

NOTICE OF SPECIAL ELECTION

Notice is hereby given that a special election will be held in the city of Missoula, county of Missoula and state of Montana, on Tuesday the 5th day of January, 1909, commencing with the hour of 8 o'clock a. m., and ending with the hour of 6 o'clock p. m., of said day for the following purposes:

No. 1—For the purpose of submitting to the residents and freeholders of the city of Missoula, whose names appear on the tax roll of Missoula county, Montana, preceding such election, the application of J. R. Wharton for a franchise for the construction, maintenance and operation of an electric street railway system in the city of Missoula, Missoula county, Montana, which franchise is to be in the words and figures following, to-wit:—

Be it ordained by the city council of Missoula. Section 1. That there is hereby granted as authorized by the resident freeholders, whose names appeared on the city or county tax roll, at an election held for the purpose of authorizing the same, as provided by an act of the legislative assembly, approved March 5, 1903, to J. R. Wharton, his executors, administrators and assigns, the right to construct, maintain and operate in the city of Missoula, Montana, a street railway, with sidetracks, switches and turnouts, over, along and across the streets of the city of Missoula, as hereinafter provided, except along University avenue but across said avenue, and the question of the right of the grantee, his heirs, executors, administrators or assigns, to build a line along said avenue shall be decided by a majority of the abutting property owners on said avenue, should the grantee wish to lay a line thereon.

Section 2. That the said grantee, his executors, administrators or assigns shall have the right upon, in and across each and all of said streets of the city of Missoula to run or propel street cars for the purpose of carrying passengers or freight, by means of electricity or such other modern method, as may be approved from time to time by the city council of the city of Missoula, subject to the restrictions herein contained.

Section 3. That the tracks of the said street railway shall be so laid in said streets as to conform to and be upon the surface grades of all streets upon which the same may run, or upon any surface grades or established grades thereon that may hereafter be established or fixed at the option and in accordance with the direction of the city council of the city of Missoula, or of its duly authorized committee or representative; and the said city of Missoula is not and shall not be required by reason of this grant to grade or otherwise improve any of said streets and the said grantee, his executors, administrators and assigns, shall, upon the completion of said railway line in, along and across said streets, leave the same in good condition for travel thereon, and remove therefrom any obstruction placed therein or thereon during the construction of said railway.

Section 4. That the said railway shall be laid with rails weighing not less than thirty-six (36) pounds per yard, and the width between the rails shall be four feet eight and one-half inches (4 ft. 8 1/2 ins.), and the space between the rails of said railway and for one foot on each side thereof shall be kept in repair by the said grantee in such a way as to make the same passable for teams and in good condition for traffic to go over and along the same, and in such cases the said grantee, his executors, administrators or assigns, shall, upon the completion of said railway, or any part thereof, shall be extended, as herein provided, shall be ordered paved by the city council at any point where said railway is constructed along or across the said streets, said grantee or his executors, administrators or assigns, shall at his own expense and in the manner and to the extent required by the city council for other paving on said streets, pave the space and spaces between the said railway, so laid along the said streets and on the outside of the said rails to the same extent that the said track is required to be kept in repair, as hereinabove required, in accordance with and under the direction of said city council, and shall keep and maintain the pavements thus required by it to be laid, in good order and condition and to the satisfaction of the city council.

Section 5. That the city of Missoula expressly reserves to itself, and to persons, companies and corporations having authority from the city, to use the streets thereof for the purposes hereafter specified, and for all lawful purposes not herein expressly restricted, the right upon the same to take up the tracks and move the rails of said railway within the limits of said city for the purpose of laying or repairing water pipes, gas pipes, electric wires, telephone or fire alarm wires, or sewer pipes, or any purpose that may be deemed necessary by the city council, without any responsibility to or permission from said grantee, his executors, administrators, or assigns, on account of any damage to or interruption of the business of the said railway, provided, however, that such work shall be done without any unnecessary delay, and that whenever the said rails or tracks are taken up or removed the same shall, upon completion of said work, be relaid by the person, company or corporation taking up or removing the same, as soon as possible, and replaced in a good condition as the same were in prior to the taking up and removal thereof.

railway cars properly constructed, with all modern improvements necessary for the safety of pedestrians and other travelers moving upon and along the streets upon which the said railway shall be constructed, and shall operate its cars at a rate of speed which is not to exceed within the city limits twelve (12) miles per hour. In the case of freight cars the same shall be of the most modern pattern, and not more than three cars shall be run coupled together. Said cars shall both freight and passenger, to carry at night a head-light of not less than sixteen (16) candle power, and use at street crossings when moving within the city limits an alarm bell, which bell shall be rung at crossings, and all cars shall be run as to not unnecessarily interfere or impede travel upon said streets, except while moving as required by the terms of this ordinance.

