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# Malheur Enterprise

AND VALE PLAINDEALER

The Malheur Enterprise Delivered to your home or mailed, \$2.00 per year, in advance. The Leading Paper of Malheur County.

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## NO VERDICT IN BEER CASE

First Trial in Anti-Near Beer Campaign Results in Jury's Disagreement

The first test case in the campaign of the County Prosecutor against the sale of near beer, resulted last Tuesday in the disagreement of the jury which is said to have been divided seven to five.

The defendant in the case was Mr. Reed, proprietor of "The Mist", Ontario. Messrs. McCulloch and Duncan represented the state, while the defendant's case was in the hands of Messrs. Rand, Brooke and Tomlinson. In his examination of the jurymen Mr. Brooke endeavored to determine whether or not they had read an interview given by the prosecuting attorney to the Malheur Enterprise, his purpose evidently being to show that Mr. McCulloch had tried to influence them against the defendant through the columns of this paper.

One witness of the state swore that he had become intoxicated in Mr. Reed's place, and that all the drink taken by him on that occasion had been received there. Mr. McCulloch's attempt to prove that beer and near-beer are practically the same was objected to by counsel for the defendant, and the objections were sustained by the court so persistently, and the effort to prove by chemical analysis that near-beer is intoxicating was defeated so summarily that the opinion prevailed that a verdict of acquittal would result. At the conclusion of the evidence for the state defendants moved for a dismissal but were overruled. Several well-known citizens were then examined by the defense and all described Mr. Reed as a most respectable man, and his place of business as a lunch and soft drink resort which is frequented by the best people of Ontario, men and women.

The jury was out all the greater part of Tuesday but found it impossible to agree and it was dismissed.

Several bits of comedy entered into the trial, the consensus of opinion among the witnesses for the defense being that near-beer is very unsatisfactory, and has the effect of making one sick rather than drunk.

## LADY WILL GIVE

### MUSIC LESSONS HERE

Mrs. Cassie B. Leonard arrived in Vale this week and will make this city her home, the Drexel Hotel being her headquarters. She is a first class pianist and music teacher, and will follow the profession in this city. In Seattle, Mrs. Leonard was a member of one of the leading orchestras. She has also in view the establishment of a select dancing class here, which will probably be limited to a certain number.

## AUTOMOBILING RABBITS

### IS THE LATEST SPORT

The latest sport is "Automobiling" jack rabbits. Last Monday night S.H. Osborne, Ed O'Donnell and Superintendent Leeds drove up the Willow River Valley and the first named says they ran over at least half a dozen jacks.

The machine had big head lights, and these, coming suddenly on the poor bunnies, dazzled them. The rabbits, instead of turning off the road, ran ahead until the wheels caught them and ended their careers. The hay and other stuff on the roadway act as bait for the rabbits.

## Praise For Enterprise

From time to time the Enterprise receives communications from people in different parts of the country which contain most flattering opinions.

A. W. Rinehart, son of Vale's pioneer wrote from Seattle last week to state that copies of this paper are now constantly kept on the tables of the Elks Club in that city.

"It is on the table in the club here," he says, "and is looked upon as a hummer. Keep up the good work and Vale will be a dinger this year."

Major J. F. A. Strong, dean of Alaska newspaper men, says, "The Malheur Enterprise is splendid editorially, typographically and in its news columns. Vale must certainly be a busy place, judging from your paper."

R. B. Hamilton, Editor of the Alaska-Yukon Magazine writes: "The Malheur Enterprise is, I really think, the best newspaper I ever saw."

## Club To Meet

The Episcopal Club will meet at the home of Mrs. Martin Wednesday afternoon Jan. 17. Tea will be served from four until six. All cordially invited.

## MAJOR FRENCH HAS RETURNED

Comes to Stay Permanently But Declines at Present to State His Intentions

Major L. H. French of New York, who returned to Vale yesterday after an absence of one month, stated, in answer to a query by an Enterprise man, that he has come to stay permanently, but he declined to enter further into the matter, expressing himself as not desirous of speaking of any plans he may have in view.

