ORDINANCE NO. 138

AN ORDINANCE providing for the issuance of bonds by the City of Jacksonville, Jackson County, Oregon, in the sum of Thirty Thousand Dollars ($30,000.) for the purpose of constructing a system of water works to supply the said city and inhabitants thereof with water, providing for and approving the sale of said bonds, approving the form of said bonds and the coupons attached thereto, and declaring an emergency. THE PEOPLE OF THE CITY OF JACKSONVILLE DO ORDAIN AS FOLLOWS:

WHEREAS, heretofore at an election held by said city the legal voters of said city authorized the issuance of Tnirty Thousand Dollars ($30,000.) of bonds for the purpose of constructing a system of water works to supply the said city and the inhabitants thereof with water. and,

Whereas, pursuant to said authorization, an agreement has been entered into for the sale of said bonds when the legality of the same shall have been approved by the attorneys for the buyers of said bonds; and,

Whereas by an act approved by a majority of the qualified electors of said City of Jacksonville at a special election regularly called and held on the 21st of June, 1911, the Common Council of the City of Jacksonville was authorized and empowered in the name of the said City to borrow money and pledge the credit of said City therefor and to issue Thirty Thousand Dollars ($30,000.) of bonds of the City of Jacksonville, Oregon, dated October 1, 1910, due twenty years after said date, with interest thereon at the rate of six per cent. (6 per cent) per annum, payable semi-annually, interest and principal payable at the Fiscal Agency of the State of Oregon in the City of New York, said bonds to be known as water bonds of the City of Jacksonville, State of Oregon.

AND WHEREAS, said act went into force and effect upon the proclamation of the Mayor that said act had been passed by the vote of the qualified electors at said special election, which proclamation was made as by law required on the 29th day of June; 1911, and filed in the Office of the Recorder of the City of Jacksonville, on the 29th day of June, 1911,

NOW THEREFORE THE PEOPLE OF THE CITY OF JACKSONVILLE DO ORDAIN AS FOLLOWS:

Section 1; That the City of Jacksonville do issue bonds in the name of and under the coroporate seal of said City in the amount of Thirty Thousand Dollars ($30,000.) in denominations of Five Hundred Dollars ($500.) each, numbered consecutively from No. 1 to No. 60 inclusive; the entire issue of Thirty Thousand Dollars ($30,000.) of bonds aforesaid to bear interest at the rate of six (6) per cent per annum, payable semi-annually, and said bonds to bear date October 1, 1910, and to become due and payable October 1, 1930. both principal and interest to be payable at the Fiscal Agency of the State of Oregon, in the City of New York; said bonds to be signed by the Mayor and countersigned by the Recorder of the City of Jacksonville, Oregon, whereby the City of Jacksonville shall be held and considered in substance and effect to undertake and promise in consideration of the premises to pay to the bearer of each of said bonds at the expiration thereof the sum therein named in gold coin of the United States of America, together with interest thereon in like gold coin at the rate of six (6) per cent per annum, payable semi-annually, which bonds shall be known as,

CITY OF JACKSONVILLE WATER BONDS,

the interest on said bonds being represented by coupons, annexed thereto, bearing the lithographed fac simile signature of the Mayor and Recorder.

Section 2. The following form be and the same is, hereby approved and declared to be the form of said City of Jacksonville Water Bonds, to-wit:-

UNITED STATES OF AMERICA, STATE OF ORGEON

CITY OF JACKSONVILLE, JACKSON COUNTY, WATER BOND

NO.... $500.00

KNOW ALL MEN BY THESE PRESENTS, that the City of Jacksonville, Jackson County, Oregon, for value received, acknowledges itself indebted and hereby promises to pay to the bearer, the sum of Five Hundred Dollars ($500.) in Gold Coin of the United States of America, of the present standard of weight and fineness, on the First day of October, 1930, with interest thereon in like Gold Coin at the rate of six (6) per cent per annum, payable semi-annually on the First day of April and on the First day of October in each year. Principal and interest payable at the Fiscal Agency of the State of Oregon in the City of New York upon presentation and surrender of this Bond and annexed coupons as they severally mature.

