

MAY REOPEN FAMOUS CASE

Head of Grand Jury Which Indicted Patrick for Murder Believes That the Man Is Innocent.

NEW YORK, Jan. 21.—Colonel William Conant Church, editor of the Army and Navy Journal, who was foreman of the grand jury which indicted Attorney Albert T. Patrick for the murder of William Ash Rice, said today that he believed Patrick was innocent.

This statement, following the announcement that Valet Jones, the missing witness in the case, has been found in Texas, and will return here to testify, leads to the belief that the famous case will be re-opened once more.

Last month Patrick made what seemed to be a final struggle to gain his release from Sing Sing prison, where he is serving a life sentence, when he was given a hearing in court upon his plea that he was being illegally confined. He put up the remarkable plea that after he was convicted of murder in the first degree and condemned to die the late Governor Higgins had no right to commute his sentence. Patrick argued that he should have been hanged or set free and that the court now was forced to set him free. This plea met with no favor with the court and he was returned to his cell.

Colonel Church said today that the evidence presented before the grand jury compelled indictment, but added:

"I can say with most positive assurance, not only that Patrick was of guilty of murder, but that there was no murder."

Intense interest is taken in the report that Jones will return, as it is believed the complex mystery of the case can be cleared by him.

STANDARD OIL HORSES ARE CRUELY TREATED

KANSAS CITY, Jan. 21.—The arrest of E. W. Rippe, a teamster employed by the Standard Oil company, on the charge of cruelty to animals, and the imposing of a fine in the municipal court have brought on the fact, according to the humane society, that the teams belonging to the wealthiest corporation in the world frequently go from Monday until Saturday without having their harness removed.

Patrolman Hargis told the court that he frequently saw Standard Oil teams returning to the barn as late as 2 o'clock in the morning and that employees had told him that it was no uncommon thing for the teams to remain in harness from the beginning until the end of the week. As the company has its offices in Kansas, the humane officers are unable to bring the real offenders into court.

Looks for Wife and Coin.

PORTLAND, Or., Jan. 21.—Lee Foo, the Chinese merchant at 81 N. Fourth street, whose Japanese wife eloped with another man of her race and took \$10,000 of her husband's money, has started in pursuit of the runaway couple. They are now known to have gone to Seattle.

Court Keeps Child.

ZANESVILLE, O., Jan. 21.—A compromise decree in the Christy case, whereby Natalie, the 12-year-old daughter of Howard Chandler Christy, the artist, will be kept within the jurisdiction of the court for some time, is expected next week, according to an intimation by Judge Smith.

RESOLUTION.

Be it resolved by the city council of the City of Medford:

That it is the intention of the council to lay a 4-inch water main on Thirteenth street from Newtown street to King street, and to assess the cost thereof upon the property fronting on said portion of said street in proportion to frontage of said property.

The council will meet at the council chamber in the city hall in said city on February 1, 1910, at 7:30 p. m., at which time all protests against the laying of said water main on said portion of said street and the assessment of the cost thereof upon the property fronting thereon will be heard.

The foregoing resolution was passed by the city council of the City of Medford on the 18th day of January, 1910, by the following vote: Welch, ye; Merrick, aye; Emerick, aye; Wortman, aye; Eifert, aye, and Demmer, aye.

Approved January 19th, 1910.

W. H. CANON, Mayor.

Attest: ROBT. W. TELFER, Recorder.

CITY NOTICES.

TO THE PUBLIC.

The width of the following streets between curbs will be considered and fixed at a meeting of the city council of Medford, to be held February 1, 1910, at 7:30 p. m.

Any person desiring to be heard on the question of fixing the width of the streets mentioned below are hereby notified to appear on the above date.

