

Legal Notices.

Notice of Sale of Real Estate.

State of Michigan, The Probate Court for the County of Van Buren. In the matter of the estate of Adolbert G. Martin, deceased.

Chancery Sale.

In pursuance and by virtue of a certain decree of the circuit court for the county of Van Buren, in the state of Michigan in chancery, made and dated on the 23rd day of January, A. D. 1910, in a certain cause, A. D. 1907, entitled by Anna E. Keyes, Gilmore trustee of the estate of Anna E. Keyes, deceased, complainant, and George M. Lyle, Maggie A. Lyle and Charles H. Kinross, trustees in bankruptcy for the City Bank of Dowagiac, Michigan, as defendants.

Mortgage Foreclosure—Dean F. Smith.

Whereas, default having been made in the condition of a certain indenture of mortgage bearing date the 8th day of December, A. D. 1907, executed by Dean F. Smith and wife, Leora W. Smith, Paw Paw, Mich., and whose mortgage was recorded in the office of the register of deeds of Van Buren county in book 89 on page 10, which mortgage is due and unpaid the sum of twenty dollars and costs provided for in said mortgage and no suit or proceedings at law or in equity having been instituted to recover the amount now due and unpaid or any part thereof.

Probate Order.

State of Michigan, The Probate Court for the County of Van Buren. At a session of said court, held at the probate office in the village of Paw Paw, in said county, on the 25th day of January, A. D. 1910.

Mortgage Sale—C. A. Lamberson.

Whereas, default having been made in the condition of a certain indenture of mortgage bearing date the 16th day of January, 1907, executed by C. A. Lamberson and wife, Estelle D. Lamberson, of Kalamazoo, Michigan, and whose mortgage was recorded in the office of the register of deeds of Van Buren county, Michigan, in book 174, on page 174, on the 16th day of January, 1907, and on which mortgage there is claimed to be due and unpaid the sum of twenty five (25) dollars and costs provided for in said mortgage and no suit or proceedings at law or in equity having been instituted to recover the amount now due and unpaid or any part thereof.

Notice of Hearing Claims.

State of Michigan—The Probate Court for the County of Van Buren. In the matter of the estate of Francis Hicks, deceased.

Notice of Hearing Claims.

State of Michigan, The Probate Court for the County of Van Buren. In the matter of the estate of Barney D. Hicks, deceased.

Teachers' Examinations.

The examination in reading will be held on "Reading in Public Schools," by Briggs & Coffman. One-half of the questions in physiology will be based on "The Hygiene of the Schoolroom," by Barry.

Notice of Hearing Claims.

State of Michigan, The Probate Court for the County of Van Buren. In the matter of the estate of Charles H. Biehl, deceased.

Probate Order.

State of Michigan, The Probate Court for the County of Van Buren. At a session of said court, held at the probate office in the village of Paw Paw, in said county, on the 14th day of February, A. D. 1910.

Order for Hearing Final Account.

State of Michigan, The Probate Court for the County of Van Buren. At a session of said court held at the probate office in the village of Paw Paw, in said county, on the 24th day of January, A. D. 1910.

Probate Order.

State of Michigan, The Probate Court for the County of Van Buren. At a session of said court, held at the probate office in the village of Paw Paw, in said county, on the 25th day of January, A. D. 1910.

Order for Hearing Final Account.

State of Michigan, The Probate Court for the County of Van Buren. At a session of said court, held at the probate office in the village of Paw Paw, in said county, on the 25th day of January, A. D. 1910.

Probate Order.

State of Michigan, The Probate Court for the County of Van Buren. At a session of said court, held at the probate office in the village of Paw Paw, in said county, on the 25th day of January, A. D. 1910.

Probate Order.

State of Michigan, The Probate Court for the County of Van Buren. At a session of said court, held at the probate office in the village of Paw Paw, in said county, on the 25th day of January, A. D. 1910.

Chancery Sale.

In pursuance and by virtue of a certain decree of the circuit court for the county of Van Buren, in the state of Michigan, in chancery, made and dated on the 23rd day of October, 1909, wherein Marshall Furnace Company, by Samuel F. Dobbin, sole complainant, and Julius J. Doherty, George M. Lyle and the Citizens' State Bank of South Haven, are defendants.

Probate Order.

State of Michigan, The Probate Court for the County of Van Buren. At a session of said court, held at the probate office in the village of Paw Paw, in said county, on the 2nd day of February, A. D. 1910.

