

# The Times-Herald.

SATURDAY, OCTOBER 10, 1903.

### SUBSCRIPTION RATES:

One Year \$2.00  
Six Months 1.00  
Three Months .50

JULIAN BYRD, Manager

It is to be hoped the rain of last night and today will benefit the range.

The Municipal Association intends to begin civil proceedings against the city officials without delay because of their refusal to close gambling in Portland.

Chief Forester Pinchot has been spending the past month or more in the Northwest trying to educate the people in regard to forest reserves. We believe Mr. Pinchot is doing what he honestly believes for the best interests of the country.

A special to the Oregonian from Salem of recent date shows how thoroughly interested Gov. Chamberlain is in regard to land matters in this state. The Governor is going to find out as near as he can the true situation so that he may act intelligently in such matters. The dispatch says:

If his official business will permit, Governor Chamberlain will leave Oregon next Saturday for Washington, D. C. The purpose of his proposed trip is to talk with the President, the Secretary of the Interior and officials of the General Land Office concerning land matters in Oregon. He desires to secure what information he can at Washington regarding past and present land transactions so far as Oregon is interested. He finds that correspondence is a very slow and unsatisfactory way of getting information, and by a brief trip to Washington he expects to get a pretty thorough general understanding of the principal features of public land matters.

It is not certain that he will make the trip, but that is his intention if he can get away.

### JOHN G. SAXTON.

No man was more universally respected and honored in this community than John G. Saxton who was laid low in his prime by the hand of an assassin, while doing his duty in the cause of humanity and law. His quiet ways, honest and upright character and sympathetic disposition won a warm place in every heart. He was everybody's friend and one hears expressions of regret from every lip. John was ever ready to minister to suffering and quickly responded to any duty devolving upon him, or in the interest of justice and right.

John G. Saxton was born at Burlington, Kentucky, on December 9, 1858. His only relatives are his mother, brother and four sisters residing in Kentucky and his brother, F. M. Saxton, residing in Baker City, Oregon. He was never married. In 1875 he went to central Indiana where he resided almost continuously until he came to Oregon in 1897. He united with the Second Mt. Pleasant Baptist church of Johnson county, Indiana, about the year 1883.

He was educated at Danville, Indiana, graduating in law in 1895. He practiced law in Danville until he came to Oregon. Was a member of "Battery B," O. N. G. during the Cuban war, but his company saw no service, being held in camp near Portland, Oregon, until the war closed. In 1899 he came to Burns where he has since resided.

Deceased was an Artisan in good standing and carried a policy for \$1000 in that order in favor of his legal heirs. Was at one time a member of the I. O. O. F. Lodge joining that order in Smithland, Ind., but had allowed his dues to lapse in 1888 while he was attending college. The funeral services were conducted by Rev. A. J. Irwin at the I. O. O. F. Hall this afternoon and the remains interred in the Burns cemetery.

Call and see the fall and winter samples and fashions for ladies suits, coats and jackets. At Mrs. Chas. Wilson's.

## SHOT DOWN IN COLD BLOOD

### JOHN G. SAXTON AND JACK WEST FOULLY MURDERED.

John Frost, Alias Harry Egbert Their Slayer --Made his Escape and Reward of \$500 Offered for his Capture.

The coldblooded murder of John G. Saxton and Jack West, while attempting to arrest the man known as Harry Egbert, at the Fields ranch last Sunday, has shocked the whole section.

Mr. Saxton was deputized by the sheriff to go and arrest Egbert upon a warrant issued from Douglas county charging him with burglary. Saxton met Egbert, the woman he claimed to be his wife and Sid Kurtz in a buggy between Anderson Valley and the Juniper ranch on Sept. 25 but did not recognize them. Upon reaching the ranch he was told who they were and that the trio were en route to Burns. Mr. Saxton returned to the Mahon ranch early the next morning and served the warrant on Egbert without any trouble. The man said it was alright and that he would accompany him to Burns but asked permission to step in the house and speak to his wife which was granted.

He made his escape from the window and Mr. Saxton followed him. He succeeded in eluding the officer from that date until Sunday Oct. 4 when the latter, accompanied by Jack West, whom he had deputized to assist him, came upon him at the Fields ranch in the Wild Horse section.

