2—To levy and collect a special tax, of not to exceed four-tenths of one per centum upon all property assessed, by authority of the first Subdivision of this Section for any specific object within the authority of this Municipal Corporation, including the payment of an existing debt, to be levied in the same manner above provided.

3—To levy and provide for the working of a City Road Tax within the corporate limits of said City, and upon the streets and public highways thereof; and the Council may in its discretion cause to be collected annually from each male inhabitant of the City, between 21 and 50 years of age, except a person too infirm to perform labor, and all persons by law exempt, the sum of Three Dollars, to be used for the improvement and repairing of streets and sewers of the City, provided, that the City limits are hereby excepted out of the jurisdiction of the County Court of Josephine County, on the following subject-to-wit: to divide the same or any part thereof into Road Districts or to appoint Road Supervisors or Road Superintendents for any part thereof, or to lay out, open or work on the highways therein, and the City Council shall have the power to direct by Ordinance, that all persons refusing to pay such tax in money or in labor, be punished by imprisonment, in the City Jail not less than one day for each day they are required to work, and no person shall be entitled to a receipt for such Road tax unless he shall have performed two days labor on the streets or highways of said City, or paid said tax in money.

4—To license, tax and regulate hotel runners, brokers, auctioneers, hawkers, peddlers, pawnbrokers, places of public amusement or entertainment, including theaters, operas, exhibitions, shows and the like; to license, tax and regulate public laundries, billiard tables, pool tables, pigeon hole tables, bowling alleys and shooting galleries, and for the purposes of this Act to define what shall constitute any of such professions, calling or employment or places of amusement or entertainment, provided always, that no tax shall be imposed, or license required, for the sale in said City, of any of the natural products of this State when sold by the producer.

5—To license, tax, regulate hacks, carriages, wagons, carts, trucks, drays, or other vehicles used for the transportation of persons, passengers, wares or any goods or merchandise, rock, earth, lumber, building material or other article, within the limits of the City, and to prescribe the rates to be charged for such transportation.

6—To provide for the survey of the boundary of the City, lots, blocks, streets and alleys of the City, and for making and establishing the boundary lines of said blocks, streets and alleys, for the naming of the streets, widening and straightening the same; and for numbering the houses and business places thereon.

7—To regulate slaughter houses and to provide for their exclusion from the City limits or from any part thereof.

8—To prohibit the throwing of any filth, garbage or other impurities of any kind into Rogue River or any other water or stream within the limits of the City, or the doing of any other act by which the water supply of the City might be contaminated, or the general health of the inhabitants impaired.

9—To establish hospitals and to prevent introduction and spread of contagious and infectious diseases in the City, and to remove or quarantine persons afflicted therewith.

10—To prevent and remove nuisances and to declare by general rules what shall constitute the same and to make the expense of abating a nuisance a lien upon the property where such nuisance exists; to fill up or drain any lots or blocks where any stagnant water stands and to make the costs thereof a lien upon the property; but in such case the same must be reported to the council and the necessity thereof declared, and thereupon the work must be let to the lowest bidder, and the costs thereof be made a lien and collected in like manner as street improvements.

11—To provide for the establishment, equipment and maintenance of a fire department and fire companies, and for their regulations.

12—To provide for the prevention and extinguishment of fires, to appoint fire wardens and prescribe their duties; to compel all persons to aid in the extinguishment of fires and the preservation of property exposed to danger on account thereof; to construct cisterns and wells for water for the extinguishment of fires, and to prescribe by ordinance such other powers, provisions, rules and regulations as shall be necessary or expedient for such occasions.

13—To regulate and control the storage of gun powder, giant powder, nitro glycerine, and other explosive and combustible materials, the use of lamps and other lights in shops, stables and other places; to prevent remove or secure any fireplace, stove, stove pipe, chimney or other apparatus which may be dangerous in causing fires, and to regulate the manner of building partition and party walls and fences.

14—To determine and prescribe by ordinance, the number and size of all places of entrance and exit to and from all public halls, churches, theaters schools and all other buildings used for public gatherings; also to prescribe the manner of hanging doors thereto.

15—To establish fire limits and to prescribe the kind of buildings to be constructed therein; to prohibit and regulate the erection and repairs of wooden buildings within such fire limits and to limit the maximum height of buildings within such limits.

16—To permit, allow and regulate the laying down of tracks for street cars and other railroads, upon such streets as the Council may designate, to regulate and to prevent public criers and advertising notices, steam whistles, ringing of bells and blowing of locomotive whistles, the speed of locomotives and trains, playing of bands in the streets, and limit and control traffic on the streets, and to limit and control signs, sign posts, awning and awning posts on or overhanging streets; to regulate and control the construction and location of all telegraph, electric light and telephone lines, and telegraph, telephone and electric light poles, and all electric and other apparatus for lighting the streets, parks and public buildings of the City and the laying of water and gas mains and pipes.