- Apple street, North.
- Alice street.
- Austin street.
- Alder street.
- Almond street.
- Ashland avenue.
- Bartlett street, north and south.
- Beatty street.
- Boardman street.
- Bliss street.
- Belmont avenue.
- Bennett avenue.
- Beauregard street.
- Borough street.
- Central avenue, north to boundary.
- Central avenue, south to boundary.
- Court street.
- Clark street.
- Catherine street.
- Cottage street.
- DeAnjou street, north to Third street, from Third to Jackson street, south to Eleventh street, from Eleventh to boundary.
- Dakota avenue.
- Eighth street, east and west.
- Eighth street, (Highland Park addition.)
- Eleventh street, east, west to Oakdale avenue, west of Oakdale avenue.
- Eleventh street, (Imperial addition.)
- Evergreen street, north.
- Edwards street.
- Elm street.
- Fourth street, west.
- Fourth street, east and west.
- Fifth street, east and west.
- Fir street, north to Fifth street, from Fifth to Jackson street, south to Ninth street, from Ninth to Thirteenth street.
- Fourteenth street, (Barr's addition.)
- Grape street, north to Fifth street, from Fifth to Vermont street, south to Ninth street, from Ninth to Thirteenth street.
- Howard street.
- Genesee street.
- Holly street, north to Fifth street, from Fifth to First street, south to Ninth street, from Ninth to Thirteenth street.
- Holly street, (Fairmount addition.)
- Hamilton street, (Palm addition.)
- Hamilton street, (Barr's addition.)
- Howard street.
- Ivy street, north to Fifth street, from Fifth to Oakdale avenue, south to Ninth street, from Ninth to Thirteenth street.
- Iowa street.
- Jackson street, east and west.
- Knight street.
- King street.
- Liberty street.
- Laurel street, south to Eleventh street.
- Lindley street.
- Madrona street.
- Manzanita street.
- Maple street.
- Mistletoe street.
- Milne street.
- McAndrews street.
- Myrtle street.
- Ninth street, east and west.
- Niantic street.
- Narrigan street.
- Newtown street.
- Ninth street, west of South Orange street.
- Ninth street, (Imperial addition.)
- Oakdale avenue, north.
- Oak street, (Highland addition.)
- Oak street, (Gray's addition.)
- Oleson street.
- Orange street, north and south.
- Prune street, (Meeker's addition.)
- Pine street.
- Palm street, (Narrigan's addition.)
- Palm street, (Wolter's addition.)
- Peach street, north and south.
- Phipps street.
- Portland avenue.
- Plum street.
- Prune street, (Electric Park addition.)
- Quince street.
- Queen Anne avenue.
- Riverside avenue, north and south.
- Rose avenue.
- Ross Court.
- Rosevelt avenue.
- Reddy avenue.
- Second street, east to Jackson street, west to Oakdale avenue, west of Oakdale avenue to boundary.
- Sixth street, east, west to Oakdale.
- Seventh street, west of Laurel to boundary, at east end of bridge 34 feet, at east boundary.
- Sherman street.
- Sherman street.
- Third street, east and west.
- Tenth street, east and west.
- Tenth street, (Imperial addition.)
- Tenth street, (Highland Park addition.)
- Twelfth street, east and west.
- Twelfth street, (Barr's addition.)
- Taft avenue.
- Thirteenth street.
- Thirteenth street, (Barr's addition.)
- Tripp street.

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Tenth street, (Imperial addition.) Vermont street. Vancouver avenue. Walnut street. Woodstock street. Washington street, (Fruitdale addition.) Washington street, (Rose Park addition.) Washington street, (Highland Park addition.)

Willamette avenue. Willie street. (Signed) W. H. CANON, Mayor.

ORDINANCE NO. 286.

An ordinance providing for the execution of a contract with the Medford Printing Company for the printing of all legal notices, ordinances, resolutions, etc.

The City of Medford doth ordain as follows: Section 1. The mayor and recorder of the City of Medford are hereby authorized and directed to enter into a contract on behalf of the City of Medford with the Medford Printing Company in words and figures following, to-wit:

Memorandum of agreement made and entered into this 19th day of January, 1910, by and between the Medford Printing Company, a corporation, party of the first part, and the City of Medford, a municipal corporation, party of the second part, witnesseth:

That the party of the first part hereby covenants and agrees for a period of two years from this date to print in the daily edition of the Medford Mail Tribune, published and printed by it, the City of Medford, all legal notices, ordinances, resolutions and other reading matter which the City of Medford may require to have printed in any newspaper of said city, or which the council may direct, to be printed at the following prices, to-wit:

Two cents per line for each and every insertion thereof, said notices to be printed in the same type that has heretofore been used in printing notices for said city in said paper.

In consideration of the premises said city hereby agrees to cause all notices, ordinances, resolutions and other reading matter which said city is required to print, or which the council at any time during said period may order to be printed to be printed in said paper. And further covenants and agrees to pay therefor the price above set forth.

