

The Border Vidette.

E. D. MILLER, Editor and Prop.

Entered as Second-Class Matter at Nogales, Arizona, January, 1898.

Official Paper of Nogales, Arizona.

AUGUST 1, 1914.

CAPTAIN MALAN DEAD.

Well Known Soldier of Fortune Pesses Away at Mira Monte.

At high noon yesterday, Capt. W. S. Malan, Boer soldier of fortune and high-class gentleman, died at the Mira Monte Sanitarium in this city, after a lingering illness, contracted in the mountains of Sonora, during a recent hunt there for big game.

About ten days ago the captain was brought up from the Alamos ranch, where he received first medical aid, suffering terribly from rheumatism, fever and stomach troubles.

He was immediately taken to the apartments of his friend Frank Cox, and later rushed to the sanitarium, where Manager Clark, Drs. Purdy, Chenoweth and Gustetter, assisted by trained nurses, did everything possible to prolong the life of one of the bravest and best men in the world.

Yesterday the end came. The captain died holding the hand of his friend Cox, whom the dying soldier recognized to the last.

Cap. Malan was a man among men. He was born in South Africa about forty-five years ago. He took an active part in the Boer war, and was awarded a number of highly prized medals for acts of bravery on the battle field. For many years Cap. Malan and general Viljeon, the famous Boer general, who is well known in Arizona and Sonora, were intimate personal friends and business associates.

When the Moderna Hotel of Nogales, Sonora was destroyed by fire a couple of years ago, at the risk of his own life, Captain Malan rescued several guests from the burning building.

He will be missed. The funeral will be held this forenoon at 10 o'clock from Marsh's Undertaking Parlors, interment being in the Nogales cemetery.

George Januel, the expert German barber, on Morley Ave., in Brickwood building, guarantees his work, and respectfully invites you to give him a trial. Everything neat and clean. Hair Cutting a specialty. adv.

War Dogs of Europe.

The declaration of war against Serbia by Austria-Hungary brought the attention of the whole world to the seriousness of a general war in Europe. With Russia, England and France arrayed on the one side with Serbia and with Germany and Italy in sympathy with Austria on the other side, it looks as if the war clouds will sweep over the continent, plunging the nations of the old world into the horror of a general conflict. The German Emperor has a standing army of 870,000, with reserves of 4,430,000; Russia has a standing army of 1,290,000 and reserves of 3,300,000; France has a standing army of 720,000 and reserves of 3,280,000; Great Britain has a standing army of 254,500 and reserves of 476,500; Italy has a standing army of 250,000 and reserves of 950,000; Austria has a standing army of 390,000 and reserves of 1,610,000; Serbia has a standing army of 32,000 and reserves of 208,000.—Exchange.

Henderson at it Again.

John Henderson, the veteran Sonora mining man, the man who does things, is at it again. This time he is making regular shipments of copper ore from the Altar district, Sonora, to the El Paso smelter, through the port of Nogales. The ore is hauled by wagons, fifty of them, from Caborca, to Santa Ana, a station on the Sonora railway, distance about seventy-five miles. During the month of March he shipped over three hundred tons of ore, and since that time has made regular shipments, to the Douglas and El Paso customs smelters. No man in our sister state across the international line, is more thoroughly acquainted with the Mexican people and their customs. He always attends strictly to his own business, obeys the laws of the country, meets all his obligations, and gets along fine. He is ably assisted by his two sons, John and Alex, both of whom are first-class mining men; practical and otherwise. They received their education in Mexico and the United States.

ORDINANCE NO. 92

An Ordinance Regulating Travel and Traffic Upon the Public Streets in the Town of Nogales, Arizona.

Be it ordained by the common council of the town of Nogales, Arizona:

ARTICLE I. Riding, Driving, Stopping, Turning, Crossing, Backing, Passing and Signaling.

Section 1. The driver of any vehicle in or upon any street shall

drive such vehicle upon such street in a careful manner and with due regard for the safety and convenience of pedestrians and all other vehicles upon such street.

Sec. 2. The driver of any vehicle, upon meeting any other vehicle at any place upon any street, shall turn to the right, and, on all occasions, shall travel on the right hand side of such street, and as near the right hand curb thereof as possible. Provided, however, that vehicles under the control of the town of Nogales, used for flushing or sprinkling the public streets or for the collection of garbage, shall have the right to travel upon either side of any street at such times as necessary during the times any such vehicle is in actual use in sprinkling or flushing any public street or in actual use in the collection of garbage.

