

ELECTION NOTICE

SUBMISSION OF AMENDMENTS

NOTICE IS HEREBY GIVEN that on Monday, to-wit, the 18th day of December, 1916, at the following named polling place in the City of Prineville, Crook County, Oregon, to-wit:

The Basement of the Crook County Courthouse, an election will be held at which there will be submitted to the qualified voters of said city for their approval or rejection pursuant to Ordinance No. 243, approved by the Mayor on the 17th day of November, 1916, and entitled "An Ordinance adopting and submitting to the qualified voters of the City of Prineville, Oregon, an amendment to the Charter of said City, providing for the limitation of the liability of the City in damages for any person injured by any defect in or on any street, sidewalk, or public building, to \$100.00 and requiring actual notice of such defect by the city, with reasonable time to repair and repealing all parts of the charter in conflict with said amendment; adopting a ballot title for the amendment submitted, repealing all Ordinances or parts of Ordinances in conflict herewith and declaring an emergency," an amendment to Section 56, Chapter VII of the Charter of the City of Prineville and submitted pursuant to Ordinance No. 244, approved by the Mayor on the 17th day of November, 1916, and entitled "An Ordinance adopting and submitting to the qualified voters of the City of Prineville, Crook County, Oregon, an amendment to the Charter of said city providing for the issuance and sale of bonds for the improvement of streets and the laying of sewers by installments, and repealing all parts of the Charter in conflict with said amendment, adopting a ballot title for the amendment submitted, and repealing all ordinances or parts of ordinances in conflict herewith and declaring an emergency" an amendment to Section 25, Chapter V, of the Charter of the City of Prineville, and all acts and measures amendatory thereof, both and each of said proposed amendments proposed and submitted by the Common Council to the qualified voters of the city.

The general purpose of said charter amendments is expressed in the ballot title adopted by the common council and which will appear upon the ballot title in the following words and with the following numbers:

"Shall Section 56, Chapter VII of the Charter of the City of Prineville be enlarged and amended to limit the liability of the city in damages to any person injured by any defect in or on any street, sidewalk or public building to \$100.00 and requiring actual notice of such defect by the city?"

VOTE YES OR NO
100 Yes
101 No

"Shall Section 25, Chapter 5 of the Charter of the City of Prineville be amended to provide for the payment in twenty semi-annual installments of assessments of Ten Dollars or more for the improvement of streets or the laying of sewers, to provide for the sale of bonds to pay for such improvements and sewers, and to provide for the redemption thereof and for the sale of property for delinquent installments?"

VOTE YES OR NO
102 Yes
103 No

The judges and clerks of election are respectively the following named qualified electors of the City of Prineville:

Judges of Election, M. D. Powell, L. C. Perry, I. W. Ward; Clerks of Election: Ethel Glaze, Lura Stearns.

The text of the proposed amendment to Section 56 of Chapter VII of the Charter of the City of Prineville as set out in Section 1 of said Ordinance Number 243, is as follows:

"An amendment to the City Charter, the same being an act to amend the City Charter, being the act of the legislative assembly of the State of Oregon for the year 1899 entitled: 'An act to incorporate the City of Prineville, Crook County, State of Oregon; and to repeal an Act, entitled: 'An act to amend an Act to incorporate the Town of Prineville in Wasco County, Oregon, approved October 23, 1880; and to repeal all Acts, or parts of Acts in conflict herewith,' approved February 14, 1887; and 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 23, 1880,' filed in the office of the Secretary of State February 18, 1891, 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 State of Oregon approved February 12, 1903, and filed in the office of the Secretary of State February 13, 1903, and a measure submitted to the qualified voters of the city of Prineville and adopted at an election held December 19, 1913, and a measure submitted to the qualified voters of the City of Prineville and adopted at an election held November 12, 1915, more particularly by amending, altering and enlarging Section 56 of Chapter VII thereof so that the same be and read in words and figures as follows:

"Section 56. Council shall provide by Ordinance for the time, manner and conditions of doing all street, sidewalk, drainage, sewerage, and other public works and improvements; and said city shall not in any event be liable in damages to any person for any injury by any defect or dangerous place at or in any street, sidewalk, alley, sewer, bridge public grounds, public building or ditch unless said city shall have an actual notice of said defect or dangerous place and a reasonable time thereafter in which to repair or remove such defect or dangerous place before the happening of such accident or injury; and in no case shall more than One Hundred Dollars (\$100.00) be recovered as damages from the city for such accident or injury.

