

Legal Advertisements.

Ordinance No. 1028

An Ordinance granting to the Southern Oregon Traction Company, its successors and assigns, a franchise for the construction, operation, use and maintaining of a railway or railways, along, in, over and across certain streets, alleys and highways within the corporate limits of the City of Jacksonville, Oregon; fixing a maximum schedule of rates, fares and charges for the transportation of passengers, goods, packages and freight, over such railway or railways between the cities of Jacksonville, and Medford; specifying the minimum number of round trips to be made each day; permitting the construction of telephone and telegraph lines along streets occupied by the said railway or railways and limiting the use thereof to the transmission of messages for use in operating said railway or railways; providing for a filing of a written acceptance of this franchise by the grantee and providing for a revocation of the franchise, rights and privileges herein granted, upon a violation by the grantee of the provisions of this Ordinance.

THE PEOPLE OF THE CITY OF JACKSONVILLE, DO ORDAIN AS FOLLOWS:

Section I. That there be and hereby is granted to the Southern Oregon Traction Company, a corporation organized and existing under the laws of the State of Oregon, and to its successors in interest and its assigns, the franchise, right and privilege to erect, lay down, re-lay, construct, re-construct, purchase, acquire, lease, repair, maintain, equip, operate, have, hold, use and enjoy a line of railway or railways, single track, with necessary and convenient switches, turnouts, turn tables, connections and ways, and to run and operate thereon passenger cars and to carry passengers; to run and operate freight, mail, baggage, express and funeral cars; to carry freight, goods, parcels, express packages and United States Mail thereon; subject to the provisions of this Ordinance and the reasonable regulations of the Council of the City of Jacksonville, Oregon; to do all things necessary to the successful operation of said railway or railways, operated partly within said City of Jacksonville, Oregon and partly without City of Jacksonville, Oregon, along and upon, through, over or across that part or parts of E Street, Seventh street, D street, Sixth street, C street, and all other streets, alleys and highways within the said City now occupied by the track or tracks of the Southern Oregon Traction Company, within the corporate limits of said City of Jacksonville, Oregon, as shown on the profile map of said Southern Oregon Traction Company, to be filed in the office of the Recorder of the City of Jacksonville, as hereinafter provided.

This Ordinance and the franchise, rights and privileges herein mentioned and hereby granted shall be and become void and of no effect at the expiration of thirty days from and after its passage and approval, unless the said grantee shall have within the said thirty days, filed or caused to be filed in the office of the City Recorder of said City of Jacksonville, Oregon, a map or plat of that part of the city traversed or to be traversed by said railway or railways and accurately indicating the streets, alleys and highways or the portions thereof now occupied or to be occupied by the track or tracks of the railway now owned by said grantee and to be operated by said grantee, its successors or assigns, over which streets, alleys and highways a franchise and right of way is desired.

Section II. The said grantee, its successors and assigns may operate and propel cars over railways now in operation or which may be hereafter constructed in pursuance with the terms of this Ordinance, by means of steam, gas, overhead or underground electric power, storage batteries, compressed air, cables or any other mechanical power, and the motive power and mode of propelling cars over said railway or railways may at any time be changed by said grantee, its successors and assigns to any more improved, economical, convenient and desirable method, subject to the reasonable regulations of the city council of this City.

Section III. For the purpose of operating said railway or railways and having convenient power and electrical current for such use, the grantee, its successors and assigns shall have the right to put up, erect, construct, use and maintain poles and overhead wires, and may lay down, construct, use and maintain underground conduits, wires, conductors and cables in and along, through over or across the streets, alleys and highways or parts thereof upon which said railway or railways are or may be laid down, and in, along, over or across such other streets, alleys and highways of the City of Jacksonville, Oregon, as the city council of said City may direct.

The said grantee, its successors and assigns subject to the reasonable regulations of the city council, may erect, construct, equip, operate and maintain telephone and telegraph lines along or across those parts of streets,

alleys and highways upon which said railway or railways may be constructed, for the purpose of transmitting messages necessary for the convenient operation of said railway or railways; provided that nothing herein shall be construed as to permit the said grantee, its successors or assigns to transmit messages for persons not engaged in the operation of said railway or railways or to assign the franchise and right of way for such telegraph and telephone line or lines to any person or persons, firm or corporation other than the actual owner or owners of the said railway or railways unless the city council shall by ordinance so direct.

