

NOTICE OF SPECIAL ELECTION.

Notice is hereby given, that, pursuant to a resolution of the Common Council of the city of Ashland, Oregon, duly adopted on the 9th day of November, 1916, and approved by the Mayor on the same day, the following proposed amendment to the Charter of the city of Ashland will be submitted to the legal voters of said city for their approval or rejection, at a special election to be held on Friday, the 24th day of November, 1916, to wit:

AN ACT

To amend Articles XIX and XX of the Charter of the city of Ashland, Oregon, said Charter being that certain act of the Legislative Assembly of the state of Oregon, filed in the office of the Secretary of State, October 14th, 1898, entitled "An Act to amend an Act, entitled 'An Act to incorporate the city of Ashland, in Jackson county, Oregon, and define the power thereof,' filed in the office of the Secretary of State, February 25th, 1895, amending the same," as amended by all acts subsequent thereto, either of the Legislative Assembly of the state of Oregon, or by vote of the qualified electors of the city of Ashland, Oregon, to abolish the Ashland Park Commission, created by Section 2 of Article XIX of said Charter, as said Article XIX was added to and made a part of the Charter by an amendment made effective by the proclamation of the Mayor of the said city on the 17th day of December, 1908; and also to abolish the Springs Water Commission, created by Sections 1 and 2 of Article XX of the Charter of the city of Ashland, Oregon, as said Article XX was added to and made a part of said Charter, and became operative upon the proclamation of the Mayor of said city on the 27th day of June, 1914, and repealing all charter provisions, ordinances and resolutions of the said city of Ashland in conflict herewith; the creation of a new board to be known and designated as Mineral Springs and Park Commission, fixing terms of office, defining its powers and duties, and providing for the creation of a fund to be expended in publicity and for the maintenance and betterment of the Auxiliary Water Plant and the Public Parks of the city of Ashland; and directing that all public funds, assets or other property whatsoever, now in the possession of either the Ashland Park Commission or the Springs Water Commission, be delivered to the successors in office of said Commissions, and for the leasing, upon a royalty or other consideration, either for bathing or other medicinal purposes, all of the surplus waters, over and above that consumed at the public fountains, of the several mineral springs now being piped into the city of Ashland, add to grant concessions.

Be It Enacted By the People of the City of Ashland, Oregon.

That Articles XIX and XX, as said Articles were added to and made a part of the Charter of the city of Ashland, said Article XIX becoming operative by the proclamation of the Mayor of said city on the 17th day of December, 1908, as further amended, and proclaimed by the Mayor on the 13th day of May, 1912, and the said Article XX becoming operative by the proclamation of the Mayor of said city, made on the 27th day of June, 1914, be amended so as to read as follows:

Section 1. That both the Ashland Park Commission and the Springs Water Commission be, and they are hereby abolished. Provided, however, that the members of both the Ashland Park Commission and the Springs Water Commission shall retain their respective offices, and perform all the duties pertaining thereto, as provided and required by Charter Amendments and Ordinances of the city of Ashland, until such time as their successors in office shall be regularly elected and qualified, as hereinafter set forth.

Section 2. A Board is hereby created, which shall be known and designated as the Mineral Springs and Park Commission, which Board shall consist of three members, each of whom shall be a resident, a freeholder and a legal voter of the city of Ashland, Oregon.

Section 3. The first members of said Board shall be elected by the voters of the city of Ashland, at any general city election, or at any special election called for the purpose. One of said members shall serve as such for a term of one year, from the 1st day of January, 1917; one shall serve for a term of two years, from said 1st day of January, and the third member shall serve for a term of three years, from the said 1st day of January. Provided, however, that each of said members shall serve until his successor is duly elected and qualified. The member elected for the long term shall be

