

**GOOD
SHOES
CHEAP**

A Summer Shower. IT'S RAINING BARGAINS here. Come in out of the wet while we talk to you.

Good Shoes Cheap **Dindinger, Wilson & Co.** Phone Black 91
Successors to Cleaver Bros.

These Price Drops
Are Truly Refreshing

We are giving bargains in **Misses and Child's Shoes** that have never been heard of before
Prices 75c, 95c and \$1

Specials in **LADIES' TAN SHOES and OXFORDS**, Regular \$2.50 Stock
Price Only **\$1.50 Now**

THIS IS IMPORTANT

**COURT OF APPEALS
THROWS DOWN RAILWAY.**

Decides that Man Cannot Barter His Life and Awards Damages to Family of Man Killed by Train While Traveling on a Pass.

An important and interesting decision has recently been rendered by the federal court of appeals at San Francisco, when it decided a suit for damages to the amount of \$14,000 entered by the family of Jay H. Adams, a prominent Northwest railway attorney, who was killed nearly four years ago by falling from a train on the Northern Pacific railway.

Adams was traveling on a pass at the time of his death and the company fought the suit on the grounds that he had signed the agreement upon the back of every such instrument releasing the company from all liability for damage to life and limb even though resulting from the negligence of the company's servants.

Mr. Adams was killed while passing from the tourist car to the diner by being thrown from the platform as the train rounded a sharp curve, his body being found several days later at the foot of a steep bank almost 100 feet below the track.

Suit was instituted by his wife and son, Louise and Frank Adams for damages alleging that the train was running at an unusual speed and although the company advertised the train as vestibuled, the platforms were not so protected. Action was first started for \$50,000 in the United States court for Washington and the heirs of the dead man awarded damages in the sum of \$14,000.

From this judgment the company appealed on the grounds above mentioned, the clause on which they based their appeal being the stipulation on the back of every pass issued, whereby the holder waives all claim on the company "For any injury to person or for loss or damage to property," caused by negligence of the company's agents or otherwise. That contention is upset by the opinion of the circuit court of appeals, which reads as follows:

"A man's life is not his own to be disposed of by contract. The state has an interest in securing safety and in preserving lives of its citizens. The express permission by deceased, therefore, that the railroad company might negligently take his life without consequent liabilities would have been in violation of both common and statute laws, and a void contract.

"Under the statutes of both Idaho and Washington the clause limiting the right of action to circumstances which would have permitted deceased to sue for personal injuries in case he survived is entirely omitted, and nothing appears elsewhere in the statutes to warrant its insertion by implication.

"The omission must, therefore, be considered as intentional.

"Under the statutes of Idaho and Washington the plaintiffs had right of action against the defendant railway company for just damages resulting from the death of Jay H. Adams, if his death was caused by negligence of the railway company.

In absence of evidence to the contrary, the law presumes that the deceased did exercise reasonable care. Judgment is affirmed."

PERSONAL MENTION

James A. Fee is in Portland on business.

G. W. Bradley, a prominent citizen of Athena, was in town Wednesday.

H. C. Janes, editor of the Free-water Times, was in town Wednesday.

Miss Bessie Switzler returned Tuesday evening from a visit to friends at Walla Walla.

C. H. Lemley and L. L. Rogers, prominent Adams citizens, are at the Hotel St. George.

J. M. Vanduyne, of Portland, has accepted a position in the drygoods department of the Boston Store.

Mrs. C. S. West, of Camas, Wash., is being entertained by her daughter, Mrs. W. J. Clarke, of this city.

Mrs. Robert Burns, wife of Robert Burns, of the O. R. & N. Company, is a victim of appendicitis at her home in Walla Walla, being quite ill.

Henry T. Booth, manager for the Pacific Mutual Life Insurance Company, of California, for Eastern Oregon, is in town from Baker City.

Rev. R. A. Copple, pastor of the Christian church of this city, went to La Grande Wednesday where he delivered a lecture in the evening.

Ex-Senator L. B. Rinehart, of Union county, is in Pendleton shaking hands with his old friends. He is on his way to North Yakima, where he has interests.

At the home of W. W. Land in this city Tuesday evening, Thomas Fitz Gerald united in marriage G. L. Allingham and Miss Minta Carter, both of Umatilla county.

District Attorney T. G. Halley and wife returned from Heppner where

Mr. Halley has been attending court. Judge Ellis will not return until the last of the week.

Married, at the Presbyterian parsonage, at 10 o'clock this morning, John C. McKees and Miss Isabella J. Alderman, Rev. Robert J. Diven officiating. They are both of Umatilla county.

General Passenger and Freight Agent S. B. Calderhead, of the W. & C. R., and J. C. Cutler, the company's civil engineer, of Walla Walla, came into Pendleton on their special Wednesday and spent the day. They came by way of Stanton, where some business in connection with a squabble over a right of way was settled up.