Section IV. The track or tracks of the railway or railways to be operated under the provisions of this ordinance shall be laid flush with the grade of the street where the street has an established grade and when the track is laid upon a street where no grade has been established the track shall be brought to grade by said grantee, its successors or assigns whenever the grade shall be established by the city. When any established grade shall be changed by the city the track or tracks of said railway or railways shall be changed by the said grantee so as to conform thereto. It is further provided, that the said grantee, its successors and assigns shall improve and keep in repair that portion of the street or streets between the rails of said railway tracks, also those portions of the street or streets lying along and outside the rails of said railway track or tracks and within a distance of two (2) feet thereof. The word "improve" as used herein shall be taken and held to include grading, macadamizing and paving the portion or portions of the street specified, in the same manner that the remainder of the street is graded, macadamized or paved by or under the authority of the city council and subject to the reasonable regulations thereof.

Section V. The said grantee, its successors and assigns shall have authority to make all needful and convenient excavations in any of said streets under the conditions herein named, for the purpose of constructing, establishing, repairing and maintaining said railway or railways and the telegraph, telephone and power lines hereinbefore mentioned, provided that whenever the said grantee, its successors and assigns shall disturb any of said streets, alleys or highways, it or they shall restore the same to good order as soon as practical and without any unnecessary delay, and provided further: that the city council shall have the right to prescribe by ordinance or resolution a reasonable time within which such repairs or restoration of such street, alley or highway shall be completed and upon failure of said grantee, its successors and assigns to complete said repairs or restoration within the time prescribed in such ordinance or resolution, the street commissioner shall place the same in good condition and repair at the expense of the holder of the franchise granted by this ordinance.

Section VI. Nothing in this ordinance shall be so construed as to prevent the proper authorities of the City of Jacksonville, constructing sewers, laying or repairing water mains, or laterals, grading, paving, macadamizing, planking, improving, repairing or altering any of said streets, alleys or highways, but all such work shall be done, if possible, so as not to disturb, injure, delay or prevent the operation of said railway or railways.

Section VII. The said grantee for itself, its successors and assigns, agrees to operate its cars upon and over said railway or railways on a regular schedule between the cities of Jacksonville, Oregon, and Medford, Oregon, for the transportation of passengers and freight and to make at least seven round trips each day between said cities, unless prevented by mobs, strikes, fires, or other irremedial causes. The said grantee further agrees to accept for transportation between the cities above named, subject to reasonable rules and regulations, all passengers, goods, packages and freight offered and to convey the same to the proper destination upon its car or cars at a rate or charge for such transportation not to exceed the rates or charges given in the following table of maximum tariffs, viz:

The maximum fare for passengers shall be, one way 25 cents. The maximum fare for passengers shall be, round trip 35 cents. Commutation tickets good for ten (10) round trips, to be used within sixty days from date of sale, shall be sold at a price not to exceed \$2.50 each. Baggage not exceeding 150 pounds for each full fare shall be carried free. The maximum charge for freight between said cities shall be: On shipments not exceeding 50 pounds in weight, 15 cents. On shipments over 50 pounds not exceeding 250 pounds, 25 cents. On shipments over 250 pounds in weight ten cents per hundred pounds. Provided: that furniture, household goods and other bulky goods may be charged for according to classification and the table of tariffs filed with the State Railway Commission. On shipments in carload lots: according to classification and at rates filed with State Railway Commission.

Nothing contained in this Section shall be taken or held to prevent the said grantee, its successors and assigns from charging a less rate for the transportation of passengers or freight than the rates given herein, and provided that if the city council of Jacksonville, Oregon, shall deem it necessary for the convenience of the traveling public and the welfare of the inhabitants of said city that the number of trips between the aforesaid cities be increased, the said grantee, its successors or assigns shall upon proper notice thereof by the city council, make an additional trip each day, at such hour as directed by said city council. The City Council of Jacksonville, Oregon, may by ordinance make such other and further regulations regarding rates and fares, and times of arrival and departure of trains and cars as from time to time may be just and reasonable.

