

NOTICE TO VOTERS OF HOULTON

Notice is hereby given that at a special City Election to be held on the 3rd day of October 1910, the following proposed Charter Amendments will be submitted to the voters of the City of Houlton for their approval or rejection, which said proposed charter amendments are contained in a resolution duly passed by the Council on the 13th day of September, 1910, which proposed resolution is in words and figures as follows, to-wit:

RESOLUTION.
Be it Resolved by the Common Council of the Town of Houlton, Columbia County, Oregon, that the following proposed amendments to the Charter of said Town be, and the same hereby are proposed for submission to the legal voters at a special election to be held in said Town on the 3rd day of October, 1910.

CHARTER AMENDMENT SUBMITTED BY THE COUNCIL TO THE VOTERS.

To amend an act entitled "An Act to incorporate the Town of Houlton, in Columbia County, Oregon," filed in the office of the Secretary of State on the 11th day of February, 1905.

Be it enacted by the People of the Town of Houlton.

CHAPTER 1.

Section 1. That an act entitled "An Act to incorporate the Town of Houlton, in Columbia County, Oregon," filed in the office of the Secretary of State on the 11th day of February, 1905, be amended so as to read as follows:

Section 2. The inhabitants of the City of Houlton are hereby constituted and declared to be a municipal corporation by the name and style of the City of Houlton, and by such name shall have perpetual succession, sue and be sued, plead and be impleaded in all courts of justice, in all actions, suits or proceedings whatsoever; may purchase, hold and receive property, both real and personal, within said City for public buildings, public works and City improvements; may lease, sell or dispose of the same for the benefit of the City; may purchase, hold and receive property, both real and personal, beyond the limits of the City, to be used for City parks or burial purposes, for the establishment and maintenance of a hospital for the reception of persons affected with contagious diseases or other diseases, for water works, power plants, workhouses or for houses of correction, and may control, lease, sell or dispose of the same for the benefit of the City. And it shall have and use a corporate seal and may alter and change the same or make a new one at pleasure.

Section 3. The corporate limits of said City of Houlton shall be as follows, to-wit: Beginning at the S. W. Corner of the Francis A. Lamont D. L. C. in Sec. 5, T. 4 N., R. 1 W., and running thence South 511.5 feet to the ———— and Corner on N. Boundary of Aaron Broyles D. L. C.; thence S. 87° 44' W. along the N. boundary of the Aaron Broyles D. L. C. 670.7 feet; thence S. 9° 52' E. 794.6 feet; thence S. 1° 27' E. 1927.7 feet; thence S. 30° 27' E. 34.9 feet to the South boundary of the Aaron Broyles D. L. C.; thence S. 68° 07' W. along the S. boundary of the Aaron Broyles D. L. C. 1031.5 feet to the N. boundary of the John McNulty D. L. C.; thence S. 89° 56' E. along the N. boundary of the John McNulty D. L. C. 1342.9 feet to the N. E. Corner of John McNulty D. L. C.; thence South along the East boundary of the John McNulty D. L. C. 1342.8 feet; thence S. 25° 21' E. 236.3 feet; thence S. 30° 27' E. 1449.9 feet to the South boundary of the Aaron Broyles D. L. C.; thence N. 68° 41' E. along the North boundary of the Thos. Smith D. L. C. 4367.2 feet to the West boundary line of the H. M. Knighton D. L. C.; thence N. 15° 09' W. along the West boundary of the H. M. Knighton D. L. C. 3574.2 feet to the N. W. Corner of said D. L. C.; thence N. 87° 49' W. along the S. boundary of the Francis A. Lamont D. L. C. 2843.6 feet to the place of beginning.

CHAPTER 2.

OF THE GOVERNMENT OF THE CITY.

Section 1. The power and authority given to the municipal corporation of the City of Houlton by this act is vested in a Mayor and Common Council and their successors in office.

Section 2. The Council shall compose the Common Council of the City of Houlton and shall be elected by the qualified voters of said City at the same time that the other officers are elected.

Section 3. The elective officers of the City shall be a Mayor who shall be ex-officio President of the Common Council, four Councilmen, and one Treasurer.