SELLING LIQUOR TO INDIANS.

Local Bartender Arrested on a Serious Charge Today.

Deputy United States Marshal Roberts and Deputy United States Attorney Mays, arrived in town this morning from Portland in response to a warrant sent to the marshal by United States Commissioner John Halley, charging W. E. Crall, bartender at the Columbia saloon, with selling liquor to an Indian named Whe-lease. Whe-lease went home to the reservation Monday drunk and Indian Agent Wilkins had him arrested and brought to town in charge of the Indian marshal who went to Halley and made the complaint. A warrant was immediately sworn out and Crall arrested today. When taken before Commissioner Halley his attorney, J. J. Balleray, asked for a postponement of the trial until the 28th. This was granted, but the prisoner was placed under \$500 cash bonds for his appearance at that time.

GOOD WORD FOR FURNISH.

Sol Lemery, Visiting in the Valley, Speaks of the Pendleton Candidate.

Sol Lemery, son of the late Louis Lemery, and a prosperous farmer of Umatilla county, has been in this section, says the Gervias Star, the past few days visiting his mother. We acknowledge a friendly call. Mr. Lemery is an enthusiastic republican and wore a Furnish button as do all this numerous family. He says an intimate business acquaintance of ten years enables him to speak good words for Mr. Furnish, whom he likes as a thoroughly reliable, accommodating business man and an affable gentleman, whom he designates as a "self-made man" who has accumulated honestly a just competency. Mr. Lemery has made many friends for the republican candidate for governor during his stay on French Prairie, because he is known as a citizen that can be relied on.

BALLIET'S SECOND TRIAL.

The Oregon Mining Speculator Charged With Fraudulent Use of Mails.

Des Moines, Ore, May 22.—The trial of Leston Balliet, the Oregon mining man, charged with fraudulent use of the mails, was commenced in the federal court here today. At a former trial one of the jurors died during the course of the trial, which was postponed. Witnesses are here from California, Oregon and many other states and interest in the trial extends over the entire country. It is thought the trial will be brief.

Robbed the Postoffice.

Milwaukee, Ore, May 22.—The postoffice here was robbed last night, the miscreants getting away with \$120.

**DOES THE
Little Lady
NEED
SHOES?**

We have them in
RED
60c to \$1.50
BLUE
ones, beauties, at — Cents

FOR THE
Little Man

A nice line, either calf, red or patent leather
Prices range from
75c to \$2.00

**PEOPLES
WAREHOUSE**

CHAS. CUNNINGHAM'S SHEEP

THE LARGEST INDIVIDUAL SHEEP OWNER IN OREGON.

Owens 27,000 Head of Sheep, Has 9000 Lambs Added to His Flock This Spring—Clip of Wool 200,000 Pounds.

Charles Cunningham, who is the largest individual sheep owner in Oregon, holds the record this spring for lambing, his flock having dropped 9000 lambs. Mr. Cunningham made a change in his force this spring and has secured a new superintendent for his ranches in the person of Tate Sullivan, of Idaho. Mr. Sullivan is a thoroughly experienced man who has been connected with some of the largest ranches in the country, notably being superintendent for Horshey, the great Idaho sheep raiser. The Cunningham flock now numbers 27,000 sheep of all ages and a prettier lot of high-bred sheep cannot be found. The flock will be strengthened by the importation of 100 head of standard-bred registered Ramboulett bucks from the East and California. The shearing this spring amounted to 200,000 pounds of wool, an average of 12 pounds to the sheep.

Mr. Cunningham has some fine bucks to dispose of. He and Mr. Sullivan are selling them at the Cunningham ranch, while Mr. Colwell has taken a large number to Arlington to supply people in that vicinity who desire good stock.

COMING TO PENDLETON

We have in transit the largest shipment of

Glassware

ever received in Pendleton. It comes direct from the factory, and was bought at very low price. We intend to give our customers the benefit of our purchase. Watch for our crystal sale.

Owl Tea House
301 COURT STREET.
Cheapest place in Oregon.

Saving's Bank

SEND YOUR ADDRESS to the Pacific Newspaper at 927 Market St., San Francisco, secure free, a beautiful National Savings Bank, also full particulars regarding the new Three Volume International Encyclopaedic Dictionary which is now being furnished readers of this paper for only Cents a Day.

East Oregonian
THURSDAY, MAY 22, 1902.

PINE CREEK ON A BIG TEAR

WESTON BRIDGE WASHED AWAY—LOSS IS \$1400.

Normal School Program—Commencement Exercises and Dedication of New Building—Governor Will Be Present and Make a Speech.

Weston, May 21.—This morning the high water washed out 26 feet of the stone abutment of the Main street bridge over Pine creek. This bridge was put in last fall at a cost of \$1400, and it was supposed that it would stand all the creek could do for years to come, but it is gone with the first high water that came, and the taxpayers will have a chance to put some more money in circulation in rebuilding it.

