

BAXTER SPRINGS NEWS.

PUBLISHED EVERY THURSDAY.

CHARLES L. SMITH,
Editor and Proprietor.

B. W. PATTON, Associate Editor.

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THURSDAY, AUG. 23.

(Published August 23, 1906)

ORDINANCE NO. 87.

An ordinance authorizing John M. Cooper, W. S. King and R. B. Gilluly, their successors and assigns to construct, maintain, operate and equip a street railroad upon and across the public streets, avenues, and alleys in the City of Baxter Springs, Kansas.

Be it ordained by the Mayor and Councilmen of the City of Baxter Springs, Kansas:

Section 1. The right of way upon which to construct, maintain, equip and operate a double or single track street railway and the right to use, operate and equip the same, be and the same is hereby granted to the said John M. Cooper, W. S. King and R. B. Gilluly, and to their successors and assigns for a period of twenty years from and after the passage, approval and acceptance of this ordinance through, upon, along and across the public streets, avenues, alleys and public grounds, and within the limits of the City of Baxter Springs, Kansas, as hereinafter provided.

Section 2. The rights hereby granted to said grantees, their successors and assigns by these presents are and shall be as follows: The right to construct, maintain, equip and operate the railways of said grantees, their successors or assigns, upon any and all of the streets, alleys, avenues and public ways of said city for the erection, maintenance and operation of electric wires for the purpose of maintaining a telephone or telegraph line to be used exclusively in the operation of said railroad, said electric wires or conduits, either above or under ground, shall be erected, laid, placed or constructed and managed in such manner as not to obstruct the use of any of said streets or alleys or interfere with the public use, work or travel on the streets, avenues, alleys or public grounds of said city and so as not to affect or interfere with or prevent any drainage, sewerage, crossing or other public improvement whether now built or hereafter acquired. If said electric wires be erected on poles, the same to be firmly placed in the streets and alleys and the said wires to be not less than twenty feet above the level of the streets.

Section 3. The said grantees may adopt, employ and use compressed air, electricity, gasoline, or such other motive power except steam as will enable them, their successors and assigns, to operate the said street railway and operate cars thereon with speed and safety, the selection of which motive power shall be left to their own judgment and discretion.

Section 4. For the purpose of constructing said line of street railway the said grantees, their successors and assigns, shall have the right and authority to enter upon the streets, avenues and alleys of said city and make such excavations therein as may be necessary for the construction, equipment and maintenance of said railway and also to construct the necessary and proper sewers for the proper drainage of the space excavated in said streets. The said excavations made in said streets may be of such dimensions as may be necessary for the respective use of all the machinery and appliances necessary for the proper construction and operation of said railway, whether the motive power be of gas, gasoline, compressed air, electricity or other motor power except steam, provided, the excavations made in said streets by grantees herein shall not at any one time disturb the surface of such streets any distance exceeding the length of three blocks; and immediately upon the construction of said railway through or along one block, said grantees shall cause the street in said block to be put in proper condition for public use as hereinafter provided.

Section 5. The gauge of said railway shall be what is commonly known as standard gauge. The rails shall be of steel and shall be not less than sixty-pound rails and shall be laid so that the face of the rails shall be on the established grade of the street. There shall be one track and the center of the same shall coincide with the center of the street wherever practicable except at a point where the cars are expected to meet and at such

point the track shall diverge the same distance on each side of the center of the street; provided, that said company may at any time construct a double track on such streets as they may desire.

Section 6. The tracks of said railway shall be laid and kept on the established grade of the streets and alleys as they now are or hereafter may be established, along or through which it passes without waste or borrowing from the street; and said grantees, their successors and assigns, shall construct and maintain suitable and proper culverts whenever and wherever required by said city; provided, that whenever the grade of any street over which the right of way is hereby granted shall not have been established, then and in such case they shall have the right to build their tracks on the surface of the streets; provided, that whenever the said grade shall be established that then said grantees, their successors and assigns, shall place said tracks upon the grade so established.

Section 7. Said grantees shall level the space between the tracks of said road and the rails to the same level as the balance of the street and maintain the same in such condition in a good, workman like manner so as to interfere as little as possible with public travel on said streets.

Section 8. The cars of said railway shall be operated so that the rate of speed within the city limits of said city shall not exceed ten miles per hour.

Section 9. The right of way hereby granted by this franchise along, across and upon the streets and avenues of said city, upon which said grantees shall not have constructed and have in operation their cars thereon within eighteen months after the taking effect of this ordinance, shall and it is hereby agreed to be forfeited and said grantees, their successors and assigns, shall have no right thereafter by virtue of this ordinance, to enter upon said streets and alleys.

