

A Breach of Promise Case

By F. A. MITCHEL

"My daughter," said Judge Leadbetter to Mr. Ralph Fanning, "since sending you to me to ask for her hand has changed her mind. Not as to her feelings toward you, but she has decided to pursue the profession she has been studying under my tutelage. We are a race of lawyers, and my daughter inherits the family inclination. After giving an affirmative answer to your suit she fell to considering that marriage would necessarily prevent her following a legal career."

"It seems to me, Judge, that this is a case of breach of promise. I, too, have inherited legal instincts from a long line of jurists. My great grandfather was an associate United States Justice, my grandfather was an eminent criminal lawyer."

"Enough. You enter a charge against my daughter of breach of promise. You shall have an opportunity to substantiate it and she to plead."

The judge called a maid and told her to ask Miss Margaret to step into his study. The lady came in, somewhat surprised to see Mr. Fanning there and curious to know why she had been summoned.

"My dear," said her father, "Mr. Fanning charges you with breach of promise. I do not understand that it is for the purpose of claiming damages, but I cannot allow you to treat any one unfairly. What have you to say to the charge of accepting him and then throwing him over?"

"I plead not guilty."

"Very well. Now, Fanning, you may proceed to state your case."

"My attentions to Miss Margaret have been noticeable and noticed by our mutual friends for months. She has accepted various trifles from me, especially gifts of flowers, indicating that my attentions were agreeable to her. Last evening I called upon her. We were sitting in a cozy room in this house before a fire of blazing logs. An aroma of the last lot of cut flowers I sent her, arranged in a Dresden vase by her own shapely hands, pervaded the apartment. The cheery firelight contrasted delightfully with the winter gloom without. We sat side by side on a large—"

"I object!" cried the lady.

"The objection is not sustained," ruled the judge.

"Nevertheless I prefer to respect the defendant's wishes," said the plaintiff. "I will omit the rest of what happened except so far as it pertains to the law of contracts. I then and there asked your daughter to be my wife. Her head sank—"

"I object again!" cried the lady.

"The plaintiff states in one breath that he will omit what happened except as to a contract he claims to have been made and in the next breaks his promise."

"I beg the defendant's pardon," continued Mr. Fanning. "What occurred was the delight of my life. I was in a whirl of joy—"

"Yes, yes," interrupted the judge. "The court understands all that. He has been there himself, though many years ago. Please confine yourself to the contract."

"Your daughter, her beautiful face buried against my breast, whispered 'Yes.'"

There were a few moments of silence, when the judge announced to his daughter that he was ready to hear her defense.

"Your honor," she began—"I mean papa—I base my defense upon that law which has protected many a minor in an inheritance, the law against exerting undue influence upon a testator. Mr. Fanning sought to deprive the noble profession of the law of my life's services. He took advantage of our pleasant surroundings, the cheerful firelight, the aroma of flowers, the luxurious sofa—"

"Chair?" interrupted the plaintiff.

"Will you protect me?" cried the girl, appealing to her father.

"Another such interruption," said the judge sternly to Fanning, "and I will fine you for contempt."

"I claim," the defendant proceeded, "that Mr. Fanning took advantage of these surroundings to unduly influence me to bequeath myself to him instead of my natural heir, the law."

"And I claim," urged the plaintiff, "that in giving herself to the law the defendant disinherits her natural heirs, a husband and children, besides wrecking the life of myself, the plaintiff in this case."

A silence followed these words, which were spoken with great depth of feeling. It was broken by the judge, who asked of Fanning:

"Do you desire to enter any rebuttal of my daughter's statement?"

"No, your honor. I rest my case, which I have summed up in my last words—that if the contract is broken it will result in the wrecking of my life."

"I reserve my decision," said the

judge. "The court will take a recess for half an hour, at the end of which time the decision will be handed down."

He retired from the room, leaving the plaintiff and defendant together. In exactly half an hour he returned and, seating himself, appeared to be framing what he was about to say when his daughter spoke.

