

an itemized account of the expenses of such work, and file a statement thereof as required in Section 133, which statement shall be certified to by such council, street committee or street commissioner and filed with the recorder. The recorder shall thereupon enter the same in the docket of the city liens and the same shall thereupon become and be a lien upon the abutting property upon which said repairs were made or said obstructions removed.

Section 135. Notice of the entry of such assessment in the lien docket shall be given in the same manner that such notice is required to be given in assessments for improvements and if the said assessment is not paid within twenty days from the date of said notice the same may be collected in the same manner that assessments for improvements are collected.

CHAPTER XVI.
Road District.

Section 136. The territory embraced within the corporate limits of the City of Jacksonville, being that commencing at the southwest corner of the southeast quarter of section 31, township 37 south, range 2 west, Williamette Meridian, running thence east 160 chains; thence north to the south boundary of J. N. T. Miller's land claim; thence west 160 chains; thence south to the place of beginning, shall be and constitute a road district in Jackson county to be known as the Jacksonville Road District.

Section 137. The street commissioner, acting under such rules and regulations as shall be prescribed by the city council, shall have the care and supervision of the roads, streets, highways, alleys and other public grounds of said road district. Said street commissioner shall obey all orders given him by the mayor, but said mayor shall not make any order that conflicts with the provisions of this charter or the ordinances of the city or the rules and regulations of the council.

Section 138. All male residents of said road district between the ages of twenty-one and fifty years, inclusive, except active firemen and cripples who are disabled for manual labor, shall annually, on or before the first day of June of each year, pay in cash to the treasurer of the city the sum of \$3 as a poll tax, which shall be placed to the credit of the street fund of the city.

Section 139. The city council may prescribe the mode of collecting said poll tax, the officers to collect the same and all other things germane to its collection, management and disbursement, but all the proceeds of said tax must be expended for the benefit and improvement of roads, streets and alleys.

Section 140. The council shall have power and authority to provide by ordinance the amount which shall be levied on taxable property for street and road purposes, the manner in which the same shall be expended on said streets, roads and alleys, the manner of establishing the grades thereof, and all other things relative and necessary to the improvement and repair of the streets, roads and alleys of said city.

Provide for Changes Being Filed with Mayor.

Section 141. The street commissioner shall be removed by the council after a proper hearing by the council if he be found guilty of inattention to duty, carelessness or negligence in the discharge of the same, disobedience to the orders of the mayor or council, or if he shall, without leave of said mayor or council, be absent from said city for more than ten days at any time.

CHAPTER XVII.
Initiative and Referendum.

Section 142. Proposed amendments to the charter of the City of Jacksonville may be submitted to the legal voters of said city by ordinance passed by the city council, which said ordinance shall embody or have attached thereto and made a part thereof, the complete text of the proposed amendments in such sections and subdivisions as the council shall deem necessary for an intelligent vote upon the various amendments proposed. Such ordinance shall appoint a time at which the legal voters of said city shall vote upon said proposed amendments. Said ordinance, with the full text of said proposed amendments shall be published for not less than ten days nor more than sixty days, either by posting on the bulletin board at the front door of the city hall in said city, or by publication in a newspaper published in said city for a designated number of issues within said time, or by both such posting and publication, as shall be designated in such ordinance.

Section 143. If the publication be made by posting, either with or without publication in a newspaper, proof of such posting shall be made at any time before said amendments shall be voted upon, by the recorder of said town filing in his office a certificate in which he shall certify that pursuant to an ordinance he did, on a date named, post said ordinance with a full copy of the proposed amendments embodied therein, or attached thereto and made a part thereof, upon said bulletin board, where same remained posted for more than the required number of days. If the publication, however, be directed by said ordinance to be made in a newspaper, proof of such publication shall be made by filing of the affidavit of either the printer, publisher or foreman of said newspaper, with the recorder on or before the time of voting upon said amendments. Said affiant shall certify that as printer, publisher or foreman (as the case may be) said ordinance, containing a copy of the amendments therein proposed, was published in said newspaper, and that such publication was made in the number of issues required by said ordinance.

