

### ROAD PETITION IS ALLOWED

Long Continued Litigation in a Road Case Is Ended

THE COUNTY COURT OVERRULES A REMONSTRANCE TO A ROAD PETITION AFTER THE MATTER HAS BEEN ADJUDICATED IN THE SUPREME COURT.

(From Saturday's Daily.) There was a slight departure from the usual quiet and humdrum routine of the county court yesterday afternoon when the remonstrance to and the motion to dismiss the petition of J. E. Ferris, et al., for the vacation of a strip of road in the Waldo Hills district, was argued by the respective attorneys in the case, which argument was quite spirited and interesting. The court overruled the remonstrance to the petition, however, and also the motion to dismiss, which was made on the ground that the court had no jurisdiction in the matter, and ordered that the road be viewed for the purpose of having the same vacated, and appointed Aleck Thompson, W. W. Culver and J. E. Hammond as viewers with County Surveyor B. B. Herriek, Jr., on September 22, 1932, at 10 o'clock a. m., for the purpose of viewing and investigating the matter of vacating the road as petitioned for and report upon the advisability of such action.

This road, which is a short neck of road which was established when the Waldo Hills Fruit Farm No. 3 was laid out, has been the subject of litigation for months past and has been through all the courts. The original suit was begun in the first department of the State Circuit Court under the title of Spencer vs. Peterson, in which the plaintiff asked for damages against the defendant for the obstruction of the road, was tried before a jury and a verdict rendered for the plaintiff, awarding him \$100 damages, and the defendant appealed to the Supreme Court from this decision, and the Supreme Court in turn affirmed the decision of Judge Burnett of the lower court. P. H. D'Arcy and John A. Carson appeared for the remonstrator, S. Spencer and Bonham & Martin for the petitioners.

The court also made an order in view of the fact that those who are interested in road matters persist in appearing before the court during the first two days of each session, which days are customarily devoted to the auditing of claims, to argue their contentions when the court prefers to be uninterrupted—to the effect that no road petitions would be heard by the court in the future, before Friday of each session, which day has been set apart for the hearing of same. Other business was transacted by the court during yesterday's session as follows: The resignation of R. C. Ramsby as Justice of the Peace for Silverton district, was accepted. No appointment has been made as yet, to fill the vacancy in the office.

The resignation of David Mangie, as supervisor of road district No. 32, of Stayton, was also accepted, and the court appointed Sylvester Lambert, upon petition, to fill the vacancy thus caused.

The report of the viewers, John W. Jory, Frank Davey and W. J. Culver, upon the site for the establishment of a new road on Ankeny bottom, petitioned for by F. Myers, et al, was submitted and read for the first time yesterday.

The report of the viewers, H. D. Manning, A. D. Perkins and W. J. Culver, upon the site for a new road near Brooks, petitioned for by Henry Meiring, et al, was also given a first reading, as was also the report of H. Kraus, John School and W. J. Culver, viewers of the site for the location of a new county road near Champoc, which was petitioned for by A. G. Cone et al.

The claims allowed during yesterday's session follow:

Justice Court Account. State vs. John Kuher. Claimed, Allowed. H. Overton 37.40 37.40. W. H. Brayley 6.60 6.60. James Fallon 2.70 2.70. Charles McKee 2.90 2.90. Rodney McKee 2.90 2.90. Chris Danielson 2.90 2.90. G. W. Vedder 2.70 2.70. State vs. Thomas Fallon. H. Overton 37.75 37.75. W. H. Brayley 6.40 6.40. James Fallon 5.40 5.40. Fred Dose 1.50 1.50. State vs. Wm. S. Larson. E. D. Horgan 44.45 44.45. J. H. Lewis 9.10 9.10. State vs. F. L. Savage 33.20 33.20. E. D. Horgan 11.25 11.25. John H. Lewis 11.25 11.25. State vs. C. Bunce. E. D. Horgan 35.70 35.70. J. H. Lewis 6.10 6.10. Road and Highway. Goodale Lumber Co. 26.53 26.53. M. O. Knight 59.95 59.95. Wm. Edmondson 4.50 4.50. Wm. Williams 15.00 15.00. A. Potter 2.00 2.00. J. H. Scott 2.00 2.00. C. Ransom 48.67 48.67. J. H. McNary 1.00 1.00. Poor Account. A. E. Tamicie 330.00 330.00. Rebate Account. J. H. Roland 3.75 3.75.