Sec. 3. The driver of any vehicle shall, in overtaking and passing any other vehicle in or upon any street, pass to the left of such vehicle and shall not drive to the right until clear of such vehicle, and the driver of such vehicle being so overtaken and passed shall give way to the right.

Sec. 4. The driver of any vehicle moving slowly in, along or upon any street shall keep such vehicle to the right, allowing more swiftly moving vehicles free passage on the left.

Sec. 5. The driver of any vehicle in, or upon any street shall before turning, stopping or changing the course of such vehicle, and before turning such vehicle when starting the same, first see that there is sufficient space for such movement to be made in safety, and shall then give a plainly visible or audible signal to the drivers of vehicles behind the vehicle so turning, stopping, changing its course, or turning from a standstill, of his intention to make such movement. Such signal shall be given by raising the hand or whip and indicating with it the direction in which the turn is to be made.

Sec. 6. The driver of any vehicle in or upon any street shall, in turning to the right into another street, turn the corner as near the right hand curb as possible.

Sec. 7. The driver of any vehicle in or upon any street shall, in turning to the left into another street, pass to the right of and beyond the center of the street intersection before turning.

Sec. 8. The driver of any vehicle crossing from one side of any street to the other side thereof, in the business district, shall make such crossing by turning to the left so as to head in the direction in which the traffic is moving on the side of the street toward which such crossing is made.

Sec. 9. It shall be unlawful for the driver of any vehicle to stop the same, or to cause the same to be stopped, in or upon any street in the business district, with the left side of such vehicle toward or along, or next to the curb.

Sec. 10. It shall be unlawful for the driver of any vehicle to stop the same, or to cause the same to be stopped, in or upon any street unless the side of such vehicle nearest the curb is not more than two feet distant from such curb; provided, however, that the provisions of this section shall not apply in case of emergency, or when such stop is made for the purpose of allowing another vehicle or a pedestrian to pass in front of such vehicle or when, in compliance with an order or signal of a police officer.

Sec. 11. It shall be unlawful for the driver of any vehicle in or upon any street to permit or allow such vehicle to remain backed up to the curb of any street, excepting while such vehicle is being actually loaded or unloaded.

Sec. 12. It shall be unlawful for the driver of any vehicle standing at the curb in or upon any street, to fail or refuse to give way promptly to a vehicle for the purpose of receiving or discharging passengers, freight or merchandise.

Sec. 13. It shall be unlawful for the driver of any vehicle to back such vehicle without first giving visible or audible warning to drivers of vehicles or to pedestrians behind such vehicle so backing.

Sec. 14. The driver of any animal attached to a vehicle backed up to the curb upon any street, shall turn such animal and keep the same turned at right angles to such vehicle and in the direction in which the traffic is moving upon the side of the street upon which such animal is standing.

Sec. 15. It shall be unlawful for any person, while in an intoxicated condition, to drive or ride any animal or to drive any automobile or other vehicle in any public street in the town of Nogales.

Sec. 16. It shall be unlawful for any person to ride or drive, or to cause to be ridden or driven, any animal, or to ride, drive or propel, or to cause to be ridden, driven or propelled, any vehicle over or across any newly made pavement in any public street, across or around which pavement there is a barrier, or at, over or near which there is a person or a sign warning persons not to drive over or across such pavement, or a sign stating that the street is closed.

Sec. 17. It shall be unlawful for any person to ride, drive or propel, or to cause or permit to be ridden, driven or propelled, any motor vehicle in, upon or along any public street, or to operate, or to cause or permit to be operated, the motor in any such vehicle, in any public street, if such motor vehicle, or the motor in such vehicle, is not provided with a muffler properly attached to such vehicle or such motor, of such construction and sufficient to muffle or deaden the sound of the exhaust from such motor, or if the exhaust from the motor in such vehicle is ejected otherwise than through such muffler, or if such exhaust is ejected toward the surface of the street or ground.

For the purposes of this article, the term "motor vehicle" shall include automobiles, motorcycles and all other vehicles operated by power other than animal power.

Sec. 18. It shall be unlawful for

any person under the age of seventeen years to drive any motor vehicle in, upon, over or along any public street.

Sec. 19. It shall be unlawful for any person to ride or permit any motor vehicle to be driven in, upon, over or along any public street or other public place, by any person under the age of seventeen years.