17—To regulate or prohibit the running of any bicycle, tricycle or other wheel vehicle upon any of the sidewalks, and the running, driving or conveying of any steam engine, traction engine, harvesting or other machinery, that might in the opinion of the Council be dangerous or cause danger to persons, horses or property, upon any or all of the streets and alleys, and to designate upon what if any, streets and alleys the same may be done or prohibited.

18—To define who are common drunkards, to prohibit the sale or giving of any intoxicating liquor or liquors to any such common drunkard, and to fix the penalty therefor.

19—To restrain or prohibit the smoking of opium or the running of opium houses or places for smoking opium, to define what is an opium house or place for smoking opium, and to punish the proprietor or keepers thereof, and opium smokers, and frequenters of such houses.

20—To suppress, restrain or prohibit bawdy and assignation houses, houses of ill fame and prostitution; gaming and gambling houses, gaming and gambling, all model artist exhibitions and other shows of immoral nature, and to define and declare by ordinance what shall constitute the same; to punish by fine or imprisonment, or both, any person, who owning, controlling or being in possession of any house, or room or rooms therein, uses the same or any part thereof, or knowingly permits the same or any part thereof to be used as a bawdy or assignation house or houses of ill-fame or prostitution, a gaming or gambling house, or for a model artist exhibition or other show of an immoral nature; to punish by fine or imprisonment or both any and all persons who occupy, visit or resort to such house or houses, and to punish by fine or imprisonment or both any person or persons who engage in gaming or gambling, as the same be defined by ordinance; to punish by fine or imprisonment or both whores and lewd women and women of ill-repute; to punish by fine or imprisonment or both any person or persons who loiter about or inhabit or frequent any house of ill-fame or ill-repute, or lives with a whore or prostitute, or woman of ill-repute, as the same may be defined by ordinance.

21—To tax, license, regulate, restrain or prohibit the sale of spirituous, vinous or malt liquors, bars, barrooms, drinking shops and tippling houses, billiard tables, pool tables, pigeon-hole tables or any table where balls and cues are used, bowling alleys and shooting galleries; provided, that each applicant at the time of making application therefor (except those applying for a license for billiard tables, pool tables, pigeon-hole tables, or any table where balls and cues are used) shall present to the council a bond in the penal sum of $1000 with two or more sufficent sureties, to be approved by a majority vote of the Council, conditioned that he will keep an orderly house, and that he will not permit any unlawful gaming or riotous conduct in or about his house, that he will not open or permit to be opened, his place of business for the purpose of traffic, on the first day of the week, commonly called Sunday; that he will not give, sell or supply spirituous, malt or vinous liquors to minors, common drunkards, any woman or girl, or to any person at the time, in a drunken or intoxicated condition, and that he will comply with all the requirements of this act and of the ordinances in this behalf passed and shall pay the fee required therefor and pay to the City Treasurer such sum as may by ordinance be required per annum; provided, further, that no license for the sale of spirituous, vinous or malt liquors shall be issued for a sum less than is prescribed by the general laws of the State, and not less than the restrictions and provisions for the same for the license of spirituous, vinous or malt liquors in force at the time of the issuance of such license; provided further, that no license shall be issued for less than six months nor more than one year; provided further that no license to sell spirituous, vinous or malt liquors shall be granted to any woman, or to any minor, or to any person who shall permit any woman or girl or male minor to frequent his place of business, either as guest, servant, waiter, waitress, dancer, singer, actor, or musician; and provided, further, that if after license to sell spirituous, vinous or malt liquors shall have been granted, the person to whom it has been granted or anyone in his employ shall give or sell any such liquor to any common drunkard or to any intoxicated person, or to any woman or girl, or to any minor, or to any Indian, or shall permit any woman or girl or minor to frequent, visit or loiter around his place of business, either as guest, servant, waiter, waitress, dancer, singer, actor or musician, or shall be found guilty before any Court having jurisdiction thereof of violating any of the provisions of any ordinance that now or hereafter may in this behalf be passed, or the provisions of this act, such judgment of conviction shall be a revocation of the license of such person or persons, and such persons or persons shall not be granted another license for the period of one year, provided further that the revocation of the license shall not in any manner operate to relieve the person or persons to whom the same has been granted from such penalty or punishment as may, by ordinance, be prescribed for the violation of any of the provisions of this Act, or such ordinance; to provide by general ordinance for the punishment by fine or imprisonment or both, of any person who shall sell, give away or in any manner dispose of any spirituous or malt liquor within the corporate limits without first having obtained a license therefor from the city, as hereinbefore provided; to provide by ordinance for the punishment by fine or imprisonment or both, of any person who shall sell, give or in any manner dispose of any spirituous or malt liquors to any common drunkard or any intoxicated person, to any woman or girl, or to any minor, or to any Indian, or who shall permit or allow any woman or girl or minor to frequent, visit or loiter around the place where such spirituous, vinous or malt liquors is sold or kept for sale, either as guest, servant, waiter, waitress, singer, dancer, actor or musician. That the Jurisdiction of the County Court of Josephine County is hereby excepted out of the corporate limits of the City of Grants Pass for the purpose of granting liquor license and controlling such traffic under the provisions of this Charter.