This Bond is one of a series of bonds of the City of Jacksonville, Jackson County, Oregon, of like date and tenor numbered consecutively from one to sixty, inclusive, aggregating not to exceed Thirty Thousand Dollars ($30,000.) par value and amount, issued by the said City of Jacksonville for the purpose of constructing a system of water works to supply the said City and inhabitants thereof with water, and the issuance of said bond and all of said bonds is by virtue of and in full compliance with all the provisions of an Amendment to the Charter of the City of Jacksonville. adopted by the qualified electors of the said city of Jacksonville, at a special election held on June 21, 1911, and proclaimed by the Mayor on June 29th, 1911, and filed with the Recorder on said June 29th, 1911.

And it is hereby certified, recited and declared that all acts, things elections, votes' orders, ordinances, resolutions and conditions precedent to the right to issue and deliver this bond, as prescribed by the said charter and by the constitution and laws of said state have happened existed and been done and performed prior to the issue hereof in regular and due time form and manner as required by law and that the indebtedness of the said, city of Jacksonville including this bond and the issue of which the same forms a part does not exceed any constitutional, statutory or charter limitation.

And for the punctual payment at maturity of the principal and interest of this bond, the faith and credit of the City of Jacksonville are irrevocably pledged.

IN TESTIMONY WHEREOF, the City rf Jacksonville has caused this bond to be signed by its Recorder, and sealed with its corporate seal, and the interest coupons hereunto attached to be executed in its behalf by the engraved fac simile signature of it Mayor and Recorder: this the First day of October, A. D., 1910.

(Seal of City of Jacksonville) .....
Mayor

Countersigned:

.....
Recorder of the City of Jacksouville.

Section 3. That the following be and the same hereby is approved and declared to be the form of coupon to be attached to the said City of Jacksonville Water Bonds:

Coupon No..... $.....

On the First day of.....19.... the City of Jacksonville in the County of Jackson, State of Oregon, will pay to the bearer fifteen dollars ($15.) in gold coin of the United States at the Fiscal Agency of the State of Oregon, in the City of New York, being six months interest on its Water Bond, No ....
Mayor.

.....
Recorder of the City of Jacksonville.

Section 4. That the bid of Ulen & Co., heretofore duly transferred to Morris Bros. of Portland, Oregon, heretofore made for the proposed issue of bonds under this ordinance, as amended by mutual agreement by and between the City Council of the City of Jacksonville, Oregon, and Morris Bros. of Portland, Oregon, which said bid is on file in the office of the City Recorder, for the purchase of said bonds be and the same hereby is accepted.

Section 5. That the Mayor and the City Recorder be and they hereby are authorized and instructed to prepare and deliver the City of Jacksonville Water Bonds to Morris Bros. in accordance with the terms and conditions of the bid of said Ulen & Co., duly transferred as aforesaid to said Morris Bros., as modified by a further agreement mutually entered into between the City of Jacksonville, and Morris Bros. of Portland, Oregon, as in this ordinance hereinbefore provided.

Seetion 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed and annulled.

Section 7. Inasmuch as this ordinance is necessary for the immediate preservation of the health, safety and peace of the City of Jacksonville, in this, that the present system of water supply is unsufficient, inadequate and unfit to supply the City and inhabitants thereof with an adequate supply of good, pure and wholesome water; and inasmuch as the charter of said city provides for the erection and maintenance of a water system and waterworks to supply the City with water for a sewer system and for other useful and beneficial purpose, and to issue its duly authorized bonds therefor; and inasmuch as improvements have been undertaken and are under way; and inasmuch as the issuance of said bonds has been approved by a vote of the electors of said city at an election regularly held therefor, and inasmuch as the contract for purchase of said bonds has been entered into and the form of bond must be approved before the purchasers will accept the same, AN EMERGENCY IS THEREFORE HEREBY DECLARED, and this ordinance shall go into force and effect from and after its approval by the Mayor and publication.

PASSED by the Common Council, on this the 24 day of October, 1911, by the following vote:

Yeas, Mayor Shaw, Councilmen Britt Dunford and Fick.

Nays, none.

HENRY G. DOX,
Recorder of the City of Jacksonville.

Submitted to the Mayor, Oct, 24, 1911.

Approved by the Mayor, Oct. 24, 1911.

T. T. SHAW,
Mayor of the City of Jacksonville.

Dr. Bell's Pine-Tar-Honey
For Coughs and Colds.

