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ORDINANCE NO. 50.

An ordinance providing for the supplying of the town of Heppner, Oregon, with water for public and private purposes, and granting H. V. Gates an exclusive franchise and license to construct and operate a system of water works in the town of Heppner, Oregon, contracting with the said H. V. Gates for the rental of five hydrants for supplying the town of Heppner, Oregon, with water and giving the town of Heppner, Or., an option to purchase the said water works and the rental of five hydrants for the town of Heppner, Or.

THE TOWN OF HEPPNER DOES ORDAIN AS FOLLOWS:

SECTION 1.—The exclusive privilege is hereby granted to H. V. Gates, of Hillsboro, Oregon, his successors and assigns for and during the term of fifteen years (subject to right of purchase and the conditions and forfeitures hereinafter provided) to erect, construct, maintain and operate a system of water works in the town of Heppner, Oregon, for supplying the said town and its inhabitants thereof with water for public and private purposes. Whosoever hereinafter the word "Grantee" is used it is intended to apply to and mean H. V. Gates, his successors and assigns.

SEC. 2.—The system of water works shall consist of or be composed of what is known as Direct and Reservoir pressure.

SEC. 3.—The water so to be supplied and furnished said town and the inhabitants thereof, shall be pure, clear, potable water for all purposes, which shall be taken from a well or system of wells, enclosed to keep out the surface drainage between surface of ground and first rock formation below surface of ground or deeper if not otherwise provided.

SEC. 4.—The grantee shall provide a substantial engine house of sufficient capacity to accommodate boilers, pumps and appliances of water works and such room as may be required to accommodate the electric light plant, to be operated in conjunction with the said water works system. Said engine house to be equipped with one 50-horse power boiler, to be built of steel, (said boiler to be tested to 150 lbs. hydrostatic pressure) one or more Kewanee engines, or other machinery equally as good, or if a deep well, pumping engine is substituted to use one or more "Cook" Deep-well pump, the combined capacity of either the pump or pumps to be equal to 250,000 gallons each 24 hours, or such other larger size pumping engine, as the demands of the town may now or in the future require; also such other fittings such as gauges, valves, steam pipes etc., that may be required to connect said pumps to mains and wells, and said boiler to pump, so that the entire water connections shall be first-class in every particular.

SEC. 5.—The grantee shall provide one reservoir, capacity 100,000 gallons, for fire purposes, to be kept filled at all times, except when repairing, and held in reserve for any emergency. Also one reservoir of 80,000 gallons capacity for domestic and daily supply. The domestic reservoir to be walled with masonry and coated with cement or asphalt, to render the same water proof, to be raised over and protected from effect of frost, to be arranged with supply and waste pipes and so generally constructed as to be safe from any danger from any pressure within or drainage or defect without, and to be capable of keeping water as pure and free from contamination as it comes from the source of supply. Said reservoirs to be connected to mains in such manner that both can supply the hydrants during fire and both be not less than 100 feet above the grade of street at intersection of Main and May streets.

SEC. 6.—The grantee shall furnish and lay in the streets of said town at a depth of not less than thirty inches, for principal mains, 4000 feet of six-inch pipe and 7000 feet of four-inch pipe, and as much more as may be deemed necessary by them; (said pipe to be measured by its outside diameter) is to furnish 12 double hydrants, Ludlow, or some other hydrant equally as good, and connect the same to the mains; is to furnish all necessary valves, special fittings, valve boxes required to complete the work. The mains and fittings to be ample and capable of carrying out the provisions and intentions of this ordinance and of affording the town a fire water supply of first-class quality, protection and when mains and connections are so completed they shall be capable of sustaining a pressure of 150 lbs. to the square inch; is to furnish all mains and laterals that may be from time to time required to supply the town or its inhabitants thereof with water, provided that for each 800 feet of mains ordered by the town, there shall be one hydrant ordered and rental paid for use of same and that for all lateral laid, grantee shall not be obliged to lay in excess of 200 feet to reach each service hydrant for domestic use. Pipes are to be laid below frost line and the said town agrees to make good any expense to which grantee may be put if said town shall hereafter lower the grade of any streets where the grade is already established and the town of Heppner agrees to establish the grade on all streets where pipes are to be laid prior to the laying of pipes. The said mains and hydrants are to be laid and located on such streets as will best carry out the provisions for fire protection; said streets to be selected by the parties to this agreement.