Any provision or provisions of the Charter or of Ordinances of the City of Prineville which conflict with the provisions hereof are hereby repealed.

The text of the proposed amendment to Section 25 of Chapter 5 of the Charter of the City of Prineville as set out in Section one of Ordinance No. 244 is as follows:

An amendment to the City Charter, the same being an act to amend the City Charter, being the act of the legislative assembly of the State of Oregon for the year 1899, entitled: 'An Act to incorporate the City of Prineville, Crook County, State of Oregon; and to repeal an Act entitled: 'An Act to amend an Act to incorporate the Town of Prineville, Wasco County, Oregon, approved October 23, 1880; and to repeal an Act entitled: 'An Act to amend an Act to incorporate the Town of Prineville, Wasco County, Oregon, approved October 23, 1880,' approved February 14, 1887; and 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 23, 1880,' filed in the office of the Secretary of State February 18, 1891,' 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 State of Oregon approved February 12, 1903, and filed in the office of the Secretary of State February 13, 1903, and a measure submitted to the qualified voters of the City of Prineville and adopted at an election held December 19, 1913, and a measure submitted to the qualified voters of the City of Prineville and adopted at an election held November 12, 1915, more particularly by amending Section 25 Chapter 5 of the said charter as originally enacted and as amended by adding thereto a further subdivision to be numbered 59, the said subdivision No. 59 of Section 25 Chapter 5 of the Charter of said City to be in words and figures as follows:

59. Whenever the Common Council or other competent authority of the City of Prineville shall have proceeded to improve any street or part thereof, or to lay or reconstruct any sewer within the corporate limits thereof, and shall have assessed the cost of such improvement to the property benefitted thereby, or liable therefor, according to the provision of the Charter of the City of Prineville, it shall be lawful for the owner of any property so assessed for such improvement in the sum of more than Ten Dollars (\$10.00) at any time within twenty days after first publication of said notice of assessment, as provided by the charter of the City of Prineville, to file with the City Recorder a written application to pay assessments in installments and such written application shall state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings relative to the improvement for which said assessment is levied, and in the apportionment of the cost thereof.

Said application shall contain a provision that said applicant and property owner agrees to pay said assessment in twenty semi-annual

installments with interest at the same rate on all of said assessments which have not been paid, as the rate expressed in the bond or bonds issued to pay for such improvements. Said application shall also contain a statement by lot, lots or blocks or other convenient description of the property or applicant assessed for such improvement.

No application as aforesaid shall be received and filed by the City Recorder if the amount of such assessment, with any previous assessment for improvement assessed against the same property, and remaining unpaid, shall equal or exceed the valuation of said property as shown by the last tax roll of the County in which said City of Prineville is situated provided that application for such bonding shall be received by the City Recorder in cases where the amount of the assessment together with previous assessments for improvements against the property and remaining unpaid shall exceed the valuation of said property as shown by the last tax roll of said County, if the owner thereof shall before making such application, pay in cash into the Treasury of said City of Prineville such excess of unpaid assessments over the valuation as shown by such last tax roll. The owners of a majority of the property so assessed may select a competent person to inspect such improvement under the direction of the City Engineer.

The City Recorder shall keep all such applications in convenient form for examination. The application received for each street improvement and each sewer improvement shall be separate and he shall also enter in a book kept for that purpose, under separate heads for each street improvement, and each sewer improvement, the date of filing of each application, the name of the applicant, a description of the property, and the amount of the assessment, as shown in the application.