22—To define what shall constitute vagrancy and to provide for the support, restraint, punishment and employment of vagrants and paupers; to prevent the sale and distribution of obscene literature, including books, papers, prints, pictures and the like and to punish any person who makes sells or offers for sale, or who circulates or disposes of any such literature, and to define and declare from time to time, what, if any, books, paper, prints, pictures and the like, are obscene, within the purpose and province of this provision.

23—To regulate or prohibit any and all stores, shops, theaters, public halls and places of public entertainment and amusement, billiard saloons, or other business houses or places from keeping open on Sunday.

24—To control and regulate the manner of setting out ornamental trees and shade trees within the streets or public property or parks of the city.

25—To regulate the weights and measures within the city limits.

26—To prevent from running at large, and to otherwise regulate all and any domestic animals within the city limits and to provide for the impounding and sale of such animals, and to provide for the punishment of the owners or keepers of such animals, who allow the same to run at large; also to impose a license tax upon all dogs, within the city limits, and to provide for killing and impounding of all such dogs upon which such license tax is not paid, and to provide for the punishment of the owners or keepers of such dogs.

27—To provide for the vacation of any street or alley upon the petition or with the consent of not less than three-fourths of all of the owners of the property adjoining or abutting upon such street or alley or part thereof to be so vacated.

28—To build culverts, bridges and sewers.

29—To provide for the lighting of streets, alleys and public buildings of the city; also to provide lights for the private houses, stores, shops and all other buildings, both public and private, within or beyond the city limits and to charge and collect a reasonable price therefor.

30—To provide water for the city, both for public and private use, and to charge and collect a reasonable price therefor.

31—To provide Judges and Clerks of Election and to appoint and provide places for holding Elections.

32—To provide and enforce penalties for the violation of any ordinance which said Council is authorized to pass.

33—To locate and construct any ditch, canal or pipe, for the conduct of water and any drain, sewer or culvert, it may deem necessary or convenient, and for such purpose it shall have a right to enter upon any lands between the termini of such ditch, canal or pipe, drain, sewer or culvert for the purpose of examining, locating and surveying the line of such ditch, canal pipe, drain, sewer or culvert, doing no unnecessary damage thereby; and to appropriate so much of said land as may be necessary for the construction of said ditch, canal, pipe, drain, sewer or culvert in like manner as is provided by the laws of the State for the appropriation of lands or right of way by Corporations; and to appropriate and divert from its natural course or channel for the purpose of drainage or flushing any drain, sewer or culvert, any spring or stream of water.

34—To appropriate money to pay debts, liabilities and expenditures of the City, or any part or item thereof, from any fund applicable thereto; provided however, that the warrant indebtedness of the City shall not at any time exceed the sum of Twenty Thousand Dollars; and all jobs or contracts for constructing, repairing, improving or ornamenting any place or object in the city or out of it, the expenses of which, are to be paid out of the City Treasury and a probable cost of which will exceed One Hundred Dollars, shall be let out to the lowest responsible bidder, to be done according to the specifications, furnished from the proper officer or department of the city government, and which shall have been approved by the Council, and made public at least Ten days before the closing of the bids for such job or contract, except such cases as are herein expressly provided; and no contract shall be entered into, or debt contracted, for any specific object unless hereinotherwise provided for, the probable cost of which will exceed the sum of Five Hundred Dollars, without first submitting the same to the qualified voters, to be voted on at an election, called for that purpose, and such proposition shall receive a majority of all the votes cast at such election to authorize such expenditure.

35—To borrow money on the faith of the City or loan the credit thereof, or both, and to that end to provide for the issuance of bonds by said City for any specific purpose, and to designate the manner and the time for payment thereof, and the interest thereon, provided that the amount of said bonds so issued, shall not at any time exceed Ninety-five Thousand Dollars and that the rate of interest on said bonds shall not exceed Six per centum per annum, and provided further, that the total indebtedness of the City shall not in the aggregate exceed One Hundred Thousand Dollars, and that any and all propositions to issue bonds for any purpose shall first be submitted to a vote of the qualified electors of the city, at a special election, to be called for that purpose, and such proposition shall receive a majority of all the votes cast at such election, to authorize the issuance of any bonds, and no bonds shall ever be issued except as herein provided.

36—Bonds issued by the city shall be signed by the Mayor and Auditor and Police Judge, with their name of office and shall not be drawn in larger amounts than One Thousand Dollars, and be made payable within Twenty years, interest payable semi-annually, and shall not be sold for less than their par value, nor otherwise than for cash paid down at the time of sale, nor draw a greater rate of interest than is in this act provided.

37—Before disposing of any of the bonds provided for in this act the Council shall require the Auditor and Police Judge to advertise for thirty days, in at least one newspaper in this State, for sealed proposals to purchase said bonds or any part thereof, which said advertisement shall state the amount of bonds to be sold, the time the same will become due, the date at which proposals shall be opened and considered and that the bonds are issued and disposed of under this act.

