

The Times-Herald.

VOL. XVI.

BURNS, HARNEY COUNTY, OREGON, SEPTEMBER 26, 1903

NO. 44

PASS NEW FIRE ORDINANCE

CITY DADS WILL USE EVERY PRECAUTION AGAINST FIRE.

Residents in All Sections of City Must Put in Brick or Stone Flues—A Heavy Fine is Attached.

The city council at its last meeting passed the following ordinance, which includes the whole city within the fire limits:

Be it ordained by the City of Burns, Or.

Section 1.—That from and after the passage of this ordinance it shall be unlawful for any person or persons, either owning, occupying or using any building within the town of Burns, to erect, maintain or use any stovepipes, flues of any metallic substance whatever, which shall pass through the floor, ceiling, roof or wall (either within or outside) of any building within said town.

Section 2.—That all flues hereafter constructed in said town, which shall pass through the floor, ceiling, roof or wall of any building, shall be constructed of brick or stone, and all such flues shall be so constructed that the metallic flues or pipe used in connection therewith shall enter the same not less than 18 inches below the floor, ceiling, or roof next above it.

Section 3.—That all persons now owning or using any metallic flue, or stovepipe in any building in the said town of Burns, which passes through any roof, floor, ceiling or wall of said building, shall within 30 days after notice in writing, from the fire warden remove said flue or stovepipe and comply with the requirements of section 2 of this ordinance, and notice to the occupant of any building shall be sufficient notice to the owner.

Section 4.—That whenever the fire warden shall find any flue or stovepipe in any building in said town so constructed or arranged, as to be unsafe he shall immediately notify the owner or occupant of said building thereof, and shall said pipe or flue be used at all after such notice until the same shall have been changed or rebuilt in the manner required by the fire warden, and any person or persons feeling aggrieved, or deeming the requirements of the fire warden unjust may appeal to the common council who shall determine the matter.

Section 5.—That it shall be unlawful for any person or persons to kindle or maintain any fire in any of the streets on any lot in the said town outside of a building or furnace, without first obtaining the consent of the marshal.

Section 6.—That the common council shall on or before the first day of May, of each year, appoint a fire warden who shall be a resident of the town, and who shall hold his office during the pleasure of the common council, whose duty shall be, at least once in three months, to examine all houses or buildings in the town when he has reason to believe that the necessary precautions to guard against accidental fires have not been taken, and whenever he shall find a flue, stovepipe or chimney that he considers defective or unsafe, or one that is not constructed in the manner prescribed by this ordinance, he shall immediately notify the owner or occupant of the property, hereof, in writing, forbidding them to kindle or maintain a fire in any stove, grate, fireplace or furnace, or which such flue, stovepipe or chimney serves as outlet. The fire warden shall receive for his services three dollars (\$3.00) per day; but he shall not receive pay for more than three days for every three months; provided, that he shall receive three dollars per day for every day he shall be so employed under the special direction of the common council.

Section 7.—That any person or persons violating any of the above provisions of this ordinance, for the first offense shall be fined not less than five dollars (\$5.00) nor more than ten dollars (\$10.00) or by imprisonment in the City Jail not less than

30 days, or by both such fine and imprisonment.

Section 8.—That ordinance number 32 entitled an ordinance establishing and defining the fire limits of the City of Burns, and providing certain restrictions thereon; which passed the common council and was approved July 16th, 1902 is hereby repealed, and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Passed the common council this 17th day of September 1903.

Approved this 17th day of September 1903.

Tax Law Will be Tested.

Suit was commenced this morning as foretold yesterday in the Journal, to test the question whether a valid levy of the taxes assessed this year can be made under the laws now upon the statute books. The suit is brought by Mrs. Maria L. Flanders, for herself and for all other taxpayers of Multnomah county. The defendants are the county, the county board and the county assessor, clerk and auditor.

