

E. P. WALKER WAS INJURED

Thrown By a Cow and His Hip Joint Fractured

THE ACCIDENT OCCURRED ON SUNDAY EVENING AT HIS HOME ON CHURCH STREET—THE INJURY A SERIOUS ONE—W. BROWN IS IMPROVING.

Alderman E. P. Walker received a heavy fall on the sidewalk at his home corner of Church and Union streets, on Sunday evening and sustained a serious fracture of the thigh bone of the right hip a few inches below the hip joint. Mr. Walker had his cow tethered out to grass all day, along the sidewalk, and about 6 o'clock in the evening went to take her in. His feet became entangled in the rope, and the cow moving forward very suddenly, he was thrown heavily upon his right side. His wife and several neighbors witnessed the accident, and as Mr. Walker did not arise nor make any attempt to do so, they rushed to his assistance and carried him into the house.

Dr. W. H. Byrd was summoned immediately, but by the time he arrived the injury had become so sensitive and painful that nothing could be done until anaesthetics were administered. The fracture was soon adjusted and at last reports the patient was resting quite easily under the circumstances, but owing to Mr. Walker's advanced age—he is 70 years old—and the nature of the injury it will be several weeks, or possibly months, before he will be able to be around again.

Lawrence J. Martin, who has been ill for several weeks at his home five miles east of this city, with pneumonia, has practically recovered from that malady, but has developed heart trouble and was brought in to the Salem Hospital yesterday where his physicians can treat him more advantageously. He is improving gradually and no fears are entertained as to his early recovery.

Wm. Brown, who has been at the hospital for the past three or four weeks, and who has undergone a serious operation while there, is much improved, and his early recovery is now confidently looked forward to by his family and a large circle of friends.

Little Alice V. Meyer is confined to the house with something akin to appendicitis, though it is hoped an operation will not be necessary.

Little Ama Strong has been sick for a week or ten days, but is better.

WILL MANUFACTURE TOYS

NEW CORPORATION FILED ARTICLES IN THE STATE DEPARTMENT.

In the Department of State, yesterday, two new corporations filed articles. They are:

The Pacific Railway Amusement Company will manufacture and deal in miniature locomotives, cars, rails, track, and other appliances for amusement purposes. The headquarters will be in Portland and the capital is \$3000. G. W. Simons, H. Mueller and Frank Fenwick are the incorporators.

The Glide Building Association will construct and own buildings and deal in real estate in Glde, Oregon, with a capital of \$500. S. D. Chapman, H. A. Blakely, E. F. Livingston, John Alexander, G. W. Shrum and D. C. Livingston are the incorporators.

WANTED FOR SEDUCTION

A REQUISITION ISSUED ON THE GOVERNOR OF CALIFORNIA FOR B. F. HUNT.

Gov. T. T. Geer yesterday issued a requisition on Governor Gage, of California, for the delivery to the agent of the State of Oregon, of Benjamin F. Hunt wanted in Multnomah county for seduction. Detective Frank J. Snow, of Portland, was appointed the state's agent to secure and return Hunt to Oregon. Officer Snow went to California last week, and located the man he wanted, when the requisition was applied for and issued, the papers being forwarded to Detective Snow at Sacramento.

BIBLE CLASS FORMED

AT THE YOUNG MEN'S CHRISTIAN ASSOCIATION ON SUNDAY AFTERNOON.

The meeting at the Y. M. C. A. Sunday afternoon although not largely attended did not lack in interest. Mr. J. B. T. Tutill presided and the first part of the meeting consisted of a song service and a special number by the Association Quartette. Mr. John M. Dean addressed the meeting on a Bible study and briefly outlined the method of study to be pursued by the class which was then organized. Some time was taken in deciding upon a suitable time to hold the class and finally Sunday afternoon at four o'clock was voted as the best time for the largest majority, subject to change by a vote of the class at any time.

The first meeting of the class will be next Sunday afternoon in the Y. M. C. A. lecture hall. Mr. Dean gave a short sample study of the book of Mark and the manner in which he handled it showed him to be not only a thorough Bible student, but an exceptionally interesting and thorough teacher. The method is simple and easy to understand and fixes the principal facts and lessons in one's mind in such a way as not to be easily forgotten. Fifty names were enrolled as members of the class and there will no doubt be many more who will want to take the course. Those desiring to do so and any wishing further particulars in regard to the course should speak to Mr.

first session of the class next Sunday afternoon.