Section 8. All rails to be laid by the said grantee, his executors, administrators or assigns, shall be of good steel of the most approved pattern, and the same shall be constructed in such manner as to cause no unnecessary obstruction to the common and ordinary use of said streets for other purposes. All water courses shall be left free and unobstructed, and good and permanent crossings shall be made wherever the same shall be required by the city council at the intersection of said streets, and suitable and efficient arrangements for the purpose of proper drainage of the roadbed and right of way shall be made within the limits of said streets in the manner prescribed and under the supervision of the city engineer or other officers of the city charged with such duty. It is expressly provided and required that in the exercise of the rights granted under this ordinance the said grantee, his executors, administrators or assigns, shall not obstruct, divert, close or destroy any gutter, culvert, flume or other drainage channel, constructed or used for drainage purposes in said city.

Section 9. That the said grantee is hereby given the right to erect, maintain and use all necessary poles or posts of wood, iron or other suitable material, and the necessary wires to successfully operate by electricity said railway and railway cars upon the streets aforesaid, provided, however, that the said grantee shall set such poles or posts under the direction or supervision of the city council or some duly authorized officer or representative of said city council, and shall place the wires thereon and maintain the same in good order and condition and in such a manner as not unnecessarily to interfere with the travel upon said streets. Said poles or posts to be set so as not to interfere with the flow of water in any gutter or other drainage channel, and the points of location thereof shall be determined by the city council or its duly authorized agent or committee, and all wires placed on said poles shall be maintained at a height of at least eighteen (18) feet above the surface of the street.

Section 10. The rights, privileges and franchises hereby granted, shall continue and remain in force and effect for the term of fifty (50) years from and after the date of the passage and approval of this ordinance.

Section 11. The right, privilege and authority to lay and construct a track or tracks across the Higgins avenue bridge is hereby granted, it being expressly understood that in laying tracks across the said bridge, it shall be the duty of the grantee, his executors, administrators or assigns, to cause the space between the tracks and for a distance of one foot on each side thereof to be laid and kept in repair in the same manner and with the same material as used in construction and keeping the floor of said bridge in repair.

Section 12. It shall be the duty of the said grantee, at least ten (10) days before the time when construction is commenced upon any part or portion of the said street railway, to file with the city council of the city of Missoula a map or plat showing the street or streets through, over and along which it is proposed to construct any part of the street railway aforesaid; and when such map is made and filed with the city council of the city of Missoula, it shall be deemed to be a selection of the route for the construction of the part of said railway shown upon said map; and from and after the time when the said map is filed the said grantee shall have the right to enter, into and upon the street or streets designated in said map, and to commence construction of said street railway and the erection of the said poles and wires necessary for the operation thereof; and it shall be the duty of the said grantee, from time to time and before the time when he, or his heirs, executors, administrators or assigns, shall commence the construction of any part of said street railway, to so file a map or that part or portion thereof which it is intended to construct within a period of six months hence next ensuing after the filing of said map with the city council.

Section 13. It shall be the duty of said J. R. Wharton, his heirs, executors, administrators or assigns, to accept this ordinance in writing within the term of thirty (30) days from the time when the same shall have been passed by the city council after the granting of the same shall have been authorized by a vote of the duly qualified electors of the city of Missoula, said notice to be served upon the mayor of the city of Missoula.

Section 14. It is understood and agreed that the said grantee, his heirs, executors, administrators, or assigns, shall contribute toward the construction of the Higgins avenue bridge across the river, the sum of twenty thousand dollars (\$20,000.00), and that in consideration of such contribution for said purpose that during the life of the franchise hereby granted, no franchise tax shall be levied upon or collected from the grantee by reason of said franchise, but the same shall be subject to the same property tax as other real estate in the city of Missoula, and that the use of said bridge for water mains and electric wire conduits shall be given to the assigns of the grantee herein named.