The complaint sets forth the provisions of the law enacted in 1903, relative to the assessment and collection of taxes, and recites also the provisions of the old law, under which the assessment of taxes of this year is now being made all over the state. The complainant alleges that the old law ceases to be in force for January 1, 1904, and that after that date there will be no provision for the levy of the 1903 taxes; that unless enjoined the county officials will proceed with the assessment and levy as if the old law were still in force, thereby causing the taxpayers a very large and needless expense; that the further preparation of the assessment roll will be of no benefit to the plaintiff or to the taxpayers of the county. For these reasons she asks an injunction restraining the county officials from proceeding further with the preparation of the assessment roll and with the subsequent steps for the equalization and collection of the 1903 taxes. The plaintiff's attorneys are Williams, Wood & Littlejohn.

The county will probably demur to the complaint and this will raise the issue whether or not a valid levy can be made. No time will be lost in obtaining a decision in the trial court and the case will then be taken to the Supreme court.

The belief is growing among attorneys that there is now no legal provision for the levy of the taxes of 1903, and that the Supreme court will so decide if the question is presented to it. As it is a matter which affects the whole state, it is expected that the Supreme court will render its decision as early as is consistent with a careful consideration of the subject.

THE PLEASURE OF EATING.

Persons suffering from indigestion, dyspepsia or other stomach trouble will find that Kodol Dyspepsia Cure does what you eat and makes the stomach sweet. This remedy is a never failing cure for indigestion and dyspepsia and all complaints affecting the glands or mechanism of the stomach or digestive tract. When you take Kodol Dyspepsia Cure everything you eat tastes good, and every bit of the nutriment that your food contains is assimilated and appropriated by the blood and tissues. Sold by Burns Druggists.

ESTRAYED.

From J. H. Seaward's ranch in Barron Valley, one several race mare white strip down nose, near on nose, branded "L" on left hip, also 7 with bar beneath on right hip and vented with same on right shoulder. I will pay a suitable reward for information as to her whereabouts.

Wm. A. Keay, Corvallis, Oregon.

I furnish cheaper than ever before in this town. We bought right and will sell right. The very finest in Lace and Muslin Curtains, Ladies' and Men's Suits, Ladies' and Men's Hats, and in fact everything in our line.—Burns Furniture Co.

BECAUSE SHE LOVED HIM SO

FORMER BURNS GIRL ELOPES FROM CALDWELL, IDAHO.

Hallie Martin Separated From Her Husband And Ran Away With Another—He is Under Age.

A domestic drama in a prologue and two acts was rehearsed in police headquarters yesterday afternoon and last night, says the Boise Statesman. The hero and heroine were Richard A. Charles, aged 20, and Mrs. Hallie Martin, aged 21. Mr. and Mrs. Charles, the parents of young Richard, did the sentimental, and Chief Horn and Sergeant Howry the heavies. The performance promised well, but ended very unsatisfactorily.

Charles, senior, is a traveling showman. He carries a moving picture machine about the country, giving performances in small places. His son Richard and daughter Ruth sing illustrated songs and do vaudeville turns.

In Fletcher, Idaho, last July Mrs. Martin formed the acquaintance of the Charles family, representing to them, so they assert, that she had been deserted by her husband and wished to join their company on a trip to Burns, Oregon, for which place they were headed. They agreed to take her along, and she has been with them every since, being treated, so they declare, as one of the family.

Recently Mr. and Mrs. Charles observed a growing attachment between their son Richard and the woman they had befriended. Desiring to break it up and get rid of the woman, they say, they decided to close their season, place their daughter in school at Walla Walla and their son in college in California.

On Saturday night at Caldwell, where the company was to give a performance, young Richard and Mrs. Martin disappeared, taking with them a sum of money said to be about \$75 from Mrs. Charles' trunk.

The elopers were traced to Boise, whether they had been driven in a buggy, and Chief Horn was requested to locate and hold them, which he did. The chief found them at a boarding house on Grove street, and detained them in his office until young Charles' parents arrived from Caldwell on the evening train.