The fact that the major has brought a chauffeur with him, and that a splendid Pierce-Arrow car is now following him, may be regarded as significant. The auto will probably arrive within a few days.

Major French was accompanied from Chicago by Dr. O. W. McMichael, one of the leading physicians and surgeons of Chicago, who will spend several weeks in Vale and its vicinity to "look around" with a view of becoming interested here.

The doctor, like Major French, has spent some time in Alaska, and was prominent in Nome in the early days of that country.

While away a splendid suite of rooms was prepared for the major at the Drexel Hotel.

## Catches Runaway Here

Sheriff Joe Cordon of Washington county, Idaho, has effected the capture of a youth named Harris who had run away from that place and was found on Willow River. The boy was brought home after arrest.

## NEW PEOPLE BUY OUT

### SEVERAL TRANSFER RIGS

A general sale of transfer rigs has been effected in Vale and two men named Bechtel and Green, who hail from Lewiston, Idaho, have become the new owners. It is said that the two men have purchased every dray available in the city. Amongst those bought out are Selby and Vogue.

## SHEEPMEN ARE

### BUYING FEED

Local sheepmen and stockmen are buying large quantities of feed at the present time, but by so doing they are saving themselves from great loss.

George McKnight states that most of the feed is being shipped in from Nebraska and other places, and that all the feed this country could produce could be sold. He states that in mild winters some of the feed might be left on the producers' hands, but that severe climatic periods come often enough to insure the sale of all the feed produced.

The loss to sheepmen in Malheur County, according to all accounts, is represented this year merely by the absence of profits. The cost of feeding will cut away the profits, but all seem to be satisfied to keep their animals alive for reproduction next year when they hope the expense will be made up for.

## WILL ATTEMPT TO HOLD

### COUNTY FAIR'S REGULARLY

Citizens of Ontario and vicinity recently decided to form a Fair association for the purpose of making an annual occasion of a fair for Malheur county. To this end several meetings have been held the past three weeks, and an organization was perfected Monday evening this week. This organization is called the Malheur County Agricultural Society.

A large number of citizens and members of the Commercial club attended the meeting Monday, and a board of three directors was appointed, E. A. Fraser, J. A. Lackey and E. B. Conklin being chosen for this responsibility, appearing before the county court to ask for the appointment of two additional directors, by which action the Fair association is made a county association, and is entitled to an appropriation from the state legislature.

A committee to secure grounds for fair was appointed at a previous meeting, C. W. Mallett, H. C. Boyer and J. A. Lackey before the members of this committee. They reported at the meeting Monday night that a plot of ground adjoining town and near the railroad had been secured. At the time of going to press it is not known what action was taken by the county court yesterday, but it is assured the county appointees will be representative citizens of the county, who will give the ablest assistance in making the county fair a success. -Ontario Optimist.

## MANY PEOPLE FIND NO BEDS

Rush to Vale For Circuit Court Session Exhausts the Accommodations

When hundreds of people arrived in Vale last Monday to attend the opening of the Circuit Court session it was found that several of them could not be accommodated with beds and the result was that quite a few found it necessary to pass the night under various disadvantages.

Marshal Dan Eno says some ten or twelve failed to get a shake down of any kind, and were forced to the necessity of substituting internal for external comforts.

Judge Richardson and Sheriff Bob Odell used the Jury room to provide a dozen homeless ones with beds, and even the Court Stenographer had to be taken under some one's wings. Deputy Frank Morfit acted as his angel. Judge Richardson also accommodated four others while private houses all over the city had their quota of guests, paying and otherwise.

## A NEW SCHEME TO MAKE MONEY

Take Out Insurance, Make First Payment, Borrow Amount Equal to Full Policy

The very latest scheme for making a quick fortune, must be credited to Malheur county, if the evidence of the defendant, and the verdict of the jury last Wednesday, in the case of Katz vs. Zaminetta, count for anything.