Section 15. Before the rights, privileges and franchises hereby granted shall be construed to take effect and vest in the grantee, his heirs, executors, administrators or assigns, he, or his successors in interest, shall comply with the provisions of this ordinance, or assign, shall cause to be completed and in operation within the limits of the city of Missoula not less than two miles in line within six (6) months from the commencement of the work, and five miles within two (2) years from the time when the work is commenced thereon.

# Everything Must Go to Clean Out Before New Spring Goods Arrive Sale January 2, 8a. m., to January 9

Nothing Withheld---Ladies' Suits, Coats, Dresses, Dress Skirts, Silk Petticoats, Furs, Underwear, Kimonos, Etc.

|  |  |  |
|--|--|--|
| <b>All Beldings' Silks at 1 Cent a Skein</b>                     | <b>All D. M. C. Cotton at 10c a Dozen</b>                    | <b>All Belding Spool Silk at 5c a Spool</b>  |
| Children's bearskin coats, worth \$5, at this sale <b>\$1.95</b> | Children's bearskin caps, worth \$1, at this sale <b>45c</b> | Children's bearskin cap, muff and collar sets, worth \$1.75, at this sale <b>85c</b> |
| \$6.00 fur pieces <b>\$3.00</b>                                  | \$15.00 fur pieces <b>\$7.50</b>                             | \$50.00 fur pieces <b>\$25.00</b>  |
| \$8.00 fur pieces <b>\$4.00</b>                                  | \$20.00 fur pieces <b>\$9.50</b>                             | \$60.00 fur pieces <b>\$29.50</b>  |
| \$12.00 fur pieces <b>\$6.00</b>                                 | \$35.00 fur pieces <b>\$12.50</b>                            | \$4.00 leather pillows <b>\$1.75</b>   |
| \$1.00 leather doilies <b>45c</b>                                | \$1.75 leather doilies <b>85c</b>                            | \$2.50 leather doilies <b>\$1.25</b>   |
| <b>\$4.00 Silk Umbrellas</b>                                     | <b>\$1.95</b>  | <b>\$6.00 Toilet Sets</b>  |
|  |  | <b>\$1.95</b>  |

### Ladies' Evening Gowns and Party Dresses

|                                    |  |                                     |
|------------------------------------|--|-------------------------------------|
| \$150 gowns <b>\$65.00</b>         | \$100 gowns <b>\$45.00</b>             | \$75 gowns <b>\$28.50</b>           |
| \$10.00 hats <b>\$3.65</b>         | \$8.00 silk petticoats <b>\$4.75</b>   | \$50.00 velvet coats <b>\$18.50</b> |
| \$15.00 hats <b>\$5.65</b>         | \$10.00 silk petticoats <b>\$6.75</b>  | \$45.00 velvet coats <b>\$16.50</b> |
| \$18.00 hats <b>\$7.65</b>         | \$16.50 silk petticoats <b>\$9.75</b>  | \$30.00 velvet coats <b>\$13.75</b> |
| \$25.00 hats <b>\$8.75</b>         | \$25.00 silk petticoats <b>\$14.25</b> |                                     |
| <b>OPERA COATS</b>                 | <b>RAIN COATS</b>                      |                                     |
| \$40.00 opera coats <b>\$16.50</b> | \$10.00 cravenette coats <b>\$5.75</b> |                                     |
| \$50.00 opera coats <b>\$21.50</b> | \$18.00 rain coats <b>\$9.75</b>       |                                     |
| \$55.00 opera coats <b>\$23.50</b> | \$25.00 rain coats <b>\$14.25</b>      |                                     |
| \$25 and \$30 suits <b>\$12.65</b> | \$8.00 long coats <b>\$3.65</b>        | \$2.00 feathers <b>85c</b>          |
| \$35 and \$40 suits <b>\$14.65</b> | \$20.00 long coats <b>\$9.25</b>       | \$4.00 feathers <b>\$1.65</b>       |
| \$45 and \$50 suits <b>\$21.65</b> | \$25.00 long coats <b>\$12.65</b>      | \$8.00 feathers <b>\$3.65</b>       |
| \$55 and \$60 suits <b>\$26.50</b> | \$30.00 long coats <b>\$15.65</b>      | \$12.00 feathers <b>\$5.65</b>      |
|                                    | \$40.00 long coats <b>\$21.65</b>      | \$18.00 feathers <b>\$8.65</b>      |
|                                    |  | \$20.00 feathers <b>\$9.65</b>      |