"You needn't trouble yourself, papa. The case has been settled out of court."

"Indeed?" The judge looked pleased. "On what terms?"

"We're to be married in the spring and go to Europe on our wedding trip."

AN EGYPTIAN RECIPE

By M. QUAD

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If Farmer John Stone hadn't been a widower, if he hadn't been a bald-headed, whiskerless man, if he hadn't been in love with the Widow Davis, things might have been different. When he told her that he loved her her reply was:

"John, you are a good man, but—"

"But what is it, Mary?"

"You are baldheaded and have no whiskers."

"But I love you."

"That can't make up for it. I repeat that you are a good man, but when I think that I would have to sit here evening after evening and stare at your shiny poll it is too much."

"I—I thought if a man loved—"

"But there are the whiskers or the lack of them. No man can look dignified without 'em. Your character is all that a woman could ask for, but where is the hair? Where the whiskers?"

John Stone turned away in chagrin and despair, and there was no sleep for him for the next three nights. He was still in the dumps when a tith peddler came along and invited him to open his heart. He did so.

"Say, John, it was mean of the widower," said the peddler when he had listened to all.

"Yes, kinder—"

"Kinder? Why, man, she has wrecked your life."

"Has she?"

"You want to turn around and wreck the widow?"

"But how can I do it?" asked John.

"First of all, get mad at her. Say to yourself that you don't care a darn for her."

"Well, I'm feeling that way. She can go to Texas."

"Bully for you! Now, then, you know that we peddlers take all kinds of things in trade. The other day I raked in an Egyptian mummy for \$4 worth of milk pans. You know what a mummy is, don't you?"

"Some one that's been dead a thousand years."

"Exactly. When I ripped him open I found this paper."

"By George!" gasped John.

"It is writ in Egyptian, but I can read it right off. It's a recipe for making hair grow on bald heads."

"You don't say."

"And for forcing whiskers to grow on the smoothest face it says that one month's use of it will grow side whiskers on a boy of ten."

"You can't mean it."

"You can have the preparation put up at a drug store and begin to use it, and in a month what happens? Why, you have a luxuriant crop of curly hair on your bald head and chin whiskers that fall down to your waist and are blown to port and starboard by the breezes. You can walk up and down the road in front of the widow's house. From the window she sees you and knows she has made the mistake of her life. She calls to you to admit that she was in the wrong and that you can bring the preacher as soon as you please, but you wave her aside."

"And what?"

"And you wave her aside and go along to the Widder Stevens and propose marriage to her and bustle things along. She dotes on curly hair and chin whiskers, and will say yes at once."

"By George, but it will be great!"

"It will for sure."

"And you'll do this out of the goodness of your heart?"

"I'll do it for one-half goodness and the other half cash. The cash half is \$25. Those chin whiskers alone are worth \$100 to any living man."

No farmer is ready to pay out money unless he can see a return for it. Farmer Stone asked for a week to consider the matter and then closed the deal. It wasn't humanly possible for a baldheaded, whiskerless man to hold out. The formula was copied off for him, and he deposited it in a safe place until he could spare a day to go to the village. That day never came. He was killed by accident in his own field.

Then came an interval of seven years during which time nothing was said in his late community about baldheaded men. One day a stranger appeared who had heard from the peddler that John Stone had the Egyptian recipe, and he offered \$5 for it. One of the widower's heirs found it in an old

ORDINANCE NO. 168 (Continued.)

Section 30. Water will not be furnished to persons or premises, who are on a flat rate system, where there are defective or leaking faucets, closets, or other defective fixtures, or where there are closets or urinals without self-closing valves, or tanks without self-closing float valves, and when such may be discovered, the supply will be shut off.

