Ordinance No. 236

An Ordinance Declaring the Result and Validity of the Special Election Held in and For the City of Prineville, Crook County, Oregon, on September 11, A. D. 1916, and Authorizing the Mayor to Publish a Proclamation of the Same, and Declaring an Emergency.

WHEREAS, In accordance with Ordinance No. 234, duly adopted by the Common Council at a special meeting thereof lawfully called and duly held on the 7th day of July, D. 1916, a special election was called and ordered to be held in the said City of Prineville, Crook County, Oregon, on Monday, towit: the 11th day of September, A. D. 1916, for the purpose of voting upon the adoption of an amendment to the City Charter, being an act of the legislative assembly of the State of Oregon, for the year 1899, entitled: "An Act to incorporate the City of Prineville, Crook to incorporate the Town of Prinerepeal an Act entitled: 'An Act to authorized and empowered to issue, fore, in amend an Act entitled: 'An Act to negotiate, and make provision for Premises incorporate the Town of Prineville, in Wasco (now Crook) County, Oregon,' approved October 23, 1880, and to repeal all Acts or parts of Acts in conflict herewith, purchaser, shall thereafter be inapproved February 14, 1887; Fand to repeal an Act entitled: 'An Act to amend Section 17 of an Act entitled: 'An Act to incorporate the Town of Prineville, in Wasco County, Oregon', approved October The Council is hereby an 23, 1880', filed in the office of the Secretary of State February 18, 'approved February 16, A. D. 1899, and all amendments thereof, either by act of the legislative assembly or by initiative proceedings, and particularly an act of the legislative assembly of the corporations are now authorized or same made a matter of record on the legislative assembly of the State of Oregon approved February 12, 1903, and filed in the office of Secretary of State February 13, 1903, and a measure submitted to the qualified electors of the City of Prineville and adopted at an election held November 15, A. D. 1915; more particularly by amend- the taxes provided in this section, ing Section 25, Chapter 5, of said or the payment of the moneys charter as originally enacted and as amended by adding thereto a fur-holders of said bonds or warrants, the taxes provided in this section, at the said city of Frineville at the special election held September, at the special election held September 11, A. D. 1916, upon the question submitted to the qualified full force and effect in accordance amended by adding thereto a fur-ther sub-division to be No. 58, the said subdivision No. 58, of Section to, to perform their several duties amendment to Section 25, Chapter to, to perform their several duties 5, of the charter of said city, as set 25. Chapter 5, of the charter of relative to such levy, assessment, said city to be in words and figures collection, or payment, at the time

date, denomination, the date or ner and by the same means as the dates of maturity of such bonds, not payment of said principal and exceeding thirty years, the rate of interest. interest, place of payment, and the Each of the provisions of this same becomes due, and to establish poses and powers herein named, nance shall, upon delivery of the regulations therefor, as herein promanner of levy, assessment, or collection of taxes thereon, as provided by law, and the charter of termined and is hereby declared as

their payment and in the manner provided in this section for municipal bond, All bonds and warrants DAIN AS FOLLOWS: contestable, and their legality shall to-wit: the 11th day of September, not be open to contest by any per- A. D. 1916 be, and the same is son or persons, corporation or hereby determined and declared to corporations, association or associa- have been duly called, noticed, and tions, or by the City, for any held in strict compliance with law

The Council is hereby authorized and empowered, for and on behalf special election have been duly filed of the city, to bring actions for the condemnation or taking of private property within and without the boundaries of the City for public mon Council and the result thereof permitted to do under the laws of the journal of proceedings of said the state.

In the event of the refusal, neg lect, or failure of the City or said Council, or any or all of the officials of the city having to do with the tered of record, shows: levy, assessment, or collection of or times provided according to law 58. The Common Council is here- and the tenor of said bonds or warby granted the power, for and on rants and coupons, whereby any-behalf of the city, to buy, build, default occurs in the payment of equip, acquire, lease, own, operate, the interest upon any of said warand maintain railways and railroads rants or bonds, or any part of such operated by steam, electric, or interest, or the principal of said other power, within or within and warrants or bonds, or any part without the boundaries of the city, thereof, at the time, place, or manfor the benefit and use of the in- ner of payment of said principal or habitants thereof, and for profit, interest, and by reason of such desaid railroad or railroads to run fault any suit or proceeding is within or within and without said brought by the holder or holders of city or from the city to other any such warrant or warrants, towns, cities, or points without the bond or bonds, coupon or coupons, boundaries of the city, and to ac- to recover any such principal or quire rights of way, terminals, interest, due and unpaid, then and easements, and real property within in that case the said City shall be and without its boundaries, and to liable for and shall pay not only by duly authorized and empowered exercise any one or more of said the principal or interest, or both, powers, and to borrow money and which may be due to such holder to carry out the purpose and profund indebtedness to carry out any or holders, but shall also be liable one or more of said powers by issu- for and shall pay all costs and exing and selling, at public or private penses of such suit or proceeding, sale, with or without advertising and also reasonable attorney's fees such sale, the negotiable warrants amounting to the sum of ten per or bonds of the city in an amount centum (10 per cent) of the not exceeding the principal sum of amount of the principal or interest, \$100,000.00 for railroads, rights of or principal and interest, as the way, terminals, easements, or real case may be, for which any such newspaper published and of general property for any such railroad or suit or proceeding is brought, and railway, said warrants or bonds all such costs and expenses of such bearing interest at not more than suit or proceeding, including such atsix per centum (6 per cent) per torney's fees, shall be and the same annum, payable semi-annually, are hereby declared so much ad-Prior to the authorization or sale ditional indebtedness of the City, thereof, the Council, by ordinance, which shall be included in any shall prescribe, fix, and determine judgment obtained against such the form of such warrants or City, and the payment of which bonds, as the case may be, their shall be enforced in the same man-