The suit was for recovery on a note given by the defendant, who lives near Westfall, as the first payment on a life insurance policy to two men named Kelly and Duncan who visited that section some time ago for the purpose of obtaining new clients for the insurance company of which they called themselves agents.

When the case came up before a jury last Wednesday in the Circuit court here, the defendant swore that the agent informed him that, after the payment of the first premium, he could go to any bank in Malheur county and borrow on his policy an amount equal to the full amount of the policy, which in this case was \$5,000. Mr. Zaminetta thought the idea of paying down \$202, and borrowing \$5,000 in exchange for no so bad a one. The fish was easily worth the bait, and, as in all such affairs, the matter proceeded successfully up to a certain point; Mr. Zaminetta succeeded easily in giving the gentlemen his note, but when it came to borrowing that \$5,000 something went wrong with the works.

The cashiers could not see eye to eye with Messrs. Kelly and Duncan, and Mr. Zaminetta called in the aid of Prosecutor McCulloch who defended for him the suit brought by Mr. Katz, who as Boise agent for an insurance company brought the rights of Katz and Duncan. Mr. Zaminetta swore on the stand that the two agents used plausible arguments, in which they stated that he was foolish not to have stock of his own, instead of selling his feed, when he could borrow \$5,000 so easily, and other residents of that section were called on the stand evidently to prove that the agents had used similar arguments to them, but the evidence was objected to by Geo. W. Hayes, attorney for plaintiff, and his objections were sustained. Mr. Katz asked the court's permission to make a statement apparently with the intention of showing that his part in the affair was not in the least questionable, but his honor informed him that there was no necessity as it was presumed Mr. Katz conducted a legitimate business in a legitimate manner.

The jury found for the defendant.

## Bench Warrant Issued

Because he failed to appear as a witness when subpoenaed this week, a bench warrant was issued for the arrest of William P. Allen last Thursday on the motion of Prosecuting Attorney McCulloch. Mr. McCulloch stated when making the application, that Allen had openly expressed his intention not to put in an appearance.

## Grand Jury Drawn

The following gentlemen are members of the grand jury, their names having been drawn from the list of petit jurors last Tuesday evening: Messrs Fairbairn, Welch, Ehrigood, Curry, King, Grant and Roberts.

## BOTTOMS OUT OF BEER CASES

Jury in Gosling Trial Disagree And District Attorney Loses Hope of Getting Verdict

## TO COME UP AGAIN

Further Action Will be Taken on The First Day of The Next Session

The second trial on the charge of selling intoxicating liquor resulted last Thursday morning in the discharge of the jury, owing to its complete failure to reach a verdict after a deliberation which lasted from 2 P. M. of the day before. In turn, the failure to agree resulted in a motion by Mr. McCulloch to postpone the hearing of the other cases set for trial as he believed it useless to attempt further to arrive at verdicts. The case was that of the state against Bob Gosling, who formerly owned the saloon on main street now owned by a gentleman of the appropriate name of Casebeer. The prosecution depended upon the evidence of a chemist from Portland who had analyzed a bottle of beer bought in Gosling's place and shipped to him by city Marshal Dan Eno. The testimony of the chemist was, in effect, that the stuff contained a greater quantity of alcohol than some brands of real beer. He testified that the amount of alcohol in real beer varies from 2-1-4 to 9 per cent and that the beer, which Mr. Eno swore to having purchased from Gosling, contained 3-1-4 per cent of alcohol, tested by bulk, and a little more than 2-1-2 per cent by weight.

The defense offered no testimony and accepted the jury as a whole. The jury retired at 2 P. M. Wednesday, and at 10 A. M. Thursday morning informed the court that they found it impossible to reach a verdict; whereas they were discharged. To the motion of Mr. McCulloch that the case against Hess and Barton be continued, George Hayes, for Barton, objected, moving for dismissal. He stated that he wanted a verdict either of acquittal or conviction. The court, however, overruled his motion and granted that of the prosecuting attorney.