Coroner Marsden arrived home from the scene yesterday noon and brings the following statement from Chas Fields who witnessed a part of the tragedy. Others who saw the shooting were Jesse Cox, a sheepman by the name of Williams, Egbert's wife and her little son. Saxton and West came up about 2 o'clock Sunday afternoon. Upon seeing them Egbert, who was in the kitchen with the woman and Fields, ran into another room and grabbed a rifle. Both the latter begged him not to shoot and he said he would not, but would not be arrested. Fields went out and told the officers their man was there and had a Winchester. He proposed watching the house and securing more help. West said they were going to get him. After putting up their horses they started toward the house and as Saxton was almost to the kitchen door with West farther back perhaps outside a fence which inclosed the house when Egbert appeared at the other corner of the house. West started to run for shelter, Egbert opened fire shooting him in the back. Saxton returned the fire and drove Egbert from his position and the latter entered the north door of the house and took refuge in a bedroom. Saxton entered the kitchen door and many shots were exchanged through the thin partition. During this battle Saxton was struck in the right shoulder by a spent ball and at one time he had reached his left hand around the door casing and shot, the ball striking the handle of a pistol in Egbert's belt.

During this battle Fields and the woman had taken refuge in a sod house 250 yards away where Williams and Cox were. Saxton came out and down to the house saying he believed he was wounded. It proved to have simply bruised his breast. Fields then went to the house for the purpose of dissuading Egbert from resisting and if possible to overpower him should opportunity present. Fields, as well as the other men, was unarmed. Egbert would not allow Fields to get near him. West, who had been mortally wounded was asking for water and Fields admonished Saxton not to go to his fallen comrade and expose himself as he would be in plain view of the house. Saxton asked the woman to take water to the dying man but she refused. He then took the water

himself in a cup and again in a bottle. Fields then took the woman and child to Pedro's ranch and sent Cox in another direction to get help. Before Fields left he again cautioned Saxton not to expose himself by going to West. Although he had been warned Saxton again returned to West to place a blanket under his head and making him more comfortable. Egbert then shot him from an upper story window. The distance was 57 feet from the house.

Egbert then ransacked Fields' house taking some cartridges and some money from the woman's purse. When he emerged from the house Kurtz rode up on a black horse and Williams, who was in the sod house, saw them talking Egbert finally getting on the horse and riding away, after taking Saxton's rifle and loosening the belt from West's body and taking some cartridges. Kurtz then took the gun thrown down by Egbert and mounting Saxton's horse rode away. Kurtz later appeared at Andrews stating he had come to the Fields ranch from the borax works and found the men dead. He also stated that he had met Egbert who had compelled him at the muzzle of a gun to give him his horse.

Coroner Marsden brought in the above facts yesterday. Both bodies had been removed upon his arrival at the scene by order of Justice Catlow, who held an inquest, the body of West being taken south for burial while Saxton was brought to Burns, arriving Tuesday night.

Sid Kurtz was with the woman most of the time from the first arrest and seemed to turn up at opportune times. Saxton had asked him to assist in the capture of Egbert but he refused. Kurtz telegraphed the sheriff's office this morning from Winnemucca, stating Egbert had been seen going across country and it funds were sent he would follow the fugitive. Deputy Sheriff Hugbet telegraphed the sheriff of Humboldt county to arrest Kurtz and hold him as an accessory.

Egbert is the man recently shot by Tom Murray and in his description this fresh wound was not mentioned. It was at the point of the left hip ranging back the bullet coming out near the backbone. He is also known as John Frost and Harry Hubbard. The county has offered a reward of \$500 for his capture.

### STOCK ASSOCIATION MEETS.

The regular semi-annual meeting of the Harney County Stock Association was held at the court house last Saturday afternoon. Several new members were taken in and the cattle situation talked over. While the market is low and dull and no immediate prospects for buyers at good prices, the members took a cheerful view of the matter and none seemed discouraged.