SUMMONS

IN THE CIRCUIT COURT OF THE STATE OF OREGON, IN AND FOR THE COUNTY OF JACKSON

L. M. Lyon and Cora Lyon his wife, and John H .Hueners, Plaintiffs.

vs.

The unknown heirs of James R. Poole, deceased, the unknown heirs of John Bigham, deceased, the unknown heirs of Arthur Langell, deceased, the unknown heirs of Miles N. Hill, deceased, the unknown heirs of Frank Brown deceased, the unknown heirs of C. C. Bodine, deceased, the unknown heirs of Mary A. Harris, deceased, the unknown heirs of A. Brauns, deceased, the unknown heirs of A. Stroup, deceased, the unknown heirs of J. A. Brunner, deceased the unknown heirs of Herman Brunner, deceased the unknown heirs of R. Brown, deceased, the unknown heirs of W. Brown, deceased, the unknown heirs of John Anderson, deceased, the unknown heirs of James Cluggage, deceased, the unknown heirs of John S. Drum, deceased, the unknown heirs of Thomas Devins, deceased, the unknown heirs of J. G. Emery, deceased, the unknown heirs of A. Chamber, deceased, the unknown heirs of C. F. Wilson, deceased, William C. Buffman, Joshua B. Pool, John Williams, and Minerva Williams, his wife, Nicholas Deisch, the surviving husband of Mary Deisch, deceased, Frank Deisch, Peter A. Deisch, Thomas Deisch, Louis Deisch, and Noel Deisch, the children and heirs at law of the said Mary Deisch, deceased, Sallie Bilger (formerly Sallie Cardwell,) Rose Hughes (formerly Rose Cardwell,) Mariah Kahler (formerly Mariah Cardwell,) Medora Berry (formerly Medora Cardwell,) Delia Fink (formerly Delia Cardwell.) Laura Fitch (formerly Laura Cardwell,) Alvin Cardwell, and W. W. Cardwell, the legatees and heirs at law of James A. Cardwell, deceased, and of Caroline Cardwell deceased, Mrs. Edith Hanks and Vivian Cardwell, the daughters and sole heirs at law of Dan Cardwell, deceased, who was a son of the said James A. Cardwell, deceased. and of the said Caroline Cardwell, deceased, Alice Kane and Mary Delmatter, daughter of A. M. Berry, deceased, Wilkes Berry, the son of the said A. M. Berry, deceased, and also all other parties unknown claiming any right, title, estate, lien or interest in the real estate described in the complaint herein, Defendants. Suit in Equity to Quiet Title to Real Property.

To all of the unknown heirs of James R. Poole, deceased to all of the unknown heirs of John Bigham, deceased, to all of the unknown heirs of Arthur Langell, deceased, to all of the unknown heirs of Miles M. Hill, deceased, to all of the unknown heirs of Frank Brown, deceased, to all of the unknown heirs of C. C. Boudine, deceased, to all of the unknown heirs of Mary A. Harris, deceased, to all of the unknown heirs of A. Brauns, deceased, to all of the unknown heirs of A. Stroup, deceased, to all of the unknown heirs of J. A. Brunner, deceased, to all of the unknown heirs of Herman Brunner, deceased, to all of the unknown heirs of R. Brown, deceased, to all of the unknown heirs of W. Brown, deceased, to all of the unknown heirs of John Anderson, deceased, to all of the unknown heirs of James Cluggage, deceased, to all of the unknown heirs of John S. Drum, deceased, to all of the unknown heirs of Thomas Devine, deceased, to all of the unknown heirs of J. G. Emery, deceased, to all of the unknown heirs of A. Chambers, deceased, to all of the unknown heirs of C. F. Wilson, deceased, to all of the heirs of each, every and all of said decedents; to William C. Buffman, to Joshua B. Poole, John Williams and Minerva Williams his wife, to Nicholas Deisch the surviving husband of Mary Deisch, deceased, to Frank Deisch, Peter A. Deisch, Thomas Deisch, Louis Deisch, and Noel Deisch, the children and heirs at law of the said Mary Deisch, deceased, to Sallie Bilger, (formerly Sallie Cardwell), to Rose Hughes (formerly Rose Cardwell), to Mariah Kahler (formerly Mariah Cardwell), to Delia Fink (formerly Delia Cardwell) to Laura Fitch (formerly Laura Cardwell), to Alvin Cardwell, being the legatees and heirs at law of James Cardwell, deceased, and the legatees and heirs at law of Caroline Cardwell, deceased, to Alice Kane and to also all other parties unknown claiming any right, title, estate, lien or interest either in or to the real estate described in the complaint herein, and herein described, the above named defendants;