Section 144. Said ordinance shall also prescribe a title to be printed upon the ballot, which title shall be such as in the judgment of the council shall fairly and impartially convey the import of the proposed amendments. The proposed amendments shall then be submitted to a vote of the legal voters of said city, who shall ballot upon the same in the manner provided by law for balloting upon laws submitted to the vote of the people. The council may, or may not, in its discretion, issue any statement to the voters containing a reason or reasons for said proposed amendments and any arguments thereon, and may provide for the printing and distribution, either of said arguments or of said proposed amendments, or any part thereof.

Section 145. If at said election said or any of said proposed amendments shall receive a majority of all of the votes cast for or against the same, then the amendment or amendments receiving such majority shall become a part of the charter of said city, as herein provided, to-wit: At the first regular meeting of the council after said election or at any special meeting thereof called or held for that purpose, the mayor shall issue a proclamation, which shall be spread upon the record, stating that said amendments were carried or lost (as the case may be), designating those that were carried or were lost, and proclaiming that from and after said date those that were carried should be a part of said charter and the charter amended to conform thereto. Said proclamation shall be substantially in the following form, to-wit:

Proclamation of the Mayor of the City of Jacksonville on Amendments to the Charter Submitted by Ordinance No. ———

By virtue of the authority in me vested as Mayor of the City of Jacksonville, I do proclaim that amendments No. ——— proposed by Ordinance No. ———, received a majority of all of the votes cast for or against the same, or failed to receive a majority of all of the votes cast for or against the same (as the case may be). That from and after this date, amendments No. ——— are a part of the charter of the City of Jacksonville, and the same is amended to that effect.

Dated at Jacksonville, Oregon, this day of 19.....

Mayor.

Section 146. If any amendments to said city charter shall receive a majority of the votes cast thereon, and the mayor shall at the first regular meeting of the council or at a special meeting called or held for that purpose, refuse or neglect to issue said proclamation, then such facts shall be entered upon the record by the recorder and said amendments so carried shall be deemed a part of said charter with the same force and effect as though said proclamation had issued. Within five days after any such amendments shall become effective, the recorder shall note the fact upon the record and shall copy into the record the amendments so carried. Thereafter the same shall be printed with the charter as a part thereof whenever the printing of said charter shall be authorized.

Section 147. The people of the City of Jacksonville shall have the power to petition by the initiative petition for amendments to the city charter. Said petition shall be proposed by not less than 10 per cent of the legal voters of the city, and shall be substantially in the following form:

INITIATIVE PETITION.

To the Honorable Mayor of the City of Jacksonville and the Recorder thereof:

We, the undersigned legal voters of the City of Jacksonville, respectfully demand that the following proposed amendments to the charter of said city be submitted to the legal voters thereof for their approval or rejection at an election to be held on the day of

..... We have personally signed this petition, and are each legal voters of said city. (Here follow the required number of signatures.)

Section 148. Such petition shall have attached to it the affidavit of the person who circulated said petition or of any person who knows the signatures of the voters thereto, to the effect that the signatures are genuine and are all legal voters of said city.

Section 149. Several forms for said petition may be circulated at the same time, and when filed shall be deemed one petition. Attached to each form shall be the full text of the amendments proposed. Said petition shall be filed with the recorder not less than fifteen days before the time prescribed in said petition for holding of said election. Said petition shall prescribe the title by which said amendments shall be designated upon the ballot and which title shall convey briefly the import of the proposed amendments. Upon the filing of said petition the recorder shall immediately post a copy of said petition embodying or having attached thereto the proposed amendments, which said petition shall be published by being posted upon the bulletin board of the city hall, and shall remain so posted until after said election. The posting of said petition shall be deemed a notice and call for said election and said election shall be held in the same manner as though the amendments had been proposed by council. Proof of the publication of said petition shall be made in substantially the same as for the posting of an ordinance submitting amendments proposed by the council. The amendments thus voted upon which receive a majority of the votes cast thereon shall become a part of said charter in the same manner as herein provided for those proposed by the council, and shall be spread upon the record and printed in like manner.