Sec. 20. It shall be unlawful for any person to ride or drive, or to cause to be ridden or driven, any horse or other animal, or to ride, drive or propel, or to cause to be ridden, driven or propelled any vehicle upon or along any public sidewalk, or to leave any such animal or vehicle upon any public sidewalk, or to permit any such animal or vehicle to stand thereon, or to permit any such animal or vehicle to stand upon any public street in such manner as to obstruct the free use of such street.

Sec. 21. It shall be unlawful for any person to ride or drive, or to cause to be ridden or driven, any dangerous unbroken or partially broken animal upon any public street or to use, or to cause to be used, any such street for the purpose of breaking or training any animal.

ARTICLE II. Right of Way.

Sec. 22. The officers and firemen of the fire department, and their apparatus, or any kind of apparatus, or on duty, at, or returning from a fire, and all registered ambulances whether of public or private character, and all other vehicles, when employed in carrying sick or injured persons to hospitals or other place for relief or treatment, and the officers and policemen and vehicles of the police department shall have the right of way over all other persons and vehicles on any street and through any procession, except over vehicles carrying the United States mail. Vehicles under the control of the town of Nogales used for flushing or sprinkling the public streets or for the collection of garbage shall have the right of way over all other vehicles except over vehicles carrying the United States mail, fire apparatus, ambulances, or vehicles of the police department, and through processions on any street or portion thereof at such times as is necessary.

Sec. 23. It shall be unlawful for the driver of any vehicle in or upon any street in the town of Nogales, or for any person standing or walking in any such street, to fail, refuse or neglect to allow the right of way to any officer or fireman or apparatus of the fire department when the same is going to or on duty at, or returning from a fire, or to any ambulance, whether of public or private character, or to any other vehicle, when such vehicle is employed in carrying a sick or injured person to a hospital or other place for relief or treatment, or to any officer or policeman or vehicle of the police department or to vehicles under control of the town of Nogales, used for flushing or sprinkling the public streets or for the collection of garbage.

Sec. 24. Upon the approach of any apparatus of the fire department or any police patrol wagon or any ambulance, the driver of any vehicle in or upon any street shall immediately stop such vehicle as near as possible to the right hand curb of such street, and it shall be unlawful for any such driver to cause or permit such vehicle to be moved until such apparatus, police patrol wagon or ambulance shall have passed such vehicle.

Sec. 25. The driver of any vehicle turning to the left from one street into another street shall allow the right of way to vehicles traveling in the direction in which such vehicle is turning; and the driver of any such vehicle traveling in the direction in which such vehicle is turning shall have the right of way over such vehicle so turning.

Sec. 26. The driver of any vehicle turning to the right from one street into another street shall have the right of way over vehicles traveling in the direction in which such vehicle is turning; and the driver of any vehicle traveling in the direction in which such vehicle is turning shall allow such right of way to such vehicle so turning.

ARTICLE III. Hitching and Leaving Animals and Vehicles Standing.

Sec. 27. It shall be unlawful for any person to leave, or to cause to be left, any animal in or upon any public street, unless there shall be in the mouth of such animal a bit attached to a bridle, which bridle shall be securely fastened on the head of such animal, or by a heavy rope properly fastened to the neck of the animal with the usual knot that does not slip.

Sec. 28. It shall be unlawful for the driver of any animal to leave such animal or cause or permit the same to be left, unattended and unsecured in any public street. An animal left unattended in any street shall be deemed to be unsecured within the meaning of this ordinance unless it shall be securely tied or hitched by a chain, strap or rope fastened to its neck or bridle and to a post or other permanent fastening, or by a chain, strap or rope fastened to its bridle and to a metal weight of not less than fifteen pounds for a single horse or twenty-five pounds for a team.

Sec. 29. It shall be unlawful for any person to hitch or tie or drive any animal, or to cause or permit to be hitched or tied, any animal to any shade or ornamental tree in any street or park, or to hitch or tie, or to cause or permit to be hitched or tied, any such animal, or to allow the same to stand so near to any shade or ornamental tree as to permit or enable such animal to injure or destroy the same.

Sec. 30. It shall be unlawful for any person to hitch or tie, or to cause or permit to be hitched or tied, any animal to any telephone pole, or post used for the support of any lamp used in lighting any public street, park or place, or to any post or railing which is used to protect the sides of walls or grades.

Sec. 31. It shall be unlawful for any person to leave unattended upon any public street any motor vehicle, while any part of its machinery is

running or is in motion.

