

October 1950

Law Suit of King versus, Graves, Hawley and IOOF and Lawrence

Attorney Ackly asked that Odd Fellows be dismissed, but judge ruled as were were financially inv lved we had to remain.

Attorney DeMartini showed deeds with 1st one with 55¢ stamps. (Mrs. Hawley didn't put stamps on it) 2nd one had a string of stamps.

Mrs. Hawley upon Mrs. Graves request at Dameron Hospital about 10 days after Mrs. Graves had a heart attack, had the District Attorney draw up a deed for Toulumne County property to Mrs. Hawley.

Deposition (Sept 1, 1949) shows Mrs. Evelyn Hawley when she married Mr. Graves in Yuma, Arizona on August 3, 1949 (1st Mrs. Graves died May 28, 1949)

At Mrs. Graves request Mrs. Hawley told Mr. King of the Graves astringement<sup>t</sup>

Before Sylvester property was probated Mrs. Hawley paid estate \$4,000 for 715 W. Poplar, Stockton, home in which the Graves lived. (sold recently for \$15, 000.)

American Trust--Mrs. Graves account in Feb. 1947 had Mrs. Hawley's name added to that account of \$4,000

Feb. 24, 1947 bash bonds of Mrs. Graves--3,850

Did not deposit that amount in account

Deed dated Feb. 21, received Feb. 22. Then Mrs. Hawley had control of all of Mrs. Graves property.

Deed 4 prepared in Sonora by District Attorney--Sept 23, 1947 to Ward.

Mrs. Hawley knew Sylvester for 25 years.

Mrs. Hawley was asked to have deed prepared to Mr. Ward. Mrs. Hawley had both deed prepared at Mrs. Graves request.

Deed from Ward to Hawley.

Mrs. Hawley met Ward at Mrs. Graves when she delivered deeds.

Mr. Ward would loan Mrs. Hawley to buy property

10/2/46 \$10,000

9/24/47 withdrew \$10,000

Ward hold deed until Hawley found out if she had money.

Mrs. Hawley did not know if or what Ward gave Mrs. Graves.

Mrs. Hawley gave Mrs. Graves money deposited in joint account.

Graves and Ward made all arrangements for finances.

Mrs. Graves away at times.

Mrs. Hawley is 59

Estate appraised at \$19,000 in probate but Hawley paid \$10,000.

Sylvester tried for 20 years to sell property and couldn't.

Had prospect to come up before Nov. 1, 1945. Don't know what happened. May 26, 1949 withdrew \$4,000 plus for something (house) at Mrs. Graves request when she entered hospital last time.

Jan 1949 began negotiations with Odd Fellows--agent Mr. Gunther.  
\$10,000 down in title company yet  
10,000  
\$20,000

Mr. Graves is 76 or 77

Mrs. Graves deposited \$10,000 from American Trust to Morris Plan 10,15-47.

Mrs. Hawley got \$5,000  
Real estate \$5,000  
In escrow \$10,000  
\$3,500 not paid in Sept.

November 1945 Woods bought property paying \$5,000.  
Sylvester had to buy back. Woods is a promoter. Had foreclosure sale.  
For 3 years Mrs. Hawley looked after property summer and winter after  
Sylvester died.--Tax statements.  
Sylvester died August 1946.

Mr. Graves on the stand  
Mr. Graves met Sylvester at Business College in 1890.  
1895 Graves and Sylvester in Alaska as partners.  
8 years in Alaska a left together.  
Graves settled in Middle River  
Graves was Sylvester's partner until he died, sir!  
800 acres asparagus.  
For 3 years Tom King, Sylvester & Graves on Union Island raising potatoes  
and barley--1911-12-13.  
Mr. Graves was cut out of Sylvester's will entirely.  
Mr. Graves lived at 715 Poplar for 24 years.  
Partnership money bought Tuolumne property.  
Mr. Graves never made claim for money.  
Mortgage on Tracy property to finance Sawmill.  
Mr. Graves paid Bank of America for mortgage  
1920-1946 Mr. Sylvester at Sylvan Lodge--rented  
1935-1946--700 acres beside 450 acres at Tracy. Graves operated it while  
Sylvester had Tuolumne property.  
Partnership income taxes filed each year until 1946.  
Wm Neil made returns.  
\$15,200 claim against estate by Mr. Graves to Mr. Webster bought interest  
in ranch for \$11,000. Mrs. Graves gave Mr. Graves \$4,000 in cash to pay  
rest of claim against estate.  
\$4,000 Graves put in Bank of America.  
\$4,950 Graves withdrew for Mrs. Graves in currency. Mrs. Graves gave or  
spent about \$1,000.  
Now has commercial account in Walnut Creek.  
Mrs. Graves told Mr. Graves that Mrs. Hawley bought house.  
Mr. Graves never saw Mr. Ward.  
1911 the Graves were married in New York City.  
1911-1913 in Florida.  
Came to Stockton  
1937 to Detroit, Seattle, several to Los Angeles, San Francisco.  
Never heard of Ward until litigation.  
Fall of 1947 visited Whites at Forestville.  
Graves and King good friends for 23 years.  
Strong affection between Graves and Sylvester  
Sylvester could have become disgruntled with Graves over Little John affair,  
When Sylvester was ill Mr. Graves stayed one night.  
Mr. King other nights.  
Mrs. Hawley and Mrs. Graves stayed with him during day.