Section 150. Ordinances and resolutions of the City of Jacksonville in addition to being passed by the council, may be ordained by the people through the initiative petition, as follows: Not less than ten per cent of the legal voters of said city may propose any ordinance thereof to be voted upon by the legal voters by an initiative petition signed by at least ten per cent of the legal voters of said city, embodying or having attached thereto a copy of said ordinance or resolution, and designating a date at which an election thereon shall be had and held. Said initiative petition shall be substantially the form given in Section ———, and shall be verified in the same manner as is provided in section ———.

Section 151. Said petition shall be treated in all respects the same as a petition proposing amendments to the charter, and the manner of giving the notice of said election, the proof of notice, the holding of said election and the procedure for making said ordinance effective if passed, shall conform as nearly as possible to the proceeding herein prescribed for amendments to the charter proposed by the initiative. The time for giving notices of said election shall be the same as that prescribed for amendments to the charter. When any ordinance shall be thus passed, it shall have the same force and effect as though passed by the council and be subject to the same requirements as to proclamation, record and printing.

Section 152. When any ordinance shall be passed by the council it shall become effective on the eleventh day thereafter without further action by the council, unless within said time a referendum petition shall have been filed as herein provided. At any time within ten days after the passage of any ordinance by the council a referendum petition thereon may be filed with the recorder, the effect of which shall be to suspend the operation of said ordinance subject to a vote thereon by the legal voters of said city. The following shall be substantially the form of petition for referendum to the voters on any ordinance passed by the council.

PETITION FOR REFERENDUM.

To the honorable Mayor of the City of Jacksonville and the recorder thereof:

We, the undersigned legal voters of the City of Jacksonville respectfully order that Ordinance No. ——— (giving the number of the ordinance only, or if the petition is against less than the whole ordinance, set forth the part of the part on which the referendum is sought), passed by the council of the City of Jacksonville on the day of, be submitted to the legal voters of said city for the approval or rejection by said voters at an election to be held on the day of, and each for himself says that I signed said petition and am a legal voter of said city. (Here follow the required number of signatures.)

This petition shall be signed by at least ten per cent of the legal voters of said city, and if against a part only of any ordinance shall have that part embodied in the petition or attached thereto. If against the whole of said ordinance, it shall have the whole of the same embodied or attached thereto. To said petition shall be appended an affidavit conforming as nearly as possible to that provided for initiative petitions. Several forms of said petition may be circulated at said time and when filed shall be deemed one petition.

Section 153. Said petition shall be filed with the recorder at least 15 days before the date designated in said petition for the holding of said election. Notice of said election, publication thereof, the manner of holding the same and of voting on said petition, shall conform as nearly as possible to the manner provided for initiative petitions. Proof of publication and the manner of making said vote effective shall conform as nearly as possible to the provisions respecting votes under the initiative petition. Whether said ordinance is lost or carried shall be proclaimed by the proclamation of the mayor, or upon his failure so to do, the will of the people shall be carried out in the same manner provided for in cases voting on charter amendments. Should said ordinance be lost it shall be the same as an ordinance submitted to the council and lost by a vote of the council. If the action of the council in passing the ordinance shall be sustained, the ordinance shall become effective from and after the proclamation of the mayor, or in case of failure to make said proclamation, from and after the time at which said proclamation should have been made.

Section 154. Should the recorder fail to give notice of the holding of any election on any initiative or referendum petition as herein provided, any legal voter may mandamus said recorder in the Circuit Court of the State of Oregon, and if in said proceeding said election be ordered to be held, the court may, if the circumstances require it designate another date than that named in the petition on which the election shall be held, and said date shall be inserted in said petition by the recorder in lieu of the date therein contained, or upon his failure so to do, shall be deemed inserted therein and the clerk of the court may be ordered in said mandamus proceeding to perform any or all of the duties required of the recorder should said recorder refuse or fail to comply with the mandate of the court.

Section 155. Not more than ten days shall be required for any election for voting either upon charter amendments, ordinances proposed by the initiative, or voting upon a referendum or any ordinance passed by the council. In all matters of procedure provided for herein, or which may not be provided for by subsequent ordinance or charter amendments the provisions of the general laws of the State of Oregon shall govern.

