

CITY FATHERS WILL PUT NEW AMENDMENT ON ELECTION BALLOT

New Document Provides for Re-Assessing Property for Sewer Improvements

RESOLVED, that the Common Council of the Town of Springfield, Oregon, does hereby propose an amendment to the Town Charter of the said Town to be known as Sections 145 and 146, providing for the re-assessment of the cost of improvement of any street or alley, or for the construction of any sewer, in case the original assessment is void for any reason.

The proposed amendment being as follows:

AN ACT

To amend the Charter of the Town of Springfield, Oregon, being an Act entitled "An act to incorporate the Town of Springfield and to repeal all acts and parts of act relating to the incorporation of the Town of Springfield and all acts, amendatory thereof." Filed in the office of the Secretary of State on the 10th day of February, 1893, by adding to said Act Sections 145 and 146, authorizing and providing for the re-assessment of the cost of improvement of any street or alley, or for the construction of any sewer, in case the original assessment is void for any reason.

The Town of Springfield does ordain as follows:

Be it enacted by the people of the Town of Springfield:

Section 1. That the Charter of the Town of Springfield, being an act entitled "An Act to incorporate the Town of Springfield and to repeal all acts and parts of acts relating to the incorporation of the Town of Springfield and all acts amendatory thereof." Filed in the office of the Secretary of State on the 10th day of February, 1893, be amended by adding two new sections known as sections 145 and 146 as follows:—

Section 145. Whenever an assessment for the grading, graveling, paving or otherwise improving any street or alley, or for the construction, reconstruction or repair of any sewer or sidewalk, or for any local improvement which has been or may hereafter be made by the Town, has been or shall hereafter be set aside, annulled and rendered void, and its enforcement refused or enjoined by any Court of this State or Federal Court having jurisdiction therein, whether directly or by virtue of any decision of such court, or when the Council shall be in doubt as to the validity of such assessment or any part thereof, the Common Council may, by Ordinance make a new assessment or reassessment upon the lots, blocks, or parcels of land which have been benefited by such improvement to the extent of their respective and proportionate share of the full value thereof! Such reassessment shall be based upon the original benefits of such improvement to the respective parcels of land assessed at the time of its original making, but shall not exceed the amount of such original assessment. Interest thereon from the date of the delinquency of the original assessment may be added at the discretion of the Council.

Such reassessment shall be made in an equitable manner as nearly as may be in accordance with the law in force at the time it is made. But the Council may adopt a different plan of apportionment of benefits when in its judgment it is essential to do so to secure an equitable assessment. The proceeding required by the Charter of the Town of Springfield to be had prior to making of the original assessment shall not be required to be taken or had within the intent of this act. Such reassessment shall be made and shall become a charge upon the property upon which the same is laid, notwithstanding the omission, failure or neglect of any officer body or persons to comply with the provisions of the charter of the Town of Springfield connected with or relating to such improvement or assessment, and notwithstanding the proceedings of the Council or any officer, contractor, or other person connected with such work have been irregular or defective, whether such irregularity be jurisdictional or otherwise. Such reassessment shall not be made in case of a street improvement wherein a remonstrance sufficient in law to defeat the same shall have been filed prior to the letting of the contract therefor. The Council shall by resolution declare generally the property that will be benefited by the improvement for which the assessment is made, and shall appoint a time and place not less than twenty days distant when it will meet for the purpose of making such reassessment. The Town Recorder shall give notice to all owners of property to be affected by such reassessment, of the time and place fixed by the Council for making such reassessment, by publishing a notice in a newspaper of general circulation in said Town once each week for two weeks, and by mailing a copy of such notice to the owners of each tract, lot

or parcel of land affected by such reassessment, or to his agent, if the address of such owner or agent is known to the Recorder, and if not so known then such notice shall be directed to such owner or agent at Springfield, Oregon, all to be done at least twenty days before the time fixed to make such reassessment. Provided, that the two weeks publication referred to may be had within and during said twenty days. At the time appointed therefor, or such other time as the Council may adjourn to, the Council shall proceed to make such reassessment in the manner described. The Council in making such reassessment, shall give an opportunity to any property owner whose property may be affected thereby to appear in person or by counsel and be heard in reference thereto. After having made such reassessment the Council shall declare the same by ordinance and the same shall be a final determination of the regularity, validity and correctness of the reassessment, except as herein otherwise provided, and subject to the right of appeal. Such reassessment, shall be entered in the Docket of Town Liens and shall be enforced and collected in like manner as ordinary assessments for local improvements are enforced and collected under this charter. All sums paid on account of any former assessment for such improvement shall be credited to the property on account of which the same was paid as of the date of such payment.

