

LOOKING BACK

100 Years Ago From The Pages of The Walton Reporter

100 YEARS AGO,
SATURDAY, APRIL 14, 1923

THE WEEK IN WALTON

What We Are Talking About
at the County Hub

STREET OILING MAY 14

Trains Will Connect at
Sidney-Turn in Your Victory
Notes-Street Labor, 37 1/2
Cents an Hour.

C. G. DuMond and Frank Dann have bought the Charles White farm at Woodford, the sale including stock and farm implements.

Miss Grace Retz has been engaged by the board of education of the Walton high school to fill the vacancy on the faculty caused by the death of Miss Helen Eells.

George H. Goodrich, who was injured in the recent collision of the Utica Flyer and way freight at Sidney Center, was brought home Monday from the Norwich hospital, where he has been a patient. He has retained Hon. C. C. Flaesch of Unadilla to file a claim against the O. & W. railroad.

Tweedie Brothers of Walton have been awarded the contract for the construction of a new concrete garage for Hugh L. King of Hobart on the site of his present old building. The building will be one story high and will occupy practically the entire lot. Mr. King, who is well known in Walton, has been engaged in wiring the Ontio hotel at Unadilla as he has an extensive electrical business in addition to his garage business.

The appellate division of the supreme court in a decision this week upheld the state tax exemption law on the appeal from the recent decision of a New York justice declaring the law unconstitutional. The matter will now go to the court of appeals for a final decision. About thirty new houses in Walton come under the tax exemption law. One family houses are granted an exemption of \$3,500 under the terms of the act.

Hazael Preston of Northfield was injured Tuesday afternoon of this week while at work with Amasa Rickard in getting out buzz wood. They were drawing out a tree which they had cut down and trimmed, when it caught, throwing it to one side. Mr. Preston was struck on the head and face by the limbs, cutting a bad gash on the upper lip which required four stitches to close and also bruising his head and eye. Dr. Morrow was called to dress the wounds.

The village board at a meeting on Monday evening appointed Harold Miller as police officer No. 2, and Newton Houck as officer No. 3. Mr. Miller will act as motorcycle policeman in the village this summer. Robert Nichols was appointed park commissioner for the ensuing year. It was voted to pay laborers on the village streets at the rate of 37 1/2 cents an hour and teams at the rate of 75 cents an hour. A contract with the Standard Oil company was authorized by which that company will oil the dirt streets about the week of May 14.

All 4 3/4 per cent Victory notes bearing the distinguishing letters G, H, I, J, K or L prefixed to their serial numbers become payable according to their terms on May 20, 1923, and interest thereon stops on that date. Holders of these notes may present them in advance of May 20, either for immediate redemption at par and accrued interest to the date of optional redemption, or for payment on May 20 at par and accrued interest to that date. Holders of registered notes are urged to present them well in advance, in order to avoid delays in the discharge of

registration. All 4 3/4 per cent Victory notes bearing the distinguishing letters A, B, C, D, E or F prefixed to their numbers were called for redemption on Dec. 15, 1922, and ceased to bear interest on that date, pursuant to the terms of the call for redemption. Holders of called 4 3/4 per cent Victory notes should promptly present them for redemption, in order to avoid further loss of interest. Banks and trust companies generally are handling these transactions. The First National Bank of Walton urges holders of registered bonds to present at once so that the money will be available on the 20th.

The public service commission on Monday announced that satisfactory passenger train connections will be made between the Delaware & Hudson and Ontario & Western trains at Sidney, which were the subject of a complaint from the Walton Chamber of Commerce and other patrons of the road. At a recent hearing the roads were advised to confer over the connections and under the agreement reached the complaints will be dismissed. The commission was Monday notified that the Ontario & Western railroad has arranged with the Delaware & Hudson road to schedule Ontario & Western train 55, the Utica flyer, into Sidney at 8:20 a. m. and leave at 8:40 a. m. This arrangement will make a connection with Delaware & Hudson passenger trains 300 and 305 and will mean only a 20 minute wait for the Ontario & Western train at Sidney. The Ontario & Western road will also make a connection with West Shore passenger train 3 at Earlville for Syracuse. The Flyer now leaves Walton at 7:58 a. m. and arrives in Sidney at 8:46 a. m. It is understood the change will be made about Apr. 29 when a new time-table becomes effective and that the Flyer will leave Walton about 7:30 a. m.

HIGH WATER AND COLD DAYS KEEP TROUT CATCHES LOW

Cold weather and high water in the brooks were responsible for the fact that on Saturday, the opening day of the trout season, while fish yarns were numerous, actual catches were few and far between.