During the September term of county court claims were presented amounting to \$4,694.74, but through the auditing process the amount was reduced to \$4,471.11, the amount of claims allowed by the court.

### TWO CORPORATIONS

FILED ARTICLES IN THE STATE DEPARTMENT YESTERDAY—READY FOR BUSINESS

In the State Department, yesterday, two new companies filed articles. They are: The Anderson Spike Company will manufacture and sell railroad spikes and machinery for manufacturing the same, invented by James B. Anderson.

### THE HOP MEN PROSPEROUS

Outlook for the Crop the Best in Twelve Years.

### GIBSON WAS DISCHARGED

Circuit Judge Boise Releases the Alleged Woman Beater

BECAUSE OF ERRORS AT THE HEARING IN THE JUSTICE COURT—HOW THE MATTER CAME UP FOR HEARING IN THE CIRCUIT COURT.

(From Saturday's Daily.) Judge R. P. Boise, of the second department of the State Circuit Court, in session yesterday morning, heard the writ of review in the case of Thomas Gibson, petitioner and defendant, vs. State of Oregon, defendant and plaintiff, and reversed the decision of Justice of the Peace E. D. Horgan, in which the defendant and petitioner was adjudged guilty of assault upon, and threatening the life of, his wife and bound over to the Circuit Court in the sum of \$250 bonds to keep the peace, and the defendant, Gibson, was ordered discharged.

The court heard the argument, inspected the return of the writ of review of the case and held in its order that it "found that the proceedings of Justice of the Peace E. D. Horgan were defective and erroneous," and it was ordered and adjudged that "the decision be reversed and the defendant and petitioner be discharged."

The law provides that the testimony of witnesses must be reduced to writing so that in case the defendant may determine whether to keep the defendant under bonds. When the Gibson case was tried Deputy District Attorney C. L. McNary stated the law, in regard to taking testimony, to the court, and asked if the court had made any arrangements to reduce the testimony to writing, and finding that the court had no other way to take the testimony except in long hand, he proposed that if the defendant would waive the statutory requirement, it would save trouble, time and expense. J. A. Jeffrey, upon behalf of the defendant whom he represented, stipulated in open court to waive reducing the testimony in writing, and the case was tried in the regular order with this exception, and the defendant was bound over in the sum of \$500 to the next term of court.

Shortly after the defendant gave bonds, Mr. Jeffrey took the case on review before Judge R. P. Boise, and, among other errors, alleged as the main one that the testimony in the case had not been reduced to writing. The case was yesterday decided upon this point, Judge Boise holding that this was a matter a defendant in a criminal proceeding could not waive and he, for this reason, ordered the prisoner discharged.

The story of Gibson's offense, in assaulting his wife, was told in the Statesman of Tuesday, July 29th, the day after Gibson was arrested on the warrant sworn out by his wife. The story as published then follows: "Mrs. Thomas Gibson, of near Lewisburg, in the Waldo Hills, was in Salem yesterday, and swore out a warrant for the arrest of her husband, charging him with serious assault on her, and Constable John H. Lewis went out to the farm of the Gibsons to arrest the defendant and bring him in, the purpose being to place him under bonds to keep the peace.

"Mrs. Gibson, who is a small woman, seems to have had her share of troubles in her married life. She was formerly Mrs. Warner, and has a number of children as a result of the first marriage. Her husband died leaving her a 90-acre farm in the rich Waldo Hills. Later she married Tom Gibson, and according to her story her troubles began soon after.

"She asserts that her husband habitually beats and abuses her; that he frequently knocks her down, kicks her while down, spits tobacco in her face, and generally terrorizes her and the children; that two years ago she was in terror of her life, and with a baby in her arms, she fled from her home and hid in an old smoke house, spending the night in the cold—it was in winter and there was snow on the ground—and to protect her child from the cold she took off her own skirts and wrap-ped them around the infant. She had him arrested once for threatening to kill her, and Justice R. C. Ramsby, of Silverton, fined him. Another time she swore out a warrant before Justice of the Peace H. A. Johnson, of this city, charging him with assault with a deadly weapon, but upon his prayers and promises to do better, she withdrew the charge.