38—At the time specified in the notice provided for in the preceding subdivision of this Section, the council shall proceed to open all proposals received for the purchase of the bonds offered and to be disposed of and shall sell the said bonds to the person or persons making the best offer or offers therefor; provided the council shall have the authority to reject any and all bids and proposals.

39—The Council shall at the same time the tax for general tax is levied, in each year after the issuance of any such bonds, levy and collect a special tax on all the taxable property within said city, sufficient to raise money enough to pay the interest on all bonds issued under this act, and to provide a sinking fund with which to pay the principal of said bonds at maturity. Said tax may be included in the other taxes of said City, and considered a part thereof for the purpose of levying and collecting the same, and as fast as the taxes are collected its proportion to the other taxes collected with or included in the sum collected shall be set apart from the other taxes as a special fund for the purpose, and to be used in the manner and for the purpose hereinbefore provided, and shall not be used for any other purpose than that for which the same was levied and collected.

40—The money belonging to the sinking fund provided for by the preceding subdivision of this section, of this Act, may be by said City invested from time to time, in interest bearing bonds of the United States, or of this state, or of municipal corporations therein, or may be used in purchasing any outstanding bonds or warrants of the City of Grants Pass, disposed of under this Act.

41—To purchase, take and hold real estate, when sold for taxes for any improvement ordered by the council, and to sell and dispose of the same.

42—To license, tax and regulate for the purpose of City revenue all such business, callings, trades and employments as the common council may require to be licensed, and as are not prohibited by the laws of the State.

43—To license, regulate, restrain, prohibit, or suppress all offensive trades and occupations, and for the purpose of this Act to define what are offensive trades, employments or occupations.

44—To prevent, restrain, and punish by fine or imprisonment or both, any trespass upon real or personal property; housebreaking, arson, larceny, intoxication, fighting and quarreling, assault, assault and battery, assault on officers and any riot, noises and disturbances, or disorderly assemblages in any street, house or place within the corporate limits, and any and all unlawful practices, including indecent exposure, vulgar, indecent, obscene, abusive and profane language and to define what shall constitute the same.

45—To provide for the prevention and removal of all obstructions from the streets, alleys, cross-walks, sidewalks public parks and other public places and for the repairing and cleaning the same, and to grant building permits for the temporary use of the streets.

46—To regulate, restrain and prohibit by fine or imprisonment any persons who shall maintain any hog pen, stable or stock yard, also to regulate the burial of the dead, and to provide for the punishment of any person of persons who shall sell or offer for sale any unwholesome or adulturated provisions or unwholesome or diseased meats, and to define what shall constitute the same.

47—To regulate and prohibit the use of bean shooters, sling shots, air guns, guns, pistols, fire-arms, fire crackers and fire-works of all kinds, bombs and detonating works of all descriptions.

48—To punish persons who leave horses, mules or other domestic animals in the streets or alleys.

49—To prevent cruelty to animals and the leaving of them exposed unreasonably to severe and inclement weather within the limits of the City.

50—To punish by fine or imprisonment, or both, the killing of any or all kinds of birds within the limits of the City.

51—To prohibit the exhibition of deformed or crippled persons and to prevent such or any other persons from begging on the streets and alleys or upon private property within the limits of the City.

52—To provide for the cleaning and sprinkling of the streets and alleys.

53—To prohibit persons from loitering around public buildings, roaming at unreasonable hours and to define what shall constitute the same.

54—To prevent the erection of buildings within the city limits which shall be dangerous to passers by or to adjacent property and in case any building on any public street shall become dangerous to passers by, the Council shall have power to cause, upon five days notice to the owner or agent thereon, the same to be removed or made safe at the expense of the property, and to determine by resolution when the same is dangerous; such expense shall be made a lien upon the property and shall be collected in the same manner as street improvements.

55—To provide for the erection and maintenance of a City Jail and the government and management of the same.

56—To enact any and all ordinances, resolutions, by-laws and regulations not inconsistent with the constitution or laws of this State or of the United States, as shall be needful for the peace, good order, health, cleanliness, ornament, prosperity and general welfare of the City, and to secure the protection of persons and property therein.

ARTICLE VIII.

OF STREETS, THEIR GRADE AND IMPROVEMENT.

SECTION 94. The Common Council shall have power and authority, whenever it deems it expedient, to establish the grade of, and to improve or repair any part thereof now or hereafter laid out or established within the corporate limits of the city, and the kind of improvement or repair shall be such as the Council shall provide; such power and authority shall include the right to improve, build or repair the sidewalks, pavements or curbing on any street or alley, and to determine and provide for everything convenient or necessary concerning such improvements, alteration or repair; to provide for the construction, cleaning and repairing of side and crosswalks adjacent to property by the owner thereof, or by the city at the expense of such owner, and that such expense be a lien upon such property.

SEC. 95. The Common Council may, by ordinance, delegate the power to establish the grade of, and to improve and repair, streets; also to construct, improve and repair side and crosswalks hereby given it to any committee or officer of the city; and prescribe rules and regulations not inconsistent with this Act, for the enforcement of such power and for making the expenses of such improvements, construction, alteration and repairs a lien upon the property liable therefor, or the Council may proceed in the manner hereinafter provided for the grading and graveling of any street or alley.