Section 4. The Mayor and Treasurer shall be elected annually, and shall each hold office for the term of one year, and until his successor is elected and qualified. They shall be subject to removal in accordance with the State law governing the removal of elective officers for cause.

Section 5. The Councilmen shall be elected for two years, one-half thereof being elected each year, and shall hold their offices until their successors are elected and qualified.

Section 6. The Mayor, Councilmen and Treasurer shall be elected by the qualified voters of said City at a general municipal election to be held therein on the last Monday in October of each year, the term of office of the said officers to begin on Monday following the said election.

The present President of the Council, as Mayor, and present Treasurer shall hold office until their successors are elected and qualified. The Councilmen shall hold office for the term of two years and until their successors are elected and qualified, unless removed for cause, providing that the first Councilmen elected under this Charter at the election in October, 1910, shall, at the first meeting of the Council, so classify themselves by lot as to the office of their number shall thereafter, and at the annual election, annual election two at the second annual election thereafter. The Mayor and Recorder shall be appointed by a majority of the Council at the first regular meeting of the Council in November of each year, or Council in November of each year, and as soon thereafter as convenient, and shall hold office for one year, or until their successors are appointed and their successors are appointed and their successors shall hold their

respective offices until the first regular meeting in November, 1910.

Section 7. The five members of the City Council of the City of Houlton shall constitute and be the Common Council of the City of Houlton until the general municipal election of 1910, and until their successors are elected and qualified.

Section 8. The present Treasurer of the City of Houlton shall be the Treasurer of the City of Houlton until the regular municipal election in October, 1910, and until his successor is elected and qualified.

Section 9. The Common Council in its discretion shall appoint a City Attorney and fix his compensation and term of office.

Section 10. No person is eligible to any office in the municipal corporation, except City Attorney, who at the time of his election or appointment, is not entitled to the privileges of an elector according to the laws of this State, and who has not resided in the City of Houlton for six months preceding such election or appointment, and no man who is not the owner of real estate within the corporate limits of the City shall be a member of the City Council.

Section 11. The Recorder, Treasurer and Marshal shall, before entering on the duties of their respective offices, each execute a bond to the City of Houlton in such penal sum as the Council by ordinance may direct, which amount may at any time be increased by the Council, conditioned on the faithful performance of his duties as such officer, and such an ex-officio officer, which bond shall be approved by the Council before said officers shall enter upon the discharge of their duties. The Mayor shall be the custodian of the Recorder's bond. All the provisions of any law of this State relating to the official bonds of officers shall apply to such bonds, except as herein otherwise provided. Every officer, elective or appointive, of the City of Houlton, before entering upon the duties of his office, shall take and file with the Recorder an oath to honestly and faithfully discharge the duties of his office and that he will support the laws and Constitution of his State and the United States to the best of his ability. All official bonds shall be the undertaking of surety companies and shall be paid for out of the general fund of the City.

Section 12. The Mayor and Councilmen shall receive no compensation whatever for their services as such officers. The Recorder, Treasurer and Marshal and other subordinate officers shall receive at stated times compensation to be fixed by ordinance by the Council, which compensation shall not be increased or diminished after their election, or during their several terms of office. Nothing herein contained shall be construed to prevent the Council from fixing such several amounts of compensation, in the first instance, during the term of office of any such officer after his election. The compensation of all other officers shall be fixed from time to time by ordinance duly passed by the Council.

CHAPTER 3.

ELECTIONS.

Section 1. The Common Council shall have authority to provide the manner of conducting elections, canvassing the votes cast thereat, and to fill vacancies in office, except as hereinbefore provided.

Section 2. No person shall be entitled to vote at any municipal election of the City who is not a qualified legal voter of the State of Oregon, and who has not been a resident of the City of Houlton for six months preceding said election.

Section 3. Immediately after any vote cast at any municipal election has been canvassed in the manner provided or to be provided by the Council, the Recorder must make and issue to each person declared by the canvasser to be elected to any office a certificate thereof, such certificate shall be prima facie evidence of the facts therein stated; but the Common Council is the judge of elections and qualifications of the Mayor and Councilmen, and in cases of a contest between two or more persons claiming to be elected thereto, must determine the same. An election contest for any office other than Mayor or Councilmen must determine according to the laws of the State regulating contests for county officers.