### THE SALEM PUSH CLUB

Will Meet in Regular Session on Next Wednesday Night

TO BEGIN THE WINTER'S WORK AND ALL BUSINESS MEN ARE URGED TO TAKE PART—MUCH GOOD CAN BE ACCOMPLISHED BY THE ORGANIZATION.

(From Saturday's Daily.) The Greater Salem Commercial Club will hold a regular meeting at the city hall on next Wednesday evening when the work for the winter will be laid out, and plans made for active operations. There is a great deal to be done, and it will require the co-operation of all business men to make the Club the success that its promoters and founders intended it should be, and if the support of the citizens can be secured for it, much good will result for Salem and the surrounding country. It is for this reason that every business man should be a member of the Club, and not only should he hold a membership, but should attend the sessions, help bear the burdens of the work, serve on committees and push the interests of the Club, which are the interests of Salem, in every way possible.

Secretary N. J. Judah, of the Greater Salem Club, has already listed over 60 rooms, available for State Fair visitors and more are constantly being added to the list. A book has been provided in which the rooms are entered, and from this list visitors during the Fair will be supplied with lodgings.

### TWO SERIOUS ACCIDENTS

AN AGED LADY BREAKS A LIMB—INJURY AT THE PLANING MILLS.

(From Saturday's Daily.) Mrs. E. A. Seemet, of Portland, aged 64 years, while on the way to the Horst hop yard south of this city yesterday morning, and about a mile from this city, met with a distressing accident, which will prevent her from picking hops this year, as contemplated, and will keep her confined to the sick room for several weeks. While in the act of boarding the wagon, the team suddenly started, throwing her to the ground and breaking the left lower limb at the knee. She was quickly brought to this city where Dr. J. N. Smith attended her injuries. The aged patient was taken to the Salem Hospital where she was made as comfortable as circumstances would permit.

Another Accident. At the Stout planing mill, yesterday afternoon, while Joseph Fisher, one of the employees was operating a "sticker" or planer, his right hand was caught in the machinery, and before he could be removed, the member was badly lacerated. The back of the hand was cut in a number of places, and some of the bones scraped, but none broken. The injured man was quickly hurried to the Florence Sanatorium, where the injured hand was dressed, and later the patient went to his home. The attending physician thinks an amputation will not be necessary.

### CHAPTER OF ACCIDENTS

ONE MAN SHOT THROUGH THE FOOT—ANOTHER'S SHOULDER IS DISLOCATED.

(From Saturday's Daily.) INCIDENTS, Sept. 5.—The past week has been prolific in casualties incident to this time of year. From Falls City comes the intelligence that Ralph Harrington received the contents of a shotgun in his foot, when "he didn't know it was loaded." The gun is one of those which cock by the throwing back of a lever, and not knowing the piece to be loaded he threw the lever back and was showing a friend how to hang it up on a nail by the trigger instead of the weight fall on the side of the guard, causing the gun to discharge and inflicting a severe wound.

From the southern part of the county comes word that Jesse Simpson, a logger, was struck with a timber, the blow dislocating his shoulder and badly bruising him. Still another, a threshing accident, is reported. Alvin Edward, an employe of the Grant threshing machine, caught his left hand in the belt of the separator, dislocating wrist, elbow and shoulder.

"NOTHING SUCCEEDS LIKE SUCCESS." The Oregon Fire Relief Association has been a success ever since it began business in January, 1929, and is now growing faster than ever before.