SEC. 96. The work of improvement by grading or graveling any street or alley shall be let by contract to the lowest responsible bidder, who shall give a bond to the city of Grants Pass in such a sum as may be determined upon by the Street Committee, not exceeding the contract price, conditioned for the faithful performance of the work to the satisfaction of the Street Superintendent and the Committee on Streets, with surety approved by the council and the provisions shall be enforced by action in any court having jurisdiction of that amount in the name of the city of Grants Pass.

SEC. 97. No contract to grade or gravel any street or alley shall be let till after the auditor and police judge by order of the Common Council, shall have given ten days' notice thereof by publication in some newspaper published in the city of Grants Pass or by posting notices thereof in three public places in said city not less than ten days prior to the time of letting such contract.

SEC. 98. Such notices shall state the time and place when and where bids for such contract or contracts shall be opened and considered, shall refer to the ordinance providing for such improvement by date and number and shall specify what part of such improvement or repairs is to be let in one contract, and the time within which the same shall be required to be completed.

SEC. 99. If no remonstrance be filed the contracts to grade or gravel such street or alley, may be let according to said notices, provided that the Street Committee and Council may reject any or all bids.

SEC. 100. If a remonstrance be filed, signed by a two-thirds majority of the owners of the property abutting on said street or alley to be so improved or repaired, no contract shall be let therefor.

SEC. 101. After the probable cost of such improvement or repairs has been ascertained and the proportionate share thereof to each lot, part of lot and acreage property liable therefor has been determined, the Common Council shall declare the same by ordinance and direct the recorder to enter into the docket of city liens a statement thereto containing:

1—A description of each lot, part of lot or acreage property liable for such improvement.

2—The name of the owner or reputed owner thereof, or that the name of the owner is unknown.

3—The sum assessed upon the said property and the day of entering the same in the said docket of city liens; but such date need be given but once for all the entries made therein on the same day.

4—For all purposes of this Article any number of lots, parts of lots and acreage property owned by any one person may be assessed together, but each part shall be liable for the assessment of the whole.

SEC. 102. The docket of city liens is a public writing, and the original, or a copy, certified by the Auditor and Police Judge, of any matter authorized to be entered therein are entitled to the force and effect of a judgment, and from the time of the entry therein of an assessment against any property, the sum so entered is to be deemed a tax levied and a lien against such property and all other property within the City of Grants Pass then or thereafter owned by such person, which lien shall have priority over all other or subsequent liens or incumbrances whatever upon the property against which the costs of said improvements or repairs is assessed, and priority over all subsequent liens or incumbrances on all other property in the city owned or afterwards acquired by the person owning the property against which such assessment is made, and shall be enforced in the manner in this charter provided.

SEC. 103. If any assessment levied pursuant to this Article which is not paid within twenty days after the same is entered in the docket of city liens, it shall be the duty of the City Auditor and Police Judge to issue a warrant for the collection of the same, directed to the Marshal, or any person authorized to collect delinquent taxes due the city, which warrant shall have the force and effect of an execution against real property, and shall be executed in like manner, except as in this Article specially otherwise provided.

SEC. 104. Such warrant shall require the person to whom it is directed to forthwith advertise the property against which such assesment was made or other property against which such assessment is a lien, and sell the same or such a part thereof, as in his opinion can be sold separately to advantage, sufficient to pay such assessment, together with interest, cost and disbursements, in the manner provided by law, and return the proceeds of such sale to the City Treasurer, and the warrant to the City Auditor and Police Judge with his doings endorsed thereon, together with the receipt of the City Treasurer for the proceeds of such sale.

SEC. 105. The City Auditor and Police Judge shall keep a record of the returns of all sales made for taxes and assessments so made, showing the description of the property so sold, the date of the sale, for what tax or assessment the sale was made, the name of the purchaser, the amount of the costs of advertising and making such sale, the amount of the tax and the name of the purchaser.

SEC. 106. The person executing the warrant shall immediately make a certificate of sale, describing the property so sold, to the purchaser, stating that the property was sold by virtue of a warrant from the City of Grants Pass, and the date thereof, and that the same is made subject to redemption as provided in this act, for a delinquent tax or assessment, and the amount bid therefor by the purchaser. The style for the warrant for the collection of delinquent taxes or assessments shall be: "In the name of the City of Grants Pass.

SEC. 107. Within two years of the date of such sale, the owner, his successor in interest, or any person having a lien by judgment, decree, mortgage, or otherwise, on the property so sold, or any part thereof, may redeem the same in the manner hereinafter provided.

SEC. 108 When any tax assessment or lien of any kind becomes delinquent any person having a lien thereon, by judgment, decree, mortgage or otherwise, may at any time before the sale of such property pay the same and such payment shall discharge such property from the effects of the tax and assessment or other lien thereon, and the amount of such delinquent assessment, tax or lien and all accruing costs and charges if so paid is thereafter to be deemed a part of the said judgment, decree, mortgage, or other lien, and shall bear like interest, and may be enforced and collected as part thereof.