Section 4. All officers elected or appointed under this act, before entering upon the duties of their office, must take, subscribe and file with the Recorder an oath to the following effect: "I, A. B., do solemnly swear (or affirm) that I will support the Constitution and laws of the United States and of the State of Oregon, and I will, to the best of my ability, faithfully perform the duties of _____ during my continuance therein, so help me God." If the person affirm instead of swear, the last clause of the said oath, there shall be added: "And I do affirm under the pains and penalties of perjury."

Section 5. The general election for said City officers shall be held annually, at such place or places as the Council may designate, on the last Monday in October of each year.

Section 6. Nominations for officers under this act may be made by mass meeting of the citizens, when certificates of such nominations shall be made out in writing specifying the name of the candidate for each office nominated and be signed by the chairman and secretary of the mass meeting and filed with the Recorder at least ten days before election; provided, that the independent candidates for any office may be nominated by at least ten electors of said City petitioning the electors of said City, signed by the ten same in writing, which petition shall contain the name of the candidate, the office for which he is candidate, and be accompanied by the affidavit of one or more of the petitioners to the effect that the petitioners are electors of said City, and that all signed said petition, which petition and affidavit or affidavits shall be filed with the Recorder at least five days before the fifth day before an election. The Recorder shall immediately prepare an official ballot for the City under the general election laws of the State, as the County Clerk is directed to do for the County and State officers, which ballot shall be printed on clear white paper and in quantity not less than two for each elector of the said City, duplicates of which, to the same number, shall be printed on colored paper for public distribution in

respective offices until the first regular meeting in November, 1910.

Section 7. The Recorder shall give ten days' notice, by publication in some newspaper published in the City of Houlton, of each general and special election, the officers to be elected thereat and the place designated for holding the same, or shall post notices of the same for such period of time in at least three conspicuous places in the City.

Section 8. The Council shall by ordinance prescribe the manner of registration of voters.

Section 9. All elections shall be held in accordance with the general election laws of this State so far as the same may be applicable. The Council shall give notice of each election as may be prescribed by ordinance, shall appoint such judges and clerks of election and fix their compensation, and establish wards and polling places and may change the same.

CHAPTER 4.

VACANCIES.

Section 1. An office shall be deemed vacant upon the death, removal from the City or resignation of the incumbent, or upon such incumbent's ceasing to possess the qualifications of an elector. The office of Mayor shall be deemed to be vacant whenever the incumbent thereof shall be absent from the City for a period of sixty days. Provided, that the Common Council may grant to the Mayor a leave of absence not to exceed ninety days.

Section 2. The Mayor, with the approval of the majority of the Council, shall have the power to remove or suspend from office any appointive officer of the City for a violation of duty or neglect or refusal to perform the same, the grounds for such action to be stated in the order of removal or suspension.

Section 3. The Council shall fill all vacancies that may occur; but if such office be elective, such appointee shall hold office only until the regular election, at which time a person shall be elected to serve for the remainder of the unexpired term. In case a member of the Council is absent from the City for two consecutive regular meetings, unless by permission of the Council, his office may be declared vacant and be filled as in the case of other vacancies.

Section 4. An officer appointed to fill a vacancy must qualify within five days after his appointment, or they shall be deemed to decline the office, and the same shall be vacant and re-filled by the Council and so on until the offices are all filled.

CHAPTER 5.

THE DUTIES OF PRESIDING OFFICERS.

Section 1. The Mayor shall be the executive officer of the corporation and must exercise a careful supervision of its general affairs and over its subordinate officers. He shall have power to call meetings of the Common Council and shall preside over and at their meetings, but shall have no vote except in case of tie when he shall cast a deciding vote on all questions. He shall at least once in each year state to the Council the condition, financial and otherwise, and recommend such measures for the peace, health, improvement and prosperity of the City as he may deem expedient. He shall at the first regular meeting of the Council after each annual general election appoint three members of Council upon each of the following committees, to-wit: 1. Judiciary; 2. Finance; 3. Streets; 4. Fire and Water; 5. Health; 6. Printing and Police; who shall be and remain standing committees for one year and until their successors are duly appointed and shall have general power and supervision over the different subjects pertaining to its department and such further power as may be prescribed by ordinance or assigned it from time to time by the Council.