Said first party agrees to print all such notices, resolutions, ordinances and other reading matter which it may be directed to print hereunder, with accuracy and dispatch.

In consideration whereof said parties have caused these presents to be executed on their behalf by their respective officers, and their corporate seals to be hereto affixed.

CITY OF MEDFORD.

By W. H. Canon, Mayor.

Attest: ROBT. W. TELFER, City Recorder. (Seal.) MEDFORD PRINTING CO. (Seal.) By G. Putnam, President.

The foregoing ordinance was passed by the city council of the City of Medford, on the 18th day of January, 1910, by a full vote "aye."

ORDINANCE NO. 287.

An ordinance prohibiting minors from entering or being in any place where the sale of intoxicating liquor at retail is licensed in the City of Medford, and prohibiting such minors from making misrepresentations as to their age and providing penalties therefor.

The City of Medford doth ordain as follows: Section 1. It shall be unlawful for any minor to enter or be in any place within the City of Medford where the sale of intoxicating liquors in quantities of less than one gallon is or may any time hereafter be licensed.

Section 2. Any person who shall violate the provisions of the foregoing section of this ordinance shall upon conviction thereof be fined not less than twenty (\$20) dollars, nor more than fifty (\$50) dollars, and shall be imprisoned at labor for a period of not more than ten days.

Section 3. It shall be unlawful for any minor to make any false statement to any person, now or at any time hereafter, licensed to sell intoxicating liquors in less than one gallon, or to any agent, representative or employee of any such person, or for the purpose of securing from such person, or his agent, representative or employee, any intoxicating liquor. Any person who shall be guilty of violating the provisions of this section of this ordinance shall upon conviction thereof be fined not less than twenty (\$20) dollars or more than fifty (\$50) dollars, and shall be imprisoned at labor not less than five nor more than ten days.

Section 4. This ordinance shall be in force from and after the date of its passage. The foregoing ordinance was passed by the city council of the City of Medford, Oregon, on the 18th day of January, 1910, by the following vote: Welch, aye; Merrick, aye; Emerick, aye; Wortman, aye; Eifert, aye, and Demmer, aye.

Approved January 19th, 1910.

W. H. CANON, Mayor.

Attest: ROBT. W. TELFER, City Recorder.

ORDINANCE NO. 284.

An ordinance granting to John R. Allen, his heirs and assigns, the right to lay down, construct, acquire and own, and to maintain, operate and use railways, poles and wires, and underground conduits and conductors in the City of Medford, Oregon, and to operate cars and locomotives, other than steam, to generate and transmit power, and to send and receive messages by telegraph and telephone over certain streets, alleys and public places in the City of Medford, Oregon, and to authorize the construction, installation and maintenance of equipment and power houses, stations and

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all other things necessary or convenient for the operation and maintenance thereof. And to prescribe and fix the extent, terms and conditions under which the particular streets and alleys of the City of Medford may be appropriated and used for railway purposes and for power, telegraph and telephone lines by the said John R. Allen, his heirs and assigns, and repealing Ordinance No. 252 of said city.