SEC. 109 Any person holding a certificate of sale for taxes or assessments may pay any such subsequent delinquent assessment or tax either City, County, State or School, taking duplicate receipts therefor and upon filing one of said receipts with the Auditor and Police Judge, the Auditor and Police Judge shall immediately note the amount so paid on the same page with the records or abstracts of the original sale, together with the date of such payment and from the time of such entry the amount so paid shall become as and be deemed a part of the original purchase price bid at the sale thereof.

SEC. 110. Redemption from sale of any tax, lien or assessment shall be made at any time within one year from the date of the certificate of sale by paying the purchase money and twenty per centum thereon, and all taxes and assessments which the purchaser may have paid thereon, in current gold or silver coin of the United States, or within two years from the date of the certificate, by paying the purchase money, together with thirty per centum thereon, and all taxes and assessments paid by the purchaser, in such gold or silver coin, the real estate of minor heirs who at the time of sale have no guardian or other responsible person to take care of their interests, may be redeemed by them one year after arriving at majority, and the purchaser, if he shall have received a deed, shall reconvey the premises upon re-payment by the heir, as required by other redemptioners, with interest at ten per cent per annum after the expiration of two years from the date of the certificate of sale on the amount required in other cases to redeem.

SEC. 111. After the expiration of two years from the date of such certificate of sale, if no redemption shall have been made, the Auditor and Police Judge shall make, execute and deliver to the purchaser, his heirs or assigns a deed of conveyance reciting or stating a description of the property sold, the date of the sale, the name of the original owner if known, the amount bid, the character of the repair or improvement for which the sale was made, and that redemption has not been made; and such deed shall operate to convey a legal and equitable title in fee simple to the purchaser or grantee his heirs or assigns named in such deed; upon making such deed, the Auditor and Police Judge shall take up the certificate of sale therefore issued to the purchaser and place the same on file, and the same shall be a public record; and upon delivery of such deed, all the proceedings required or directed by law relative thereto, shall be presumed to be performed and regular, and such deed shall be prima facie evidence of title in the grantee. And in any action, suit, or proceeding for the recovery of lands sold under any lien entered in the docket of City Liens provided for in section 101 of this charter, except where the assessment has been paid, or the land redeemed as provided by law, the party claiming to be the owner as against the holder of title under such deed must, with his complaint or answer tender and pay into court the amount of such assessment for which such property was sold, together with interest thereon at twenty per centum per annum from the date of the sale, and also all taxes the purchaser or his successors may have paid on said lands with interest thereon from the date of payment to the date of filing said complaint or answer, for the benefit of the holder of such deed, his heirs or assigns, in case the title of such purchaser should fail in said action, suit or proceeding.

SEC. 112. That any purchaser or his successors in interest shall from and after the delivery to him of the certificate of sale, have the right to the rents and profits of such property, and such rights may be enforced under the general laws of Oregon, applicable thereto.

SEC. 113. Each lot or part of lot abutting a street graded or improved, or repaired, shall be liable for the full cost of making the same upon the half of the street in front of and abutting upon it; and may also for a proportionate share of the costs of improving the intersection of two of the streets bounding the block in which such lot or part of lot is situated, and the Common Council is hereby authorized to make any and all necessary laws to carry this provision into effect. But when the land adjacent to said street shall not have been laid off into lots and blocks, then the costs of improving such streets shall be assessed to the owner or owners of the land lying within one hundred and sixty feet of such improved street.

SEC. 114. The probable cost of improving such intersection is to be assessed against the lots or parts thereof situated in the quarters of the four blocks adjoining such intersection but only upon or against the lots and parts thereof in the quarters nearest thereto and in the following proportions: Five-ninths of the cost to the corner lot and four-ninths to the lots or parts of lots inside in equal proportions per foot; and when any tract adjacent to said improvement is not laid off into lots, the proportionate cost of such intercession shall be assessed to the owner or owners, in like proportions as above, of such land as lies within one hundred and sixty feet of such intersection.

SEC. 115. If upon the completion of any improvement it is found that the sum assessed therefor upon any lot part of lot or tract, is insufficient to defray the expense and cost thereof, the Council shall ascertain the deficit and declare the by same ordinance, and when so declared the Auditor and Police Judge shall enter the sum of the deficit in the docket of city liens in a column reserved for that purpose in the original entry, with the date thereof, and such deficit shall thereafter be a lien upon such lot and other property in like manner and with like effect, as in the case of the sum originally assessed, and shall be collected in the same way.

SEC. 116 Upon the completion of any improvement, if it is found that the sum assessed therefor upon any property is more than sufficient to pay the cost thereof the Council shall ascertain and apportion the surplus in like manner as in the case of a deficit; and when so ascertained and declared, it shall be entered as in the case of a deficit in the docket of city liens, and thereafter the person who paid such surplus, or his legal representative or assign, is entitled to repayment of the same by warrant on the Treasurer.