After the expiration of the time for filing application for the payment of assessments for improvements of streets or laying of sewers by installments, as hereinbefore provided, the City Recorder shall enter in a docket kept for that purpose, under separate heads for each street or sewer improvement, by name or number, a description of each lot or parcel of land, or other property against which such assessment is made, or which bears or is chargeable for the cost of such street improvement or sewer improvement, with the name of the owner and the amount of such unpaid assessment. Such docket shall stand thereafter as a lien docket as for taxes assessed and levied in favor of such city and for the amounts of such unpaid assessments, therein docketed, with interest on said unpaid assessments at the rate of six per cent per annum, against each such lot or parcel of land or other property, until such assessments and interest are paid in the manner hereinafter provided; and all unpaid assessments and interest shall be and remain a lien on each lot or parcel of land or other property, respectively, in favor of such city, and such liens shall have priority over all other liens and incumbrances whatsoever.

When such bond lien docket shall be made up as hereinbefore provided, as to the assessments for the street improvements and sewer improvements the City of Prineville, shall, by ordinance, authorize the issue of its bond in convenient denominations, not exceeding \$500 each, and in all equal to the total amount of unpaid assessments for such street improvements and sewer improvements, and for which applications to pay under the provisions of this amendment have been filed, as shown by said bond lien docket; and such bonds shall, by the terms thereof, mature in ten years from the date thereof, and be payable in gold coin of the United States, and bear interest not to exceed six per cent per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds; provided, the right to take up and cancel such bond or bonds, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after three years from the date of such bond or bonds, shall be and is hereby vested in the city issuing such bond or bonds. Notice stating that certain bonds are to be taken up and cancelled as aforesaid, and that the interest thereon shall cease at the interest payment period next following, shall be published in a newspaper printed and published and of general circulation, in the county where such bonds are issued, not less than twice during the month preceding said semi-annual period and after said semi-annual period, interest upon the bonds designated in such notice shall cease. Such bonds before issuance shall be signed by the

Mayor and City Recorder of said city and authenticated by the seal of said city attached thereto, and shall be registered consecutively, by number and denomination of each, in a book to be kept by the Recorder of said city, to be known and designated as the "Improvement Bond Register." Each of such bonds, whether issued for the improvement of streets or for the laying of sewers, shall have distinctly and plainly inscribed or printed on the face thereof, the registered number of said bond, and the words "Improvement Bond," with the name of the City of Prineville. Such bonds shall be advertised for sale and sold for the highest price obtainable, but for not less than par and accrued interest; and the proceeds thereof shall be paid by the purchaser to the Treasurer of such city, and the par value thereof credited to the respective street improvement and sewer improvement, for which said bonds are issued; and the accrued interest and premium accruing from the sale of said bonds shall be credited to the general fund of said city, the fund from which interest is paid on street and sewer warrants, or to the improvements bond sinking fund, as the Common Council or other competent authority shall direct.

Thereafter there shall be due and payable semi-annually for ten successive years, to the Treasurer of the City of Prineville by the owner of such lot or parcel of land assessed for the improvement of any street or part thereof, or the laying, construction or reconstruction of any sewer or part thereof, whose application to pay the cost of such street improvement or sewer improvement by installments has been filed as hereinbefore provided, five per cent of the cost of such street improvement or sewer improvement assessed against the property of such owner as appears by the bond lien docket hereinbefore described with the amount of six months interest at not to exceed six per cent per annum on unpaid assessments or installments. The first payment aforesaid shall be due and payable at the expiration of six months from the date of said assessment in the bond lien docket and subsequent payment at the expiration of each six months thereafter. Should such owner or owners neglect or refuse to pay the sum or sums aforesaid as the same shall become due and payable for a period of twenty days, then the whole amount of said installments remaining unpaid shall immediately become delinquent and shall be collected in the same manner and with the same penalties as delinquent street or sewer assessments are collected.