The class is open to men and women whether members of the association or not, and visitors will be welcome at any of the meetings. The following are the names of those already enrolled in the class:

J. B. T. Tutill, F. A. Wiggins, A. T. Gilbert, B. T. Kurler, James A. French, John Moir, John Fechter, Jr., George E. Hatch, Theo Roth, Charles Roth, R. J. Hendricks, Dr. J. W. Thomas, Jos. H. Albert, Samuel Rich, John Byrne, John Bayne, H. S. Gile, John Fechter, Sr., A. T. Yeaton, Frank Buel, C. W. Darby, Robert Nicholson, Mrs. W. H. Byrd, Mrs. C. M. Ogil, Mrs. W. F. Boothby, Mrs. C. L. Farmer, Mrs. J. A. Morrison, Mrs. H. H. Sewell, Mrs. R. H. Leabo, Mrs. C. P. Bishop, Mrs. Rudolph, Mrs. Thos. Kay, Mrs. R. J. Fleming, and the Misses N. Adda Hart, Edith Ketchum, Bertha Ketchum, Grace Cleaver, Marie Hart, Sophia White, Alice Rudolph, Lydia Rich, Frances Lane, Nina McNary, Anna McNary, Claudie Childers, Celeste Liston, Nellie Clark, Clara Scott, Lucia Cochran, Agnes Shepard.

ONCE AGAIN IN TROUBLE

Harry Wright, a Former Reform School Charge and Ex-Convict

WANTED FOR STEALING A TEAM IN THIS CITY—WRIGHT HAS JUST COMPLETED A TERM IN THE PENITENTIARY FOR ROBBING E. C. CROSS.

Harry Wright, who was discharged from the Penitentiary on Tuesday of last week, having served a two years' sentence for burglary, committed at the E. C. Cross slaughter house during the spring of 1920, is wanted again by the officers, this time upon the charge of horse-stealing.

On Thursday morning last, Wright, in company with Clyde Stanley, went to E. E. Gilliam's livery stable on Chemeketa street and engaged a team for two days, saying that he wanted to visit his father who resides in Polk county.

Mr. Gilliam, who was aware of the fact that Harry Wright was in the Penitentiary, but did not know that he was out, thought that he was a brother and as he had money, Mr. Gilliam did not feel uneasy until three days had passed and the team had not returned. Upon making inquiry he learned that the team was in Portland where Wright had attempted to sell it. Wright, accompanied by young Stanley, drove to Portland where he put the team in a stable. Upon calling for it a day or two later and learning that the bill had reached \$2.50, which was more than he could pay, he left. Later he went to another stable and negotiated a sale of the team the stableman advancing 50 cents and went to the other stable, paid the bill and took the team to his own barn with the understanding that he was to keep it till he was satisfied it had not been stolen, when he would pay Wright the price agreed upon, \$65.

Wright has not been seen yet, but young Stanley came up on the boat Saturday night and was arrested yesterday and will be held until Wright is caught, to give his testimony of the affair. The officers are hot upon Wright's trail.

Wright and Stanley were both charged in the Oregon Reform School. Wright was committed from Panther, Lane county, and Stanley from Lake county. Wright is said to be a degenerate and no earthly good, and Stanley is a weak vacillating fellow, easily led.

NEW COMPANY OFFICERS

SALEM'S NATIONAL GUARDSMEN ELECT A CAPTAIN AND TWO LIEUTENANTS.

Company F, Fourth Regiment O. N. G. held its election of officers last evening which resulted as follows:

Captain, H. A. Kurtz. First Lieutenant, George A. Judson. Second Lieutenant, Roy D. Byrd. All the officers were elected by the unanimous voice of the company and the selections are very gratifying to the members. All the officers-elect have served long and faithfully in the Oregon National Guard.

Major R. H. Leabo was detailed as election-inspector, and presided over the meeting in an able and efficient manner and to the satisfaction of all. The new officers expect to make Company F one of the leading organizations in the state's militia, in point of efficiency.

PEOPLE'S EDITORIALS

DATE OF THE ARRIVAL OF THE FIRST PASSENGER TRAIN IN THIS CITY.