The membership was asked to list the stock they have for sale with the secretary and he, as well as the Times-Herald, is in correspondence with buyers. While it is late in the season we hope to get buyers and dispose of all the beef stuff at least.

### DAVID CARY BETTER.

Lewiston, Idaho, Oct. 5.—(To the Editor.)—I left home on Sept. 25 in response to a telegram from Lewiston, Idaho, to the effect that my father was dangerously ill. I reached him four days later and found he was not receiving proper care so had him moved to St. Joseph's hospital in this city. He is suffering from a stroke of paralysis, but is getting along as well as could be expected under best of care. Mother and sister are here with him. I expect to move him home as soon as possible. He is better this morning than at any time since my arrival.

### C. T. Cary.

### A Cure For Dyspepsia.

I had Dyspepsia in its worst form and felt miserable most of the time. Did not enjoy eating until after I used Kodoi Dyspepsia Cure which has completely cured me.—Mrs. W. W. Saylor, Hillard, Pa.

No appetite, loss of strength, nervousness, headache, constipation, bad breath, sour risings, indigestion, dyspepsia and all stomach troubles are quickly cured by the use of Kodoi. Kodoi represents the natural juices of digestion combined with the greatest known tonic and reconstructive properties. It cleanses, purifies and sweetens the stomach. Sold by Burns druggists.

### CITATION.

In the County Court of the State of Oregon, for Harney County.

In the matter of the Estate of Ralph Brown, Deceased.

To Edith Middleton, to the heirs of Sarah A. Markham, deceased, whose christian names are unknown, and to all unknown heirs of Ralph Brown, Deceased—Greeting: You and each of you are hereby required to be and appear on the 8th day of November 1903, at the November term of the County Court sitting as a court of probate at the Court House in the city of Burns, Oregon, to show cause if any you may have, why an order should not be granted by said court for the sale of the following described real estate situated in the county of Harney and state of Oregon, to-wit: The North one-half of the South West Quarter, the South West Quarter of the North West Quarter and the North West Quarter of the South East Quarter of Section 22, Township 30 South, Range 33 East of Willamette the said property having been heretofore inventoried as the property of Ralph Brown, Deceased for the purpose of paying off the debts and expenses of administration of said estate, as listed and described in a petition now pending in the said court in the above entitled matter.

### H. C. LEVENS.

County Judge.

### ADMINISTRATOR'S NOTICE.

In the Matter of the Estate of Willards N. Jorgensen, deceased. To all whom it may concern: Notice is hereby given that the undersigned, Jorgen Jorgensen has this 9th day of September, 1903, been duly appointed by the Hon. H. C. Levens, County Judge of Harney County, State of Oregon, administrator of the Estate of Willards N. Jorgensen, deceased and all persons having claims against said Estate are hereby required to present them, with the proper vouchers therefor, within six months from the date of this notice, to me, the said administrator, at my place of residence in Burns, Harney County, Oregon, or at the office of Parrish & Rembold in said Burns.

Dated this 9th day of September 1903.

JORGENSEN, Administrator.

### Notice of Final Settlement.

In the County Court of the State of Oregon for Harney County. In the matter of the Estate of Emma J. Davis, Deceased. Notice is given to whom it may concern that the undersigned has filed his final account as administrator of the estate of Emma J. Davis, deceased, and by order of the above named Court, Monday November 2, 1903, at 10 ten o'clock a. m. of said day, has been fixed as the time when said account will be considered and all objections there-to heard and determined.

L. M. DAVIS, Administrator.

Job printing—The Times-Herald

### NOTICE FOR PUBLICATION.

UNITED STATES LAND OFFICE, Burns, Ore., September 18, 1903. Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the Register and Receiver at Burns, Oregon, on October 13, 1903, viz: H. E. No. 56 of Frank Norton, for the S. 1/4, S. 21, T. 18 S., R. 31 E. W. 1/4. He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Edgar L. Boeke, of Drewsey, Oregon; William F. Smith, Moses Dripps, and Isaac M. Davis, all of Van, Oregon.

W. M. FARR, Register.

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W. M. FARR, Register.