The rain of the past four days has been the heaviest during the season, and the farmers of Weston and Wild Horse Mountains complain that if the weather does not settle soon, the grain crop will suffer heavily.

Mrs. Robert Jamieson is in Dr. Cropp's Walla Walla hospital, where she expects to remain under treatment for several weeks.

Lewis Proebstel and Mrs. Alice Kirkpatrick, delegates from the Odd Fellows' Lodge and the Rebekah Degree, respectively, are attending the grand lodge of those orders, that is in session in Newport, this week. Marshall Lavender's little child, who has been very sick for several

days, is reported much better this morning.

At the Normal School.
The Normal school's program for education day during the Pioneers picnic, is as follows: An address by Dr. J. H. Beattie; song by the children; a mixed chorus; vocal solo, Miss Lulu Spangler; recitation, Miss Pearl Edwards; reading, "Sherman's March to the Sea," Miss Spangler.

Commencement Exercises.
The commencement exercises of the Normal school will be held June 8th to 12th inclusive. The following is the order of exercises:

June 8th, at 11 o'clock a. m., baccalaureate sermon, by Dr. J. H. Beattie; Monday, June 9th, 8 o'clock p. m., a music recital; Tuesday, at 8 o'clock p. m., program arranged by the literary society; Wednesday, at 8 o'clock p. m., senior class exercises; Thursday, at 10 o'clock a. m., commencement exercises; address by Rev. W. L. Van Nuys, of La Grande.

Dedication of New Building.
At 2 o'clock p. m., dedication of the new building. Addresses will be made by Governor Geer, State Superintendent of Schools Ackerman, County Superintendent Nowlin, L. B. Reeder, Esq., and others.

At 8 o'clock p. m., the Alumni association will hold their annual meeting.

All of the commencement exercises will be held in the new building.

SCOURING YOUR SCALP.

Will Remove the Loose Dandruff Scales, but it Won't Cure Dandruff.

If your hair is brittle and thinning, you have dandruff. The mere scouring of the scalp of the loose scales, won't cure dandruff; because dandruff is nothing but scales of scalp being thrown up by a pestiferous little germ in burrowing its way to the root of the hair where it saps the vitality causing falling hair, and in time baldness. Now you can't stop dandruff nor falling hair; nor prevent baldness unless you destroy that germ; and the only preparation that can do it is the new scientific discovery, Newbro's Herpicide. In fact no other hair preparation claims to kill the dandruff germ—all of them will clean the scalp; soap and water will do that, but Newbro's Herpicide gets at the root of the trouble and kills the dandruff germ.

Sale of Household Goods.

I offer for immediate sale all my household furniture, including carpets, parlor, hall, dining room, kitchen and bed room furnishings. H. C. Hexter.

County Clerk Lee has footed up the registration of voters in Lane county, finding a total of 2056, or 209 short of the number registered two years ago.

When Drugs Are Required

be sure the drugs are pure and carefully compounded. If you come to us you can feel perfectly safe. None but pure drugs can reach our shelves, and our system of compounding prescriptions assures absolute correctness.

We Never Make Mistakes

TALLMAN & CO.
THE LEADING DRUGGISTS AND STATIONERS

The Banister Shoe

Made by the oldest established factory in the United States and conceded to be the leading house for men's footwear.

We Have Them

In a large assortment of spring and summer styles, both in shoes and OXFORDS, and no matter how large or small your feet we can fit you perfectly. The Banister is perfection in shoes and Oxfords and made to wear.

Take a look at our window.

THE PENDLETON SHOE STORE.



The Brightest Housekeepers in the Country

use Diamond "C" laundry soap. They use it because it saves time, money and labor—because it goes further and does better work than any other laundry soap. Your grocer has

Diamond "C" Soap

Get it from him.

SAVE DIAMOND "C" WRAPPERS—We redeem them for all sorts of useful and attractive articles. Illustrated book showing over 300 premiums given for wrappers, sent on request. A postal will bring it.

Premium Dept., The Cudahy Packing Co., So. Omaha, Neb.

Millinery Sale

We have too many TRIMMED HATS, so make prices to move them.

This gives the ladies a chance to get A STYLISH HAT CHEAP at the height of the season.

CARRIER MILLINERY

The Little Darlings!

Mothers, take them out and let them enjoy the fresh air and balmy breezes. You'll feel proud of their appearance if they are snugly settled in one of our light moving, easy buggies or go-carts. No matter what you may have a special fancy for in the way of a buggy or go-cart, we can suit you. Just come and take a look. We are proud of our stock and know you will be proud of one of them.

M. A. RADER.
THE PROGRESSIVE FURNITURE DEALER
Main and Webb Streets Pendleton, Oregon.