March 18, 1947

Letter and picture of Whites and Graves

Mr. Graves wrote Mr. King and his sister, Hazel, that he has able to care for his wife and it seemed strange that they should take a sudden interest in her when there was an estate involved.

March 25, 1947

Regret to King for letter--nice letter

March 28, 1949

Letter delivered to Mr. Webster by Mrs. Hawley for Mr. Graves. Mr. Graves knew nothing about it until after Mrs. Graves' death.

Mrs. Doering, office girl at Dameron Hospital told of records.

Mr. Doneaux--manager of American Trust Co.

Leona White--1935 met Mrs. Graves at 701 W. Poplar--there 2 years, 4 months Then to Santa Rosa for 10 years, then Forestville. Corresponded and visited often. Knows Mrs. Hawley.

Feb. 1947 when Mrs. Graves was in hospital, Mr. Graves wrote that Mrs. Graves was in hospital. Mrs. White said Mrs. Graves couldn't realize she was there. Mrs. White said Mrs. Hawley told her that Hawley was to marry Sylvester but he died. Mrs. Hawley said Mrs. Graves would not come back from hospital and to have funeral clothes all ready.

Dad's Point trip--Mr. Graves said Mrs. Hawley was someone he didn't know, but was somebody hanging around Sylvester at Sylvan Lodge.

Mrs. White inferred something between Graves and Hawley.

Sept. 25-Oct 5, 1947 Graves visited them. Tried to get Mrs. White to tell what Mrs. Graves told her about estrangement but Judge wouldn't allow it.

Dr. Gianelli--1947 Mrs. Graves was patient

50 mg demoral every 4 hours, phenobarbitol, dicumerol  
demoral relieves pain, lessens apprehension of patient--  
synthetic narcotic similar to morphine in action.

pataverin--from opium plant--relaxes muscles in arteries,  
increases blood supply locally.

nembutol is a barbituate to lessen apprehension, dulls mental  
faculties so can sleep

Phenobarbitol--barbituate--dulls higher brain centers--more  
prolonged than nimbutol

Dicumerol--prevents clotting of blood

Oxygen tent May 17, 1949--gives person a lift so can breathe more easily

Hazel Wooly of Byron--a school teach at Knightson

1907 met Sylvester

Met Mrs. Hawley at Sylvester's funeral

Met her again at hospital

Mrs. Hawley told Hazel that Mrs. Graves wanted papers signed, so that King deed could be made to Mrs. Graves so she could have underclothes which were ragged and needed money.

King is 63 Tom died 1926

1908 met Mrs. Graves at Sylvester's home at Middle River.

King lived at 720 W. Poplar

Sylvester lived in Budd house

Sylvester built duplex at 715 W. Poplar

Sylvester financed lessons. Then had Oscar Weil scholarship for 10 years  
1916 in Sacramento

Maybe 1924 when Sylvester was at Sylvan Lodge. Summer and Easter go to see Sylvester. Never saw Mrs. Hawley at Sylvan Lodge before Sylvester's death. Sylvester was 87-90. Mrs. Graves called King to come down.

Mrs. Wooly called King about will.

Sept. 13, 1946 Will received by King. Talked with Mrs. Graves in hospital (March 2) about will.

March 9, 1947 saw Mr. Webster in Sonora. No direct answer yes or no about paper to sign. No direct answer about bonds. Visited Mrs. Graves in hospital that night. Next morning called Mrs. Graves and told her of meeting.

March 15 visited Mrs. Graves and March 16 Mrs. Hawley was there. Mrs. Graves told him that she paid Sylvester debt on ranch and wanted King to know money not held in tact for him as she had said to him previously.

Mrs. Hawley told Mrs. Graves that there was no paper for King to sign.

April 2, 1947 Mrs. Graves letter to King asking that he meet Mrs. Hawley about Mr. Graves. Mr. & Mrs. Graves argued so loudly neighbors could hear. About Sylvan Lodge property. Mrs. Hawley told him if she had known she would never have been involved in situation.

June 30, 1947 letter--judge wouldn't allow it. Mrs. Graves asked King if she wanted property or cash. He said whatever her brother's wishes were okay.

Received pass book from Mr. Graves from Morris Plan and found it Okay in Stockton

Ellen Washburn--Sept. 24, 1947

810 E Main--deed presented to you  
4 years

Mr. Hale licensed broker 1947 Sonora

Octo. 11-13 --7 hours in Stockton before that

Market value

\$4,000 720 acres

\$4,000 500 acre

\$5,000

\$49,000

5½ per thousand

11 per thousand today

\$19,568 valuation when Sylvester died

July 1-June 20-49 assessed at \$5,287

could only sell property for mountain homes and market of buyers is scarce.