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UNITED STATES LAND OFFICE, Burns, Oregon, September 18, 1903. Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the Register and Receiver at Burns, Oregon, on October 13, 1903, viz: H. E. No. 105 of Annie Byler for the S. 1/4, S. 21, T. 18 S., R. 31 E. W. 1/4. She names the following witnesses to prove her continuous residence upon and cultivation of said land, viz: Charles Cronin, Fred Fine, Hugh A. Martin, David W. Cox, all of Burns, Oregon.

W. M. FARR, Register.

### ADMINISTRATOR'S NOTICE.

Take notice that by order of the County Court of the state of Oregon for Harney County the undersigned was duly appointed this the 14 day of September 1903, Administratrix with the will annexed, of the estate of Allen T. Clark, deceased; all persons having claims against said estate are hereby required to present them, with the proper vouchers, within six months from the date of this notice, to the undersigned, Mary A. Clark, at her residence in Diamond Valley, Harney County, Oregon, or at the office of Parrish & Rembold, at Burns in said county.

Dated this 15th day of September 1903.

MARY A. CLARK, Administratrix with the will annexed.

### WINTER APPLES.

Of all the choice varieties are now ripe and ready to be picked; enough to supply Harney, Malheur and Grant counties.

Come one and all and lay in your fruit for the winter before it is too late.

Bring you packing material and camping outfit and be happy—but don't forget the CASH.

Price per bushel, for good winter apples in the orchard, 50 cts.

D. B. RINEHART, Propt.

### JOHN GEMBERLING,



Jeweler, Optician and Engraver. Fine Watch Repairing A Specialty.

OPPOSITE THE P. O.

## Just Received Fall and Winter Goods.

We have just received a consignment of our Fall and Winter Dry Goods, Linings, Trimmings, ready made Skirts, Waists, Fascinators, Outing Flannels, Ribbons, Laces, Muslins, Calicos, ready made Clothing, Notions; in fact everything that is carried in an up-to-date General Merchandise Store. We carry the

### BEST ASSORTMENT

As well as the

### BEST QUALITY

Of Dress Goods and Trimmings of any house in the county. This is admitted by every dress-maker in town.

We are here to please and to cater to wants. Call and see our new goods. They are of the

### LATEST STYLES AND FASHIONS

Prices Lower Than Ever before.

LUNABERG & DALTON.

## CITY MEAT MARKET

LEVENS & MACE, Props.

### Beef, Mutton, Pork

Full Supply always on hand.

### HOME-MADE LARD,

CORNER BEEF, BOLL

Special attention given large orders. Beef sold by the cut up or suit the customer.

### Free Delivery

and 11 a. m. to 10 p. m.

## The White Front Livery

LEWIS & MCHARGUE, Props.

New and Elegant Livery Turnouts Complete.

Horses fed by the day, week or month. Special care given all stock.

### Special accommodations for Comm.

Cor. Main and B Sts., Burns, Oregon.

## STUDEBAKER

Hacks, Buckboards, Carriages, Buggies.

### TWO CARLOADS JUST ARR.

Complete line on hand.

### Dain and Acme Bucks.

Deering Mowers and Binders, Buckeye and Osborne Mowers, Machine Oil, Binding Turms, Wire, Pure Manilla Rope, Machine Extra, New Stock of Bicycle.

These wheels are guaranteed by the manufacturer year. Call and get prices on our new year.

### WINDMILLS AND IRRIGATION

A SPECIALTY.

GEER & CUMMINS, Burns.

## BURNS LIVERY AND FEED ST.

LEWIS & MACE, Props.

Special attention to transient travelers teams.

Horses kept week or month.

### FIRST CLASS LIVERY

Hay and 20 on hand.

Your patronage solicited.

Stable New St.

## REMEMBER

If you buy an article at the City Drug Store in any way unsatisfactory, bring it back and I do not, at any time, want you to be satisfied. I am not content until you pay me to treat you well.

THEREFORE if you are wanting a line of drugs, medicines, toilet articles, candies, books, periodicals, or anything else, first class pharmacy, give me a call, and those living out of town, will be glad to see you at the City Drug Store headquarters, while in your bundles until you are ready to have them be taken care of.

H. M. HORTON.