Hillsboro Independent.

D. W. BATH. Editor and Proprietor.

They Don't Want It Cancelled.

Concluded From First Page.

mitted to the council. He held that inasmuch as in no case have the terms of the franchises been complied with, they should be repealed and it the privileges are to be granted at all they should be granted under new legislation. In this view the street committee concurred as well as many other councilmen.

The franchise of the Oregon Traction Company was granted three years ago and is for the Portland end of a line to Washington county. The road was to have been completed by August 6, and as it was not so completed, the council is clearly within its rights in revoking the measure. Up to last March this franchise was hawked about from one set of promoters to another and very little actual work was done. The present owners, however, declare their good faith, which they say is shown by their works, namely, active construction of the lines within the city.

"I recommend that this franchise be canceled simply for the reason that the agreement has not been kept," said Mayor Lane last night. "An additional reason is that the measure was not well drawn up to protect the interests of the city. Hardly any of the old franchises are well safeguarded and when one of the holders fails to abide by the terms that have been laid down I feel that the franchise should be taken from them. Then let them come forward and get a new franchise that is worded in the proper way.

"I would regard the construction of this line as a good thing for Portland and there is no desire on my part to confiscate the property of this company. There is only one right course, however, and that is to make them apply for another franchise in which there will be fewer loopholes."

That the movement to repeal the franchise will be opposed by the United Railways is indicated by the statement of H. Wittenberg, one of the directors. Mr. Wittenberg not only declares that the cancelling of the franchise at this time would be against the interests of the company and the city, but he also says he and his associates are proceeding under the direction of the street committee of the council, and that the city has received from the company the remuneration stipulated in the grant.

"Soon after we acquired the properties of the United Railways last March," said Mr. Wittenberg, "we appeared before the street committee of the council and asked for an extension of the time limit under which our lines were to be constructed. In reply we were told to go ahead and construct the lines within the city; that this was desired as an evidence of our good faith. By this we were given to understand that if we did carry on the work satisfactorily we should be allowed to continue it, and we certainly had no reason to expect that the franchise would be taken from us.

"That we have pursued our part of this implied agreement is evidenced by the work that has been done. Just as fast as we could get material and men, and subject to a few unavoidable delays on the streets we have been laying track. Our Stark-street line, from Third to Twelfth, is now practically complete. Our company has also built the Front-street line during this time, although it does not come under the Oregon Traction franchise.

"This is certainly an indication of our good faith, and we intend to keep right on with the work we have begun if our grant is not taken from us. I am in a position to say positively that the funds are now available not only to complete our lines within the city, but to lay them outside as well. We are required under the franchise to build to Hillsboro and this we shall do. We shall also go on to Forest Grove and eventually to the coast.

"With a system which the city needs assured there is surely no reason to nullify our franchise. By doing so, the council would be breaking the tentative agreement which the street committee made with us. We have already made an investment of $150,000 and this would be a complete loss if we were not allowed to construct our lines.

"We were not asked to appear before the street committee Friday when that body recommended that the franchise be canceled, and we have been given no hearing whatever. I think that when the council understands the situation it will not take away the franchise. I cannot believe that it would do us such an injustice. The only thing we can do is to make our case clear to the council and assure it that we shall build the lines as projected. That we intend to do, and after taking up the construction work and making our investment, we are in to see the thing through to the end.

"This is not a question of technicalities, but a question of the best possible development for the city of Portland and the surrounding country. We propose to build into Washington county and establish between there and Portland a first-class interurban service. We honestly ask the thinking public and its representatives, the council, how such a development can in any way injure the city of Portland.

"We are perfectly willing to satisfy the council as to our ability to carry out our plans. What Portland needs is interurban roads, not controlled by one small set of traction interests, but all the roads she can get. We feel that an independent road such as ours, which is spending and proposes to spend in traction development what we do, should be given all the encouragement possible.

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I have just put in a stock of carbon paper and ribbons for typewriters, and when in need call and see us.