A dramatic scene was enacted in the chief's office when the lad's parents confronted the fugitives. After prolonged argument, in which Chief Horn and Sergeant Howry did their utmost to smooth the matters over, Charles, junior, agreed to return to Caldwell with his parents. He gave up a portion of the money he had taken, and Mrs. Martin was allowed to keep the remainder, which, the young man said, was in his companion's trunk.

Mr. and Mrs. Charles hurried to the train with their son, but Mrs. Martin followed closely, and just as the train started to move, the young man jumped off and rejoined his boys. Mrs. Charles followed hot foot, and behind her came her husband, carrying the valises and following as best he could.

Mrs. Martin lunged her arms around Charles' neck and protested her undying affection for him, while the youth's mother vainly endeavored to separate them. The party created quite a scene on Grove street, their loud talk drawing a large crowd to the corner where they wrangled.

At last accounts all four of the party went away together and Chief Horn struck out for home, thankful to be rid of the entanglement.

Sergeant Howry kept the blinds down on his office windows all night, and was very cautious in answering telephone calls, fearing a return of the family.

Invention to Set Type.

It is said that a new typesetting machine, called the "barotype," invented by H. E. Brown, editor and publisher of Rural Life, at Sterling, Ill., is soon to be manufactured in

Chicago. Its inventor says:

"It is a new and complete machine, about the only thing resembling the standard Mergenthaler being its finished product. Among the prominent features of this new machine are the matrix bars and method by which the machine handles them automatically, the method of spacing and justifying the line, and the keyboard.

"The machine is automatic in all its performances; the operator continues to assemble matrices to form line after line while the lines are carried forward, the slugs or lines of type cast, and the matrix bars and justifiers returned to the stored position without assistance of the operator.

"This new barotype machine is said to surpass all other machines of this class in simplicity; it can be built for less money and operated by anyone of ordinary intelligence, thus rendering it unnecessary to employ an expert to operate and keep it in repair. It will be as rapid, if not swifter, than any other machine, and produce lines of varying lengths to six inches, and of various faces and bodies of type, being interchangeable with great ease and little loss of time.

Relic of Massacre.

A relic, which if it had tongue could probably tell the story of the massacre of the missionary, Marcus Whitman and his party, was found within 600 yards of the Whitman monument yesterday by Thornton W. Heninger, says the Walla Walla Union. Mr. Heninger, in company with E. S. Waterman, was digging on a new irrigation ditch on the Waterman ranch when he struck something hard. The object was unearthed and proved to be a rusted and bent dagger of old pattern. It was found three feet under the ground.

The wooden handle crumbled to pieces when Heninger picked it up and although the two men examined it closely no date or mark of identity could be found owing to its rusty condition. The blade was still very sharp in spite of its condition, giving mute evidence of the manner in which men carried their arms when the weapon was used. Because it was found so close to the monument and was evidently an old style dagger, those who are best acquainted with the situation feel reasonably sure it is one of the weapons carried by the massacred party, or maybe, the scalping knife of some red fiend who helped murder the missionaries.

Mr. Heninger was offered \$2.50 for the relic yesterday but refused, saying he intended to present it to President S. B. L. Penrose of Whitman college.

THE GENUINE VS. COUNTERFEITS.

The genuine is always better than a counterfeit but the truth of this statement is never more forcibly realized or more thoroughly appreciated than when you compare the genuine DeWitt's Witch Hazel Salve with the many counterfeits worthless substitutes that are on the market. W. S. Ledbetter, of Shreveport La., says: "After using numerous other remedies without benefit, one box of DeWitt's Witch Hazel Salve cured me." For blind, bleeding, itching and protruding piles no remedy is equal to DeWitt's Witch Hazel Salve. Sold by Burns Druggists.

GIVEN AWAY FREE—During August and September N. Brown & Sons will give away free 10 Smyrna Rugs. These rugs are handsome in design and will beautify your homes. Ask for a ticket with every cash purchase.