Franchise—Village of Paw Paw.

ORDINANCE NO. 58.

Granting to the Chicago, Michigan & Indiana Electric Railway Company, a corporation duly organized under the laws of the state of Michigan, its successors and assigns permission to construct, operate and maintain under the conditions hereinafter provided an electric railway within the corporate limits and on certain streets and alleys within the village of Paw Paw, Van Buren county, Michigan.

The Village of Paw Paw Ordinance.

SEC. 1.—That permission and authority and a right of way is hereby granted to The Chicago, Michigan and Indiana Electric Railway Company, a corporation duly organized under the laws of the state of Mich. and to their successors and assigns and to any company or corporation succeeding their rights and privileges under the provisions of this ordinance (herein after for brevity termed grantees) the right to locate, establish, construct, extend, use, maintain, own and operate an ELECTRIC INTERURBAN RAILWAY together with all the appurtenances thereunto belonging and all necessary convenient tracks, turn-outs, spurs, tracks, spurs and switches, so called, or double or trolley wire, with necessary poles and overhead wires and rail connections and to operate and maintain hereon cars necessary and convenient for the transportation of passengers, baggage, freight, express and United States mail.

SEC. 2.—The route of said railway through said village of Paw Paw shall be as follows:—

Commencing at the west limits of Paw Paw street so-called, in said village and running thence easterly on said Paw Paw street, so-called, or along and upon a street or streets which may be mutually agreed upon by and between said grantees, its successors and assigns and said Village Council to the eastern limits of said village.

SEC. 3.—The rails to be used for the tracks of the said railway by said grantees, shall be of the style known as T rails, which shall be laid with the surface of the street and so maintained as to form an even grade there with and as such grade may from time to time be established or altered by legal authority.

The space between the rails of said tracks and switches shall be filled with the same kind of material as is used in making the streets, or highways outside of and adjacent to said tracks and switches, and all such space between the rails of said tracks and switches shall be made and maintained upon and in accordance with the grade established by said village council and so made, graded and maintained at the expense of said grantees, their successors and assigns shall at their own expense keep the said tracks and switches free from snow or other obstructions which might be an inconvenience to public travel upon or across the same, and in case of the removal of snow from its tracks and switches such snow shall be entirely removed from the street or so spread or distributed upon the surface thereof as not to obstruct travel.

SEC. 4.—The motor cars and carriages of said railway shall be provided with guards or devices for protection against accident.

SEC. 5.—The officials of the fire department of said village shall have the right to cut (temporarily) any wire or wires of said grantees, their successors or assigns, whenever deemed necessary for the protection of the interests of the village, or the inhabitants thereof, during the prevalence of a fire. But the grantees shall not be held liable for any accidents or damages caused, or resulting from, the cutting of said wires.

SEC. 6.—If, under the provisions of this ordinance, the village council shall at any time declare the privileges of said grantees their successors or assigns thereunder to be forfeited for any cause justifying the same, said grantees their successors or assigns shall be liable for all necessary cost and expenses in removing the tracks laid under the terms of this franchise and replacing the streets in a suitable condition for public travel. And the village of Paw Paw is authorized under such contingencies to take possession of said streets wherever occupied by said grantees or their successors or assigns, and any property of said grantees or their assigns, may have in said village of Paw Paw, and collect any and all amounts so expended in repairing and restoring said streets to their proper condition.

SEC. 7.—Said grantees, their successors or assigns, shall begin the construction of said road within six months from the date of this franchise, and shall construct said road from Benton Harbor to Kalamazoo within two years, and have cars carrying passengers, running daily, at least once in every two hours between the hours of six o'clock a. m. and eleven o'clock p. m. Sundays excepted, the entire length of said railway, all said local cars to stop at all street crossings in said village to let off and take on passengers when so requested or signalled. If the construction of said railway is not begun and the completion thereof made and cars running thereon as above set forth, then this ordinance shall cease and be null and void.

SEC. 8.—The powers and privileges conferred by this ordinance shall be limited to thirty years from and after date of its adoption and passage by the village council of Paw Paw.

SEC. 9.—Any person desiring to move any building over or across the tracks of said grantees may do so by securing an order from the village council, and by giving said grantees forty eight hours notice thereof, and on payment in advance of the cost of taking down and replacing wires and other expenses made necessary by such removal. All such removals shall be under the direction of the grantees, superintendent or engineer and at such time as he may direct in order to as far as possible avoid any interference with the running of trains.