With Mr. McCulloch was Mr. Duncan for the prosecution. Messrs Hayes, Brooke and Tomlinson defended.

Before the National Convention of woolgrowers adjourned at Ogden last Saturday it was decided to hold the next convention at Portland, Oregon.

## NATIONAL WOOLGROWERS

### TO MEET AT PORTLAND

The very best of leather is used in making saddles and harness at the Vale Saddlery Co.

## WEDDING BELLS FOR

### PROMINENT YOUNG COUPLE

James W. Shuler and Miss Lillie D. Wishman of Westfall were joined in marriage here last Saturday. The happy young people are pioneers of their section and members of prominent families, so that the event is of quite a good deal of importance. An interesting fact connected with the ceremony is that Judge Richardson who performed the ceremony has known the pretty bride since she was two years of age.

## CHARLES ASHFORD

### BECOMES A BENEDICK

Charles F. Ashford, the well known and very popular young Vale engineer, and Miss Martha Jane Morse of Nevada, Iowa, were married at the home of the bride in that city on January sixth.

The happy couple returned to Vale last Wednesday and have since been kept exceedingly busy meeting many friends. Mr. Ashford and his lovely bride will make their home in Vale, where the bridegroom will be busily engaged in the practice of his profession.

## LOSES EYE THROUGH

### MYSTERIOUS CAUSE

To lose one eye and possibly both, without any apparent cause is the fate of a man named Smith who has been working on the Willow River Railroad. Dr. Roberts, whom Smith consulted last Thursday evening, believes that the injury is due either to frost bite or a scald, but the victim of the accident does not remember receiving any burn. The ball of the eye is badly inflamed and full of pus. Smith has gone to consult a specialist at Boise.

## BELIEVES HILL WORKING HERE

Portland Oregonian Says Oregon Trunk Line Will be Extended Down The Malheur

The following is from the New Year's issue of the Portland Oregonian:

"In central Oregon there are men whose interests lie in that country who assert they know absolutely that engineers for the Hill road are now working in the Malheur canyon, the one good route out of interior Oregon toward the east. Purchases of large property interests in the vicinity of Lakeview have been made by men intimately connected with the construction of the Oregon Trunk Line. Prediction is made, founded on actual indications as well as on logical argument, that the Oregon Trunk Line will be extended to Lakeview and will also build eastward across the state, tapping the high plains, then through the Burns country, down the Malheur river and across Idaho to a connection with the Burlington.

## RUCTIONS ON MAIN STREET

### Tough Gang Get Nasty But Find

### Themselves Behind the Bars

### They all Leave Town

Main Street was treated to a miniature riot last Wednesday when a tough gang got nasty in the Grand Central saloon and had to be driven to jail by Sheriff Bob Odell, aided by Marshall Dan Eno and Deputy Frank Morfit, at the point of a gun. It is not clear how the row came up, although an accusation against some one for having stolen a watch is said to be the cause. No watch was found, however, on any of the half score odd individuals who were arrested. The row was a lively one for a time, several taking part strenuously until the sheriff appeared and ordered them to precede him to the jail. One gentleman at least, was in no hurry to comply and he looked the sheriff over scrutinizingly from head to foot and vice versa in the manner of his species. "Dere aint gonna be no shootin' a-round I guess, is dere, sport?" he asked. Odell answered him by exposing a six shooter and his veracity in the explosive line. Soon the toughness became displaced by meekness and the gentlemen for once obeyed the law.

When brought before the Justice of the Peace some of them were fined, and all, by special request took the afternoon train for fresh woods and pastures new.

Horse Blankets and Robes at The Vale Saddlery Co.