(The Statesman is pleased to print communications upon topics of general interest at any time. There is scarcely any limit to the topics of general interest. It is asked only that correspondents refrain from personalities and use care that nothing be written of a libelous or unworthy or untruthful nature.)

Editor Statesman:

I see some dispute about the time the first passenger train came to Salem. It was in 1870. I rode on it to the Fair Grounds—the first time I was ever on a train. I boarded at the same place the railroad men did, Mr. Shaner's, and there were a number of other boarders. It was in the year 1870, and a number of friends, including myself, were invited to free riders to the Fair several times, and accepted. I was attending school in Salem at the time. I saw the reference to the letters of Mr. Good in the Twice-a-Week Statesman last week, and have seen no correction. Respectfully, a subscriber.

MRS. M. E. RICHARDSON.

TWO APPEAL CASES ENDED

Supreme Court Decides a Case from Union County

A LARGE BANK DEPOSIT IN DISPUTE—APPROPRIATION OF PROPERTY IN PORTLAND, FOR CITY PURPOSES, WAS LEGAL—MINOR ORDERS MADE.

In the Supreme Court yesterday, decisions were handed down in cases pending on appeal as follows:

Fred Nodine, respondent, vs. The First National Bank of Union, appellant; appeal from Union county, Hon. W. R. Ellis, judge; reversed and remanded. Opinion by Chief Justice R. S. Bean.

This was an action to recover an alleged balance due the plaintiff from the defendant bank. The plaintiff avers that he ran an account with the bank from July 6, 1883, to September 3, 1894, during which time he deposited various sums of money, withdrawing other sums, until on September 1, 1894, he drew a check for the balance amounting to \$17,213.78, but the bank refused to pay that sum, claiming there was only a balance of \$4.82 due him. The defendant claimed that the plaintiff had only \$4.82 on deposit when the last check was drawn; that the bank had, from time to time, rendered statements to the plaintiff showing his account; that he had accepted these statements, and had made no complaint, until over six years after the last statement was rendered, and that these statements constituted a settlement. The case was tried before a jury, and the plaintiff recovered judgment in the sum of \$8,091.90, from which defendant appealed. At the trial the defendant requested the court to instruct the jury that the accounts rendered the plaintiff constituted an account stated and were a bar to the action. This instruction was refused, but the jury was instructed that if plaintiff had failed to make any objections to the statement for an unreasonable length of time after he recovered them, they would become a stated account. The appellate court holds that the statement rendered becomes an account stated, unless objected to in a reasonable length of time, and where, as in this case, the facts are undisputed the question as to what constitutes a reasonable length of time is one of law for the court and not of fact for the jury. The court further holds that in view of the time elapsed between the account stated has become a fact, and a complete defense in this action, unless impeached by fraud or mistake. The case is, therefore, reversed, and remanded for a new trial.

Ida M. Tobin, et al respondents, vs. Portland Flouring Mills Company, appellants; appeal from Linn county.

Associate Justice F. A. Moore, for the court, says in this case:

"Since the opinion in this case was handed down, our attention has been called to the fact that the appellants did not consent to the dismissal of the suit by Balfour, Guthrie & Co., and as the transcript discloses that they received wheat from Black that was stored at Halsey, nothing that is said in the opinion was intended to prevent interested parties from having said company or other persons, who may have received wheat from the warehouse at that place, brought in as parties hereto, and required to account for the portion thereof converted by them respectively."

Mary W. Gaston, appellant, vs. The City of Portland, et al, respondents; appeal from Multnomah county, Hon. Arthur L. Frazier, judge; affirmed. Opinion by Associate Justice C. E. Waberson. This was a suit to restrain the city from opening streets through the plaintiff's property. Damages had been assessed by the viewers, and the same increased by the Circuit Court, when the city sold part of the property on a warrant and a fund, created from the proceeds, was used in paying damages and costs and the balance tendered plaintiff but not accepted by her. The court holds that the appropriation of plaintiff's property by the city was perfected by proper procedure of the authorities, and that plaintiff should draw the amount tendered her by the city, amounting to stated damages; thus the decree of the trial court is affirmed.

Other cases decided by the court were:

S. Spencer, respondent, vs. V. C. Peterson, appellant; petition to retax cost; petition denied. Opinion by Associate Justice F. A. Moore.