Its annual report of December 31, 1931, shows a net gain in amount of insurance in force of \$3,528,787, which is 50 per cent more than the net gain of any previous year. It paid 135 losses during the year amounting to \$22,600. It is strictly a mutual institution which furnishes the best of Fire Insurance at Cost. For further particulars, address A. C. Chandler, secretary, McMinnville, Oregon, or if you reside in Marion county, call on or address H. A. Johnson, (agent) Salem, Oregon. Legal Blanks, Statesman Job Office.

buying quite largely of cheap German hops at 40 marks. State, 1931, choice per lb... \$27. State, 1931, prime... \$24. State, 1931, lower grades... \$21. State, 1930, choice per lb... \$19. State, 1930, lower grades... \$14. Pacific Coast, 1931, choice... \$25. Pacific Coast, 1931, prime... \$24. Pacific Coast, 1931, lower grades... \$21. Pacific Coast, 1930, choice... \$18. Pacific Coast, 1930, lower grades... \$14. State and Pa. Coast, old olds 5 1/2 @ 17

### New Today

The Statesman Pub. Co. has on hand several hundred copies of the OREGON CONSTITUTION. The price is 10 cents each as long as they last.

WANTED—THREE MILK COWS. Apply to Superintendent of School for the Deaf.

WANTED—Eggs and country butter; pay highest market price cash. Salem Creamery Co., 225 Commercial Street.

LOST—BETWEEN ASYLUM FARM and Hayville, a red backed account book. Leave at Statesman office. E. A. Pruitt.

FOR SALE—67 SHEEP, MOSTLY yearling ewes, also 5 good milch cows. Address: E. J. Pearson, Turf, seven miles south of Salem, on Jefferson road.

LILIENTHAL BROS., HOP MERCHANTS, H. J. Ottenheimer, manager, office N. E. corner Commercial and State streets (upstairs); phone Main 461.

I WANT TO BUY—LIVE HOGS AND pigs, also ducks, spring chickens, and hens. I will pay the highest cash price for same. Quong Hing, 254 Liberty street, Salem, Or.

REPORT CARDS—Our school report cards are printed to fit the school register. The prices are: Twelve cards for 10 cents; twenty-five for 20 cents; one hundred for 75 cents. Statesman Publishing Co., Salem, Ore.

MONEY TO LOAN ON IMPROVED farms and city property at 6 per cent per annum; no commission. Please call on or address Eugene Breymann. Remember the place, 270 Commercial street, one door north of Statesman office.

NOW—IS A GOOD TIME TO BRING in your machinery and have your repairing all done. Castings, iron and brass, furnished on short notice. One boiler and 4-horse engine complete for sale cheap. E. M. Kightlinger, Phone 2333, 208 Liberty St.

FOR SALE—Shorthorn bull, Gallant Stamp—3 years old, red, registered, medium flesh, weight 1700 lbs.; also Senforth—2 years old, roan, registered, medium flesh, weight 1800 pounds; also a fine 3-year-old heifer, registered—with April calf at side by Gallant Stamp. Address, New York Stock Farm, 4th and Morrison Sts., Portland, Oregon, or see them at the Oregon State Fair.

NOTICE TO GOAT BREEDERS.—Take notice that my thoroughbred Angora goats which were heretofore leased to Mr. J. B. Early, of Salem, Oregon, have been turned over to me, and that they are now in the care of Riddell Brothers, of Monmouth, Oregon; and that all persons desiring information concerning said goats are requested to correspond with said Riddell Brothers. J. S. HARRIS. September 6th, 1932.

ABSTRACTORS OF TITLE. ESTABLISHED IN 1850.—Only complete set of abstract books in Marion county, Oregon. Concerning titles—consult us. Salem Abstract and Land Co., Salem, Oregon. F. W. Waters, Secretary and Manager.

OSTEOPATHY. OSTEOPATHY—DRS. WYCKOFF & ALBRIGHT—Twenty months graduates of the American School of Osteopathy and A. T. Still Infirmary. Dr. Wyckoff is the only gentleman graduate of osteopathy in Salem. Practice established in Salem since 1892. Hours 9 to 4. Phone Main 2721. Odd Fellows Temple.

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LEGAL NOTICES. NOTICE TO TAXPAYERS. The Board of Equalization for Marion county, Oregon, will meet at the office of the county clerk on Monday, September 22, 1932, at 9 o'clock a. m., and will remain in session each successive day for one week.

CHARLES LEMBCKE, Assessor of Marion County, Oregon. Salem, Oregon, September 1, 1932.