the chairman of said Board, during his term of office. It is further provided, that membership to said Board shall be regularly filled every year, as follows: One member shall be elected at the annual city election, to be held in December, 1917; and every year thereafter, a member shall be elected at the annual city election. The full term of office of each of said members so elected, after the first set of officers, shall be three years, and they shall each take office on the 1st day of January, following his election, and the member oldest in service on the Board shall be its chairman. Provided, further, that in case of vacancies occurring on said Board, the same may be filled by appointment by the Mayor of the city, which appointee shall hold office until the next annual city election, or until a successor is elected and qualified. Appointments so made must, before going into effect, be confirmed by the City Council. Provided, further, that all candidates for membership on said Board shall be nominated in the same manner and within the time as provided in Section 3 of Article IV of the City Charter. The vote for membership of said Board shall be canvassed and a certificate of election issued and delivered to the successful candidates, as provided in Section 7 of said Article IV, and thereafter such person shall qualify by taking the oath of office, as provided in Section 9 of Article IV of the City Charter.

Section 4. Whenever the member of said Mineral Springs and Park Commission have been elected and qualified, as hereinabove provided, the Springs Water Commission and the Ashland Park Commission shall each, immediately after such qualification, deliver to the said Mineral Springs and Park Commission all public records, money and other public property in the possession of either of said Commissions, by virtue of their respective offices, together with the possession of the mineral springs plant, and the possession of all the park lands of the city, hereinafter particularly described, and that thereafter the operation, management and control of said mineral springs water plant and the parks and the park lands of the city of Ashland shall devolve upon said Mineral Springs and Park Commission Board, and the said Springs Water Commission and the said Ashland Park Commission shall be relieved of further management, control or responsibility on account of said parks and said water plant.

Section 5. The members of the said Mineral Springs and Park Commission, after qualifying as aforesaid, shall immediately meet and elect one of their number as secretary, and shall then, or as soon thereafter as practical, formulate and adopt rules and regulations for their government, and for the purpose of carrying into effect the purposes of their creation, as a commission, under the provisions of this amendment. The said Board shall also appoint a Superintendent of Parks and a Superintendent of the Mineral Springs Water Plant, and shall fix the compensation to be paid to each of said Superintendents, who shall each have the powers of police within the city limits. The Board shall have power to discharge either or both of such Superintendents whenever, in the judgment of the Board, such discharge will be for the best interests of the city, and the Board may employ additional laborers to assist in the necessary upkeep and maintenance of said water plant and the public parks of the city. But all such additional laborers shall be under the immediate supervision and direction of the respective Superintendent of Parks or the Superintendent of the Mineral Springs Plant, as the case may be, either of which Superintendents shall have authority to discharge any such subordinate employee who fails, neglects or refuses to render good and efficient service in the line of his employment.

Section 6. That the lands now owned by the city of Ashland (except its streets, alleys and plaza, and excepting also such lands as are now owned by it for the purpose of taking rock for street purposes, city pound, hitching grounds, reservoir sites, septic tanks, public market sites and such lands as have been taken over by the city on account of public assessments), and all lands owned by said city bordering upon or adjacent to Ashland creek, and described as follows, to wit: Beginning at the point of intersection of Main street and South Pioneer avenue; thence southerly along said South Pioneer avenue to its intersection with the south line of D. L. C. No. 40; thence east on said D. L. C. line to Glenview Drive; thence southerly along said Glenview Drive to its intersection with the south line of the NW 1/4 of the NW 1/4 of Section

16, township 39 south, range 1 east, W. M., Oregon; thence west along said line of Granite street; thence northerly along Granite street to Main street; thence southerly along Main street to place of beginning. And all lands acquired by the city during the year 1915, abutting on either Mill street or Granite street in said city, and also all park lands in the center of the Boulevard and the center of the Plaza, are hereby reserved and forever dedicated by the people of the city of Ashland for park purposes, and shall never be sold, encumbered or used for any other purpose inconsistent therewith; provided, however, that such public buildings as may enhance the beauty of said parks or which shall not detract therefrom may be erected and maintained therein, with the approval and under the direction of the said Board. Provided, further, that nothing contained in this act shall be construed so as to impair or interfere with the proper maintenance or operation of the city's light, power or water system, or the right to protect the water of said creek from contamination, nor to prevent the City Council from making street connections between Mill street and Granite street or any point they may select, and to grade, pave or otherwise improve such street or streets.