The city of Medford doth ordain as follows: Section 1. That there be and hereby is granted to John R. Allen, his heirs and assigns, the franchise right and privilege to erect, lay down, construct, reconstruct, purchase, acquire, lease, repair, maintain, equip, operate, have, hold, use and enjoy lines of railway and system of railways, either single track or double track, with power to change from one to the other, with convenient switches, turn-outs, turntables, cross-overs, connections and ways, and to run and operate thereon passenger cars and to carry passengers, to run and operate thereon freight, mail, baggage, express and funeral cars, to carry freight, parcels, express packages and United States mail thereon, subject to the reasonable regulation of the council of said city, to do all acts and things necessary to the successful operation of said railways and systems of railways, operated within said city of Medford, either as a separate system of railways within the said city of Medford or as part of a system of railways operated within said city of Medford and elsewhere without the city of Medford, along and upon any and all of the streets of the said city of Medford as now or hereafter laid out and established, excepting Oakdale avenue, and within the corporate limits of said city of Medford as now established and as said corporate limits may hereafter be extended by the said John R. Allen, his heirs and assigns, shall have full effect at the expiration of one year from the date of its passage, unless said John R. Allen, his heirs and assigns, within said time, shall have commenced the actual construction of said system of railways within the said city of Medford, provided further that if said John R. Allen, his heirs and assigns, shall within two years from date of passage of this ordinance file, or cause to be filed with the city recorder of said city of Medford, a map or plat of said city upon which shall be accurately indicated all streets and portions of streets and alleys which the said John R. Allen, his heirs and assigns, desire and intend to utilize in the construction of said railways, and at the expiration of said two years the franchise and right to construct a railway hereby granted shall be deemed to have lapsed as to all portions of the said streets and alleys which are not so indicated on the map or plat so filed, but such lapsing or the forfeiture of said franchise as to the street or portion of streets not so indicated thereon shall in no wise affect or impair the franchise and rights hereby granted as to the streets and portion of streets which are so indicated upon said map or plat; provided, however, that unless said John R. Allen, his heirs or assigns shall have actually constructed and have in operation at least two miles of street railway on the streets of said city within five years from the date hereof, then all rights hereby granted shall be forfeited and lost by the said John R. Allen, his heirs and assigns, except as to such streets or portion of streets as shall have been actually constructed and have in operation such street railway at said time; and provided further, that all rights in and to all streets hereby granted shall lapse and become void at the expiration of seven years from date hereof, except as to such streets or street, or portion of street or streets, on and over which said John R. Allen, his heirs or assigns, shall have constructed and have in operation such street railway line or lines at said time. It being understood that the term "in operation" as used herein, shall be taken and is understood to mean the running of street cars suitable for carrying passengers and in which passengers are actually carried for the fare herein provided, at least once every two hours in each direction, between the hours of 7 a. m. and 7 p. m. of each day.

Section 2. Said John R. Allen shall have the right and franchise to connect together, the said railway and system of railways with any other line or system of railways, and to run cars from any line of street or other line of street and to construct, maintain and use convenient sidetracks, switches, curves and turnouts from the line of railways maintained under authority of this ordinance, subject to the reasonable regulation of the council, to and upon any and all of the streets and alleys and their shops, barns, storehouses, repositories, depots, yards, terminals, buildings and grounds.

Section 3. Said John R. Allen, his heirs and assigns, may operate and propel cars over and under railways constructed pursuant to the provisions of this ordinance by means of overhead or underground electric power, storage batteries, compressed air, cables or other mechanical power except only steam motors and steam locomotives, but steam motors and steam locomotives may be used in the operation of said railways for construction or temporary purposes, or in case of accident or emergency (not longer than seven days at one time without the consent of the council, and for the purpose of operating railways and having convenient power and electrical current for his and their use, may put up, erect, maintain and use poles and overhead wires and lay down, construct, maintain and use underground slots and conduits and underground wires, conductors and cables in and along streets over which said railway are or may be laid down and in and along such other streets of the city of Medford as its common council may direct. The motive power and the mode of operating and

propelling cars may at any time be changed by the holder of this franchise to any more improved, economical, practical or desirable method, excepting steam motors and steam locomotives.

Section 4. The track and tracks to be constructed under the provisions of this ordinance shall be laid flush with the grade of the street where said streets have an established grade, provided, that when the track is laid upon a street where no grade has been established the track shall be brought to grade whenever such grade shall be established by the city, and when any established grade shall be changed by the city the track shall be changed so as to conform with the grade so established, and provided further, that the said John R. Allen, his heirs and assigns, shall improve and keep in repair that portion of each street so occupied by him laying between a point of 26 inches beyond the outside rail of his said track or tracks. The word "improve" as herein used being understood to mean the improving, including paving, of said street in the same manner as the remainder of said street is improved or paved by or under the authority of the city.

Section 5. Said John R. Allen, his heirs and assigns, may construct, operate, equip and maintain telegraph, telephone and power lines along all of the said streets upon which the said railways may be constructed for the purpose of transmitting messages or power over the said lines for the use in connection therewith.

Section 6. It shall be lawful for the said John R. Allen, his heirs and assigns, to make all needful and convenient excavations in any of said streets under the conditions heretofore named, for the purpose of establishing said railways, or system of railways, telegraph, telephone or power lines, provided, that whenever said John R. Allen, his heirs or assigns, shall disturb any of said streets he or they shall restore the same to good order and condition as soon as practicable and without unnecessary delay, and falling so to do the common council of said city shall have the right to fix, by resolution, a reasonable time within which said repairs or restoration of said streets shall be completed, and on a failure to complete said repairs or restoration within the time prescribed by said council, the street commissioner of said city shall place the same in good condition and repair at the expense of the then holder of the franchise granted by this ordinance.