## TWO PARTIES IN HONOR

### OF MRS. GIMMEL

Two parties were recently given at which Mrs. Gimmet of Spokane was the guest of honor. One was given on Friday of last week by Mrs. Dunlop and the other last Tuesday by Mrs. Lee. At each a most enjoyable time was spent. Mrs. Dunlop entertained at a Kensington party to which the ladies took sewing. Mrs. Dunlop took first prize for fancy work and Mrs. Eastham received the booby prize, as she did not sew at all. Poetry writing was also a pleasant feature. Mrs. Gimmet taking first and Mrs. High the booby. In justice to the last named lady's poetic gifts it must be said that she did not write at all.

Mrs. Lee's guests unbridled their names and some fancy work on ribbons all of which were joined to make a pillow case. Mrs. Claggett received first prize, a hand painted dish, and Mrs. Halliday obtained second. Much amusement was provided by the attempt of the ladies to fix a tail on a donkey while they were blindfolded.

Mrs. Halliday proved herself the best marksman and Mrs. Weant got a booby prize for obvious reasons. Very nice lunches were served on both occasions. Mrs. Dunlop's guests were:

Mrs. Gimmet, Lee, Weant, Dunaway, Roberts, Grimes, Oxman, Knowles, Mueller, Claggett, Eastham, Hurley, Cole, Ford, Kelley, Geo. Miller, Tucker, Darby, Caviness, Geo. McKnight, Wheeler, Cook, Martin, Hope, Halliday, Beasmer, Dunlop, Frick, D'Ven, Merritt.

All the ladies present at Mrs. Lee's party were at Mrs. Dunlop's with the exception of Mrs. Johnson, Mrs. Hunter and Mrs. Grimes of The Dalles.

Carpets and rugs cleaned by vacuum leave orders at Hunt and Carey's.

## LAND COMPANY PUTS UP BOND

Ten Thousand Dollars Required by Court Given by Balfour Guthrie Representative

The ten thousand dollars required as a bond by Judge Wolverton from the Eastern Oregon Land Company before issuing the injunction against the Willow River Irrigation Company have been put up. W. J. Burns, manager of the Portland office of Balfour Guthrie and Company is the bondsman.

Mr. Webster, attorney for the Willow River Company, later went before the court in chambers and offered to put up a bond for his clients if the work were allowed to proceed. Judge Wolverton, however, decided that the matter must be taken up in open court. It is believed possible that this proposal will be accepted pending the final settlement of the case.

## STOCKHOLDERS OF

### WAREHOUSE TO MEET

A meeting of the Oregon stockholders of the National wool and storage warehouse at Chicago will be called in the near future. George McKnight, who is one of the stockholders, says that some of the stock will be sold at that time. The price of this stock was \$50.00 last year while now it is \$75.00, and the dividend paid for last year was 50 per cent. The meeting will also take up the question of handling wool properly, its tying and putting it up in better condition.

## Suit Against Catron

J. W. Sharp has brought suit against C. C. Catron to quiet title to part of the 55,000 acre property acquired by the defendant in this county some time ago. The plaintiff seeks to acquire title by prescription.

The very best of leather is used in making saddles and harness at the Vale Saddlery Co.

Have buyers for inside and residence property. Vale Realty and Investment Co.

## ERBIE HAYES BUYS

### OUT C. A. MARTIN

Ernie Hayes is now sole owner of the Vale Hardware Company having purchased the interest of C. A. Martin, his former partner. Mr. Hayes will continue the business, while Mr. Martin will go to Ontario and make an attempt to follow the simple life on a ranch he holds over there.

## Church Gets Fine Stove

A large stove has been installed in the Methodist Episcopal church so that the edifice will be quite comfortably provided in future. The stove is seven feet high.

## EIGHTY ENJOY

### K. P. SUPPER

Installation of Officers and Initiation of New Members Attended By Ontario Knights

Special train brought nearly forty Knights of Pythias to Vale on Thursday evening to attend the installation of officers and the initiation of some new members in the Vale lodge. After the ceremonies supper was served at the Drexel grill and about eighty guests sat at tables. The special train arrived about 9 P. M. and the work of installation and initiation continued until after midnight so that supper did not begin until 12:30 A. M. At its conclusion the special train returned to Ontario.