Section 31. Where the service is on the flat rate system, water must not be allowed to run to waste through any faucet or fixture in order to prevent freezing, or kept running at any time longer than necessary in its proper use. When such waste is found to exist, the water will be turned off from the premises. And no faucets will be allowed on the outside of any building except hose connections, which must be controlled with separate stop and waste cock; provided, that one stand pipe not accessible to the public may be used in the yard for domestic purposes where there are no fixtures in the house, and the latter must have stop and waste cocks, protected from frost. No hose connections will be allowed on sidewalks, except those which have valves inside of the building, or which require keys for opening them. They must discharge upwards, so water can be used for no other purposes than sprinkling or washing sidewalks or windows.

Section 32. Where there is a leak under the street, and it is doubtful whether the water comes from a break in the city main, or from a private service pipe, the employees of the Water Superintendent will make an excavation to determine which it is from. If the leak is found to be from the main or service pipe to the curb cock, the city of course will make all the repairs; but if it is from the private service pipe, the occupant of the building will be notified, and must immediately take charge of the excavation, repair the leak, replace the street pavement, and be responsible for all damages which may result.

Section 33. Monthly charges shall be as follows, except when as otherwise specified, viz:

For family of seven or less	\$ 1.00
Family of eight and not over ten	1.25
Family over 10	1.50
Additional for each toilet	.25
Additional for each bath tub	.25
Sprinkling lawns each lot 100 by 100 feet or fraction thereof, to curb, including space occupied by the buildings, with nozzle 3-16 inch or less	1.50
For each additional family in the same house	.75
Basis rate and graduated as above.	
For each cow, horse, or other stock when taken in connection with dwelling	.20

Boarding and Rooming Houses:

7 persons or less	1.00
8 and not over 10 persons	1.25
11 and not over 20 persons	2.00
For each additional 10 persons or fraction thereof	.50

Hotels:

Twenty rooms or less	4.00
Twenty-one and not over 30 rooms	5.00

Stores and Other Business Houses:

Drugstores	1.50
Banks	1.00
Stores without soda fountain	1.00
Stores with soda fountain	1.50
Stores with soda fountain and restaurant connected	2.50
Restaurants in connection with stores	2.00
Restaurants alone	1.50
Meat markets	1.50
Printing shops	1.00
Blacksmith shops, one forge	1.00
Bakery	1.50

Builders and Contractors:

For each barrel of cement	.05
For each 1000 brick, including water for lime	.10
For each barrel of lime for plaster	.10

Churches:

Each	.50
Dyeing and cleaning & scouring shops	2.00
Fountain with spray in a yard, not exceeding 1-16 inch nozzle	4.00
Soray or jet in a store	1.00
Hand laundry	2.00
Livery, feed and sale stables, 16 or less stalls	2.50
Each additional stall	.10
Lunch counter or stand	1.50
Offices with one wash bowl	.50
Dental offices	1.50
Physicians offices	1.00
Theaters	1.00
All other stores and business places not listed, basis rate	1.00
Garages	2.50
Public drinking fountains	1.00
Public drinking fountains with continuous flow	4.00
Sprinkling sidewalks or street	.50
Flouring mills	1.00
Storage warehouses	1.00
Fruit dryers	1.50
Schools, 250 students or less	10.00
Each additional or fraction of 100	2.00
Toilets for public use, each	.50
Toilets for private use	.25
Dairies, 5 cows or less	1.00
Dairies, each additional cow	.20
Barber shops with not more than two chairs and one bath	1.50
Barber shops, for each additional chair or bath	.50
Creameries	20.00
Fire hydrants for city use, charge general fund, each	2.00
Meter rates. A minimum charge of \$1.50 with an allowance of 3,000 gallons and all above this amount at the rate of 25 cents for each 1,000 gallons or fraction thereof.	

Section 34. The time during which water may be used for lawn sprinkling or irrigation purposes shall be only from 6 to 8 o'clock A. M. and 6 to 8 P. M.

Section 35. Meters may be granted by the Water Board and installed upon special application, or may be installed or discontinued at the discretion of the Water Board, and any charges for service, rules and regulations for use of water, or connection with the system not provided for in the above schedule will be fixed by the Water Board until such time as the council shall revise the rates.