Dodson--Bank of America

\$10,000 withdrawal --Sept. 24, 1947

\$12,000 deposit by Mrs. Hawley

Aug. 1, 1945 Berkeley bank obligation in full

Gough from Savings to Cashier's check \$10,000 Sept. 24 made to Evelyn M. Hawley

Carney--Bank of America--commercial account of Mrs. Graves

May 28--deposit

April 1, 1949

May 28, 1949 none over \$1,000

March 25-July 25, 1949 \$4,500 deposit

Fay--Chain saw business

Deposit receipt

Timber rights--Feb. 26, 1949 Exhibit 4 S

Escrow paper Jan 19, 1949

Title Company from Sonora

Moved for a nonsuit of Odd Fellows

Cause of action

1. Facts off record of Odd Fellows not being Boni Fide buyers.

2. By decree of Distribution of Sylvester to Mrs. Graves.

Mrs. Hawley

June 7, 1947 Mrs. Graves to Mrs. Hawley letter

Monday October 30, 1950

ODD FELLOWS GRANTED NONSUIT

Brody seeslight only Feb. 24, 1947 loss of 80%

Nov. 16, 1948 eyesight same as 47. Fine print with magnifying lens.

Mr. Lawrence --1 acre on highway 200'--1½ mile from Long Barn--\$3,000  
Deed March 1948--pays \$50 a month--promisory note \$1,450 left to pay.  
Deed of trust--Jan 19, 1949 recorded  
Fall 1947 met Mrs. Hawley--a tenant at Sylvan Lodge  
Nonsuit for Lawrences

McCredy--Sonora June 1, 1948--Federal Forest Service

1934-35 in N. H. S. Dakota 1945-46 same as here--15,000 acres

Fire control and grading. Cruise timer--measure trees and estimate height and estimate logs.

Hired by Odd Fellows to cruise.

Sugar Pine scattered. measured every tree 100% in NE

April and May 1949 30% in South--cruise

197,000 white fir

48,000 pine--10%

58,00 incense cedar

104,000 douglas fir--20%

432,000 board feet of merchantable timber.

Already logged for timber

Order of desirability

Sugar Pine

Ponderosa Pine

Douglas fir

White fir

Incense cedar

West 200 acres 1 hour

East 200 acres 1 hour

400

18" or 20" to merchant ponderosa

12-13" white fir

Gunter--June 1947 grazing \$10 an acre

Buildings--no opinion on price

In marines 44 months

Poultry eggs--Turlock

Mrs. Graves told Mrs. Hawley to close account and keep the money.

Mrs. Graves was 84 when she died

Mr. Graves on stand

REST!

20 days

20 days

10 days

to submit briefs.

DEEDS

|                |   |   |
|----------------|---|---|
| Dec. 10, 1940  | Mills, J.R. & Gwendolyn to Parks, Roy A. & Margaret E.                                      | .152 acres  |
| Jan. 31, 1944  | Sylvester, E.O. to Parks, Roy A. & Margaret E.  | 6.8737 acres  |
| June 13, 1950  | Capital Company (Calif. Lands Inc.) to Parks, R. A.   | ?   |
| April 19, 1944 | Mills, J. R. & Gwendolyn to Parks, R.A. & Margaret  | .2757 acre<br>(north side)  |
| April 13, 1950 | Allen, Fred A. & Erma to Hanlon, Robert E. , Dorothy E, &<br>Robert Curtis Hanlon           | 1.21 acres  |
|                | Hawley, Evelyn M. to Lawrence, Lynn L. & Marguerite V.                                      | .50 acre  |
| July 31, 1943  | Sylvester, E. O. to Coppetti, John  | .29201 acre<br>(south side)   |
| Dec. 31, 1938  | Sylvester, E. O. to Armstrong, T. C. & Esther V.  | .3 acre   |
| Jan. 2, 1947   | Thompson, K. C. to Allen, Norma A. (North west side)<br>(why Frank written in?)             | ?   |
| Nov. 28, 1949  | Kriese, Arthur F. & Josephine, Jack H. Kriese & Winona M.<br>to Johnson, Bill R. & Sally I. | 3.67 acres<br>(north side)  |
| July 30, 1948  | De Boer, Nick and Dena De Boer to Olso, Lawrence H. Sr.<br>and Clara J.                     | 1 acre<br>(north side Laguna Vista Ave)   |
| June 17, 1948  | Cummings, Wm H. & May I. to Woodhead, Ralph H. & Rhoda I.                                   | .1958 acre<br>(north side)  |
| June 14, 1943  | Sylvester, Ernest O. to Raube, Fritz A. & Iabel L.  | 5 acres in<br>Section 30 T 3 N., R 17E., MDM,<br>5 acres in<br>Section 31, T 3 N., R 17 E,MDM |
| Aug. 28, 1941  | Sylvester, E. O. to Charles, E. E.  | .31 acre  |
|                | Blaine, Mary J. & Charles D. to Charles, Edwin E.   | 3 acres<br>(along Sugar Pine Creek)   |