Section VIII. That all the provisions of this ordinance shall inure to, apply to and bind the successors and assigns of the Southern Oregon Traction Company, and that all of the rights, privileges, immunities and franchises herein mentioned and hereby granted shall continue and be in full force and effect for a period of fifty (50) years from and after the date of the acceptance of this Ordinance and the rights and franchise herein granted, by said grantee.

Section IX. The said grantee shall within fifteen (15) days from and after the passage of this Ordinance (unless the same shall have been referred) file in the office of the City Recorder of the City of Jacksonville, Oregon, its written acceptance of this ordinance and the franchise, rights and privileges granted thereby, subject to the terms of this Ordinance. Failure of the said grantee to file its acceptance as herein provided, within the time specified, shall be taken as a rejection of the ordinance and franchise by said grantee, and upon the expiration of the time herein allowed for the filing of said acceptance, the same not having been filed, this ordinance shall become and be wholly void, inoperative and of no effect. Provided: that if this ordinance shall be referred to a vote of the people of Jacksonville, then, in that event, the time allowed the said grantee within which to file its acceptance of this ordinance and the terms thereof shall begin to run upon the day of the issuance of the proclamation by the mayor or city recorder declaring that the ordinance is in effect.

Section X. The City Council of the City of Jacksonville, Oregon, may after proper hearing and upon satisfactory evidence of a violation of the provisions of this ordinance by the said grantee, its successors or assigns, revoke the franchise, rights and privileges herein granted, or may proceed by suit for other legal or equitable relief.

Section XI. All ordinances or parts of ordinances heretofore passed and in conflict with the provisions of this ordinance are hereby repealed.

The foregoing Ordinance No. 1028 was presented to the Council of the City of Jacksonville, Oregon, on the 3rd day of April, 1917.

Notice for Publication

DEPARTMENT OF THE INTERIOR, U. S. Land Office at Roseburg, Oregon March 5, 1917.

Notice is hereby given that William Smith, of Ruth, Oregon, who, on May 31, 1910, made Homestead Entry, Serial No. 06297, for Lot 4, of Section 14, Township 38 S, Range 3 W., Willamette Meridian, has filed notice of intention to make Final Five-year Proof, to establish claim to the land above described, before F. Roy Davis, U. S. Commissioner, at his office, at Medford, Oregon, on the 24th day of April 1917. Claimant names as witnesses: Edward Smith, of Ruth, Oregon, Mathew Ray, of Ruth, Oregon, William Ray, of Ruth, Oregon, James Buckley, of Ruth, Oregon.

W. H. CANON, Register.

Notice of Final Account

IN THE COUNTY COURT OF THE STATE OF OREGON IN AND FOR THE COUNTY OF JACKSON.

In the matter of the Estate of Lewis A. Wait, Deceased. NOTICE IS HEREBY GIVEN that the undersigned as administrator of the Estate of Lewis A. Wait, deceased, has filed his final account in the County Court of the State of Oregon in and for Jackson County and that Monday the 7th day of May 1917, at the hour of 10 A. M. of said day in the court room of said court has been named by the said court as the time and place for hearing all objection thereto and settlement thereof.

Dated at Jacksonville, Oregon, this 7th day of April 1917. JOHN A. WAIT, Administrator of the Estate of Lewis A. Wait, Deceased.

First publication April 7, 1917. Last publication May 5th 1917.

Notice of Sheriff's Sale

IN THE CIRCUIT COURT OF THE STATE OF OREGON, IN AND FOR JACKSON COUNTY. Francis A. McCargar, Plaintiff,

vs. Rogue River Farm Products Company, a corporation, Northern Bank & Trust Company, of Seattle, Washington, a corporation, and W. H. Walker, Defendant.