Section 7. Nothing in this ordinance shall be construed as to prevent the proper authorities of the city of Medford from sewerage, grading, paving, planking, improving, repairing or altering any of said streets, but all such work shall be done, if possible, so as not to disturb, injure or prevent the full operation of said railway or system of railways.

Section 8. Said John R. Allen, his heirs and assigns, may charge and collect from each passenger traveling upon railways constructed under authority of this ordinance, for each trip traveled by such passenger, in one general direction upon said railways, from any point in said city to any other point within the limits of the city of Medford, a fare of five cents and no more; excepting for riding in or the use of observation cars, funeral cars, mail cars, express cars, freight cars and other special cars, said John R. Allen, his heirs and assigns, may charge and collect such compensation, rates and fares as he or they may desire.

Section 9. All of the rights, privileges and franchises herein granted shall continue and be in full force and effect for fifty (50) years from the date of the acceptance of this ordinance.

Section 10. All of the provisions of this ordinance shall inure to, apply to and bind the heirs and assigns of the said John R. Allen.

Section 11. The failure of the said John R. Allen, his heirs or assigns, to operate any car line or lines which he shall at any time construct hereunder, as the term "operate" is herein defined, for a period of more than ninety days at any one time, or for a period of more than six months in any calendar year, shall be taken and held to be an abandonment of the rights herein given as to the street or streets or portion of street or streets, upon which said line or lines shall have been constructed, and such failure shall without any action on the part of said city operate to cancel and annul all the rights of John R. Allen, his heirs or assigns, on or to any street or streets.

Section 12. The said John R. Allen shall, within thirty days after the passage of this ordinance, file in the office of the recorder of the city of Medford, his written acceptance of this ordinance, and the franchise, rights and privileges by this ordinance granted to and conferred upon him, his heirs and assigns, subject to the terms and provisions in this ordinance contained. Failure of said John R. Allen to accept this ordinance within thirty days from the final passage thereof shall be deemed and held to be a rejection of this ordinance, and upon the expiration of the time 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.

Section 13. That ordinance No. 252 of the city of Medford be, and the same is hereby repealed, and the said John R. Allen shall include in his acceptance of this ordinance to be filed as required by section 12 hereof, his written consent to the repeal of said ordinance No. 252, and his release and waiver of all rights and privileges given or granted by said ordinance No. 252.

The foregoing ordinance was passed by the city council of the city of Medford, Oregon, on the 18th day of January, 1910, by the following vote: Welch, aye; Merrick, aye; Emerick, aye; Wortman, aye; Eifert, aye and Demmer, aye.

Approved January 19th, 1910.

W. H. CANON, Mayor.

Attest: ROBT. W. TELFER, City Recorder.

(Seal) ROBT. W. TELFER, City Recorder.

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all other things necessary or convenient for the operation and maintenance thereof. And to prescribe and fix the extent, terms and conditions under which the particular streets and alleys of the City of Medford may be appropriated and used for railway purposes and for power, telegraph and telephone lines by the said John R. Allen, his heirs and assigns, and repealing Ordinance No. 252 of said city.