### A TEXAS WONDER.

HALL'S GREAT DISCOVERY. One small bottle of Hall's Great Discovery cures all kidney and bladder troubles, removes gravel, cures diabetes, seminal emissions, weak and lame backs, rheumatism and all irregularities of the kidneys and bladder in both men and women, regulates bladder troubles in children. If not sold by your druggist, will be sent by mail on receipt of \$1. One small bottle is two months' treatment, and will cure any case above mentioned. Dr. E. W. Hall, sole manufacturer, P. O. Box, 623, St. Louis, Mo. Send for testimonials. Sold by all druggists, and at DR. S. C. STONE'S drug store, Salem, Oregon.

READ THIS. Bandon, Ore., Dec. 5, 1931. Dr. E. W. Hall, St. Louis, Mo.—Dear Sir:—I have used your Texas Wonder for kidney and rheumatic trouble its effects are wonderful. It has equal, and I can cheerfully recommend it. Yours truly, HARVEY HOWE. Legal Blanks, Statesman Job Office. Legal Blanks, Statesman Job Office.

DR. C. GEE WO Wonderful Home Treatment. This wonderful Chinese doctor is calling great because he cures people without operation that are given up to die. His cures with these wonderful Chinese herbs, roots, barks, bark and vegetables, that are entirely unknown to medical science in this country.

The Hotel Monterey COLLIER & CONGRIG. Proprietors. Summer Resort. Located one and one-half miles north of Newport, Yaquina Bay. No pains will be spared to open the best camp ground on the coast. Lots of wood and good water free. Good horse pasture at reasonable rates. Lots of agates on the beach. Good surf bathing. Beach mining within 20 yards of the hotel. Rooms in 10 single or double. Hot Springs rooms if wanted. Rates, \$1.50 per week.

HOP BASKETS Best Quality Place your orders early. WALTER MORLEY, Manufacturer, Salem Fence Works. Phone 1391 - 59 State St., Salem, Ore.

L. M. Kirk General Insurance Special attention given to insuring Grain, Hops and Fruit. Seven Old Reliable Companies 290 Commercial St. Salem, Oregon

Capital Normal School Fall term opens on Monday, Sept. 22 in First National Bank Building. Full normal and Academic courses. Address, J. J. Krapf, Prin. Salem, Oregon.

Loans AT CURRENT RATES. INSURANCE. BONDS. REAL ESTATE. BOZORTH BROS. 222 Commercial Street, Salem, Or.

Hops Hops Hops If you are interested in hop news and prices, it will pay you to get the reports of the N. Y. HOP REPORTING CO., 78 Whitehall St., New York City. EMMET WELLS, Gen. Manager.

See our belts, purses, combs, retainers at racket prices. Our "Blue Cobalt" dishes, also our "Gold Banded" are going fast. We have enlarged our line of granite ware. Give us a call. THE VARIETY STORE, 24 Court St. Annora M. Welch, Prop.

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S. C. STONE, M. D. PROPRIETOR OF STONE'S DRUG STORES SALEM, OR. The stores (two in number) are located at No. 235 and 297 Commercial street, and are well stocked with a complete line of drugs and medicines, toilet articles, perfumery, brushes, etc.

DR. STONE has had some 25 years' experience in the practice of medicine and now makes no charge for consultation, examination or prescription. He does a cash business. He neither buys on time nor sells on time. Ledger, journals, day-books, bookkeepers, bill collectors, and all the modern paraphernalia of credit drug stores, are unknown in his business, hence a full stock and correct prices. Legal Blanks, Statesman Job Office.

HALL'S GREAT DISCOVERY. One small bottle of Hall's Great Discovery cures all kidney and bladder troubles, removes gravel, cures diabetes, seminal emissions, weak and lame backs, rheumatism and all irregularities of the kidneys and bladder in both men and women, regulates bladder troubles in children. If not sold by your druggist, will be sent by mail on receipt of \$1. One small bottle is two months' treatment, and will cure any case above mentioned. Dr. E. W. Hall, sole manufacturer, P. O. Box, 623, St. Louis, Mo. Send for testimonials. Sold by all druggists, and at DR. S. C. STONE'S drug store, Salem, Oregon.

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