Sec. 32. It shall be unlawful to block any of the streets, particularly the principal streets where business houses are located, by leaving an animal or vehicle same to stand in front of any store or business house without permission of the owner of said business, nor to stop any vehicle on either side of Morley avenue between the International line and Park street and on the east side of Morley avenue between the junction of Park street and the corner of Court street, closer to any other vehicle than the full length of said vehicle, to thereby leave sufficient room for the turning of any one vehicle out into the street.

ARTICLE IV. Vehicles for Hire.

Sec. 33. It shall be unlawful for the owner or driver of any vehicle used in carrying freight, baggage or merchandise for hire to allow such vehicle, while not actually loading or unloading the same, to stand upon any street in the town of Nogales, except as hereinafter in this section provided.

The police committee of the town of Nogales is hereby empowered in its discretion to grant permits to owners or drivers of baggage, express or transfer vehicles or other vehicles used in transferring baggage, household goods, freight or merchandise for hire, allowing such vehicles, while awaiting employment, to stand at certain places designated by said committee upon any street in the town of Nogales.

Before any such permit is issued by said police committee, the applicant therefor shall first file with the chairman of said committee an application in writing giving the name, age and address of such applicant, whether such applicant be married or single, how long a resident of the town of Nogales, the length of time such applicant has been engaged in the business of carrying freight, baggage or merchandise for hire, the kind of vehicle desired to be used, whether such vehicle is drawn by animal power, if so, how many animals are necessary therefor, or whether such vehicle is propelled by power other than animal power, if so, the amount of horse-power thereof, and the location where such vehicle is kept when not in use. No such permit shall be granted by said committee except upon the written consent of the occupant of the first floor of the portion of the building in front of which it is desired that such vehicle stand, provided, however, that if there is no building on the premises in front of which it is desired that such vehicle may stand, or if there is a building and the first floor of same is not occupied, then such permit may be granted upon the written consent of the owner or lessee of such premises or building. Each such permit shall continue in force for the period of one year from the date thereof, unless sooner revoked, as hereinafter set forth in this section, and at the expiration of such period of one year, such permit shall be void and of no effect.

A separate permit shall be issued for each vehicle, and all permits issued by said committee pursuant to the provisions of this section, shall contain the name and address of the persons to whom the same is granted, the number and kind of vehicle and the place designated as the stand for such vehicle.

No permit shall be granted for any vehicle drawn by more than two animals, or for any van to stand on any street in the business district. The police committee may, in its discretion, suspend or revoke any such permit.

ARTICLE V. Speed and Driving.

Sec. 34. Any person who shall ride, drive or propel, or who shall cause to be ridden, driven or propelled any vehicle in a reckless manner or at a rate of speed greater than one (1) mile in six (6) minutes within the business district, which is Morley avenue from the International line to Court street; Park street; Arroyo boulevard, from International avenue to Elm street; and Grand avenue from Park street to the bridge crossing it at the Arroyo; or at a rate of speed greater than one (1) mile in five (5) minutes elsewhere in the town of Nogales, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable as in this section provided.

Any person convicted of a violation of any provision of this section shall be punishable by a fine of not exceeding one hundred (\$100.00) dollars or by imprisonment in the city jail not exceeding thirty (30) days, or by both such fine and imprisonment.

If within the period of one year, any person shall commit two or more violations of the provisions of this section, such person upon conviction thereof shall be punished as follows: For the second offense, by a fine of not less than fifty (\$50.00) dollars nor more than one hundred (\$100.00) dollars, or imprisonment in the city jail not exceeding thirty (30) days, or by both such fine and imprisonment.

For the third or any subsequent offense, by a fine of not less than one hundred (\$100.00) dollars nor more than two hundred and fifty (\$250.00) dollars or imprisonment in the city jail, not exceeding thirty (30) days or by both such fine and imprisonment.

That the street commissioner be and hereby is directed to post such notices as are required by law on the side of each main public highway where the boundary of the town of Nogales crosses the same, and at the intersection of each street with the line of the district hereinafter in this section described.

Sec. 35. The provisions of Section 34 of this ordinance shall not apply to the driver or occupant of any vehicle belonging to the police department or to the fire department, when on duty.

Sec. 36. The mayor and common council of the town of Nogales may, notwithstanding the provisions of this ordinance, by resolution, set aside, for a given time a specific street for speed tests or races, to be conducted under proper restrictions for the safety of the public and may

by said resolution authorize said speed tests or races to be conducted upon and along said street, during said specified time.

ARTICLE VI. Lights, Bells, Horns and Numbers.