SEC. 10.—Said grantees their successors or assigns shall within twenty days after the passage of this ordinance, signify in writing their acceptance of the conditions herein contained, which written acceptance filed with the clerk of the village of Paw Paw, shall render this ordinance valid and in force and effect.

We do hereby certify—That the foregoing ordinance, No. 58, was adopted by the village council of the village of Paw Paw, at an adjourned regular meeting of said village council held on the 15th day of February, A. D. 1910.

JNO MUTCHLER, President.

Wm. H. MASON, Village Clerk.

Election Notice.

To the electors of the village of Paw Paw, Van Buren county, Michigan: Notice is hereby given that at a regular meeting of the village council of the village of Paw Paw, held on the 15th day of February, A. D. 1910, the following preamble and resolution was adopted by said board:

For the loading and unloading of freight, in the ordinary and customary manner.

SEC. 9.—By the acceptance of this franchise and the authority hereby given and granted, said grantees, their successors or assigns hereby agree to indemnify and save harmless the said village of Paw Paw from all loss and expense to which it may be subjected, or any damage or injury to person or property that may be done or suffered by any one by reason of the construction and operation of said railway or by reason of any negligence, carelessness or omission of said grantees, their successors or assigns, or of their official agents or servants, and said grantees their successors or assigns shall be liable to said village of Paw Paw for all costs or damage suffered by or recovered against said village in consequence of any act, neglect or default of said grantees, their successors or assigns, or for any breach of duty of said grantees their successors or assigns, or from any breach of duty of their officers, agents or employees.

SEC. 10.—Said grantees, their successors or assigns shall securely and firmly set the poles used by said railway at such depth in the ground as to make the support substantial and adequate, and cross wires for the support of the trolley wires shall be attached to said poles at such height as to maintain said trolley wire not less than eighteen feet above the surface of the street all poles and fixtures of the street all poles and fixtures of the street all poles and fixtures of the street shall be maintained by said grantees their successors or assigns at all times in good order and repair: provided that no poles with brackets for the support of trolley wires shall be used within the village limits.

SEC. 11.—The village council of said village, hereby reserves the right to amend this ordinance and to make such other and further reasonable rules and regulations as may from time to time be deemed necessary and appropriate and for the interest of said village, but which shall not in any way conflict with the rights and privileges hereby conferred upon the grantees, their successors or assigns.

SEC. 12.—Wherever gas, water or sewer pipes have been or may hereafter be laid in any street or alley of said village of Paw Paw to be occupied by said grantees their successors or assigns, said railway must be maintained and operated subject to the rights of said village to take up, repair, remove or renew such gas water or sewer pipes without being liable to said grantees, their successors or assigns, for any damage whatever on account thereof, provided however that such taking up, repairing, removing or renewing of such gas, water or sewer pipes shall be done at the expense of the owners thereof, and under the direction and supervision of the said grantees, their successors or assigns, and in such manner as not to materially damage or injure said railway and interfere with the operation thereof.

SEC. 13.—The said village of Paw Paw hereby reserves to itself the right to hereafter lay down, repair, remove, or renew or permit the same to be done in said streets, gas pipes, water pipes, sewers and conduits, whenever the public convenience may require. Provided however, that in the case it shall be necessary to excavate under the tracks of said railway, such excavation shall be done with the least possible delay, and sufficient supports shall be provided to support the track of said railway, while such excavation is being made, and the street or pavement shall be restored to its former condition as speedily as possible, provided when sewer pipe or water pipes shall run longitudinally underneath the tracks, said village shall not be obliged to support said tracks, but may, if necessary, cause the suspension of the running of cars on that particular portion of track, but only for such time as may be necessary to complete and refill the excavation.

SEC. 14.—The motor cars and carriages of said railway shall be provided with guards or devices for protection against accident.

SEC. 15.—The officials of the fire department of said village shall have the right to cut (temporarily) any wire or wires of said grantees, their successors or assigns, whenever deemed necessary for the protection of the interests of the village, or the inhabitants thereof, during the prevalence of a fire. But the grantees shall not be held liable for any accidents or damages caused, or resulting from, the cutting of said wires.