Section 156. In determining the number of legal voters whose signatures are required to any initiative or referendum petition the number of the legal voters of the city shall be the number who cast their ballots for mayor at the last general election held in said city at which a mayor was elected or voted for.

Section 157. Whenever any initiative or referendum petition is filed, the recorder shall at once enter upon his record a statement to the effect that the last general election at which a mayor was elected or voted for, a certain number of votes were cast, giving the exact number of votes so cast for said office, so that the recorder may then show what number of legal voters are required on an initiative or referendum petition. At any time when any legal voter desiring to file an initiative or referendum petition shall demand of the recorder to know the number of legal voters required to sign said petition, said recorder shall give such voter a certificate stating the number of signatures required for initiative or referendum petitions.

CHAPTER XVIII.
Miscellaneous.

Section 158. No order for the payment of money shall be passed at any other than at a regular meeting, and no such order shall have validity or effect unless passed by the votes of at least three councilmen.

Section 159. The council shall have the power to fix the maximum rate for gas or other lights, and water rates, and said city shall never deprive itself of the right through its council of regulating and adjusting any such rates so that the same shall be reasonable for the services rendered at least once in any period of two years.

Section 160. Should a vacancy occur in any of the offices provided for in this act, the same shall be filled by appointment by the council; but if such office be elective, such appointee shall hold office only until the next regular election, at which time a person shall be elected to serve for the

remainder of such unexpired term. In case a member of the council is absent from the city for three consecutive meetings, unless by permission of the council, his office shall by the council be declared vacant and the same be filled as in the case of other vacancies.

Section 161. All claims or demands against the city shall be presented to and audited by the council in accordance with such regulations as they may by ordinance prescribe; and upon the allowance of any such claim or demand, the recorder shall draw a warrant upon the treasurer for the sum, which said warrant shall be countersigned by the mayor, and shall specify for what purpose the same is drawn.

Section 162. It shall be the duty of all persons owning lots or lands which have sidewalks abutting the same to maintain and keep in repair said sidewalks and not permit the same to become or remain in dangerous or unsafe condition. Any owner of lots or lands who neglects to promptly comply with the provisions of this section shall be answerable to any person injured by such negligence.

Section 163. The City of Jacksonville shall not in any event be liable in damages to any person for any injury caused by any defect or dangerous place at, upon, or in any sidewalk, crosswalk, street, alley, bridge, culvert, public grounds, public buildings, or ditch, unless the mayor, or street commissioner shall have had actual notice of such defect or dangerous place, and a reasonable time thereafter in which to repair or remove such defect or dangerous place before the happening of said accident or injury, and if any property holder, by his carelessness or neglect to perform any duty required of him by the terms of this act, contributed to cause said injury and damages, he shall reimburse the city for all damages which it has been compelled to pay in such case.

Section 164. All taxes levied by the Town of Jacksonville shall be collected and become the property of the City of Jacksonville; and, in all matters whatsoever, every right or obligation of the Town of Jacksonville shall attach to and become a right or an obligation of the City of Jacksonville upon the adoption of this charter.

Section 165. The ayes and nays shall be called and duly entered upon the journal of the council on the final passage of every ordinance or resolution; and on the payment of all claims and demands against the city; and in any and all cases where the financial rights or interests of the city or any of its taxpayers are involved, either directly or indirectly, and in all other cases where the same is called for by two or more members of the council, or by its presiding officer.

Section 166. No compensation whatever shall be paid the mayor or any of the councilmen for services performed by them as such officers. The recorder, treasurer, marshal, street commissioner and other subordinate officers shall each receive compensation for their services in an amount to be fixed by ordinance passed by the council.

That the said proposed amendment and enactment of a new charter for the government of the City of Jacksonville be and the same is hereby submitted to the voters of said town for their approval or rejection at the election hereinafter called.

That the following is the title and form in which said charter amendment and enactment shall appear upon the ballot and which in the judgment of the board of trustees of the Town of Jacksonville conveys the full import of said amendment:

STUB. To be torn off by the Chairman To be torn off by the First Clerk

OFFICIAL BALLOT
For Special Town Election of the Town of Jacksonville, Jackson County,
State of Oregon, June 24, 1909.