SEC. 7.—Grantee is to keep fire hydrants in good repair; protect same from freezing and keep them ready at all times for instant service. The connections and mains leading from reservoirs to be kept free from obstructions of any kind whatsoever, so that except through some unforeseen and practically unavoidable accident, there shall be steady pressure and full supply of water on the hydrants to the extreme limit of capacity of system.

SEC. 8.—In consideration of the benefit which will be derived by the town of Heppner and its inhabitants from the construction and operation of said water works, and in further consideration of the water supply hereby secured for the public use, as an inducement for the town to enter upon the construction of said water works, the privilege is hereby granted to and vested in H. V. Gates, his successors and assigns, shall remain in full force and effect for and during the period of fifteen years, but subject to the right of purchase, as herein provided, and for the same consideration as is granted to and vested in the town of Heppner hereby rents of the grantee, to the use hereinafter mentioned, the 12 hydrants herebefore provided for, and during the term of fifteen years, but subject to the acceptance of said water works, but

subject to the right of purchase as aforesaid; and the said town agrees to use the hydrants on said pipe line for the extinguishment of fires, drill practice and flushing only, and make good to the grantee any injury which may happen to them when used by any officer of its fire department in the line of his duty. The flushing as aforesaid to be done by the fire marshal or other officer of the town, through a hose and fire nozzle, after reasonable notice to grantee, but there shall be no more than one fire hydrant used at any one time for such purpose, and no one hydrant used to exceed thirty minutes per week. In aforesaid drill practice the fire department shall have the right to use any of the hydrants twice each month for drill practice, for a period not exceeding thirty minutes at each drill.

SEC. 9.—The grantee may charge and collect during the continuance of this privilege herein granted, the following tariff of rates to consumers of water or other rates that may be established by the grantee and approved by the council:

Table with 2 columns: Item and Monthly Water Rates. Items include Bakeries, Barber shops, Breweries, Building construction, Family rates, Feed yards, Hotels, Laundries, Meter rates, Offices, Photograph galleries, Printing offices, Private halls, Public halls, Saloons, Sewalk sprinkling, Stables, Steam engines, Water closets, Water motors, etc.

SEC. 10.—As a consideration for the use of the 12 hydrants as aforesaid, for a term of fifteen years, the town of Heppner agrees to pay to the said H. V. Gates, his successors and assigns, fifteen thousand dollars (\$15,000) lawful money of the United States, payments to be made in five equal annual installments of \$3,000 on arrival of pipes, boiler and pump and machinery; ten thousand dollars (\$10,000) on completion of water works as provided herein, for two reservoirs, well-pump, capacity 250,000 gallons, mains 11,000 feet engine house, and when the same has stood the tests as herebefore provided, and also provided that said H. V. Gates, his successors and assigns, shall satisfactorily show the town of Heppner that the work are free from all liens and that labor and material used and furnished for said works have been paid for.