Section 2. No ordinance passed by the Council shall go into effect or be of any force until approved by the Mayor, except as provided in the three following sections:

Section 3. Upon the passage of any ordinance the enrolled copy thereof, attested by the Recorder, shall be submitted to the Mayor by the Recorder, and if the Mayor approves of the same, he shall write thereon, "Approved," with the date of such approval and sign the same officially, and thereupon, unless otherwise provided therein, such ordinance shall become a law as provided in Section 8 of Chapter 7 of this Charter.

Section 4. If the Mayor does not approve of an ordinance so submitted, he must, within ten days of the receipt thereof, return the same to the Recorder with his reasons for not approving it, and if in ten days the Mayor does not return it, such ordinance shall become a law as if he had approved it.

Section 5. At the first meeting of the Council after the return by the Mayor of the ordinance not approved, the Recorder shall present the same to the Council with the objections of the Mayor, all of which must be read to the Council, and its passage shall then be by three-fourths of all members constituting the Council as then provided by law shall vote in favor of such ordinance it shall thereupon become a law without the approval of the Mayor, but not otherwise.

Section 6. The Mayor shall take and approve all official undertakings which this act and the ordinances of the city may require any officer to give security for the faithful performance of his duty, or any undertaking which may be required of any contractor for the faithful performance of his contract, and when he approves such an undertaking, he must immediately file the same with the Recorder.

Section 7. He shall perform such other duties and exercise such other authority as shall be prescribed by this act, any City ordinance, any law of the United States, or of this State.

Section 8. The President of the Council of the City of Houlton shall be the Mayor of the City of Houlton until the special election in 1910.

CHAPTER 6.

OF OTHER CITY OFFICERS.

Section 1. The Recorder shall be the judicial officer of the City, and shall have jurisdiction of all offenses against the City or violation of any ordinance thereof. He shall hold court in said City at such place as the Council shall direct, which court shall be known as the Recorder's Court, and he may impose fines or commit to the City Jail any person or persons found guilty of any offense or violation within his jurisdiction. He shall have authority to issue process for the

arrest of any person or persons accused of any offense against the City for violation of any ordinance, and may commit such accused to imprisonment or admit them to bail pending trial. He shall have the authority to issue subpoenas to compel witnesses to appear and testify on the trial of any cause before him and enforce obedience thereto; and to issue any and all processes necessary to carry into effect the judgment or sentence of his court. All civil and criminal proceedings in the Recorder's Court are governed and regulated by the general laws of the state governing Justices' Courts, and Justices of Peace except that the accused shall not have the right of trial by jury unless he demand the same before any witnesses are sworn on the trial of the cause and shall pay the jury fee for one day.

Section 2. The Recorder shall have the jurisdiction and authority of a Justice of the Peace within the limits of the City of Houlton in civil and criminal matters; and when exercising such jurisdiction and authority shall be subject to all of the general laws of the State prescribing the duties of a Justice of the Peace and the mode of performing the same and he shall receive the same compensation therefor. His duties and compensation as Clerk of the Common Council shall be as prescribed by ordinance.

Section 3. The Treasurer shall receive and safely keep all funds, and moneys of the City, and shall pay out the same only on a warrant signed by the Mayor and attested by the Recorder; and no claim against the City shall be paid until audited and allowed by the Common Council.

Section 4. The Treasurer shall keep an account with the general fund and a separate account with each special fund that may be raised for any specific object; and when a warrant is drawn on any particular fund, it can only be paid out of such fund.

Section 5. The Treasurer and Recorder shall make a report of the receipts and expenditures of the City for the quarter ending with the last day of March, June, September and December in each year, and file the same with the Recorder within five days from expiration of each of said quarters, respectively, which reports shall be published by the Recorder as may be prescribed by ordinance.

CHAPTER 7.