Sec. 37. It shall be unlawful for any person to ride, drive or propel, or to cause or permit to be ridden, driven or propelled, any motor vehicle upon or along, or to permit any vehicle to remain upon any street, during the period from one hour after sunset to one hour before sunrise, unless there is attached to the front of such vehicle two lamps showing white lights visible in the direction toward which such vehicle is proceeding and a red light upon the rear end of such vehicle, visible in the reverse direction. That upon a motorcycle or bicycle one white light showing toward the direction in which such motorcycle or bicycle is proceeding, shall be deemed a compliance with the provisions of this section.

Sec. 38. It shall be unlawful for any person to ride, drive or propel, or to cause or permit to be ridden, driven or propelled, any bicycle, tricycle, velocipede, automobile or other riding machine or horseless vehicle in, upon or along any public street without having attached to such bicycle, tricycle, velocipede, automobile or other riding machine or horseless vehicle a bell, gong, horn or other signal, in good working order, and sufficient to give warning of the approach of such vehicle to pedestrians and to riders or drivers of animals or of other vehicles.

It shall be unlawful for any person to use or to sound, or to cause to be sounded, in or upon any public street, any such bell, gong, horn or other signal, that is of a larger volume or that will give forth a greater volume of sound than shall be necessary to give warning of the approach of the vehicle to which the same is attached, or to sound, or to cause or permit to be sounded, any such bell, gong, horn or other signal, except when necessary to give such warning.

Sec. 39. (1.) Every motor vehicle shall at all times have the number assigned to it displayed on the front and back of such vehicle, in such manner as to be plainly visible. This shall apply to motorcycles in all respects, except that they are required to have a number displayed in the rear only.

(2.) The provisions of this section shall not apply to motor vehicles owned by non-residents of this state and only temporarily within this state, provided that the owners thereof have complied with the law requiring the registration of owners of motor vehicles in force in the state, territory, federal district, or foreign country of their residence, and the registration number showing the initial of such state, territory, federal district, or foreign country, shall be displayed on such vehicle substantially as in this section provided. Such non-residents shall immediately notify the town marshal, showing that they have complied with the laws of the state, territory, federal district, or foreign country, whose license they display. All non-residents shall be required to pay the tax similar to that paid by the resident owners of motor vehicles after six months' residence in the state.

ARTICLE VII. Obedience.

Sec. 40. It shall be unlawful for any person driving, using or having the control of any vehicle to fail, refuse or neglect to obey the order of any police officer in regard to moving or stopping any such vehicle.

Sec. 41. It shall be unlawful for the driver of any vehicle standing along or near the curb in any street within the business district, to fail, refuse, or neglect to move such vehicle away from such curb when requested so to do by any police officer.

Sec. 42. It shall be unlawful for any person to willfully deface, injure, move or interfere with any sign, standard, post, rope or other device installed or placed for the purpose of directing or regulating traffic.

It shall be unlawful for any person to fail, neglect or refuse to comply with any instruction or direction displayed upon any post, standard, sign or device for the regulation of traffic in any public street.

ARTICLE VIII. Miscellaneous.

Sec. 43. It shall be unlawful for any person to throw, deposit or place in or upon any street, any nails, rakes, crockery, scrap iron, tin, wire, bottles, glass, thorns, or thorny clippings, or thorny branches of trees or bushes, or any other articles or thing likely to puncture or injure the tire of any vehicle.

Sec. 44. That any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable, unless otherwise provided by this ordinance, by a fine of not more than three hundred (\$300.00) dollars, or by imprisonment in the city jail for a period of not more than six (6) months, or by both such fine and imprisonment.

Sec. 45. That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed; provided that any such repeal shall not affect, or prevent the prosecution and punishment of any person, firm or corporation for any act done or permitted in violation of any ordinance which may be repealed by this ordinance, and shall not affect any prosecution or action that may be pending in any court for the violation of any ordinance repealed by this ordinance.

Sec. 46. This ordinance shall take effect and be in force from and after its passage, adoption, approval and publication according to law.

Passed and adopted by the mayor and common council of the town of Nogales, this 6th day of July, A. D. 1914.

L. W. MIX, Mayor Town of Nogales, Arizona. Attest: ARCUS REDDOCH, Town Clerk.

ANNOUNCEMENT

Realizing the present need and future possibilities of Nogales and Santa Cruz County, we have decided to open a Lumber Yard at Nogales. We will be ready for business on or about August 10th. Get our prices before placing your lumber bill.

NOGALES LUMBER CO.

N. B.-Our address for the next ten days will be P. O. Box 96 Tucson, Arizona.