Section 10. The right of way of the streets, avenues and alleys along, across and upon which the tracks contemplated and authorized to be constructed and operated by the grantees in this ordinance shall be, remain and vest in said grantees only so long as the same shall be used as aforesaid for the purpose of said street railway, subject to all rules and ordinances made by said city in the exercise of its lawful powers; provided that nothing in this ordinance shall be construed as granting the exclusive privilege to use any of said streets and alleys for the purposes herein granted and provided, further that the said city shall not be held liable to said grantees, their successors and assigns, in damages for any intervention, if any there be, for such time as may be necessary to lay down water, gas, or sewer pipes; provided that for any injury to said road bed that all repairs necessary to put said tracks or any part of said road, water ways or culverts in their original condition, shall be at the expense of said city and that it will repair all injuries so caused as aforesaid and save the company harmless from any expense so incurred; nor shall anything in this ordinance be so construed as to pass from the city full and complete control of the streets and alleys in which this grant authorizes said tracks to be laid, and its control shall be as full and complete as if no grant had been given; subject, however, to the express condition to use the streets in the manner and for the purposes named herein.

Section 11. The cars of the said grantees, their successors and assigns, shall at all times be entitled to the track, and the driver of every other vehicle upon the track, or by the side thereof, except fire engines, hose carts, and fire apparatus while going to and from fire and while extinguishing fire, shall turn such vehicle out when any car approaches, so as to leave the track unobstructed for free passage of cars.

Section 12. The fare on said railway provided for in this ordinance shall not exceed five cents for each passenger, from any point on said line within said city, for a continuous passage to any other point thereon within said city, provided that said company may charge double fare between the hours of ten o'clock p. m., and five o'clock a. m., and said company shall be permitted to carry the baggage belonging to and accompanying passengers at all times. Said grantees shall have the further right to carry or deliver any merchandise from any point in said city to any other point on its lines either within or without said city and to transport the same from any point on its said lines without the city to any point within the city and in so doing, it shall be permitted, if it so desires, to transport such merchandise and commodities in standard railroad cars which may be switched to its line from any railroad or railroads with which it may connect.

Section 13. That any person, company or corporation which now has or may obtain from said city a right to lay water or gas pipes or conduits for the transmission of light, heat, air, power, or for any other purpose along the streets and alleys of said city, shall have the right to enter upon the right of way hereby granted for the purpose of laying said pipes or conduits or for any other purpose

along, over and across said streets, alleys, avenues or public grounds; provided, that said person, company or corporation shall not interfere with the operation of the said street railway but they shall replace the tracks and road bed in as good condition as they were in when so entered upon.

Section 14. That when it becomes necessary to remove snow or ice from said tracks, it shall be distributed evenly over the surface of the street or streets so as not to interfere with the free use and occupancy of the same by the public.

Section 15. The grantees herein shall have sixty days after the expiration of this franchise in which to remove their tracks and other property from the streets and alleys of said city; but said grantees, their successors and assigns, shall at their own expense, replace the streets in as good condition as other portions thereof adjacent thereto.

Section 16. The City of Baxter Springs expressly reserves the right and power to provide and regulate by ordinance, the terms, conditions, manner, plan and system of management, operation, construction and re-construction of said street railway and such reservation is expressly agreed to by the acceptance of this ordinance by the grantees herein.

Section 17. Nothing in this ordinance shall be so construed as abridging or in any way affecting the power of said city to tax the said grantees, their successors or assigns, and all their property and franchises and this grant is expressly declared to be subject to any reasonable regulation pertaining to the construction, management, control or operation of street railways which may hereafter be enacted by the city for any lawful purpose.

Section 18. If said grantees, their successors or assigns, shall at any time fail, neglect or refuse to obey and comply with any of the provisions of this ordinance, they shall forfeit all the rights, powers, and privileges of this ordinance and this ordinance shall then be null and void.

Section 19. The principal officer of said grantees, their successors and assigns, shall be kept in the City of Baxter Springs but the grantees, their successors or assigns, may maintain branch offices elsewhere as they may desire.

Section 20. Within ten days after the passage and approval of this ordinance, the said grantees, or majority, their successors and assigns, shall file with the City Clerk of said City of Baxter Springs their acceptance in writing of all the provisions, terms and conditions of this ordinance which shall be duly acknowledged before some officer authorized to administer oaths; otherwise this ordinance shall be null and void.

Section 21. This ordinance shall take effect and be in force from and after its acceptance as provided in Sec. 20 by the grantees herein and its publication in the Cherokee County Republican.

Approved:
W. T. HARTLEY, Mayor.
GEO. W. PETERSON, City Clerk.

I, Geo. W. Peterson, city clerk of the City of Baxter Springs, Kansas, do hereby certify that the above is a true and correct copy of Ordinance No. 87, as the same appears on file in my office.
[SEAL] GEO. W. PETERSON, City Clerk.