SEC. 117. All money collected upon assessments for the improvement of streets and alleys shall be kept as a separate fund, and in no case shall it be used for any other purpose whatever.

SEC. 118 Whenever any property sold under this charter shall bring more than the tax or assessment thereon, with costs and charges of collection, the surplus must be paid to the Treasurer, and the person executing the warrant shall keep a separate receipt for such surplus and file it with the Auditor and Police Judge on the return of the warrant, and at any time thereafter the owner of said property, or his legal representatives, is entitled to a warrant on the Treasurer for the amount of such surplus.

SEC. 119. Whenever the grade of any street has been established the Council may authorize the owner or owners of any property abutting thereon or adjacent thereto to cut down or fill up said street in front of said property according to the established grade, at the expense and cost of such owners and under such terms and conditions as the Council may determine upon.

OPENING STREETS.

SEC. 120. Whenever the Council shall deem it expedient to open, lay out, establish, widen, straighten, or extend a street or alley, it shall cause the City Surveyor to survey such proposed change or new street or alley and make a report thereof containing a plat of the survey of such change, extension, street, or alley, and the portion of each lot, part of lot or tract required to be appropriated for such change or new street or alley, which report, if satisfactory to the Council, shall be adopted by ordinance embodying the same; provided, that before the adoption thereof, the Auditor and Police Judge shall give notice of the filing of such report, by publication, for two weeks in some newspaper published in the city of Grants Pass, or by written notice posted for two weeks at three public places in said city, and at the next regular meeting of the Council after the completion of such notice, present to it, the said report, and attached thereto a copy of such notice with the proof of publication or posting endorsed thereon. Thereafter, and within sixty days from the adoption of such report, the Council shall appoint three disinterested freeholders of the City of Grants Pass, not related by consanguinity or affinity to any owner or person interested in any property to be appropriated, and possessing the qualifications of jurors in court of justice for Josephine County, to view such proposed street or alley, and make an appraisement of the damages, if any, to the respective owners of the property required to be appropriated, and report the same to the Common Council. The said viewers shall meet at such time as may be designated by the Council, and after having been duly sworn or affirmed to discharge their duties faithfully, shall proceed and view the whole distance of said proposed street or alley and ascertain and determine how much less value, if any, the premises of such owners respectively would be rendered by the opening or changing of the same. If the Council is satisfied that the amount of damages allowed by the said viewers, or by the circuit court upon appeal, as hereafter provided, is just and equitable, and that the proposed street, alley or change will be of sufficient importance to the public, the Council shall order the damages so assessed and determined to be paid by the city to the said owners respectively out of the city treasury, and any person receiving the amount so determined and tendered shall be forever barred and estopped from making any further claim of damages on account thereof and from appealing from such award of damages; but if in the opinion of the Council such street or alley is not of sufficient importance to the public so that such award should be paid by the city, the Council may refuse to open such street or alley, or widen or extend the same, as the case may be, unless the damages, or such part thereof as the Council may think proper, shall be paid by private parties.

SEC. 121. If it shall appear to the Council that the damages awarded are excessive or unreasonable, the Council may set aside such award, and order another view under the same regulations as the first view. The viewers shall receive such compensation for their services as the Council shall allow, not exceeding two dollars per day.

SEC. 122 Any person feeling aggrieved by the assessment of such damages as herein provided, may, within thirty days from the adoption of the report of the viewers by the Council, appeal from such report to the circuit court of the State of Oregon of the County of Josephine. Any number of persons interested may join in such appeal, and the only question to be determined on such appeal shall be the amount of damages such appellants are entitled to on account of the opening of such street or alley, or making such change therein.

SEC. 123 Such appeal shall be taken in the same manner as an appeal in the assessment of damages in the laying out and establishing highways by the county court, except that the notice of appeal shall be served by any person over twenty-one years of age, and not a party to the proceeding, upon the Mayor, and proof of such service may be made in the same manner as proof of the service of summons.

SEC. 124 If appellants fail to recover a judgment more favorable than the award appealed from, they shall pay all costs and disbursements of the appeal.

SEC. 125. In estimating the damages to the premises of any person pursuant to this Article, the viewers and jurors shall be governed by the differences in the market value, if any, of the premises of such persons before and after the opening, widening, extending, or straightening of such street or alley; and may consider any use of the premises for which it is adapted, including the plat ing of the same into lots and blocks, and they shall consider only such damage or convenience caused by such street or alley as affects the use of said premises for the purpose for which it is most valuable in the market.

SEC 126. When two or more persons join in an appeal and a part only recover damages more favorable than the report appealed from the circuit court shall apportion the costs among the parties thereto as in its discretion may seem equitable and just.

SEC. 127. No judgment for damages against the city obtained in any court shall be enforced against said city when the Council shall determine that the street or alley is not of sufficient importance to justify the establishment of the same after the appeal shall have been determined.