It shall be the duty of the City Recorder when the installments and interest on any assessment in the bond lien docket are due, to make proper extensions of such installments and interest on said bond lien docket and to turn the same over to the Treasurer of the City of Prineville whose duty it shall be to notify the owner or owners of property that the installments aforesaid are due and payable, but failure of such owner or owners to receive such notice shall not be taken or held to prevent the collection of same as herein provided. The Treasurer of the City of Prineville shall issue a receipt to the person or persons paying said installments and interest, and shall file duplicates with the City Recorder, and when the Treasurer returns said bond lien docket, said City Recorder shall make the proper entries on said bond lien docket, showing the amount of each payment and the date thereof, provided however, that at anytime after issuance of such bonds any owner, at the time being, of any such lot or parcel of land or other property against which such assessment is made and lien docketed, may pay into the City Treasury of the City of Prineville the whole amount of such assessment or assessments, and for which such lien is docketed, together with the full amount of interest and costs accrued thereon to such date of payment, and upon producing to the City Recorder of the City of Prineville the receipt of the Treasurer of the City of Prineville in which receipt shall be not only stated the amount of such payment, but also a description of the lot or parcel of land or other property upon which such payment is made) the City Recorder shall enter into such lien docket opposite the entry of the lien therein, the fact that such payment and the date thereof and the lien thereof is discharged; provided further that any time before the property is sold under proceedings to collect delinquent assessments, the owner or owners may pay a delinquent installment or installments with interest thereon as herein provided, together with the costs of advertisement or advertisements, and a penalty of five per cent on the entire unpaid assessment from the

date of the earliest delinquent assessment to the date of payment, whereupon the remaining installments under said assessment shall be payable as though no delinquency had occurred.

The Treasurer of the City of Prineville receiving any funds, shall keep such funds and the account thereof separate from other funds of the city. The amount of such funds paid on account of installments, interest or unpaid installments, shall be placed to the credit of funds to be known and designated as "Improvement Bond Sinking Fund" and "Improvement Bond Interest Fund" respectively. The amount placed to the credit of the improvement bond sinking fund shall from time to time, under the direction of the Common Council, or other competent authority, be deposited in such bank as will pay the highest rate of interest, or be invested in or used for the purchase of improvement bonds of the City of Prineville at par. The purchase of improvement bonds, the accrued interest thereon, shall be paid out of the "Improvement Bond Interest Fund," and all interest received by the Treasurer on account of coupons due, shall be placed to the credit of the "Improvement Bond Interest Fund." Interest due on improvement bonds shall be paid out of the "Improvement Bond Interest Fund." All bonds purchased by the City shall be held by the Treasurer of the city thereof, as a sinking fund, and shall be disposed of by direction of the Common Council, or other competent authority of the City of Prineville when required for the redemption of bonds previously issued as they shall become due and payable.

Entries of payments of installments, interest and costs, made as herein provided, shall be made in the lien docket aforesaid, as the same shall be received, with the date thereof, and such payments made and entered in said lien docket shall be and operate as a discharge of such lien to the amount of such payment and from the date thereof.

No obligation incurred by the City of Prineville, by virtue hereof shall be deemed or taken to be within or any part of the limitations by law as to indebtedness of the City of Prineville.

At any time after the bonds which may be issued, as herein provided, shall become payable, the City of Prineville may redeem such bonds, and to that end shall redeem the same consecutively by number of such bonds, commencing with the lowest number of such bonds, and shall give notice of the readiness of the City to redeem by publication in some newspaper published and having general circulation among its subscribers in said City of Prineville, once each week for three consecutive weeks, giving therein the number of bonds which will be redeemed, and the time at which such redemption will be made; and after such time so fixed for redemption, no interest shall accrue or become payable on such bonds, so notified for redemption.

Property of a deceased person which is in process of administration in the State of Oregon, may be assessed in the name of the estate of the deceased owner, and an administrator or executor in charge of any property so assessed shall, for the purpose of notice and such assessment be considered the owner thereof.

The term "improvement" as used in this amendment is construed to mean the improving of any street, alley or other public way, or part thereof, the constructing or reconstructing of any sewer or part of sewer and the construction or reconstruction of any sidewalk or pavement or any part of any sidewalk or pavement, which shall include the establishment of grades, grading and regrading, paving, graveling, cindering, macadamizing and bridge work and any other permanent work in the matter of sewer or street construction.

The term "Collection" used in this amendment is construed to mean collection and payment.

Any provision or provisions of the Charter or Ordinances of the City of Prineville which conflict with the provisions hereof are hereby repealed.

Dated this 17th day of November, 1916.

D. F. Stewart, Mayor.
Attest:
(Seal)
E. O. Hyde, Recorder. 3t2c

The Journal makes the home complete.