C. E. Harmon, administrator of the estate of Horace Gasquet, deceased, appellant, vs. Charles Decker, respondent; appeal from Josephine county; affirmed, March 10, 1922; on petition for rehearing; petition denied. Opinion by Associate Justice F. A. Moore.

B. J. Ferguson, appellant, vs. Mrs. Ollie M. Byars, respondent; on motion to retax costs; motion denied. Opinion per Curiam.

The following minor orders were also made by the court and entered of record:

M. S. Crossan, respondent, vs. E. W. Oliver, appellant; ordered on motion that respondent's time to serve and file his brief be extended to June 5th.

J. E. Cullison, respondent, vs. F. O. Downing, et al, appellants; ordered on stipulation that appellants have until June 25th to serve and file their reply brief.

Carver C. Wood was permanently admitted to practice law, as an attorney, on motion of R. J. Fleming.

HAD A PAINTING SPELL—

John Savage, Jr., manager of the Salem Truck and Dray Co., suffered a fainting spell, to which he is subject, in his office on State street about 5 o'clock yesterday afternoon. By prompt action on the part of some of the draymen who were present and by vigorous rubbing he was revived but in a few moments he sank into another spell from which he could not be aroused when he was taken to his home by Mrs. Spelm in a cab. His

Dump Sale of Shoes

At the CASH SHOE STORE

\$15,000.00 worth of shoes to be sold regardless of cost. 'Tis the biggest event, next to giving away this vast stock of shoes.

Genuine Bargains in Low Shoes.

- 75 pairs Ladies' Julietts, slippers and Oxfords, \$2.50 & \$3 values, long as they last, dump price 15c
- 204 pairs ladies' assorted styles, fine Vici Kid \$2 to \$3.50 values, dump price 25c
- 153 pairs ladies' Vici Kid Oxfords, better assortment, \$2 and \$3.50 values, dump price 35c
- 185 pairs ladies' Vici Kid Oxfords, better sizes \$2.50 to \$4.00 values, dump price 50c

Everybody Astonished

- 269 pairs ladies' Vici Kid shoes, odds and ends and broken sizes, \$2.50 to 4.00 values dump price 25c
- 319 pairs ladies' Vici Kid, cloth and kid top, turn and welt soles, \$2.50 and \$4 values, price 35c
- 216 pairs ladies' shoes, kid and cloth, turn and welt soles, \$2.50 to 5 values, dump price 50c
- 412 pairs ladies' kid shoes, better sizes, cloth and kid top, \$3.00 to 5.00 values, dump price 75c
- 306 pairs ladies' kid shoes, better sizes and widths, \$3 to 5.00 values, dump price \$1.00
- 211 pairs ladies' vici kid shoes, good sizes, kid and cloth top, turn and welt soles, \$3 to 5.00 values, dump price 1.25
- 197 pairs ladies' vici kid lace and button shoes, kid and cloth top, turn and welt soles, \$3 to 5.00 values, dump price 1.50

Hot Stuff in Men's Shoes

- 108 pairs men's French calf and Cordovan-welt soles, small sizes & narrow widths, dump price 50c
- 321 pairs men's Stacy Adams lace and congress cordovan and French calf, \$4 to 6.00 values, dump price 75c to \$2
- 401 pairs men's mixed lot, black and tan, also cloth and kid top, \$4 to 6.00 values, dump price \$1 to \$2.50
- 217 pairs men's heavy working shoes, buckle and lace, \$2 to 2.50 values, dump price 1.35
- 509 pairs men's calf lace shoes, all styles and sizes, \$2 to 3.00 values, dump price 1.50

We Never Forget the Little Ones

- 155 pairs baby shoes, lace and button, 75c values dump price 45c
- 75 pairs children's kid shoes, black and tan, sizes 3 to 8, 75c and 1.00 values, dump price 50c
- 187 pairs children's vici kid shoes, lace and button, sizes 5 to 11, good sizes, E and EE widths, \$1.25 value, dump price 75c
- 97 pairs misses' shoes, odds and ends, cloth & kid top, \$2 and 2.50 values, dump price 50c
- 101 pairs boys' tan and black lace shoes, \$2 to 2.50 values, dump price \$1.00
- 2000 pairs men's nice fine shoes, dump price \$2.00 up

It is a waste of ink to tell you any more of our marvelous bargains, come and see them.