Mark between the number and answer voted for. Vote YES or NO.
Charter Amendment and Enactment Proposed and Submitted by Ordinance
Passed by the Board of Trustees of the Town of
Jacksonville, Oregon.

For a proposed amendment of an act entitled "An Act to Incorporate the Town of Jacksonville," enacted by the first legislative assembly of the State of Oregon, approved October 19th, A. D. 1860, and all acts or parts of acts amendatory thereof, the same being the Charter of the Town of Jacksonville, Oregon, by amending, enacting and providing a complete charter in the place thereof for the government of the Town of Jacksonville and therein providing for a change of the name of said municipality from the name of "Town of Jacksonville" to the name of "City of Jacksonville," and therein providing and defining the geographical corporate limits and boundaries of said city; providing for a city council and all municipal officers, their election, appointment, term of office, powers, authorities and duties; providing the police powers and regulations of the city and the manner of the exercise thereof; providing a municipal court, its officers, powers, authority, jurisdiction and procedure and the powers and duties of its officers; providing power and authority for the punishment by fine, imprisonment and labor, one, both or all, for the violation of any ordinance, resolution, crime or police regulation; providing for the exercise of the right of eminent domain, the purposes for which private property may be condemned by the city and the procedure therein; providing for what acts and improvements special benefit assessments may be levied, upon what property, the manner and procedure therein and the collection and payment thereof; providing for the borrowing of money on the faith of the city, the issuance of warrants and bonds and the limitation of indebtedness; powers and purposes of taxation and the collection of the same; providing and defining the qualifications of electors at all elections and the manner of conducting the same; the manner and procedure of exercising the initiative and referendum powers reserved to the municipality by the constitution of Oregon; and fully providing and defining all and every power and authority of the council of the City of Jacksonville and the City of Jacksonville and fully providing for the government of the City of Jacksonville and everything needful and requisite to maintain, establish and promote the peace, good order, health, cleanliness, ornament, prosperity, general welfare and government of the city and to protect the property and person of its inhabitants.

VOTE YES OR NO.

12. YES.
13. NO.

That the 24th day of June, A. D. 1909, between the hours of 10 o'clock a. m. and 4 o'clock p. m. of said day is hereby designated and appointed as the time for holding said election.

The city hall is hereby designated and appointed as the polling place of said election and the following are designated and appointed as the chairman, judges and clerks of election: S. P. DeRoboam, chairman; Frank Roundtree and George N. Lewis, judges, and C. J. Kenney and Lewis Ulrich, clerks.

The town recorder is hereby directed to give notice of said election, the time and polling place thereof, the proposed amendment and the submission thereof to the voters and all things herein by the publication of this ordinance in the Jacksonville Post once a week for two successive weeks and make due proof of such publication on or before the day and date fixed herein for said election.

T. T. SHAW,

President of the Board of Trustees of the Town of Jacksonville.
Attest: HENRY G. DOX, Recorder.

OREGON SIDELIGHT.

Creswell is now an incorporated city.
Joseph man fined \$50 for spearing fish.

Big new sawmill at Cornwalls nearly a certainty.
No more near-beer in Cottage Grove Its too near.

Coyote hides are coming in to county clerks' offices.
Much good road building being done in Marion county.

Many building permits being issued in Klamath Falls.
Two miles of cement sidewalks in Cornwalls this summer.

Preparations are being made by the Ontario Gas & Oil Co. to begin drilling in another well as soon as possible.

Thousands of hands wanting acres in the east. Thousands of acres wanting hands all around Echo, says the Register Journal.

Chamberlain's Cough Remedy the Best
On the Market.

"I have used Chamberlain's Cough Remedy and find it to be the best on the market," says E. W. Tardy, editor of The Sentinel, Gainsboro, Tenn. "Our baby had several colds the past winter and Chamberlain's Cough Remedy always gave it relief at once and cured it in a short time. I always recommend it when opportunity presents itself." For sale by C. J. Drug Store.

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