## Muslin Underwear Half Price at This Sale, Ladies' Shopping Bags One-Half, All Ladies' Shirt Waists One-Half.

Come Early in the Morning So You Can Be Waited on Promptly at

# CONNAUGHTON CO., 318 Higgins Avenue

N. B.--During this sale, nothing charged, no money refunded or goods exchanged.

of any negligence or carelessness or mismanagement upon the part of the said grantee, the city of Missoula shall become liable in damages to third parties, said grantee, or his heirs, executors, administrators, or assigns, shall indemnify and save harmless the city of Missoula from liability for such damages, and shall pay all judgments and costs that may be recovered by reason of any and all injuries and damages to persons or property by reason of any misconduct, carelessness, negligence, or neglect of the said grantee, his heirs, executors, administrators or assigns, and conditioned, also, to indemnify the said city of Missoula because of any loss by reason of the exercise of any of the rights and privileges herein granted.

If at any time during the continuance of this franchise the city council shall deem the sureties on the bond so given insufficient, said grantee, his heirs, executors, administrators or assigns, shall be required to furnish a new bond, to be approved by the city council, and any failure or refusal to furnish said new sureties after ten (10) days notice, shall, at the option of the city council, forfeit all rights and privileges conferred by this ordinance.

Section 16. The failure of the said grantee, or his heirs, executors, administrators, or assigns, to comply with any or all of the provisions of this ordinance except the speed limit shall, upon ten (10) days notice to the said grantee, or his heirs, executors, administrators, or assigns, work a forfeiture of the rights and privileges herein granted, such forfeiture to be, at the option of the said city council, either declared or waived, provided, however, that should the grantee be delayed or prevented from carrying out and completing any of the agreements herein contained, by strikes, lockouts or other circumstances not under his control, then the time within which he is to complete and fully perform any of the agreements to be by him kept and performed shall be extended for such a length of time as he is prevented or delayed from performing the same by reason thereof.

Section 17. The grantee herein named or his heirs, executors, administrators, or assigns, shall cause to be completed and in operation within the limits of the city of Missoula not less than two miles in line within six (6) months from the commencement of the work, and five miles within two (2) years from the time when the work is commenced thereon.

Section 18. No fare or more than five cents (5 cts.) shall be charged or collected for the transporting of a passenger from any point within the city limits to any other point within such limits, including a transfer when necessary, good only for a continuous passage and not transferable, and the rate of fare as herein provided shall remain unchanged during the life of this franchise; provided, however, that said rate of fare shall only apply within a radius of three miles from the south end of the Higgins avenue bridge.

Section 19. The said grantee, his heirs, administrators, executors or assigns, shall be required to run and operate cars over and along all completed lines of road at least ten (10) times each way daily, and at as near as may be stated intervals, and so as best to accommodate the public, and shall be required to stop at all street crossings on signals given to allow passengers to go upon or alight from cars.

Section 20. Whenever the population of the city of Missoula shall reach fifty thousand, or over, the grantee, or his successors in interest, shall annually thereafter pay into the city treasury of said city, on January 1st of each year, a sum equal to one per cent (1 per cent) upon the gross receipts from passenger traffic, derived within said city, during the preceding year.

All of the valuable considerations to be derived by the city of Missoula on account of the granting of such franchise are fully stated, mentioned and set forth in said franchise.

Section 21. That there shall be no raise or increase in the cost of light or power furnished to the inhabitants of the city of Missoula, by the Missoula Light and Water company, its successors or assigns, under the franchise heretofore granted to the Missoula Light and Water company, or its predecessors in interest, or during the term or period for which said franchise is extended or continued by this ordinance.