OF THE COMMON COUNCIL, ITS POWERS AND DUTIES.

Section 1. At the first regular meeting of the Council in November of each year, or as soon thereafter as practicable the Council shall choose by ballot one of its members to preside over the Council and perform the duties of the Mayor in the absence of the Mayor from the City, or if he, from any cause, be unable to act as such, said President of the Council shall have and exercise the powers and perform all duties of the Mayor, and no member so presiding shall not lose his vote as a member of the Council.

Section 2. No member of the Common Council shall, during the period for which he is elected or serving as such, be interested in any contract the expenses of which are to be paid by the City, or in any contract wherein the City is interested.

Section 3. A majority of all the members of the Council elected shall constitute a quorum for the transaction of all business. But a less number may meet and adjourn from time to time and compel the attendance of absent members.

Section 4. The Common Council shall have authority to adopt and establish rules and by-laws governing their own proceedings, and the conduct of any and all elective and appointive officers, and may punish any and all elective and appointive officers and may punish any person for disorderly behavior in its presence.

Section 5. All proceedings of the Common Council shall be public.

Section 6. The style of the enacting clause of all ordinances shall be "The City of Houlton does ordain as follows." All contracts made or to be made wherein the City is an interested party, all franchises granted, all appropriations made in excess of five hundred (\$500.00) dollars and all other important acts shall be by ordinance and the right of referendum shall remain inviolate with reference thereto, as provided by the State law.

Each and every ordinance shall be consecutively numbered, shall clearly state its object in its title and shall be introduced at any regular monthly meeting and a copy thereof has been published in a paper published in the City of Houlton, or if none exists, three copies have been posted in conspicuous places in said City not less than twenty days. Provided, however, that the Council may, by unanimous vote, declare an emergency and an ordinance may be introduced and read first and second time at any regular or special meeting of the Council, and its final passage at the regular or special meeting to be in accordance with the provisions of Section 7.

Section 7. Every person who is a qualified elector of the City of Houlton may sign a petition for the referendum or for initiative for any measure upon which he is legally entitled to vote. Any person signing his name other than once to any petition, or knowingly signing his name more than once for the same measure at one election or who is not at the time of the signing of the same, a legal voter of this City, or any officer or person wilfully violating any provision of this Charter, shall, upon conviction thereof, be punished by fine not exceeding one hundred dollars, or by imprisonment in the City Jail not exceeding fifty days, or by both such fine and imprisonment. In the discretion of the court before which such conviction shall be had.

Section 8. In the absence of the Recorder or if he be from any cause unable to act the Mayor may designate any person having the qualifications of Recorder to act in his stead. Such appointee shall immediately take the oath of office and perform the duties of the Recorder during such temporary absence or inability, and he shall receive the same compensation as the Recorder, his final passage to him being deducted from the salary and fees of that officer.

Section 9. The Council may provide for the time and place of its regular meetings, at any of which it may adjourn to the next succeeding regular

meeting, or to some specified time prior thereto; but its regular meetings shall be held at least once in each month.

Section 10. The Council must keep a journal of its proceedings, and on call of any two of its members shall cause the year and days to be taken upon any question and entered in its journal, but upon a motion to adjourn its year and days shall not be taken unless upon a call of four members.

Section 11. The Common Council shall have authority and power within the City of Houlton to provide for the punishment of all violations of the ordinances by fine or imprisonment; but no fine shall exceed the sum of five hundred dollars and no imprisonment more than two hundred and fifty days.

Section 12. Whenever any person shall be convicted of any offense under laws or ordinances of the City and shall be adjudged to pay a fine, and if he fail to pay the same, he may in addition thereto be sentenced to labor one day for each two dollars of said fine on streets or public works of the City, under the charge of the Marshal, Street Commissioner or other persons designated by the Council, and the Council shall provide such fetters and manacles as may be necessary to secure such person during such term of labor.

CHAPTER 8.

OF THE COMMON COUNCIL, ITS POWERS AND DUTIES.

Section 1. To assess, levy and collect taxes for general municipal purposes, not exceeding one per cent of all property, both real and personal, within the corporate limits of said City without exemption for indebtedness; said taxes to be collected under the general laws of the State of Oregon.