SEC. 16.—If, under the provisions of this ordinance, the village council shall at any time declare the privileges of said grantees their successors or assigns thereunder to be forfeited for any cause justifying the same, said grantees their successors or assigns shall be liable for all necessary cost and expenses in removing the tracks laid under the terms of this franchise and replacing the streets in a suitable condition for public travel. And the village of Paw Paw is authorized under such contingencies to take possession of said streets wherever occupied by said grantees or their successors or assigns, and any property of said grantees or their assigns, may have in said village of Paw Paw, and collect any and all amounts so expended in repairing and restoring said streets to their proper condition.

SEC. 17.—Said grantees, their successors or assigns, shall begin the construction of said road within six months from the date of this franchise, and shall construct said road from Benton Harbor to Kalamazoo within two years, and have cars carrying passengers, running daily, at least once in every two hours between the hours of six o'clock a. m. and eleven o'clock p. m. Sundays excepted, the entire length of said railway, all said local cars to stop at all street crossings in said village to let off and take on passengers when so requested or signalled. If the construction of said railway is not begun and the completion thereof made and cars running thereon as above set forth, then this ordinance shall cease and be null and void.

SEC. 18.—The powers and privileges conferred by this ordinance shall be limited to thirty years from and after date of its adoption and passage by the village council of Paw Paw.

SEC. 19.—Any person desiring to move any building over or across the tracks of said grantees may do so by securing an order from the village council, and by giving said grantees forty eight hours notice thereof, and on payment in advance of the cost of taking down and replacing wires and other expenses made necessary by such removal. All such removals shall be under the direction of the grantees, superintendent or engineer and at such time as he may direct in order to as far as possible avoid any interference with the running of trains.

JNO MUTCHLER, President.

Wm. H. MASON, Village Clerk.

Election Notice.

To the electors of the village of Paw Paw, Van Buren county, Michigan: Notice is hereby given that at a regular meeting of the village council of the village of Paw Paw, held on the 15th day of February, A. D. 1910, the following preamble and resolution was adopted by said board:

Whereas, The village council of the village of Paw Paw, in the county of Van Buren and state of Michigan, did, on the 15th day of February, A. D. 1910, pass and adopt an ordinance, subject to the approval of the electors of said village, as provided by law, granting unto The Chicago, Michigan & Indiana Electric Railway Company, a corporation duly organized under the laws of the State of Michigan, its successors and assigns, permission and authority, and a right of way to locate, establish, construct, use, and maintain, own and operate a street railway by electricity or other power approved (except steam) with all the appurtenances thereunto belonging, on, through and over the streets and highways in said village of Paw Paw, as to and by said franchise specified.

Therefore, Resolved, By the village council of the village of Paw Paw that the said ordinance and franchise be submitted for approval to the electors of said village of Paw Paw, at its regular election to be held on the 14th day of March, A. D. 1910.

Resolved, That the clerk of the said village shall post written or printed notices of such election in three or more

public places in said village, setting up the substance and object of said franchise, said notices to be posted not less than twenty (20) days prior to said election, and that he make due proof of such posting, and file the same in his office on or before the day of holding said election.

Resolved, That said clerk shall prepare, or cause to be prepared a sufficient number of printed or written ballots, for the use of the electors at said election, which ballots shall be in the following form to-wit:—

Confirming grant of franchise to The Chicago, Michigan and Indiana Railway Company, a corporation duly organized under the laws of the State of Michigan its successors and assigns, authority and a right to locate, establish, construct, use, maintain, own and operate a street railway in and along the streets of the village of Paw Paw, as provided in and by an ordinance heretofore passed by the village council of said village of Paw Paw.

[] Yes.

Confirming grant to The Chicago, Michigan and Indiana Railway Company, a corporation duly organized under the laws of the State of Michigan its successors and assigns, authority and a right to locate, establish, construct, use, maintain, own and operate a street railway in and along the streets of the village of Paw Paw, as provided in and by an ordinance heretofore passed by the village council of said village of Paw Paw.

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public places in said village, setting up the substance and object of said franchise, said notices to be posted not less than twenty (20) days prior to said election, and that he make due proof of such posting, and file the same in his office on or before the day of holding said election.

Resolved, That said clerk shall prepare, or cause to be prepared a sufficient number of printed or written ballots, for the use of the electors at said election, which ballots shall be in the following form to-wit:—

Confirming grant of franchise to The Chicago, Michigan and Indiana Railway Company, a corporation duly organized under the laws of the State of Michigan its successors and assigns, authority and a right to locate, establish, construct, use, maintain, own and operate a street railway in and along the streets of the village of Paw Paw, as provided in and by an ordinance heretofore passed by the village council of said village of Paw Paw.

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