TERMS OF SALE STRICTLY CASH.

All goods fitted at the store if desired. No exchange or money refunded, owing to great values given and broken sizes.

CASH SHOE STORE

303 Commercial Street Opp. Postoffice

STATE GRANGE MEETS TODAY

Annual Session of the Patrons of Husbandry in Salem

A PUBLIC RECEPTION TO BE GIVEN IN THE SENATE CHAMBER THIS EVENING—GOVERNOR GEOR TO DELIVER THE ADDRESS OF WELCOME.

The Oregon State Grange, Patrons of Husbandry will convene in its twenty-ninth annual session in the Senate Chamber of the capitol in this city today at 10 o'clock a. m. The morning session will be with closed doors.

A public reception will be held this evening, commencing at 8 o'clock, at which Master B. G. Leedy will preside. The program is as follows:

- Music
- Address of Welcome—Gov. T. T. Geer.
- Response—Past Master Circuit Judge R. P. Boise.
- Music.
- Address—"Freedom of City."—Mayor C. P. Bishop.
- Response—Lecturer A. T. Buxon.
- Music.

The public is cordially invited to attend the reception. Arrangements have been made with the Chatwin House, Hotel Salem, George Bros. and Strong's restaurants and Cottage hotel, for the entertainment of members and visitors of the State Grange. Committees will meet each train and show members to their hotels. Committees will wear badges and visitors are requested to make themselves known.

The committee on arrangements is Geo. W. Weeks, R. P. Boise, W. M. Hilleary.

The present officers of the Oregon State Grange are: Master—B. G. Leedy, Tigardville; Overseer—Mrs. Mary Whitby, Corvallis; Lecturer—Austin T. Chapman, Troutdale; Assistant Steward—C. L. Shaw, Albany; Chaplain—Oscar Eaton, Oswego; Treasurer—H. Hirschberg, Independent; Secretary, Mrs. Mary S. Howard, Mulino; Gate Keeper—H. C. Wheeler, Pleasant Hill; Pomona—Mrs. E. A. Niblin, Palestine; Flora—Mrs. Clara Swank, Albany; Ceres—Mrs. N. E. Olin, Tangent; Lady Assistant Steward—Mrs. E. A. Tilton, Tualatin. Executive Committee—B. G. Leedy, Tigardville; Geo. R. Stephenson, Fulton; J. Clem, Albany. Legislative Committee—B. G. Leedy, Tigardville; J. Voorhees, Woodburn; W. M. Hilleary, Turner.

SENT TO COUNTY JAIL—

Louis Chapell yesterday plead guilty, in City Recorder N. J. Judah's court, to the charge of larceny and was sentenced to one month's confinement in the county jail. Chapell, it will be remembered, is the young man who stole a pair of trousers from Louis Nelson.

Stockton's Men's Clothing



OUR CLOTHING is carefully purchased in regard to tailoring, material and style. We always intend to give you not only the latest, but values that we can stand back of and say that you have purchased the best goods that is obtainable for the money. We buy from people that the best houses on this coast buy from and can guarantee you that our clothing is up to date in style and material.

We take orders for Tailor-Made Suits. Satisfaction guaranteed as to Fit and Price.

OUR MEN'S FURNISHING DEPARTMENT IS SUPPLIED WITH

the following Bargains:

- MEN'S FANCY PERCALE stiff bosom shirt, extra cuffs to match, all sizes and great values, each.....\$1 00
- MEN'S LIGHT WEIGHT Cashmere Hose in all sizes, the 25c values, per pair..... 18c
- MEN'S SUMMER UNDERWEAR, best quality, finely made and finished, \$1 values, at..... 83c
- MEN'S LIGHT COLORED FEDORAS, new styles and all sizes, exceptional values.....\$1 00



GOOD NEWS TO HORSE OWNERS!

A SURE CURE FOR HEAVES AND DISTEMPER. These celebrated powders are made from a recipe of a noted Prussian Veterinary Surgeon, and have been thoroughly tested for the past 15 years in this country. Composed of pure vegetable remedies, are a safe and sure CURE FOR HEAVES and all ailments from which horses arise, such as Cough, Colds, DISTEMPER, Pink Eye, Epistaxis, and Loss of Appetite. As a blood purifier they have wonderful effects on the system. Wholesale and Retail Druggists.