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For further information ask or write your nearest ticket agent, or

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LEGAL ADVERTISEMENTS

Executrix' Notice.

Notice is hereby given that the undersigned has been by the County Court of Washington County, Oregon, duly appointed executrix of the last will and testament and estate of Joseph B. McPherson, deceased and has duly qualified as such executrix. All persons having claims against said estate are hereby required to present the same to me with proper vouchers, at the law office of M. Bailey Bump, in Hillsboro Washington County, Oregon, within six months from date hereof.

Dated at Hillsboro, Oregon, this Aug. 16th, 1907.

ELLA McPHERSON,
Executrix of the last will and testament and estate of Joseph B. McPherson, deceased.

M. BAILEY BUMP, attorney for the estate.

First publication, August 16. Last, September 13, 1907.

Executor's Notice.

Notice is hereby given that the undersigned, by an Order made and entered on the 9th day of August, 1907, has been appointed as Executor of the Estate of William Jamieson, Deceased, and all persons having claims against said Estate are hereby notified and required to present the same, together with the proper vouchers therefor, to the undersigned at his residence near Beaverton, Oregon, or to him at the law office of E. B. Tongue in Hillsboro, Washington County, Oregon, within six months from the date hereof.

Dated at Hillsboro, Oregon, this 9th day of August A. D. 1907.

JAMES B. JAMIESON,
Executor.

E. B. TONGUE, Attorney.

First publication, August 16. Last, September 13, 1907.

(First pub. Aug. 23, last, Sept. 20.)

Referee's Sale.

Notice is hereby given that, by virtue of a decree and order of the Circuit Court of the State of Oregon for Washington County, duly made and entered on July 15th, 1907, in a suit wherein Sarah Steeples and M. C. Steeples were plaintiffs, and Elmo Bradford, Lester Bradford and Lilly J. Burns were defendants appointing me, the undersigned, a referee to sell the hereinafter described real estate, I will, on Monday September 23, 1907, at 10 o'clock A. M. of said day, at the south door of the Court House in Hillsboro Oregon, sell, at public auction, to the highest bidder, for cash in hand, all the following described real estate, to-wit:

Beginning at a point on the North line of the B. Holbrook D. L. C. 2.90 chains South, 20.17 chains West, of the southwest corner of Sec. 9, T. 1 S, R. 2 W. Will. Mer., thence North 2.91 chains to a stake on the South line of Sec. 8, thence north 89 degrees 45 minutes west along the section line 20.01 chains to the quarter section corner between sections 8 and 17, thence north 46 degrees 30 minutes east, on the line of Harry Noland's land claim, 10.78½ chains to a stake, thence east 21.54 chains to the center of the county road, thence south 11 degrees 30 minutes east to said road 10.59 chains to a point 2.86 chains south and 8.70 chains west of the southwest corner of section 9, thence east 16 links, thence south 89 degrees 45 minutes east 2.75 chains to a stake, thence south 8 degrees 30 minutes east 1.77 chains to center of Tualatin River, thence up the river to a point due south from the place of beginning, thence north 5.30 chains to the place of beginning, containing 27.-82 acres, more or less.

Said property will be sold subject to confirmation by said court.

Witness my hand this August 22, 1907.

J. W. CONNELL,
Referee.

Citation.

IN THE COUNTY COURT OF THE STATE OF OREGON FOR WASHINGTON COUNTY

In the Matter of the Guardianship of Hjordis Erpestad, Judith Erpestad, Gerda Erpestad and Marie Larsdatter Hexum, Minors. } CITATION

To Hans O. Hagen and Ole Erpestad, the next of kin of the above named minors and to all persons interested in the estate of the above named Minors:

You are hereby cited and required to appear before the above named Court on the 7th day of September, 1907, at the hour of 10 o'clock a. m. of said day, and show cause if any there be, why an order should not be made in the above entitled court and cause authorizing and directing E. M. Cederbergh as guardian of the above named minors, to sell said minors interest in the following described real estate, to-wit:

All of the Southeast ¼ of the Southeast ¼ and Lots 1, 2, 3, and 4, all in Sec. 10, Twp. 2 S. of R. 2 West of W. M. in Washington County, State of Oregon, excepting therefrom the following: Beginning at the S. E. corner of Section 10, thence, running West 14.63 chains, thence North 28.65 chains to Tualatin River, thence down said river to line between Sections 10 and 11 in said township and range, thence south 21.50 chains to the place of beginning.