Section 2. To license and tax auctioneers, taverns, hawkers, peddlers, pawnbrokers, hotels, factories, stables and shops in said City.

Section 3. To license and tax hacks, cabs, drays, wagons and other vehicles and fix rates thereof.

Section 4. To license, tax and restrain bar rooms, saloons, drinking shops, theatricals amusements, billiards, pool or pigeon-hole tables, shooting galleries, tennis alleys and all and everything carried on in the City for pay as amusements. Provided, that no other tribunal in Columbia County shall have power or jurisdiction over such license, and provided further that no license for sale of spirituous or malt liquors shall be issued for a sum less than is prescribed by the general law of the State of Oregon.

Section 5. To make all necessary or appropriate regulations to prevent the introduction into said City of any infectious or contagious disease, to remove any person affected with such disease away from said City to a suitable place to be prepared by the said Council; to secure the protection of persons and property therefrom, and to provide for the health, cleanliness, ornament, convenience, peace and good order of the City.

Section 6. To remove, repress or prevent any and all things which would be detrimental to the health or morals of the City, or prevent or restrain obscene or boisterous language, drunkenness or disorderly conduct.

Section 7. To prevent and remove nuisances.

Section 8. To provide for the prevention and extinguishment of fires, and for the preservation of property endangered thereby, and for the appointment of officers required for the purpose, to regulate the storage of gunpowder, tar, pitch, resin or other combustible materials, and the use of candles, lamps and other lights in stores, shops, stables and other places; to suppress, remove or secure any fireplace, stove, stovepipe, chimney, oven, boiler or other apparatus which may be dangerous in causing fires, and to prevent by all possible and proper means danger or risk of injury or damage by fire arising from carelessness, negligence or otherwise.

Section 9. To provide for the support, restraint of employment of vagrants and paupers.

Section 10. To determine the number of day and night watchman, who shall be appointed by the Marshal, subject to the approval of the Council and shall be Deputy Marshals, and to provide for paying the same, and to regulate and fix compensation of the Marshal for the services rendered by him where there is no compensation provided by the laws of the State.

Section 11. To provide for the prevention and removal of all obstructions from the streets and sidewalks and crosswalks and alleys, and for cleaning and repairing the same.

Section 12. To regulate the location and management of market houses and places and slaughter houses.

Section 13. To provide for the City Jail and jail and maintenance of same.

Section 14. To prevent, restrain and punish and noise, disturbance or riot or disorderly assemblage, or any unlawful or indecent practice on any street, house or place in the City.

Section 15. To provide for the collection and disbursement of all moneys which the City is or may be entitled to by law, or which may be assessed or authorized in connection with the laying or establishment of sewers and drains or in connection with paving, grading, planking, or otherwise improving the streets of the said City of Houlton.

Section 16. To appropriate money to pay the debts, liabilities and expenditures of the City, or any part or item thereof from any fund applicable thereto.

Section 17. To provide for the survey of the City blocks and streets thereof, and for the making and establishing boundary lines of such blocks and streets.

Section 18. To issue warrants drawing 6 per cent interest per annum for the payment of all expenses of the City; provided that the limit of indebtedness shall at no time exceed \$5000.00.

Section 19. To lay out and construct new streets and alleys.

Section 20. To tax, regulate or prohibit animals from running at large within the corporate limits of the City or any specified part thereof.

Section 21. To determine and prescribe by ordinance the number and size of all places of entrances and exit

to and from all public halls, churches, theaters, schools and other buildings used for public gatherings; also to prescribe the manner of hanging doors thereto and providing for fire escapes wherever deemed necessary.

Section 22. To control and regulate the manner of constructing awnings and advertising signs and sidewalks, and to compel repairs and changes in signs, awnings and sidewalks already constructed at the cost of the owner or owners thereof.

Section 23. To regulate and control the construction and location of all telegraph, electric lights and telephone poles and telegraph and telephone and electric light lines, and all electric and other apparatus for lighting streets, parks and public buildings of the City, and the laying of water and gas mains and pipes.