Notice is hereby given that by virtue of a writ of execution issued out of and under the seal of the above-entitled court in the above entitled cause, to me directed, and dated April 7, 1917, and which writ was issued upon request of plaintiff and in compliance with and upon a judgment, decree and order of sale rendered and entered in the above entitled court and cause on March 31, 1917, and duly docketed in Volume— at page— of Judgment Docket of above entitled court and wherein the plaintiff, Francis A. McCargar, recovered judgment against the defendant Rogue River Farm Products Company, a corporation, for the following sums, namely: \$1,835.21, being the amount of principal and accrued interest due at the date of said decree upon the note and mortgage therein foreclosed; the further and additional sum of \$21.22 being the amount of taxes expended by plaintiff upon the mortgaged premises pursuant to the terms of said mortgage; the further and additional sum of \$160.00 adjudged to plaintiff as reasonable attorney's fees in said suit; and the further and additional sum of \$37.50 taxed as costs and disbursements in said suit; with interest on said judgment, including the aforesaid several sums, at the rate of 8% per annum from the date of said judgment and decree, namely, from March 31, 1917; and by which decree the said above named defendants are and each of them is foreclosed of all right, title, estate, lien or interest in or to the hereinafter described premises, including all interest that said defendants above named, or any of them had therein on May 21, 1914, or which they, or any of them, have since acquired or now have therein, and by which decree the same is ordered to be sold for the satisfaction of the aforesaid judgment:

NOW, THEREFORE, by virtue of said judgment, decree, order of sale and execution, and in compliance with the commands of said writ, I will on Monday, the 7th day of MAY, 1917, at the hour of 10 o'clock A. M. of said day at the front door of the court house in Jacksonville, Jackson County, State of Oregon, offer for sale and sell at public auction, to the highest bidder for cash in hand, subject to redemption as by statute provided, the following described real property and all interest that the defendants above named or any of them, had therein on May 21, 1914, (the date of the mortgage foreclosed in said cause,) or that they have since acquired or now have therein, or so much thereof as may be necessary to satisfy said execution, judgment, decree and accruing costs, to-wit:

The Northwest quarter of Northwest quarter, and Lots Nos. ONE (1), TWO (2) and THREE (3) in Section Twenty-two (22), in Township Thirty-seven (37) South, Range ONE (1) West of the Willamette Meridian, containing 52 1/2 acres, together with all tenements, hereditaments and appurtenances thereto belonging, all being situated in Jackson County, State of Oregon.

DATED this 7th day of APRIL, A. D. 1917. RALPH G. JENNINGS, Sheriff of Jackson County, Oregon, By Leslie W. Stansell, Deputy. Date of first publication April 7, 1917. Date of last publication May 5, 1917.

Second Base Play.

Second base is called the "pivot position of the infield." This is because most of the plays center around second base. Many double plays read "short to second to first; third to second to first; second to short to first; first to second to first," and so on. Records show teams strong on double plays are usually teams well up in the race. Generally speaking, ability to make double plays speaks well for a team's defense. A good defense means few runs for the opposition, provided the pitching is of the proper kind. Since second base is the pivot position, much of the team's success depends upon the way that base is played. If the shortstop and second baseman work smoothly it usually has the effect of balancing the rest of the team. A club that is constantly missing up plays around the second sack never causes much trouble for the opposition.—Billy Evans in New York World.

At the Reception.

Said He—They tell me you are an authority on flowers. Said She—Oh, hardly an authority, although I have made a study of them. Said He—Well, what would be the result if a blooming idiot was to mate with a society bud?—Exchange.

Heggish.

Constituent—I worked hard for you and deserve some reward. Mayor—Some reward! Didn't I shake hands with you twice in public—before the election?—Exchange.

What's gone and what's past help should be past grief.—Shakespeare.

Summons.

IN THE CIRCUIT COURT OF OREGON FOR JACKSON COUNTY.

Eban Allen Hildreth, Plaintiff,

vs. Debra Maggie Hildreth, Defendant.

To the above named defendant:

IN THE NAME OF THE STATE OF OREGON: You are hereby summoned and required to appear in the above entitled court and cause and answer the complaint of plaintiff on file therein against you within six weeks after the date of the first publication of this summons or within six weeks after the personal service thereof upon you without the State of Oregon; said period of six weeks being the time fixed by the Honorable F. M. Calkins, Judge of the above named Court, in his order directing service of summons by publication, which order bears date March 7, 1917, within which you shall so appear and answer or be adjudged to be in default therein.

And you will further take notice that if you fail to so appear and answer said complaint within the time aforesaid, Plaintiff will apply to the court for the relief demanded in said complaint, a succinct statement of which is as follows, to-wit:

For a decree of the court; Dissolving the bonds of matrimony existing between plaintiff and defendant, and divorcing plaintiff from defendant absolutely, together with such other and further relief as the court may deem just and equitable. Date of first publication March 10, 1917.