SEC. 128. Such appeal shall be deemed and be heard and determined and the judgment thereon enforced, so far as applicable, in the same manner as an action at law; and in case two or more persons join in said appeal, the jurors shall hear the evidence concerning the damages sustained, and in their verdict find the amount of the damages, if any, sustained by each appellant. The verdict of the jurors shall be a final and conclusive determination of the matter of such award.

SEC. 129. If no further view be ordered the Council shall, within forty days after the expiration of the time herein limited for appeal, or after the judgment of the circuit court is rendered, when an appeal is taken, order a warrant drawn upon the treasurer of damages, or damages and costs awarded to the owner or owners respectively of the property appropriated in favor of such owner or owners if it shall determine to open, lay out, establish, widen, straighten or extend said street or alley, and cause such report, survey, and plat to be recorded in the "record of the city surveys," and from thenceforth said street or alley shall be considered laid out, established, widened, straightened or extended, as the case may be, and the Council shall cause an order to issue directing said street or alley to be so opened or changed.

SEC 130. The "record of city surveys" is a book in which must be entered by the recorder the report and plat of the City Surveyor of any survey made by him under the direction of the Council in the matter of opening, laying out, establishing, widening, or straightening any street or alley, the date of the filing thereof with the Auditor and Police Judge, the date of the publication or posting the notices thereof and the final action of the Council in relation to such street or alley or change, with the date thereof, and the report of such other surveys made by the City Surveyor as the Council may direct.

SEC. 131 The "Record of City Surveys" is a public writing and the original, or copies thereof, certified to by the Auditor and Police Judge, of any matter authorized to be entered therein are entitled to the force and effect thereof.

SEC 132. The Common Council has authority and is hereby authorized, when it shall deem it expedient, to open, establish and locate streets upon the road bed of and upon or across any county road or public highway within the corporate limits of the City of Grants Pass and when so located or established, said county road or public highway shall be and become public streets of said city and subject to the jurisdiction and control of the Council, the same as though such streets had been dedicated by the owners in the usual way.

ARTICLE IX.

OF WATER WORKS, ELECTRIC LIGHTS AND SEWERS.

SECTION 133. The Common Council shall have power and is hereby authorized to construct or purchase, acquire, maintain, own, manage and operate a complete system of water works with all necessary implements and appliances for the supply of water to the city and citizens of the city of Grants Pass and vicinity, to be constructed at such time and in such manner as shall seem to the Council most practicable; and the water therefor may be taken from any stream, springs, well or wells, cisterns or other supply which shall be determined upon by the Council; or the said Council may, in lieu of constructing such a system anew, purchase any water works in or for the supply of the city now or hereafter in operation or contemplation.

SEC. 134. The Common Council shall have power and is hereby authorized to construct, erect, acquire, own, maintain, manage and operate a complete system of electric lights, for the purpose of lighting the streets and public buildings of the city and furnishing lights for private citizens, including the erection upon the streets, alleys and public grounds of the city, of all necessary and convenient poles wires and other appliances, the purchase or construction of the necessary buildings, power, dynamos, machinery and all other things necessary to the complete equipment and operation of such electric light system. Or instead of the construction of a new system of lights, the Council may purchase any electric light plant with its equipments now in existence or hereafter constructed, and operate the same as hereinbefore provided.

SEC 135 The Common Council shall have power and is hereby authorized to construct or repair and lay down all necessary sewers and drains of a character and capacity sufficient to provide a complete system of sewerage, and to declare by ordinance before doing the same, whether the cost thereof or any part of such cost, and if so, what part, shall be assessed against the property directly benefited by such drains or sewers; and what part shall be paid out of the sewer fund, to be provided therefor, and the determination of the Council concerning the payment for any sewer or drain shall be final.

SEC. 136. If the Council declare that a proposed sewer or drain shall be constructed laid down or repaired at the expense, in whole or in part, of the property directly benefited thereby, thereafter the proposed sewer or drain, as to that part of the expense thereof, to be assessed against the property benefited shall be deemed an improvement, and the Council shall proceed in all respects and with the same authority and power, as in the improvement of a street by grading or gravelling as provided in Sections 96, 97 98 and 99, of Article 8, of this Charter, except that the committee on streets or any other standing committee or special committee of the Council shall view the streets and location of any proposed drain or sewer and ascertain and determine what property is directly benefited by such sewer or drain, and the extent and portion of such benefit to and upon each lot, part of lot or acreage property so directly to be benefited compared with all other property to be benefited, and to report the same to the Council in writing, which said report shall be filed with the Auditor and Police Judge.

SEC. 137. Upon the report provided for in the preceding section being filed with the Auditor and Police Judge, he shall give notice thereof by publication for ten days in some newspaper published in said city, or by posting notices thereof in three public places in said city for said period of ten days, which notice must specify with convenient certainty the streets, or parts thereof on which said sewers or drain is proposed to be located, and the property ascertained and determined by said committee to be directly benefited by such sewer or drain, the extent and portion of such benefit.

SEC. 138. Within six days from the final publication of such notice or completion of the time of posting the same, the owner of any property ascertained and determined by said committee, to be directly benefited by said s