The city of Medford doth ordain as follows: Section 1. That there be and hereby is granted to John R. Allen, his heirs and assigns, the franchise right and privilege to erect, lay down, construct, reconstruct, purchase, acquire, lease, repair, maintain, equip, operate, have, hold, use and enjoy lines of railway and system of railways, either single track or double track, with power to change from one to the other, with convenient switches, turn-outs, turntables, cross-overs, connections and ways, and to run and operate thereon passenger cars and to carry passengers, to run and operate thereon freight, mail, baggage, express and funeral cars, to carry freight, parcels, express packages and United States mail thereon, subject to the reasonable regulation of the council of said city, to do all acts and things necessary to the successful operation of said railways and systems of railways, operated within said city of Medford, either as a separate system of railways within the said city of Medford or as part of a system of railways operated within said city of Medford and elsewhere without the city of Medford, along and upon any and all of the streets of the said city of Medford as now or hereafter laid out and established, excepting Oakdale avenue, and within the corporate limits of said city of Medford as now established and as said corporate limits may hereafter be extended by the said John R. Allen, his heirs and assigns, shall have full effect at the expiration of one year from the date of its passage, unless said John R. Allen, his heirs and assigns, within said time, shall have commenced the actual construction of said system of railways within the said city of Medford, provided further that if said John R. Allen, his heirs and assigns, shall within two years from date of passage of this ordinance file, or cause to be filed with the city recorder of said city of Medford, a map or plat of said city upon which shall be accurately indicated all streets and portions of streets and alleys which the said John R. Allen, his heirs and assigns, desire and intend to utilize in the construction of said railways, and at the expiration of said two years the franchise and right to construct a railway hereby granted shall be deemed to have lapsed as to all portions of the said streets and alleys which are not so indicated on the map or plat so filed, but such lapsing or the forfeiture of said franchise as to the street or portion of streets not so indicated thereon shall in no wise affect or impair the franchise and rights hereby granted as to the streets and portion of streets which are so indicated upon said map or plat; provided, however, that unless said John R. Allen, his heirs or assigns shall have actually constructed and have in operation at least two miles of street railway on the streets of said city within five years from the date hereof, then all rights hereby granted shall be forfeited and lost by the said John R. Allen, his heirs and assigns, except as to such streets or portion of streets as shall have been actually constructed and have in operation such street railway at said time; and provided further, that all rights in and to all streets hereby granted shall lapse and become void at the expiration of seven years from date hereof, except as to such streets or street, or portion of street or streets, on and over which said John R. Allen, his heirs or assigns, shall have constructed and have in operation such street railway line or lines at said time. It being understood that the term "in operation" as used herein, shall be taken and is understood to mean the running of street cars suitable for carrying passengers and in which passengers are actually carried for the fare herein provided, at least once every two hours in each direction, between the hours of 7 a. m. and 7 p. m. of each day.

Section 2. Said John R. Allen shall have the right and franchise to connect together, the said railway and system of railways with any other line or system of railways, and to run cars from any line of street or other line of street and to construct, maintain and use convenient sidetracks, switches, curves and turnouts from the line of railways maintained under authority of this ordinance, subject to the reasonable regulation of the council, to and upon any and all of the streets and alleys and their shops, barns, storehouses, repositories, depots, yards, terminals, buildings and grounds.

Section 3. Said John R. Allen, his heirs and assigns, may operate and propel cars over and under railways constructed pursuant to the provisions of this ordinance by means of overhead or underground electric power, storage batteries, compressed air, cables or other mechanical power except only steam motors and steam locomotives, but steam motors and steam locomotives may be used in the operation of said railways for construction or temporary purposes, or in case of accident or emergency (not longer than seven days at one time without the consent of the council, and for the purpose of operating railways and having convenient power and electrical current for his and their use, may put up, erect, maintain and use poles and overhead wires and lay down, construct, maintain and use underground slots and conduits and underground wires, conductors and cables in and along streets over which said railway are or may be laid down and in and along such other streets of the city of Medford as its common council may direct. The motive power and the mode of operating and

propelling cars may at any time be changed by the holder of this franchise to any more improved, economical, practical or desirable method, excepting steam motors and steam locomotives.

Section 4. The track and tracks to be constructed under the provisions of this ordinance shall be laid flush with the grade of the street where said streets have an established grade, provided, that when the track is laid upon a street where no grade has been established the track shall be brought to grade whenever such grade shall be established by the city, and when any established grade shall be changed by the city the track shall be changed so as to conform with the grade so established, and provided further, that the said John R. Allen, his heirs and assigns, shall improve and keep in repair that portion of each street so occupied by him laying between a point of 26 inches beyond the outside rail of his said track or tracks. The word "improve" as herein used being understood to mean the improving, including paving, of said street in the same manner as the remainder of said street is improved or paved by or under the authority of the city.

Section 5. Said John R. Allen, his heirs and assigns, may construct, operate, equip and maintain telegraph, telephone and power lines along all of the said streets upon which the said railways may be constructed for the purpose of transmitting messages or power over the said lines for the use in connection therewith.