Section 7. The said Mineral Springs and Park Commission shall have control and management of all the lands so dedicated for park purposes, and all other lands that may hereafter be acquired by the city for such purposes. And the right to control and manage said park lands shall include and empower said Board to improve and beautify the same, and to grant concessions to individuals, companies or corporations to conduct places of amusement and business of a temporary nature, such as confectionery and ice cream stands, etc., within the boundaries of said park, and to charge and collect a reasonable fee for such concessions, but no concessions shall be granted for a longer period than ten years, without the Board having first been authorized so to do by a majority vote of the electors of the city of Ashland. Provided, further, that concessions shall in no event be granted by said Board for the conducting, operating or playing of any game of chance or other form of amusement in which the element of chance enters, or the playing or operating of which is in violation of the laws of the state of Oregon, or the Charter, or any of the Ordinances of the city of Ashland, nor shall permission be granted, licensing or allowing improper or immoral conduct on any of the parks of the city. Said Board is further authorized and empowered, at its discretion, to either lease or charge a royalty for a term not exceeding twenty-five years, for the use of the city's interest in any of the mineral waters flowing into said park, over and above that drank or otherwise consumed at the public fountains. The Board shall have control and direct the expenditure of all the park funds, and funds created or received for the maintenance of the Auxiliary Water Plant, the public parks and for publicity purposes, as hereinafter set out, whether said funds are obtained by taxation, donation or otherwise.

Said Board shall also have power, and it shall be its duty to employ such means as may be necessary to prevent the ravages of the pine beetle, now working on the growing timber now located on any of the park lands hereinabove described, and to protect said timber from destruction by said beetles or other insects, or by fire, and the Board is further empowered to expend from the funds hereinafter created such amounts as are reasonably necessary in the protection of said growing timber; the Board is also authorized and empowered to sell and dispose of, at the best price obtainable, all dead timber, and all fully matured trees which may show signs of decay, and to deposit the proceeds of said sales in the aforesaid fund, but none other of the growing timber on said lands shall ever be sold or otherwise disposed of.

It shall be the duty of said Board, and it shall, on the first of each month, file with the City Recorder, for the information of the Council and the public, a complete report of its doings for the preceding month, which report shall specify all funds on hand, and the source from whence obtained, and it shall carry a clear statement of all moneys expended and for what purpose, including all purchases made and all labor performed, together with the cost thereof. Said report shall also contain a full and complete statement of all improvements made in and about said park, as well as improvements made in connection with the said Auxiliary Water Plant. Said Board shall on or before the first day of November of each year file with the City Recorder, for the information of the Council, a full and complete estimate of the amounts to be expended and the nature of such expenditures in the operation, improvement and repairs of the said public parks and said Auxiliary Water Plant for the succeeding year.

Section 8. The Common Council of the city of Ashland is hereby empowered and directed to levy a tax of not less than three and one-half mills nor more than five mills on the dollar on all of the taxable property of the city, at the time of making the general levy for other expenses of the city, as provided in Section 2 of Article VII of the City Charter, which levy shall be in lieu of the one-half mill levy provided for in Section 23 of said Article VII; the two-mill levy provided for in Section 3 of Article XIX, and the one-mill levy provided for in Section 9 of Article XX, all of the Charter of the city of Ashland, which levy shall be made annually for a period of five years, beginning with the 1916 levy. And thereafter the Council may levy a sufficient sum each year, not exceeding five mills on the dollar of the taxable property of the city, to defray the necessary maintenance and improvement of said parks and Auxiliary Water System, and for

publicity purposes.