In the name of the State of Oregon;- You and each of you are hereby required to appear in the above entitled court and cause within ten days from the date of the service of this summons upon you if the same be served within Jackson County, Oregon, or if served within any other county within Oregon, then within twenty days from the date of the service of this summons upon you. or if served upon you by publication of summons, then on or before the expiration of six weeks from the date of the first publication of said summons, and you and each of you will take notice that if you fail to so appear and answer said complaint within said time that the plaintiffs herein will take a decree against you and each of you for the relief prayed for in the complaint, to-wit;

For a decree in favor of the plaintiffs herein and against the defendants and each, every and all thereof, that the plaintiffs herein, L. M. Lyon and Cora Lyon his wife, are the owners in fee simple of all of the following described tract of realty, lying and being situated in Jackson County, Oregon, and being more particularly described as follows, to-wit:

Beginning at an iron pin situated 495 feet north of the southwest corner of Donation Land Claim No. 90 (Pool D. L. C.) in Township 37 South of Range 2 west of the Willamette Meridian, thence East 1857.30 feet; thence North 0 degrees 32 minutes East 564 feet; thence South 89 degrees 38 minutes West 775 feet to the center of Middle Street; thence North 0 degrees 16 minutes East 381.80 feet to the south line of the Rogue River Valley Railroad right of way; thence along said right of way South 68 degrees 1 minute, West 856.36 feet; thence South 76 degrees 27 minutes West 292.81 feet; thence South 0 degree 9 minutes, East 6 feet; thence East 130 feet; thence South 0 degree 09 minutes East 254.66 feet; thence West 130 feet; thence South 0 degrees 09 minutes East 290 00 feet to the place of beginning, containing 27.5 acres, more or less;

That the plaintiff herein John H. Hueners is in the possession of and entitled to the possession of all of said real property under and by virtue of a written contract to purchase the same from his co-plaintiffs L. M. Lyon and Cora Lyon his wife. That none of said defendants have any right, title or interest of any kind or nature either in or to any part or portion of any of the real property herein described; that the title to all of said real property, the whole and every part thereof, be quieted in these plaintiffs herein free from any lien, claim or demand of any kind or nature of any of the defendents herein. For a judgment against such of the defendants herein as shall contest this suit, for plaintiffs' costs and disbursements herein to be taxed, and for such other, further and different relief as to the court shall seem equitable in the premises.

This summons is published in the Jacksonville Post a weekly newspaper published and issued weekly and regularly in Jacksonville, Jackson County, Oregon, and of general circulation throughout said County and State, under and by virtue of an order of the Honorable Frank M. Calkins, judge of the above entitled court which said order was made in chambers on the 27th day of October, 1911; the said summons under and by virtue of said order of publication is published in said newspaper once a week for a period of six consecutive weeks and will be published seven times; the date of the first publication of said summons is the 28th day of October, 1911, and the time within which you, the said defendants, and each, every and all thereof are required to appear herein and answer said complaint is within six weeks from the date of the said first publication of said summons.

Dated this the 27th day of October, 1911.

COLVIG & REAMES,
Attorneys for the Plaintiffs.

Notice For Publication.

DEPARTMENT OF THE INTERIOR

U. S. Land Office at Roseburg, Oregon, October 26, 1911.

Notice is hereby given that Felix Cimborski, of Buncom, Oregon, who, on November 23, 1906, made Homestead entry Serial No. 01080, for lots 3, 4, 5 and S. E. ¼ N. W. ¼, section 6, Township 40 S., Range 2 West Willamette Meridian, has filed notice of intention to make Final five year Proof, to establish claim to the land above described, before W. H. Cannon, United States Commissioner, at Medford, Oregon, on tha 8th day of December, 1911.

Claimant names as witnesses; Cyrenius Combest, of Buncom, Oregon, Voluntine Combest, of Buncom, Oregon, Charles Pursel, of Buncom, Oregon, Arthur Kleinhammer, of Buncom, Oregon.

BENJAMIN F. JONES,
Register.

Notice for Publication.

DEPARTMENT OF THE INTERIOR.