And you and all persons are hereby notified that said petition filed by the said guardian is set for hearing on the 7th day of September, 1907, at the hour of 10 o'clock A. M. in said Court.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Court this 13th day of August, 1907.

E. J. GODMAN,
County Clerk.

First publication August 16. Last September 6, 1907.

Notice of Final Hearing.

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

Elizabeth Gritzmacher Estate.

Notice is hereby given that Fred Herman Gritzmacher, the executor of the last will and testament of the estate of Elizabeth Gritzmacher, deceased, has filed his final account as such executor with the clerk of the County Court of Washington County, Oregon, and that Monday, the 16th day of September, A. D., 1907, at 10 o'clock a. m. of said day, and the Court room of said County Court, in the Court house, in Hillsboro, Oregon, has been appointed by Hon. J. W. Goodin, Judge of said Court, as the time and place for the hearing of objections to said final account and settlement thereof.

FRED HERMAN GRITZMACHER:
Executor of the last will and testament of Elizabeth Gritzmacher, deceased.

First publication August 9, last publication, Sept. 13, 1907.

J. S. RYAN, Atty for Executor.

NOTICE OF FINAL SETTLEMENT.

Notice is hereby given that the undersigned administrator of the Estate of John P. Mohrmann, deceased, has filed in the County Cour of Washington County, Oregon, his final account, as such administrator, and the same has been set for hearing and settlement before said court on Monday August 26, 1907, at 10 o'clock A. M. of said day.

JOSEPH SIMON,
Administrator of the Estate of John P. Mohrmann, Deceased.

(First publication Aug. 2—Last Sept. 2.)

Administratrix Notice.

Notice is hereby given that the undersigned has been, by the County Court of Washington County, Oregon, appointed administratrix of the estate of J. W. Ratcliffe, deceased, with the will of said deceased annexed, and has duly qualified as such administratrix, and all persons having claims against said estate are hereby notified to present them to me, with proper vouchers, at the law office of W. N. Barrett and Benton Bowman, at Hillsboro, Oregon, within six months from the date of this notice.

Dated this August 1, 1907.

GRACE A. RATCLIFFE,
Administratrix, with the Will annexed, of J. W. Ratcliffe, deceased.

W. N. BARRETT and BENTON BOWMAN, Attorneys for Administratrix.

(First publication Aug. 2—Last Sept. 2.)

NOTICE OF FINAL SETTLEMENT.

Notice is hereby given that the undersigned, administrator of the estate of Christian Burgdorfer, deceased, has this day filed in the County Court of Washington County, Oregon, his final account and report as such administrator in said estate, and the same has been set for final hearing and settlement before said Court at the court house in Hillsboro, Oregon, on September 2, 1907, at 10 o'clock a. m. of said day.

Dated this August 1, 1907.

FRED BURGDORFER,
Administrator, of the estate of Christian Burgdorfer, deceased.

M. B. BUMP, Attorney.

Strayed.

On the 5th of August from St. Mary's Home, Beaverton, large red bull with white spot in forehead, white spots on body; no horns; about 5 years old. Finder send word to St. Mary's Home, Beaverton, when a suitable reward will be given.

When You Go to Tillamook

Stop at the WHITE HOUSE, 22 miles west of Forest Grove on Wilson River Road. Rates:

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J. F. REEHER, Wilson, Ore.