## BLANTON'S TRIAL

### FOR NEXT SESSION

George Blanton, who is charged with stealing six horses belonging to Mr. Darr, was arranged yesterday and pleaded not guilty. The alleged theft took place on December 1, and Blanton was arrested on Ontario.

On the motion of Dalton Biggs, who represented the defendant, and with the concurrence of Prosecuting Attorney McCulloch, the case was set for the next term.

Carpets and rugs cleaned by vacuum leave orders at Hunt and Carey's.

Horse Blankets and Robes at The Vale Saddlery Co.

## FIRST STEPS TO GET WATER

Engineers Finally Employed To Make Plans and Specifications For Systems

The Engineering firm of Parrot and company, Baker City was definitely employed by the city council at a special meeting last Tuesday evening to begin the work of surveying and drawing up plans and specifications for the proposed water and sewer systems for the city.

According to the contract two engineers will be employed, and these are permitted to hire two laborers. The engineers receive \$10.00 per diem, each, and expenses, traveling, hotel, etc., so that cost of the work will exceed \$30.00 a day. The engineers themselves however, stated in answer to a question by Mr. Mueller that the total cost of the plans and specifications will probably not exceed the sum of \$1,000. The same firm will also supervise the work of installing the systems on a basis of 2-1-2 per cent of the total cost. The special meeting of the council was called by Mayor Mulkey because he believed the contract drawn up differed slightly from the terms formerly agreed upon by the council. The engineers have already begun the work.

## ELECTRIC OFFICE

### TO BE ESTABLISHED

President R. C. Carter of the Vale Electric Light Company has decided to establish an electric light office in the Vale Drug Store, and the stock has now been placed there. The articles on sale are electric fixtures of all kinds, shades, motors, chandeliers, portables etc. The store will be brilliantly illuminated by a tungsten lamp which gives twice the light of an ordinary lamp. Mr. Carter says the move has been made necessary by the increased use of electricity and the consequent necessity for enabling the people to satisfy their desire to purchase the lamps and other articles when they need them makes itself felt. The establishment of the store will be quite an acquisition to the city.

## DULL PLEADS NOT GUILTY

### TRIAL SET FOR MONDAY

Joel N. Dull, who is charged with having shot his brother at Juntura last fall, was arraigned last Thursday and pleaded not guilty.

The trial was set for next Monday at the 1:30 P. M. The trial would have been set for the morning were it not for the uncertainty of the train's arrival here. When the judge was told the train is due at 10 A. M., he said that meant 12 noon.

"It may arrive on time all right," said Dull's counsel, Mr. Dalton Biggs. "If there is no frost in Ontario."

"It is certainly a frost here," answered his honor.

## Fatal Wreck At Arcadia

The train known as "the pony" ran into a freight last Wednesday night at Arcadia and William D. Busted, the engineer, received fatal injuries, while the fireman and one or two passengers were injured. Some Vale people were witnesses of the accident. The freight had received orders to go into the siding, but the pony came on before the other had cleared the main track. The engineer stated before his death that the leaking steam from his engine prevented him from seeing the freight.

## WILL OBJECT TO CITY

### DUMPING ABOVE DAM

That the Nevada ditch owners will object to the city dumping its sewage above their dam is the statement made by C. W. Mallett when questioned about the matter by an Enterprise man this week. He stated, however, that if the city dumps below the dam, the owners of the ditch will voluntarily give the water for periods sufficient for washing the refuse away. During parts of the summer the ditch takes practically all the water of the river. That no difficulty will be experienced was made evident at the special meeting of the Council in the early part of the week, some of the members expressing themselves as willing to dump below the dam.

## Cases Settled

Louis Heil and Charles Beckman, who were parties to the condemnation proceedings brought by the Malheur Valley Railroad Company, have sold their lands to the Company and the cases have been dismissed in consequence.