Ordinance No. 86.

An ordinance levying taxes on all real, personal and mixed property in the city of Baxter Springs, Kansas for the year 1906.

Be it ordained by the mayor and councilmen of the city of Baxter Springs, Kansas:

Section 1. That taxes are hereby levied for the year of 1906 on all the real, personal and mixed property in the city of Baxter Springs, Kansas as shown by the last assessment rolls in the office of the County Clerk of Cherokee County, Kansas, the following amounts and for the following purposes, to-wit: for the purpose of paying interest on the outstanding bonds against said city, the sum of five (5) mills on each dollar of assessed valuation; for the purpose of raising a fund to redeem the outstanding railroad bonds against said city, the sum of five (5) mills on each one dollar of assessed valuation; for the purpose of paying off the outstanding water works bonds against said city the sum of five (5) mills on each one dollar of assessed valuation; for the purpose of raising an electric light fund the sum of five (5) mills on each one dollar of assessed valuation; for the purpose of raising a library fund the sum of three (3) mills on each one dollar of assessed valuation; for the general revenue fund the sum of five (5) mills on each one dollar of assessed valuation; and for the street and alley fund the sum of five (5) mills on each one dollar of assessed valuation.

Section 2. This ordinance shall take effect and be in force from and after its publication in the Cherokee County Republican.

Passed the council August 14, 1906, and signed by the Mayor August 14.
W. T. HARTLEY, Mayor.

Attest: Geo. W. Peterson,
I, Geo. W. Peterson, city clerk of Baxter Springs, Kansas, hereby certify

When the Hair Falls

Then it's time to act! No time to study, to read, to experiment! You want to save your hair, and save it quickly, too! So make up your mind this very minute that if your hair ever comes out you will use Ayer's Hair Vigor. It makes the scalp healthy. The hair stays in. It cannot do anything else. It's nature's way.

The best kind of a testimonial—
"Sold for over sixty years."

Made by J. C. Ayer Co., Lowell, Mass.
Also manufactured by
Ayer's
SARSAPARILLA
PILLS
CHERRY PECTORAL.

that the above and foregoing is a true and correct copy of Ordinance No. 86, as passed by the city council at a regular meeting held August 14, 1906, and which is on file in my office.

[SEAL] GEO. W. PETERSON,
City Clerk.

Queen Alice Cigar at Grantham's.

FRISCO SPECIAL RATES.

Second class colonist rates to California, Arizona, Nevada, New Mexico, Old Mexico and Texas points, at rate of \$25.00. Dates of sale September 15, October 31.

One way second class colonist rates to Billings, Mont., and intermediate points, \$19.40. Ogden and Salt Lake City and intermediate points, \$22.05. Helena, Butte and Anaconda and intermediate points, \$22.05. Spokane, Washington \$24.55. Portland, Seattle, Tacoma, Victoria and all points to which the regular one second class rate is \$40.00, the rate will be \$27.05. Dates of sale Sept. 15 to Oct. 31.

Toledo, Ohio.—Summer tourist rate \$30.80 for the round trip, sell daily to Sept. 30, return limit Oct. 31.
Memphis, Tenn.—National Baptist Convention, (Colored) Sept. 12 to 19, \$11.65 for the round trip, final limit Sept. 30.

Memphis, Tenn.—International Convention, Brotherhood of St. Andrew, Oct. 18 to 21, \$11.65 for the round trip, return limit Oct. 31.

Eureka Springs, Ark.—Week end rates of \$3.55 for the round trip. Dates of sale Saturdays and Sundays of each week to and including Oct. 31st. Tickets limited to return Monday following date of sale.

J. M. WILSON, Agent.

Queen Alice Cigar at Grantham's.

BEGGS' BLOOD PURIFIER CURES catarrh of the stomach.

BARTLETT MEAT MARKET. All kinds of meat in their seasons. Will buy your fat stock and hides.

BARTLETT & Co.

SPECIAL RATES VIA FRISCO.

Round trip rates to St. Louis \$13.50, to Chicago \$21.40, to Milwaukee \$24.85, these rates good until Sept. 30, final return limit Oct. 31.

Round trip rates to Denver, Colorado Springs and Pueblo, \$19.55, to Trinidad, \$25.90, to Glenwood Springs, \$31.55, to Ogden, Salt Lake, Grand Junction, \$32.55. Tickets on sale daily to Sept. 30, return limit Oct. 31. Also have summer tourist rates to Pac coast points and points in N. W. territory.

Boston, Mass. and return \$59.50, sell daily to Sept. 30, return limit Oct. 31. We also have summer tourists rates to points in New Jersey, dates of sale and limits same as to other tourist points.