SEC. 11.—At the expiration of fifteen years from the completion of said works, and at the end of each five years thereafter, after the town of Heppner shall have the option to purchase and own said water works, together with its lands, machinery, pipes, outlets, rights, privileges and franchises, upon the following conditions:—and the grantee in accepting this ordinance expressly covenants to sell and convey to the town of Heppner the said water works and system as a whole on the said conditions. The said town of Heppner, by resolution of its mayor and council, shall determine to purchase and own said water works and shall serve a certified copy of such resolution on the grantee at least six months before the time when the said town may exercise such option. The sum of money that said town shall pay for said water works as a whole shall be an amount which at eight per cent interest would produce an annual income equal to the net income during the year previous to the serving of the notice of resolution, as herebefore described, with the cost price added for any improvement or extensions made during the year previous to such notice, upon which no revenue has been derived. When such purchase is made by the said town the franchise granted to the said H. V. Gates shall terminate. If said town shall not determine to purchase said water works within fifteen years from the date of its acceptance of said works it shall grant to the grantee an exclusive franchise upon the same terms and conditions as herein stated, reserving the option of purchase each five years as before stated. The fifteen thousand dollars (\$15,000) paid for hydrants, rentals as herebefore provided, shall be the first payment upon the purchase price of said water works, and it is agreed that until such time as the town of Heppner shall purchase said water works as herein provided for, the town of Heppner shall own an absolute right and interest in the said water works to the amount of said fifteen thousand dollars (\$15,000) but it is further understood and agreed that until such time as the town of Heppner shall purchase the interest of grantee in said works the grantee shall have the exclusive use and control of said works in every particular without paying to the town of Heppner any rents, profits or revenues therefor or therefrom in any manner whatever, except that grantee shall not have the power or authority to sell, mortgage and lease, or in any way en-

comber the interest of the town of Heppner in said works. SEC. 12.—The grantee shall make such rules and regulations governing the service of water to consumers as may be proper and reasonable in the premises and may enforce the observance of the same after they have been approved by the city council, by cutting off water or otherwise, and the said town, by its council, shall adopt ordinances, rules and regulations in the safe and unimpaired enjoyment of the privileges herebefore granted and against injury to its property.

SEC. 13.—The town of Heppner shall convey to the grantee such ground as may be necessary for reservoirs and right of way across private land to the same, for the use of laying mains and access for delivering materials for construction and maintenance of same.

SEC. 14.—The town of Heppner agrees to convey to grantee the lot and the arable land well known to them, or the use of grantee during the life of this agreement; the same to be free from any cost, rent or expense whatsoever to grantee. The grantee is to have use of the well-digging machinery on said lot while searching for and securing water.

SEC. 15.—All work and material furnished under the terms of this contract shall be done and performed in a good, neat and workmanlike manner, in first class in every respect, and in the most approved form known to the trade.

SEC. 16.—In the event at any future time it is necessary for the safety and welfare of the town of Heppner or the inhabitants thereof to increase the capacity of wells, reservoirs, pump and machinery, it shall be done by the grantee without any additional cost to the town, except in the purchase of said works according to the conditions herein stated.

SEC. 17.—The grantee shall commence active operations on said water works within thirty days from the passage of this ordinance, and complete the same within six months from the date of its passage, except in cases beyond the control of grantee, such as strikes, riots, failures of manufacturers to produce material, and railroads to deliver the same; in which event the time so lost shall be extended, and the grantee shall be bound to complete said works within six months. On completion of said works, in compliance with the requirements of this ordinance, the grantee shall successfully subject the entire pipe system of 11,000 feet of pipe and hydrants to a pressure of 150 lbs. to the square inch, and shall also test the power and capacity of reservoir, in which they shall throw water through fifty feet of hose, with one inch nozzle, thirty feet high for a period of three hours; in said test only two streams shall be taken from one line, and the hydrants used to be at corner of Main and May streets, upon completion of said works and the said tests having been made as aforesaid to the satisfaction of the said council, the said town, by its council, agrees to accept such water works forthwith and from the date of such acceptance the hydrant rentals heretofore provided for shall begin.

SEC. 18.—The grantee be and is hereby granted the privilege and right of laying pipes through the streets, alleys, parks and public ways of the town of Heppner for the purpose of conducting water through the town and hydrants devices for the service of water, and after using such streets and public ways shall restore them with due diligence to as near as practical their former condition.

SEC. 19.—This ordinance shall become binding upon the town of Heppner upon the event that grantee shall within ten days from the passage and publication of this ordinance, file with the recorder of the town of Heppner, his written acceptance of the terms and conditions of this ordinance. Said acceptance shall constitute the contract and shall be the measure of the right and liabilities of the town of Heppner and of H. V. Gates, his successors and assigns.