Now turn to the Classified ads on page 3

\$100,000 RAILROAD BONDS OF THE CITY OF PRINEVILLE, OREGON.

PUBLIC NOTICE IS HEREBY GIVEN That the City Council of the City of Prineville, Oregon, will sell at public auction in the Council Chambers in said city on Thursday the 28th day of December, A. D. 1916, at the hour of 8 o'clock p. m., \$100,000 Railroad Bonds in blocks of from one to two hundred, said bonds to be due in thirty years and optional in twenty years, and bear interest at the rate of six (6) per centum per annum payable semi-annually.

Bidders may bid for all of said bonds or any number thereof. The Council reserves the right to deliver the whole or any number of said bonds at such time or times, as it may determine.

Each bidder will be required to qualify before bidding, by depositing an unconditional certified check, cashier's check or certificate of deposit drawn on, or issued by a State or National Bank, in the amount of five (5) per cent of the amount of the bonds the bidder intends to bid for, and such certified check, cashier's check or certificate of deposit shall be payable to the city treasurer of Prineville, Oregon, and shall be free from any endorsement. Bids for said bonds must be unconditional and the successful bidder, or bidders, will be required to complete payment for said bond together with accrued interest thereon, within thirty days from the time notified by the City Council that bonds are ready for delivery, or forfeit said deposit to the city. The City council reserves the right to reject any and all bids.

D. F. Stewart, Mayor.
(Seal)
Attest:
E. O. Hyde,
City Recorder. 2t3c

NOTICE TO CREDITORS.

Notice is hereby given by the undersigned, the Administrator of the estate of Erastus P. Buchanan, deceased, to all creditors of said deceased, and to all persons having claims against said estate, to present the same with the proper vouchers to the undersigned at the office of M. R. Elliott, in Prineville, Oregon, within six months from the 1st publication of this notice.

Published the first time November 23, 1916.

C. C. Buchanan, Administrator of the estate of Erastus P. Buchanan, deceased. 2t5c.

NOTICE OF SHERIFF'S SALE.

By virtue of an execution duly issued by the clerk of the Circuit Court of the County of Crook, State of Oregon, dated this 23rd day of November, 1916, in a certain action in the Circuit Court for the said County and State wherein Herbert L. Kimball, Plaintiff, recovered judgment against Nick Mandic, defendant, for the sum of Three Thousand Sixty-nine and 12-100 Dollars with interest at the rate of 8 per cent per annum from the 23rd day of November, 1916, together with Two Hundred Fifty and no-100 Dollar attorney's fees.

Notice is hereby given that I will, on Saturday, the 30 day of December, 1916, at the North front door of the courthouse in Prineville, in said county, at 10 o'clock in the forenoon of said day, sell at public auction, to the highest bidder for cash, all right and title that the above named defendant has or had at date of said judgment in the following described property, to-wit:

East half NE 1/4, West half SE 1/4, East half SW 1/4, SE 1/4, SW SW 1/4, of Section 16, Tp. 15 South of Range 16 East of the Willamette Meridian in Crook County, Oregon.

E. B. Knox, Sheriff of Crook County.

Dated at Prineville, Oregon, this 23rd day of November, 1916.

By Floyd A Rowell, Deputy. 3t5c.

NOTICE FOR PUBLICATION.

Department of the Interior, U. S. Land Office at The Dalles, Oregon, November 17th, 1916.

Notice is hereby given that Frank Joseph Reif, of Prineville, Oregon, who, on January 27th, 1912, made Home-stead entry No. 09884 for N 1/4 NE 1/4, & N 1/4 NW 1/4, Sec. 20, Twp. 15-S, Range 18-E, Willamette Meridian, has filed notice of intention to make final three year proof, to establish claim to the land above described, before Lake M. Bechtell, U. S. Commissioner, at Prineville, Oregon, on the 26th day of December, 1916.

Claimant names as witnesses:
Huge Gee, William A. Hand, John R. Breese George H. Russell all of Prineville, Oregon.
H. Frank Woodcock, Register. 2t5c.

Turn to the Classified Ads on page 3