Section 36. Inasmuch as there is urgent need of the foregoing ordinance and the rates, rules and regulations governing the city water works should go into effect at once for the safety, peace and health of said City and its inhabitants, an immediate emergency is hereby declared to exist and this ordinance shall take effect and shall be in full force from and after its approval by the Mayor and the same is hereby excepted from the effect of the referendum.

Section 37. That all ordinances and parts of ordinances, in so far as the same conflict herewith, be, and the same are hereby repealed.

Passed by the Common Council on the 5th day of August, 1913.

Approved by me the 5th day of August, A. D., 1913.

IRA C. POWELL,
Mayor.

ATTEST:
D. E. STITT,
City Recorder.

Herald and Pacific Monthly one year	\$1.75
Herald and Pacific Homestead one year	1.75
Herald and Weekly Oregonian one year	2.00
Herald and Daily Telegram one year	5.00
Herald and The Weekly Blade one year	1.35

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trunk and took the money.

The next heard of the recipe was by advertisement. A coffee and tea house, instead of giving out trading stamps, advertised to grow hair and whiskers for the buyer of every pound of tea or coffee.

They sent a lot of wagons through the country to herald the news by word of mouth, and the highways were plastered with posters, and the weekly papers reaped whole pages of advertising. The campaign was brief, but vigorous.

All those who got the recipes were directed to a certain druggist to have

them filled. The druggist was a hustler and sent the stuff away by the scores and hundreds of bottles and made 400 per cent profits. At the end of ten or twelve weeks there were 600 baldheads in one county alone, and the number of burned and blistered chins and cheeks was a full thousand.

The headstone marking John Stone's grave was a rather stingy affair. After the exposure it was replaced by a better one, and the obituary was added to as follows:

"He had neither hair nor whiskers, but he was a lucky man!"

Mail Departures and Arrivals

Mail Arrives as Follows:

7:15 A. M.	From Portland, Newberg and Corvallis train.
8:55 A. M.	Arrive from Salem and Portland.
9:05 A. M.	From Airline train
11:15 A. M.	From Portland and Corvallis train.
11:15 A. M.	From Independence
1:25 P. M.	From Dallas
2:40 P. M.	From Portland and Corvallis train.
2:40 P. M.	From Independence
5:35 P. M.	From Airline
7:30 P. M.	From Portland, Newberg and Corvallis.
7:30 P. M.	From Independence

Mail Dispatched as Follows:

6:35 A. M.	To Salem
6:35 A. M.	To Portland and Corvallis.
7:15 A. M.	To Airline
8:55 A. M.	Portland and Corvallis train.
8:55 A. M.	To Independence
11:15 A. M.	To Dallas
1:25 P. M.	To Portland and Corvallis train.
1:25 P. M.	To Independence
4:30 P. M.	To Airline
5:35 P. M.	To Portland, Newberg and Corvallis.
7:15 P. M.	To Portland, Newberg and Corvallis.
7:15 P. M.	To Independence

Church Directory.

EVANGELICAL CHURCH	
W. A. GUEFFROY, Pastor.	
Morning service at	11:00 o'clock
Evening service at	7:30 o'clock
Sunday School at	10:00 a. m.
Y. P. A. Meeting at	6:30 p. m.
Prayer Meeting	Wednesday evening.
CHRISTIAN CHURCH.	
J. M. ORRICK, Pastor.	
Morning Service at	11:00 a. m.
Evening Service at	7:30 p. m.
Sunday School	10:00 a. m.
Y. P. S. C. E.	6:30 p. m.
Prayer Meeting	Wednesday 8:00 p. m.
BAPTIST CHURCH.	
G. A. POLLARD, PASTOR	
Sunday School at	10:00, a. m.
Morning worship,	11:00 a. m.
Evening worship,	8:00 p. m.
Prayermeeting	Wednesday, 8:00 P. M.
W. C. T. U.	
Local Union meets every second and fourth Friday in the Evangelical church at 2:30 p. m.	

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