It remained for two women, Mrs. H. L. Griffin and Mrs. W. T. Pomeroy, to establish a record for the day. The two ladies were guests of friends at Mundale and ventured out early in the morning. Before breakfast they had more trout than most fishermen caught all day. After breakfast they fished some more and then got a ride back to Walton on the milk truck. Mrs. Griffin had 19 trout and Mrs. Pomeroy 17. As to the size they have as evidence the breaking down of the truck on the way home because of the weight of the fish.

Al Woollett tried his favorite stream of Oxbow hollow and had a catch of 18. Other fishermen up the same stream reported only a few fish each. West brook was lined early in the morning by anxious anglers but the experience of Murray Robinson was typical. After crawling from W. R. Russell's to Arthur Eaton's on his hands and knees Robinson gave up the game and returned to Walton with an empty basket. Dr. D. W. Nutt, Ray Brazee and William Coons visited Platner brook. Brazee caught twelve, Dr. Nutt had six, while Coons jauntily told the admiring multitudes of how the crowd had caught 82. But "Jingle's" share was not in evidence.

Barney Wallace, while fishing at the East brook mill dam, landed an 18 inch brown trout. Securing a pail he brought the fish to Walton and had it on exhibition in Reynolds & Stebbins window to prove his story.

The brooks are high and although a few good catches have been reported the fish are still lifeless. A few warm days and the

results of the work of the Delaware Valley Fish & Game club in restocking the streams should be in evidence as fishermen are agreed that the trout are there if they will only bite. Meanwhile the depot gang is waiting for Walter Charles to hie away to his native haunts at Readburn and make good his fish yarns.

SIDNEY FORGER ESCAPES

Austin Brownrigg Gains
Freedom From Prison Farm.

Austin Brownrigg, 49, sentenced to Auburn prison from Delaware county for forgery, escaped from the prison farm at Sennett early Wednesday morning and despite an all day search had not been found that night.

Brownrigg was sent to jail from Sidney on a charge of forgery and at the November term of court plead guilty to the charge and was sentenced to not less than three nor more than six years in prison. This was not a first offense and this fact was taken into consideration by the court in imposing sentence.

While in the county jail in Delhi Brownrigg and two other prisoners made a desperate effort to saw their way to liberty. The men sawed their way to the outside corridor and had sawed one of the bars of the window grating when their hacksaw broke, as pieces were later found lying about the place.

NEW TRIAL GRANTED IN BUDINE ACTION

Based Upon Affidavits as to
Age of the Defendant in Heart
Balm Case

A new trial has been granted to Lawrence Budine of Walton in the breach of promise action brought against him by Irene Lent of Cornwall in which a verdict of \$1,750 was given Miss Lent by a jury at the October term of supreme court.

The decision to this effect was rendered Saturday by Justice A. L. Kellogg of Oneonta on a motion for a new trial on the grounds of newly discovered evidence, such evidence being the proposed testimony of Dr. William G. Smith of Walton and Dr. William H. Montgomery of Willard, N. Y., as to the time of the birth of the defendant Budine. He expects to prove by them that he was only 19 years of age at the time of the alleged engagement and therefore incapable as a matter of law of entering into such a contract. No evidence upon this point was introduced at the trial in October.

At that time the case was tried before the late Justice T. R. Tuthill. A verdict of \$1,750 was given Miss Lent and the defendant then moved for a new trial, but Justice Tuthill died before deciding that motion and the matter than came before Justice Kellogg. Two motions were made, one for a new trial on the ground the verdict was against the weight of the evidence and the other on the ground of newly discovered evidence. The first motion was recently denied by Justice Kellogg but the second is now granted. The court, in the memorandum of opinion, says:

"It is held that the proposed testimony by Drs. William H. Montgomery and William G. Smith comes within the rule and that in respect thereto the defendant is entitled to the benefit of their testimony on another trial. All affidavits claiming the discovery of new evidence on the part of other witnesses are rejected, insofar as this motion is concerned, for the reason that the testimony of all such proposed witnesses might have easily been ascertained and adduced upon the first trial. Under such circumstances litigation would never be brought to an end, provided one party, after having been defeated in court, should thereupon for

the first time become alert in the preparation of his case for the purpose of discovering new evidence, all of which could have been availed of on the trial provided due diligence has been exercised.

"Under all the circumstances, however, the defendant may have a new trial for the reasons first stated provided he shall pay all of the costs of the action up to the present time to the plaintiff or her attorney within ten days."

Peake & Peake of Walton with A. L. O'Connor of Hobart of counsel for the defendant and Henry Hunter of Newburgh for the plaintiff.

SCAFFOLD GAVE WAY

John H. Tweedie Suffers
Fractured Ankle in Fall.