Section 24. To levy a license on dogs and other animals within the City, and pay a fine, and if he fail to pay the same, he may in addition thereto be sentenced to labor one day for each two dollars of said fine on streets or public works of the City, under the charge of the Marshal, Street Commissioner or other persons designated by the Council, and the Council shall provide such fetters and manacles as may be necessary to secure such person during such term of labor.

Section 25. To take, purchase and sell real estate when sold for City taxes or for any improvement ordered by the Common Council and to sell and dispose of the same.

Section 26. To prohibit or suppress gaming, gaming houses, gambling, gambling houses or bawdy houses.

Section 27. To enact any and all such ordinances, by-laws and regulations inconsistent with the Constitution of this State or of the United States as shall be deemed to be for the good order, health, cleanliness, ornament, prosperity and general welfare of the City, and secure the protection of persons and property therein.

CHAPTER 9.

STREETS AND ALLEYS, THEIR GRADE AND IMPROVEMENT, AND LIEN THEREFOR.

Section 1. The Common Council has full power and control of the streets and alleys and all improvements thereof; and may establish and open streets and alleys within the limits of said City, and to extend those now and hereafter laid out by special ordinance passed for that purpose. Provided, that no ordinance shall be introduced for that purpose unless upon the petition of at least twelve taxpayers of said City favoring same; which ordinance when so introduced, shall be laid over until the next meeting of the Common Council, when a remonstrance may be presented by the taxpayers of said City; and if no remonstrance is filed, signed by a greater number of names, and there is no petition, the said ordinance shall be passed, and if such remonstrance is filed, the Council has the power to use their discretion in the matter; provided, such ordinance, when passed, shall name the disinterested taxpayers of the City to assess the damages occasioned thereby, in the same manner that such damages are assessed at the opening of County roads; and any person aggrieved by the assessment of damages may appeal, within twenty days after the confirmation by the Council of the report of the assessors of damages to the Circuit Court of Columbia County, Oregon, in the following manner: The person appealing shall give a written notice thereof signed by himself, containing his grounds of appeal and serve a copy of the same on the Recorder and file the original notice, with the proof of service indorsed thereon, together with a complaint stating the cause or causes of action with the County Clerk of Columbia County, in the Circuit Court for said County; and in ten days thereafter the said City must file an answer to said complaint, and the appellant may then reply to such answer if necessary, when the cause shall be tried in the Circuit Court as other causes; but no street or alley shall be opened or extended until the damages finally assessed or agreed upon have been paid.

Section 2. The Common Council of the City of Houlton is hereby authorized and empowered to establish the grade of any and all streets and alleys in said City.

Section 3. The character and extent of all improvements are to be determined by the Council which authority shall include all sidewalks and crosswalks.

Section 4. The Common Council of the City of Houlton is hereby authorized and empowered to expend any money in the hands of the City Treasurer not otherwise appropriated to maintain all streets when improved and to improve and maintain all crossings or intersections in like manner as the balance of the streets are improved from the general fund, from licenses, fines and the one per cent tax levy heretofore provided.

Section 5. Whenever the owners of a majority of all abutting property upon the streets or adjacent or contiguous streets petition the Council to improve said street or streets the Council shall immediately publish said petition two consecutive weeks in a paper published in said City or post three copies thereof in public and conspicuous places, and proceed to estimate the cost of said improvement, if no remonstrance is filed with the Recorder within ten days from date of first publication, the Council may order, by legally published ordinance, said improvement with such modification as said Council may in its discretion recommend, but if a remonstrance supported by owners of two-fifths of the property affected be filed within ten days from the first publication of notice, then said Council shall not order an expenditure exceeding ten per cent of the aggregate assessed value of the real estate as determined by the last County assessment.

Section 6. The expense of the improvement of any street or streets referred to in Section 5, shall be borne by the property abutting thereon.

Section 7. Whenever the owners of property upon any main thoroughfare neglect or refuse to petition for needed improvements, then twenty per cent of the taxpayers of the City may ask for said improvements, which shall to all intents be binding upon the owners of said property.

Section 8. Upon receipt of a petition to improve any street or streets

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