SEC. 20.—The mayor and recorder of the town of Heppner are hereby authorized and instructed, upon the acceptance of this ordinance, to seal duplicate copies thereof, with the seal of the town of Heppner, and to sign such copies as such contract, in the name and behalf of the town of Heppner, and to deliver one of said copies, so sealed and signed in behalf of the town of Heppner to the grantee and to accept the other in behalf of the town, when signed and sealed by the said grantee, and to cause such copies to be recorded in the office of the county clerk of Morrow county, and the said ordinance, when properly authenticated in accordance with the laws governing contracts for the sale of real estate and to be recorded in the office of the county clerk of Morrow county.

SEC. 21.—In case said grantee shall fail to complete said work within the time specified in this ordinance, then, and in that case the franchise shall be forfeited and this ordinance shall be null and void.

SEC. 22.—All ordinances and parts of ordinances inconsistent herewith are hereby repealed, and this ordinance shall be published in the HEPPNER GAZETTE and HERVIC RECORD and shall take effect from and after its passage and publication.

MINING AT THE FAIR.

The act of congress providing for the World's Columbian Exposition, raised mining to an industrial rank that previous expositions had denied it. At Paris, London and at Vienna, the mineral exhibit was permitted to occupy a single court of masonry sections, and was comprehended within one group of the general classification. At the centennial exposition while the exhibit was larger in area than those of Paris and London, yet it was not deemed of sufficient importance to be placed in a separate building, but was located in an annex added to the industrial building.

all of the coals, all of the building stones and marbles, all of the clays and sands, all of the salts and pigments, as well as the machinery, implements and appliances employed in their conversion to the uses of man, will be fully represented.

The subject of coal will be treated on very broad lines. It would be impossible to accept for exhibition purposes all the really meritorious specimens of coal that can be secured, for the purpose of demonstrating the resources of the country in this great fuel. The treatment must be comprehensive and sweeping, and the display based upon the distribution of the great coal fields that stand out prominently in the geology of the country. The coal industry is of gigantic proportions, involving the investment of many millions of dollars and the employment of hundreds of thousands of people. The display of coal at the exposition will be qualitative rather than quantitative. The different varieties of coal produced by the different localities will be shown, together with the chemical analysis of each and the results of tests determining economic value and adaptability to various uses. The coal resources of countries, states and sections will be shown by geological maps and drawings, exhibiting the stratification, cross-section, etc., which will render apparent the extent and accessibility of the vast number of coal beds and veins which underlie the earth's surface.

As regards iron, efforts will be made to have an adequate exhibit of that great branch of industry. Without considering the contributions that will be made to this division by foreign governments this country, which is now the first nation in the world in iron production, will provide a display of the greatest interest and benefit to the manufacturing world. The development of the iron resources of the Southern United States within the past few years, no less than the attention which has been devoted to this particular industry in the West in the same period, surrounds this product with national interest. It is intended to arrange this exhibit with the fullest appreciation of the magnitude and importance of the iron industry, with ample data as to the location and extent of the greater deposits, the analyses of the ores, with all the machinery and devices employed in mining, hoisting, conveying, storing, etc. Statistics not only based upon the operations of the past, but in a degree indicating the extent to which they may be carried on in the future, will constitute a valuable feature of this division.

Every provision has been made for the installation of the ores of both the precious and base metals and cabinets of mineral specimens contributed by private individuals, associations and technical and mining schools. These will be arranged with conspicuous care as to detail. States, nations, individuals, collectors and colleges will vie with one another in endeavors to establish the superiority of their respective collections, or to demonstrate the value of certain mineral products and the design will be utilized by the several states, territories and countries to illustrate the magnitude of their deposits.