John H. Tweedie of Liberty street sustained a fracture of his left ankle Friday when a scaffold upon which he was working while building a chimney at William Kent's new house, Griswold street, gave way and threw him to the ground ten or twelve feet below. Mr. Kent had just stepped from the second story window to the scaffold when it gave way under the added weight. Kent was not seriously injured but Mr. Tweedie was not so lucky. On account of the foot being badly swollen Dr. W. R. Gladstone has been unable to ascertain the full extent of the injury but a fracture is believed certain and in addition Mr. Tweedie was badly bruised about the body.

Auto Wheel Causes Spill.

(From Delancey correspondent.)

What might have been a serious accident happened to the Misses Helen and Eleanor Hymers of Delancey on their way to New York in VanSon's big touring car. Near the Bell house on the little Delaware a wheel came off throwing the car over. No one was hurt although all suffered a good shaking up. The Owens' car came along at this time also on its way to New York and they took the girls on to New York while Mr. Longo had the broken car repaired.

FIRE FROM ASHES IN HALL BOILER ROOM

Damage of Over \$500 Caused
in Municipal Building at
Walton Monday

Damage estimated at from \$500 to \$700 was caused Tuesday morning by a fire in the boiler room of Walton hall.

Ray M. Guild was driving past the hall in an automobile about 10:30 o'clock that morning when his attention was attracted by the dense smoke pouring out from around the windows of the boiler room which is located on the North street side of the hall beneath the trustee's room. Grover Merritt was working nearby on the electric light company lines and Guild and Merritt got out the chemical engine but on account of the smoke were unable to get at the fire and Merritt then sent in an alarm.

It was some minutes after the fire department responded before the fire was put out. The flames worked up the partition from the coal bin into the floor joists of the trustees' room and it was necessary to cut a hole in the floor. Some smoke got into the main auditorium but the damage in this part of the building was small. The trustees' room was badly smoked up, however. The loss is covered by insurance carried in the Pond agency.

Just what caused the fire is unknown. One theory is that gas in the firebox blew open the furnace door and started the fire. Another theory which appears more tenable is that a bag of charcoal in the corner near the coal bin caught fire from live coals

dumped with the ashes against the brick wall of the boiler room. It has been the practice to dump the ashes in this way and the janitor, C. A. Churchill, had emptied them about half an hour before the fire broke out. The bag of charcoal and the pile of ashes were only a short distance apart and the charcoal was set against the wooden partition of the coal bin.

DAMAGE ACTIONS SETTLED

Nominal Payments Made
to Dispose of Tarvia Truck
Cases.

An adjustment has been reached by which the damage actions brought by William Mahar and Daniel Conroy of Syracuse against the town of Tompkins have been withdrawn. The cases arose out of the accident in October, 1921, when the heavy tarvia truck of the Barrett company went over the bank near the Sylvester Peck place on the Rock Rift-Granton road while en route from Walton to Cannonsville with a load of tarvia. Mahar was the most seriously injured of the two men on the truck. The payment of a nominal sum is made to the men, the total cost of all the proceedings to the town of Tompkins being less than \$500. Samuel H. Fancher of Walton acted as attorney for the town of Tompkins in the matter.

Crystal Reader in Walton.

Mrs. E. Crossman of Middletown, N. Y., the Crystal reader, will be at Mrs. Emma Kelley's, 79 Prospect avenue, Walton, for a week or ten days. Locating lost and stolen articles a specialty from April 12 to 21st.

FIND JAILS IN GOOD SHAPE

Inspector Gives County Jail
and Walton Lockup Clean
Bills.

The State Prison Commission on Tuesday approved the report of the inspection of the Delaware county jail in Delhi made on Mar. 13 by James M. Shillinglaw, inspector. Attention is called in the report to the fact that prisoners held for the grand jury after the October term of supreme court, if unable to obtain bail, are required to remain in jail until the March term. Recommendations include the doing of laundry work in the basement of the jail, that the flush system of the toilets be repaired, and that prisoners be examined by the jail physician on admission and any found suffering from communicable diseases be segregated.

In the report on the Walton lockup made the same day the inspector states that all the recommendations contained in the last report of inspection have been complied with and that the lockup is in excellent condition and is a credit to the village.

TORE OFF AUTO'S TOP

Sylvester Houck's Ford
Sideswiped by Telephone Pole.

While Sylvester Houck was driving west on Delaware street shortly before midnight Saturday night his Ford coupe collided with a telephone pole near the residence of John H. Townsend. There is a deep gutter between the highway and post and in some way Houck got off the roadbed and into the gutter. The machine did not hit the pole headon but was sideswiped by it. The top of the coupe was torn off and the glass from the shattered windshield strewn in all directions. Houck's only injury was a bruised side. The front axle of the machine was bent, the gear stripped and part of the body torn off.