Section 6. It shall be lawful for the said John R. Allen, his heirs and assigns, to make all needful and convenient excavations in any of said streets under the conditions heretofore named, for the purpose of establishing said railways, or system of railways, telegraph, telephone or power lines, provided, that whenever said John R. Allen, his heirs or assigns, shall disturb any of said streets he or they shall restore the same to good order and condition as soon as practicable and without unnecessary delay, and falling so to do the common council of said city shall have the right to fix, by resolution, a reasonable time within which said repairs or restoration of said streets shall be completed, and on a failure to complete said repairs or restoration within the time prescribed by said council, the street commissioner of said city shall place the same in good condition and repair at the expense of the then holder of the franchise granted by this ordinance.

Section 7. Nothing in this ordinance shall be construed as to prevent the proper authorities of the city of Medford from sewerage, grading, paving, planking, improving, repairing or altering any of said streets, but all such work shall be done, if possible, so as not to disturb, injure or prevent the full operation of said railway or system of railways.

Section 8. Said John R. Allen, his heirs and assigns, may charge and collect from each passenger traveling upon railways constructed under authority of this ordinance, for each trip traveled by such passenger, in one general direction upon said railways, from any point in said city to any other point within the limits of the city of Medford, a fare of five cents and no more; excepting for riding in or the use of observation cars, funeral cars, mail cars, express cars, freight cars and other special cars, said John R. Allen, his heirs and assigns, may charge and collect such compensation, rates and fares as he or they may desire.

Section 9. All of the rights, privileges and franchises herein granted shall continue and be in full force and effect for fifty (50) years from the date of the acceptance of this ordinance.

Section 10. All of the provisions of this ordinance shall inure to, apply to and bind the heirs and assigns of the said John R. Allen.

Section 11. The failure of the said John R. Allen, his heirs or assigns, to operate any car line or lines which he shall at any time construct hereunder, as the term "operate" is herein defined, for a period of more than ninety days at any one time, or for a period of more than six months in any calendar year, shall be taken and held to be an abandonment of the rights herein given as to the street or streets or portion of street or streets, upon which said line or lines shall have been constructed, and such failure shall without any action on the part of said city operate to cancel and annul all the rights of John R. Allen, his heirs or assigns, on or to any street or streets.

Section 12. The said John R. Allen shall, within thirty days after the passage of this ordinance, file in the office of the recorder of the city of Medford, his written acceptance of this ordinance, and the franchise, rights and privileges by this ordinance granted to and conferred upon him, his heirs and assigns, subject to the terms and provisions in this ordinance contained. Failure of said John R. Allen to accept this ordinance within thirty days from the final passage thereof shall be deemed and held to be a rejection of this ordinance, and upon the expiration of the time 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.

Section 13. That ordinance No. 252 of the city of Medford be, and the same is hereby repealed, and the said John R. Allen shall include in his acceptance of this ordinance to be filed as required by section 12 hereof, his written consent to the repeal of said ordinance No. 252, and his release and waiver of all rights and privileges given or granted by said ordinance No. 252.

The foregoing ordinance was passed by the city council of the city of Medford, Oregon, on the 18th day of January, 1910, by the following vote: Welch, aye; Merrick, aye; Emerick, aye; Wortman, aye; Eifert, aye and Demmer, aye.

Approved January 19th, 1910.

W. H. CANON, Mayor.

Attest: ROBT. W. TELFER, City Recorder.

(Seal) ROBT. W. TELFER, City Recorder.

Baker's

vs.

Home Made Bread

We have home-made bread. Which would you rather eat, home-made or bakers? A foolish question to ask, for most people would be willing to pay twice the price for home-made bread they pay for bakers, but you can buy the good old-fashioned home-made bread at the Rex Grocery for the same price as bakers. Large, well browned loaves, both nourishing and palatable, and baked from the best flour in the city.

"Yakima Best"

Take a loaf home with you and be convinced.

Rex Grocery Co.

\$12,525—Eleven acres in Comice pears, 10 years old, nine acres in Bartlett and Anjou pears, 1 to 3 years old; close in; good soil. Terms.

\$12,000—Eleven acres in Comice and Bosc pears, 14 years old. These trees are in full bearing and will pay a good income on the price asked.

\$24,000—Thirty-two acres in Bosc and Anjou pears; trees are from 4 to 7 years of age. Complete set of buildings. Close in.

\$7000—Thirty-five acres of black sticky, three miles from Medford, all under the ditch and can be irrigated.

\$13,000—Thirty-two