Hot Springs, Ark. \$13.50, sell to Sept. 30, return limit 30 days from date of sale.

To Siloam Springs, Ark., and Eldorado Springs, Mo. One fare plus \$2.00 for the round trip. Tickets on sale daily to Sept. 30, 1906. Return limit 30 days from date of sale. Tickets may be extended to 90 days.

Special one way rates to Colorado points on sale till further notice. Denver \$18.20. Colorado Springs and Pueblo \$18.05.

Eureka Springs, Ark., week end tickets, round trip \$3.55.
For further information call on or address J. M. WILSON, Agent.

[First published August 5, 1906.]

Notice of Final Settlement.

The state of Kansas, Cherokee county, ss. In the probate court in and for said county.

In the matter of the estate of Abner Moore, deceased. Creditors and all other persons interested in the aforesaid estate, are hereby notified that at the regular term, to be begun and held at the probate court room, in Columbus, county of Cherokee, state aforesaid, on the first Monday in the month of September, A. D. 1906, I shall, on the 5th day of September, apply to said court for a full and final settlement of said estate, and for allowance of attorney's fees and fees to administrator.

WILLIAM H. BRADSHAW,
Administrator of the estate of Abner Moore, deceased.
Baxter Springs, Kansas, August 1st, A. D. 1906.

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Barn,



W. R. STREET, MANAGER.

Good Rigs, Safe Horses and Reasonable Charges.

Good Mules and Horses Bought and Sold.

Old Sumner Barn, east of Dent's Grocery. Phone 265.

New Patterns and Styles

The biggest line of Wallpaper ever brought to this city. All the new styles and patterns. Prices right. Also have the best line of fishing tackle ever displayed in the southwest. Everything in sporting goods. The best of cigars and tobaccos.

J. G. POLSTER'S CORNER DRUG STORE.

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LOW ROUND TRIP RATES



Colorado, California, Oregon, Washington, and the Northwest, Michigan, Minnesota, New England, Wisconsin, Ontario and Quebec resorts

All summer resorts in the southeast Also to St. Louis and Chicago

Liberal return limit. Write nearest Frisco Agent, or L. W. PRICE, Division Passenger Agent, Joplin, Missouri

Southwest Homeseekers' Excursions

Very low round-trip rates to Western Kansas, Eastern Colorado, Oklahoma, Indian Territory, Texas and Eastern New Mexico.

First and third Tuesdays, monthly Liberal stop-overs and return limits. It will pay you to visit the bustling, busy, prosperous "Santa Fe Southwest."



Ask for Land Folders and Rates. Address L. B. SMITH, Union Depot, Kansas City

TABLE OF RATES.

Following is the Modern Woodmen table of rates—that is, the payments required to be made by the Beneficial members, at their various ages of admission to the Society. The rate does not increase with age, but remains the same as at time of admission as a member:

Age Nearest Birthday	\$500	\$1,000	\$2,000	\$3,000
18 to 25 years	25	50	100	150
26 to 27 years	30	55	110	165
28 to 29 years	30	60	120	180
30 to 31 years	35	65	130	195
32 to 33 years	35	70	140	210
34 to 35 years	40	75	150	225
36 to 37 years	40	80	160	240
38 to 39 years	45	85	170	255
40 to 41 years	45	90	180	270
42 to 43 years	50	95	190	285
44 to 45 years	50	100	200	300

An applicant for membership who has passed his first birthday cannot insure for more than \$2,000.

BARGAINS.—NEW FIVE-ROOM house, with 55 feet of ground and good well of water for \$900. Four-room house and 45 feet of ground; good cellar and fine yard, \$540. New two-room house and two lots, with good barn, \$300. Call at this office.

That Annual Reunion at Cassville
Aug. 14, 15, 16 and 17.

If you have ever attended one of these reunions you will come back again. They are the most enjoyable and are held in the best natural park in the West, with a spring of as pure water as ever flowed from mother earth, a creek partly encircling the grounds, with a splendid shade of forest trees, makes the place a most inviting one. Some noted speakers of this state will be present and deliver addresses. One of the finest bands in the Southwest will enliven the occasion with excellent music. If you want to have a good time, one that you will forever remember, come. Write Privilege Committee for rights.

W. A. WEAR, DR. O. H. THIELE,
Chairman. Secretary: Cassville, Missouri.

Better Than Any Other. Cuero, Texas, May 28, 1905.

"Ship one grow Dr. Mendenhall's Chill and Fever Cure. We have been selling your Chill Cure for four years and it gives better general results than any Chill Tonic we have ever sold."—Cuero Drug Co. Sold by Morrow-Carney Drug Co.

We have a number of tax receipts that have not been called for. If you paid your taxes to us and have not called for your receipt please do so promptly. BAXTER STATE BANK.