The division of mining machinery will demonstrate the usefulness and economy of every character of mechanical equipment. Every device, invention, tool and appliance employed in the great industry will be fully represented, either by an exhibit of the full-size plant or by working models. The entire plant of smelting and refining works and the heavy machinery used in crushing and separating ores will be in operation. A complete series of metallurgical processes from mineral to metal will be installed. The extensive apparatus and tools employed in the great petroleum and natural gas industries will be amply exhibited, with oils and bi-products. No group will be of greater interest or more practical value than that which illustrates the extent and method of the gigantic operations in this division of the mineral kingdom.

Plans for and the best methods of equipping assay offices will be presented and illustrated. Milling and scoriafication furnaces, with muffles, cupels, etc., with melting pots and fluxes handy for the production of the assayer's "blatton," volumetric and other test methods, rolls and small crushers for preparing test lots of ores, the most delicate instruments of precision—these and the associated appliances or metallurgy will be exposed for the edification and instruction of the visitor.

Marbles, agates, jaspers, onyx, silicified wood, etc., will be offered for the inspection of the architect and decorator. Numerous machines and tools for channelling, sawing, lifting, turning and polishing granites, sandstones, marble, etc., will be collected for the purpose of demonstrating the facility with which great masses of stone are transformed into useful and ornamental objects and made suitable for the most skilled handicraft. Sands for the manufacture of glass, many colored clays, and kaolin of all grades for the potter, brickmaker, porcelain worker, etc., polishing substances, whetstones, hones and emeries, will constitute a group of unusual interest to both the student and manufacturer. Asphaltic and cement fixtures and artificial stones, which have made the pavements of Paris and the capital of our own country superb in their cleanliness and the admiration of the world, will be illustrated in all their multifarious uses. The salt mines of the Old World, and the brines and other salt workings of our own country will contribute their quota to this money, crystalline product. Adding to the color effect and interest of the exhibit will be variegated heaps of nitrates, sulphates, borates, pigments of all kinds, ochres and various phosphates, coprolites and every variety of mineral fertilizers. In another group the useful graphite, with the methods by which it is transformed for use in the shape of

THOMPSON & BINNS, PROPRIETORS. The Heppner Livery, Feed and Sale Stable. Good Conveyance for Traveling Men. Teams to hay per day, 75 cts. Hay and grain per day, \$1.25. Meals 25 cts. at C. C. Sergeant's, next door to Feed Stable. Grain and baled hay always on hand. FREE CAMP HOUSE FOR TEAMSTERS.

ABOUT JULY 15, T. W. AYERS, Jr., Druggist, Will locate in Heppner's new brick, next to City Hotel. PHIL COHN will also be associated with the business, and after that date the firm name will be T. W. AYERS & CO. The boys will be pleased to have their many old friends call on them at their new location.

THE JEWELER. 18x14x14" jet.

Otis Patterson NOTARY PUBLIC CALL AT OFFICE CONVEYANCER

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N. L. ROBISON. D. A. HERREN'S BUILDING, May Street, Heppner, Oregon. Men's and Boys' Hats and Caps at Factory Prices. Examine the goods and you will find all shades and colors, which will give satisfaction. Before purchasing, call and examine my stock.

PALACE HOTEL. The Leading Hotel of the City. WELL FURNISHED ROOMS. Mrs. Margaret VonCadow, Man.

HIGHEST CASH PRICE PAID FOR WHEAT. Flour Exchanged for Wheat. HEPPNER FLOURING MILL COMPANY. T. W. AYERS, Sr., Manager.

Columbia Beer Hall! NEXT DOOR to M. Lichtenhal & Co's Shoe Store, Main Street, Keep on hand a Fine Line of Liquors, Wines, Cigars, Etc. We have Reduced the Price of the Buchler Beer to 5 Cents Per Glass. On draught, fresh and cool. Lunch of all kinds. Hope to see all our old friends and many more. OSMERS & HUGHES, Props.

CAN WE SUPPLY YOUR SPRING SHOES? Our Spring Footwear is the Best and the Cheapest. M. LICHTENTHAL & CO., Main Street, Heppner Or.