U. S. Land Office at Roseburg, Oregon, September 25, 1911.

Notice is hereby given that Walter F. Yocum, of Ruch, Jackson County, Oregon, who, on Oct. 28, 1904, made Homestead Entry, Serial No. 03847, for W. ½ N.W.¼ and N.W.¼ S.W.¼, Section 30, Township 38 S., Range 2 W., Willamette Meridian, has filed notice of intention to make final five year proof, to establish claim to the land above described, before W. H. Canon, United States Commissioner, at Medford, Oregon, on the 17th day of November, 1911.

Claimant names as witnesses: Albert W. Yocum, of Central Point, Oregon; Sam Coffman, of Ruch, Oregon; John Matney, of Ruch, Oregon; Sam Carpenter, of Ruch, Oregon.

BENJAMIN F. JONES,
Register.

SUMMONS.

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY.

Missouri Emaline Dorman, Plaintiff.

vs.

Charles W. Dorman, Defendant.

To Charles W. Dorman, the above named defendant.

IN THE NAME OF THE STATE OF OREGON You are hereby notified that you are required to appear and answer or otherwise plead to the complaint of the above named plaintiff filed against you in the above entitled Court and cause, within ten days from the date of the service of this summons upon you, if served upon you within Jackson County, State of Oregon, or if served upon you within any other county of the State of Oregon, then within twenty days from the date of the service of this summons upon you; or if served by publication, then on or before the last day so prescribed in the order for publication of said summons as hereinafter stated; and you will take notice that if you fail to so appear and answer or otherwise plead to said complaint within said time, plaintiff will take a default and decree against you for the relief prayed for in her complaint, to-wit: for a decree dissolving the bonds of matrimony now existing between you and the above named plaintiff and for a judgment of $2000.00 and for the costs and disbursements of this suit and for such other and further relief that the Court shall deem equitable.

This summons is published in the Jacksonville Post by order of the Hon. F. M. Calkins, Judge of the above entitled Court, which said order was made and dated in chambers on the 25th day of September, 1911, and it is therein ordered that you appear and answer or otherwise plead to the complaint on file herein on or before the expiration of six weeks from the date prescribed in said order as the date of the first publication of this summons.

The date of the first publication of this summons and the date prescribed in the aforesaid order for the first publication of said summons is Sept. 30, 1911, and the date of the last publication thereof and on or before which date you are required to appear and answer or otherwise plead to said complaint is Nov. 11, 1911.

J. A. LEMERY,
Attorney for Plaintiff.

SUMMONS.

IN THE CIRCUIT COURT OF THE STATE OF OREGON, FOR JACKSON COUNTY

William B. Radebaugh, Plaintiff.

vs.

Edna M. Radebaugh, Defendant.

To Edna M. Radebaugh, the above named defendant.

IN THE NAME OF THE STATE OF OREGON: You are hereby notified that you are required to appear and answer or otherwise plead to the complaint of the plaintiff filed against you in the above entitled Court and cause, within ten days from the date of the service of this summons upon you, if served upon you within Jackson County, State of Oregon, or if served upon you within any other county of the State of Oregon, then within twenty days from the date of the service of this summons upon you; or if served by publication, then on or before the last day so prescribed in the order for publication of said summons as hereinafter stated, and you will take notice that if you fail to so appear and answer or otherwise plead to said complaint within said time, plaintiff will take a default and decree against you for relief prayed for in his complaint, to-wit: for a decree dissolving the bonds of matrimony now existing between you and the above named plaintiff and for a judgment for the costs and disbursements of this suit and for such other and further relief that the Court shall deem equitable.

This summons is published in the Jacksonville Post by order of the Hon. F. M. Calkins, Judge of the above entitled Court, which said order was made and dated in chambers on the 25th day of Sept., 1911, and it is therein ordered that you appear and answer or otherwise plead to the complaint on file herein on or before the expiration of six weeks from the date prescribed in said order as the date of the first publication of this summons.

The date of the first publication of this summons and the date prescribed in the aforesaid order for the first publication of said summons is Sept. 30, 1911 and the date of the last publication thereof and on or before which date you are required to appear and answer otherwise plead to said complaint is Nov. 11, 1911.

J. A. LEMERY,
Attorney for Plaintiff.

D. W. BAGSHAW

Attorney at Law

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