Whenever any money is collected on account of said levy, or is received from any other source, for the aforesaid purposes, the same shall be deposited with the City Treasurer, and be subject to the order of said Board. The funds so created shall first be economically and judiciously used in the maintenance, upkeep and betterment of the said Auxiliary Water Plant and the public parks of the city, and any excess of said fund, over and above the amount necessary to so maintain and improve the said water system and the said parks, and to protect the growing timber located on the parks, from destruction by beetles, other insects or by fire, may be expended in the advertising of the attractions, resources and advantages of the city of Ashland, and other publicity purposes, which from time to time may arise, including donations, which will tend to improve and stimulate business conditions of the city. Provided, however, that so long as the Southern Oregon Chautauqua Association shall own the Chautauqua Park in said city, and the general public shall be permitted to use the same for public purposes, as in previous years, the said Mineral Springs and Park Commission shall, in consideration of such use, annually appropriate from the proceeds of the levy provided for in this section, the sum of Three Hundred (\$300.00) Dollars, which sum shall be expended for the maintenance and beautifying of said Chautauqua Park.

Section 9. The members of said Board shall serve without pay, except for extraordinary services required of them, and for expenses necessarily incurred in the performance of their duties. The Board shall hold regular monthly meetings, which shall be open to the general public, and accurate books accounts and minutes of the Board shall be kept, all of which shall constitute public records, and be subject to the inspection of the general public, under the direction and supervision of the custodian of the records, at such times as said inspection will not interfere with the official business of the Board or such custodian. The members of said Board, before entering upon the discharge of their official duties, shall give a good and sufficient surety bond, in a sum of not less than Five Hundred (\$500.00) Dollars, conditioned upon the faithful performance of their duties as members of said Board, as herein provided; and the accounting for all funds or other property that may pass into their hands by virtue of this charter amendment, the premiums of which bonds shall be paid out of the fund hereby created.

Section 10. No member of the Board shall, during the term of his office, be interested in any contract with the Board, and all jobs and contracts for constructing, repairing, ornamenting or improving any of the public parks of the city, or the maintenance, upkeep or repair of the Auxiliary Water Plant, or the protection of the public parks from the ravages of the pine beetle, other insects, or from fire, the probable cost of which will exceed \$500.00, shall be advertised for ten days, calling for bids therefor, which work shall be done according to the plans and specifications to be furnished and approved by the Board. Provided, that the Board shall have the right to reject any and all bids without incurring any liability on account of such rejection.

Section 11. The powers granted to and the duties imposed upon the Ashland Park Commission, by that certain ordinance No. 626, entitled "An Ordinance defining the meaning of the words 'Park' and 'Parks,' and to regulate the use of the public parks of the city of Ashland, Oregon," adopted by the Common Council on the 18th day of May, 1916, and approved by the Mayor on the 22nd day of May, 1916, are hereby extended to, and shall be exercised by, and required of the said Mineral Springs and Park Commission, hereinafter created, and all of the provisions of said ordinance are hereby approved and confirmed.

Section 12. That all Charter provisions, ordinances and resolutions of the city of Ashland, Oregon, in con-

flict with this amendment, especially those charter provisions of Articles XIX and XX, are hereby repealed. Except, however, the amendment to Section 1 of Article XIX, adopted by the people of the city of Ashland, Oregon, on the 6th day of May, 1912, in so far as said amendment granted certain rights and privileges and imposed certain exactions and burdens on the Southern Oregon Chautauqua Association, it being the intention that all such rights and privileges, so granted, and all of the burdens placed upon and required of said association, by virtue of said amendment, as set out in said Section 1, shall be and remain in full force and effect.

The ballot title and number of such Charter Amendment shall be as follows:

Measure Submitted to the Voters By the Common Council.

An act to amend Articles XIX and XX of the now existing Charter, thereby abolishing both the Ashland Park Commission and the Springs Water Commission of said city; creating a new Board, to be known as the Mineral Springs and Park Commission; defining the powers and duties of said Board, designating the park lands of the city, and the creation of a fund for the improvement and maintenance of the Auxiliary Water Plant and the parks of the city and the protection of the growing timber on any of said parks from injury or destruction by insects or fire.

