified that he was acquainted with the deceased in his

will produce, and to witness's question whether that was his last will and testament he said it was and that he signed it freely and voluntarily. The deceased sat up in bed in order to sign the motion picture instrument. When

of the signature, Mr. David W. James
one of the witnesses to the
will, and the other person were
present at the time, in witness's
writing the decedent was in full

the bank. In reply, to Attorney J. M. Zehn, Williams said he did not remember whether either of the individuals read the several clauses of the will over to the deceased before he signed it.

In conversation, that he had those simple provisions for every member of his family this was not true. Before the making of the will, Williams was not acquainted with the contents of the will and Mr. Davis had informed

positively in regard to Temple work, in which he had taken a deep interest. Mr. Hester had asked him on the morning of the day on which the will was signed to be a witness to the same.

His first act before the Government's House was to deliver a lecture, but he believed that he was quite capable of understanding the sense of a will of a complicated character such as this one.

was intimately acquainted with the decedent and signed the will as one of the witnesses, having been asked to do so by Mr. Thos. L. Witherspoon decedent affirms his signature to the will after answering Mr. Taylor that he signed

passed thanks to Mr. Taylor and himself for their services on the occasion. From what witness saw of the deceased he should certainly say that at that time he was of sound mind

Mr. Hain was about to question the witness in regard to the relation between the defendant and the witness.

which Attorney Leifland Young objected. Mr. Zane said that what he wanted to show was that Mr. Hoedler was the confidential friend and agent of Mr. Hirth, and it such were the case,

either to show, without regard to the minor trustee, that the signing of this will was absolutely the free act of the decedent, and that at the time he was of sound mind and memory. It

Witness answered that he did not know whether Mr. Hamilton was the Communist's agent at that time, but he knew there had been several contacts.

movement any of the questions put to him, and he began to go off into a kind of stupor while the sighting of the wall was going forward.

When court resumed at 2 p.m., a continuance was taken until tomorrow morning at 10 a.m. At 4 p.m., Attorney Le Grand Young having been unexpectedly called away by the death of a rela-

Police Court Items.
Frank Richards, the colored pugilist, who has been awaiting trial for several

J. O. Wiley, charged with selling tobacco to the soldiers, was sentenced to 10 years in the prison, at 10 a. m.

There had been a meeting this morning between Father Justice Smith, but a further postponement was ordered until 11 a.m. tomorrow. His house was closed at 10.