THE FINEST OF ALL

MARYLAND CLUB WHISKY

For Sale Only at

Hotel Burns Bar

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Botheid Bros., Distributors, Portland, Oregon.

RANGE WARS ARE WANING

CATTLE AND SHEEP FIGHT SHOULD BE DROPPED.

One of the Conclusions Deduced From Discussions in the Wool Growers Association Convention.

It remained to be developed in the session yesterday of the Oregon State Woolgrowers' association that the bitter fights and contentions between the Oregon sheep growers and cattle men are waning and about to die out from natural causes resulting from the common sense and good brain work of the leading men in both industries.

All of the readers of the Democrat are familiar with the fact that sheepmen and cattle men have been at war with each other for some time past and have not been very good friends, over the question of pasturage for flocks and herds. Blood has been drawn on various occasions and hot-headed energy was mainly the cause. The brains of leading growers of sheep and cattle soon learned that each industry was entitled to recognition; that both were important to the general interests of Oregon, and that both were entitled to the rights of existence.

A large part of the difficulty grew out of agitation on the part of irresponsible who correspond to walking delegates and he uncalled for action of certain newspapers in the State who only had in view the stirring up of sensation. Let the sheep and cattle fight alone and it will take care of itself. Cool-headed deliberation has said so, and in the natural evolution of things intelligent enterprise in building up the State of Oregon will prevail for peace and harmony and the development of all the resources of this richest of the rich States of the Union.

This sentiment emanating from a convention of sheep men speaks volumes for the future.—Baker City Democrat.

Notice to Creditors.

All persons having claims against J. W. Kelso deceased are notified that by order of the Honorable County Court in Probate for Harney County, State of Oregon, dated the 26th day of March 1903, the undersigned was appointed Administrator of the estate of J. W. Kelso deceased and qualified on the 5th day of August 1903, and to present such claims either to him in person or by mail directed to him in the care of his attorney, Thornton Williams, Burns Ore. properly verified and vouched for as required by law within 6 months from the expiration of the publication of this notice.

First publication dated August 8, 1903, in The Times Herald 3 weeks, 5 insertions. Last publication Sept 5, 1903.

J. H. Oard,

Administrator

Estate of J. W. Kelso deceased.

Distress After Eating Cured.

Judge W. T. Holland of Greensburg, La., who is well and favorably known, says: "Two years ago I suffered greatly from indigestion. After eating, great distress would invariably result, lasting for an hour or so and my nights were restless. I concluded to try Kodol Dyspepsia Cure and it cured me entirely. Now my sleep is refreshing and digestion perfect." Sold by Burns Druggists.

JOHN D. DALY, PRES.
FRANK R. COFFIN, VICE PRES.
N. U. CARPENTER, CASHIER,
A. C. WELCOME, ASST. CASHIER.

First National Bank

OF BURNS, OREGON.

Accounts of Corporations, Firms and Individuals Solicited.

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This bank is insured and will be reimbursed for any loss by burglary or hold up day or night.

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E. H. TEST, Cashier.

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B. F. WHITE, VICE-PRESIDENT
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CALDWELL, IDAHO

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Unexcelled as a dividend payer.

INVESTIGATE BEFORE YOU INSURE.

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UNDER NEW MANAGEMENT

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Strictly First-Class

Best Accommodation.

Special Accommodations for Traveling Men.

This hotel is centrally located and under the management of an experienced landlord. The building has been thoroughly renovated and is well furnished. The dining room is in charge of polite, accommodating waiters. The tables are furnished with the best.

FIRST CLASS BAR IN CONNECTION.

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Has again been opened to the public and we desire our old time friends and customers to stop with us at the old stand

BEST ACCOMMODATIONS
NICE BED ROOMS
HOME COOKING

A Share of Public Patronage Solicited

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THE CAPITAL SALOON,

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