PORTER J. NEFF, Attorney for Plaintiff

Summons.

IN THE CIRCUIT COURT OF THE STATE OF OREGON IN AND FOR THE COUNTY OF JACKSON.

Estie L. Hoxie, Plaintiff

vs. Herbert C. Hoxie, Defendant.

To Herbert C. Hoxie, the above named defendant:

IN THE NAME OF THE STATE OF OREGON: You are hereby required to appear and answer the complaint filed against you in the above entitled Court and cause, on or before the expiration of the time prescribed in the order for the service of the summons herein upon you by publication, to-wit: on or before the expiration of six weeks from the date of the first publication of this summons, namely on or before April 14, 1917, and if you fail to appear and answer, for want thereof the plaintiff will apply to the court for a default against you and for the relief prayed for in her complaint herein, a succinct statement of which is as follows: For a decree of this court forever dissolving the bonds of matrimony heretofore and now existing between plaintiff and yourself and that defendant receive back her former and maiden name, and for such other and further relief as to the court may seem equitable.

This summons is published in the Jacksonville Post, a weekly newspaper of general circulation printed and published at Jacksonville, Jackson County State of Oregon; by order of the Hon. F. M. Calkins, Judge of the above entitled court, and which order is dated March 3, 1917, and it is therein ordered that the summons herein be served upon you by publication in said newspaper once a week for six consecutive weeks and you are herein ordered to appear and answer plaintiff's complaint herein on or before the expiration of six weeks from the date of the first publication of this summons.

The date of the first publication of this summons is March 3, 1917, and the date of the last publication and on or before which date you are required to appear and answer is April 14, 1917.

J. A. LEMERY, Attorney for Plaintiff.

Summons.

IN THE CIRCUIT COURT OF THE STATE OF OREGON IN AND FOR JACKSON COUNTY.

Charles Nickell, Plaintiff,

vs. Chas. B. Wolcott, defendant.

Action at law to recover money. To Chas E. Wolcott, the above named defendant:

You are hereby required to be and appear in the above-entitled court and cause on or before the expiration of six weeks from and after the date of the first publication of this summons to then and there answer the complaint filed against you in the above entitled court and cause, and if you fail to so appear you are hereby notified that plaintiff will apply to the court for a judgment against you for the sum of \$74.29 with interest thereon at 10% per annum from May 30, 1895, and for the further sum of \$50.00 reasonable attorney's fees, and for the costs and disbursements of this action to be taxed.

You are further notified that plaintiff will apply to the court for the sale of sufficient of the real property heretofore attached herein to satisfy said judgment which real property is described as follows to-wit: NE 1/4 of NW 1/4 of NE 1/4, NW 1/4 of SE 1/4, Section 7, Twp. 37, South, Range 2 West, and E 1/2 of NW 1/4, SE 1/4 of SW 1/4 in Section 12, Twp. 37, South, Range 3 West, all in Jackson County, Oregon.

This summons is served upon you by publication thereof pursuant to the order of Hon. F. M. Calkins, Judge of the above entitled court and which order is of date March 24, 1917.

The date of the first publication of this summons is March 24, 1917. CHARLES PRIM Attorney for Plaintiff.

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GUS NEWBURY

Attorney-at-Law

Will Practise in All Courts in the State MEDFORD, OREGON

D. W. BAGSHAW

Attorney at Law

NOTARY PUBLIC AND CONVEYANCER Office with Jacksonville Post. JACKSONVILLE, OREGON

II. K. HANNA

Lawyer

Office in Bank of Jacksonville Building JACKSONVILLE, OREGON

DR. T. T. SHAW

Dentist.

Office Upstairs, over Daniels for Duds MEDFORD OREGON.

Change in Southern Pacific Time Table.

Effective Nov. 13, 1916.

NORTH BOUND TRAINS.

- 14 Portland Passenger.....8:20 A.M. 16 Oregon Express.....6:20 P.M. 12 Shasta Limited .....2:18 A.M.

SOUTH BOUND TRAINS.

- 15 California Express .....10:50 P.M. 13 San Francisco Express...9:05 A.M. 11 Shasta Limited.....3:20 A.M. 17 Ashland Passenger 4:35 P.M.