principal use or uses to which the section shall be self-executing, and proceeds derived therefrom shall the indebtedness herein authorized be applied, and shall levy and shall not be construed as affected assess, on all of the taxable pro- by any charter or statutory limiperty of the city, in addition to all tation of indebtedness of said City; other taxes provided by law and and the Council shall have full and the charter of the city, a direct complete power to carry the proannual ad valorem tax, and there- visions hereof into effect by ordiafter cause the same to be collect- nance or resolution, and to make ed, sufficient to create a fund to and let contracts and purchase and pay the interest accruing on said sell property, in order to carry out bonds promptly when and as the any one, either or all of the purand maintain a sinking fund with without further authorization and which to discharge the principal without a vote of the electors, and thereof at maturity, which ordi- to make all necessary rules and bonds to the party entitled thereto, vided; and any provision or probe thereafter irrepealable, and the visions of the charter or ordinances classes, kinds, or amount of proper- of the city of Prineville which conty subject to tax or the method or flict with the provisions hereof are

the city, at the time of the passage follows: That the ordinance passed and approval of such ordinance, and approved July 7, A. D. 1916, final passage, the number of votes shall not be changed in any manner ordering and calling said special cast for said ordinance were 5: that security for such warrants or and in the manner required by law said ordinance were 0; that said

the power, authority, or ability of that a printed pamphlet containing the city to raise funds sufficient to a copy of the measure referred to pay the interest on said bonds the people by the common council promptly when and as the same be- and submitted to the legal voters comes due, and to discharge the at said election, was duly mailed principal thereof at maturity, in due form, time, and manner to Said Council shall also require the each of the registered voters of the collection of such taxes by the city, as well as to each bona fide proper city and county officials elector thereof, so far as known; authorized by law to make such that the notice of said special eleccollection, and the taxes so levied, tion was published and posted at assessed and collected shall be kept the time and in the manner and in a separate fund, and said fund form required by law and the shall be used solely in the payment direction of said council; that said of the principal and interest of said election was duly held and con-bonds or warrants, and said princi-ducted in the manner prescribed by pal and interest shall be paid out said constitution, laws, charter, and of said fund at the time or times ordinances; that each and every provided according to law and the person voting at said election pos tenor of said bonds or warrants and sessed the qualifications prescribed coupons attached thereto. War- by said constitution, laws and rants issued under the provisions charter, and had been duly regisof this section shall be drawn on tered; that the ba'lots cast at said the general fund and due provision election were duly canvassed by the made by the Council for their pay. recorder and common council, as ment through funds obtained from required by the charter and ordithe levy and collection of taxes on nances of said city, and the result County, State of Oregon; and to repeal an Act entitled: 'An Act all the taxable property of the city thereof deciared by said council, or from the sale of a sufficient and the same made a matter of reville, Wasco County, Oregon', aparount of funding bonds of the ville, Wasco County, Oregon', aparount of funding bonds of the proved October 23, 1880; and to authorized and empowered to issue, fore, in Consideration of the said

THE PEOPLE OF THE CITY OF

as set forth in the preamble hereof.

Section 2. That the returns of said with the recorder of said city and said returns have been duly canvassed by the Recorder and Comcouncil, as set forth in the preamble hereof.

Section 3. That the said canvass and the result thereof, as so en

That the total number of ballots forth in the preamble hereof, was 360, of which 358 were "Yes" and I was "No"; and that a majority of 357 of all of the ballots cast at said election was in the affirmative and in favor of the adoption of said charter amendment.

Section 4. That at said special election a majority of all of the qualified electors of said city present and voting thereat, voted in favor of amending Section 25. Chapter 5, of the charter of said city by adding thereto sub-division 58 as set forth in the preamble hereof; and it is therefore hereby determined and declared that said charter amendment has been duly carried by the requisite majority

Section 5. That the Mayor of said City be and he is hereby authorized, ordered, and directed to cause a proclamation of the result of said election to be published in one regular weekly issue of "The Crook County Journal", a weekly circulation in said City, embodying therein this ordinance.

Section 6. That this ordinance, being for the purpose of carrying into effect the obligations authorized and ordered by a majority vote of the qualified electors of said City, as expressed at the said special election therein held on September 11, A. D. 1916, for the purpose of amending the charter of the City, particularly Section 25, Chapter 5, of said charter, by adding a new Section to said Chapter 5, to be designated as Section 58, the same shall thereafter be in full force and effect from and after its approval by the Mayor and shall not be subject to the referendum. APPROVED THIS 13th DAY OF

SEPTEMBER, A. D. 1916. D. F. STEWART. Mayor of the City of Prineville,

Crook County, Oregon. Seal Attest:

E. O. Hyde, City Recorder.

State of Oregon, County of Crook, City of Prineville, ss.

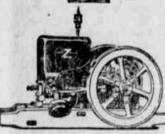
I, E. O. HYDE, Recorder of the City of Prineville, do hereby certify that the foregoing seven typewritten sheets, numbered from 45 on 6 hp to 51, inclusive, and marked at the beginning "Ordinance No. 236" constitute the original ordinance as passed by the Common Council of the City of Prineville, that on its bonds, or any of them, or lessen and the direction of said council; ordinance became of full force and



cast in the said city of Prineville effect the 13th day of September, E. O. HYDE.

Recorder of the City of Prine-

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snan not be changed in any manner ordering and calling said special cast for said ordinance were 5; that so as to reduce or diminish the election, was published at the time security for such warrants or and in the manner required by law said ordinance were 5; that the number of votes cast against Try a Want Ad in The The Journal does Modern Printing on Short Notice