Vote YES or NO

100 YES

101 NO

Notice is further given that pursuant to a resolution of the Common Council of the city of Ashland, Oregon, duly adopted on the 9th day of November, 1916, and approved by the Mayor of said city on the said 9th day of November, the following proposed Amendment to the Charter of the city of Ashland will be submitted to the legal voters of said city for their approval or rejection, at a special election to be held on the aforesaid 24th day of November, 1916, to wit:

Title.

An Act to amend Article VII of the existing Charter of the city of Ashland, Oregon, by adding thereto a section to be known as Section 24, authorizing and empowering the Common Council of said city to make re-assessments against real property of the city, on which any prior assessment may have been made for a public improvement, and which assessment may, for any cause leading up to the making of such public improvement or levying of any such assessment, be declared void, illegal or doubtful, by reason of any omission or defect on the part of the City Council or other officer of the city, or for any other cause.

Be It Enacted by the People of the City of Ashland:

That Article VII of the present Charter of the city of Ashland, Oregon, be amended by adding thereto a section to be known as Section 24, to read as follows:

Section 24. Whenever heretofore or hereafter the Council has caused or may cause any street or alley to be improved, or has caused any sewer main, sidewalk, curb or gutter to be laid, and has or may hereafter assess or attempt to assess upon the property adjacent thereto or benefited thereby, the cost of such improvement, and said assessment, by reason of any failure to give any requisite notice or by reason of any other defect in the proceedings leading up to the making of such improvement or the levying of such assessment, shall be declared void by any court, or if the Council shall be of the opinion that said assessment is illegal or doubtful, by reason of any such omission or defect, said Council may cause the cost of said improvement to be re-assessed against the property adjacent to said improvement or benefited thereby in the following manner: The Council shall declare, by resolution, its intention to make such re-assessment, which resolution shall briefly describe the improvement, and shall declare the intention of the Council to assess the cost thereof upon the property adjacent to said improvement or benefited thereby, describing in said resolution each parcel of

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property which it intends to so reassess, and the amount it intends to assess against each parcel. Said resolution shall fix the time and place for holding a meeting of the Council, at which all protests against re-assessing the cost of said improvement against adjacent property, or property benefited thereby, shall be heard. Said resolution shall be published three times in a newspaper published and of general circulation in said city, and shall be posted in three public places in said city, at least ten days before the date of said meeting.

The ballot title and number of such Charter Amendment shall be as follows:

Measure Submitted to the Voters By the Common Council.

An Act to amend Article VII of the existing Charter of the city of Ashland, Oregon, by adding thereto a section to be known as Section 24, authorizing and empowering the Common Council of said city to make re-assessments against real property of the city on which prior assessments may have been made or attempted to be made for public improvement, and which assessment may, for any cause, be declared void, illegal or doubtful, by reason of any omission or defect on the part of the City Council or other officer of the city.

Vote YES or NO

102 YES

103 NO

For the said special election to be held on the 24th day of November, 1916, for the submission to the legal voters of the city of Ashland, for their approval or rejection of the foregoing Charter amendments, the following voting places and judges and clerks of election have been duly appointed and designated by the Common Council:

FIRST WARD—Voting place, Fourth street fire station building.

SECOND WARD—Voting place, McCarthy Hall, corner of Main and Granite streets.

THIRD WARD—Voting place, City Hall.

FIRST WARD—Judges, G. W. Benedict, P. S. Provost, J. W. Finnell.

SECOND WARD—Judges, W. A. Patrick, Mrs. Alice Murphy, Mrs. Hathaway.

THIRD WARD—Judges, C. L. Cunningham, Mrs. O. G. Howard, J. M. Beaver.

The last two named judges in each ward shall also act as clerks of said special election.

The polls shall be open at the several voting places aforesaid from 9 o'clock in the forenoon until 6 o'clock in the afternoon of said 24th day of November, 1916.

C. H. GILLETTE,
City Recorder.

Date of first publication, November 13th, 1916. 50-2t-Mon.

G. E. MILLER attended to business matters in Grants Pass Friday, taking the Overland service men who have been here for the past week to the beet city.

The Paisley flour mill has been sold for \$12,000.



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