Section 22. That the Missoula Light and Water company shall, within thirty (30) days from and after the date when the city council of the city of Missoula, in and for the County of Missoula, ss--in the Matter of Terms for the Year 1909. The first Monday in June. The second Monday in September. The second Monday in November. And that the above order be published according to law.

Section 23. That the Missoula Light and Water company shall, within thirty (30) days from and after the date when the city council of the city of Missoula, in and for the County of Missoula, ss--in the Matter of Terms for the Year 1909. The first Monday in June. The second Monday in September. The second Monday in November. And that the above order be published according to law.

Section 24. That there is hereby granted to the Missoula Light and Water company, its successors and assigns, an extension and continuation of the franchise heretofore granted to the Missoula Light and Water company, or its predecessors in interest, for the construction, maintenance, operation and control of electric light and power lines and wires within the city of Missoula.

Section 25. That there shall be no raise or increase in the cost of light or power furnished to the inhabitants of the city of Missoula, by the Missoula Light and Water company, its successors or assigns, under the franchise heretofore granted to the Missoula Light and Water company, or its predecessors in interest, or during the term or period for which said franchise is extended or continued by this ordinance.

Section 26. That the Missoula Light and Water company shall, within thirty (30) days from and after the date when the city council of the city of Missoula, in and for the County of Missoula, ss--in the Matter of Terms for the Year 1909. The first Monday in June. The second Monday in September. The second Monday in November. And that the above order be published according to law.

Section 27. That the Missoula Light and Water company shall, within thirty (30) days from and after the date when the city council of the city of Missoula, in and for the County of Missoula, ss--in the Matter of Terms for the Year 1909. The first Monday in June. The second Monday in September. The second Monday in November. And that the above order be published according to law.

Section 28. That the Missoula Light and Water company shall, within thirty (30) days from and after the date when the city council of the city of Missoula, in and for the County of Missoula, ss--in the Matter of Terms for the Year 1909. The first Monday in June. The second Monday in September. The second Monday in November. And that the above order be published according to law.

## GEO. PRINGLE

MISSOULA, MONTANA. Manufacturer of and Dealer in Italian and American Marbles, Scotch Swedish and American Granites.



MONUMENTS, TABLETS AND HEADSTONES. A large assortment of the above always on hand or manufactured to order.

DESIGNS SENT ON APPLICATION. My facilities for producing and furnishing the finest work in the state are unequalled.

## B. B. M. CO. Dealers in COAL

Telephone 106. MANY STUDY DAIRYING.

Bozeman, Jan. 1.—The farmers of Montana will be given an opportunity to take a week's special course in dairy work at the state agricultural farm here January 13, and lasting week. This is the second special term given for the benefit of the farmers and their wives, who came from all over the state. It is thought from inquiries that have been received that the class will be much larger this year than last.

## DOCTOR DROPS DEAD.

Billings, Jan. 1.—Dr. J. H. Rinehart, one of the oldest and best known physicians of the state, dropped dead in his office yesterday. He was apparently in good health shortly before he died. He had several times held the office of coroner and was once mayor of this city. The flag on the city hall was placed at half-mast when his death was announced.

## Lame Shoulder.

This is a common form of muscular rheumatism. No internal treatment is needed. Apply Chamberlain's Liniment freely twice a day and a quick relief is certain. This Liniment has proven especially valuable for muscular and chronic rheumatism, and is sure to give quick relief. Chamberlain's Liniment is also most excellent for sprains and bruises. Price 25 cents; large size 50 cents. For sale by all druggists.

## Election Notice.

The list of those qualified to vote at the special election to be held January 5, 1909, is now in the hands of the city clerk at the city hall, and open for inspection to anyone interested therein.

J. S. KEMP, City Clerk.

## Don't Take the Risk.

When you have a bad cough or cold do not let it drag along until it becomes chronic bronchitis, or develops into an attack of pneumonia, but give it the attention it deserves and get rid of it. Take Chamberlain's Cough Remedy and you are sure of prompt relief. From a small beginning the sale and use of this preparation has extended to all parts of the United States and to many foreign countries. Its many remarkable cures of coughs and colds have won for it this wide reputation and extensive use. Sold by all druggists.