Section 146. Any person who has filed objections to such new assessment or reassessment which have not been satisfied by the action of the Council in said matter may appeal to the Circuit Court of the State of Oregon for the County of Lane from the assessment against any property owned by him, or in which he has an interest. An Appeal shall be taken by serving notice of appeal within twenty days from the passage of the ordinance adopting the assessment or reassessment, upon the Mayor or Recorder, and filing the same, with the proof of service, together with an undertaking with one or more sureties, who shall have the qualifications of sureties on bail, and if excepted to shall justify in the same manner, conditioned that such appellant will pay all costs and disbursements that may be awarded against him on appeal, not exceeding five hundred dollars. Such bond and notice of appeal shall be filed within twenty days from the service of each notice in the office of the Clerk of said Circuit Court, together with a copy of the reassessment so far as the same affects the property of the appellant. Any number of persons may join in such appeal, and the only question to be determined therein shall be the amount of special benefits equitably to be assessed against the property of each person joining in said appeal. The Jury shall view the property assessed, and its verdict shall be final and conclusive-determination of the question. On such appeal the fact that one called as a juror is a taxpayer of the Town of Springfield shall not disqualify him from acting as such juror. The Town shall be considered the plaintiff and such appeal shall be conducted and be heard and determined as far as practicable in the same manner as an action at law. If the amount assessed by the Jury against any appellant be not less than that fixed in the assessment appealed from, the judgment, in addition to declaring the assessment found, shall be entered against such appellant and his sureties for his proportion of the costs of such appeal, to be determined by the Court. The same fees and costs shall be taxed and paid upon such appeal as are allowed in other actions.

Mae Herbert of Thurston spent Saturday in Springfield visiting friends and in shopping. E. R. Rodgers, a member of the Rodgers wholesale tea and coffee house of Tacoma, visited at the S. H. Baker home Friday. Mr. Rodgers is an old friend of the family.

NOTICE TO CREDITORS In the Matter of the Estate of Eli Perkins, Deceased. Notice is hereby given that by an order of the County Court of Lane County Oregon, John H. Perkins has been duly appointed administrator of the estate of Eli Perkins, Deceased, and all persons having claims against the said Estate, are hereby, by said administrator notified to present the same, duly verified, within six months from this date at the Law Offices of Swafford and McGinnis, Room 312, C. & W. Building, Eugene, Lane County, Oregon. Dated July 21, 1916.

NOTICE TO WOOD CONTRACTORS Notice is hereby given, that sealed bids will be received by the Recorder of the Town of Springfield, for Fifteen (15) cords of Body Fir or Second Growth Fir Wood, bidders to state price of each kind. Said bids will be received until 8 o'clock P. M. Monday, August 28th., 1916, said wood to be delivered at the Town Hall in said town on or before the 15th, day of September 1916. The Council reserves the right to reject any or all bids. Dated this 16th, day of August 1916.

HERBERT E. WALKER, Recorder. Aug. 17, 21, 24.

SUMMONS FOR PUBLICATION IN FORECLOSURE OF TAX LIEN In the Circuit Court of the State of Oregon, for Lane County H. L. Studley, Plaintiff, vs. Sarah E. Patterson, the unknown heirs of Sarah E. Patterson, and all persons unknown, if any, having or claiming an interest or estate in and to the hereinafter described real property, defendants.

To Sarah E. Patterson, the unknown heirs of Sarah E. Patterson, and all persons unknown, if any, having or claiming an interest or estate in and to the hereinafter described real property, the above named defendants. IN THE NAME OF THE STATE OF OREGON: You are hereby notified that H. L. Studley the holder of Certificate of Delinquency numbered 1239 issued on the 7th day of October, 1913, by the Tax Collector of the County of Lane, State of Oregon, for the amount of \$8.59, the same being the amount then due and delinquent for taxes for the year 1912, together with penalty, interest and costs thereon upon the real property assessed to you, of which you are the owner as appears of record, situated in said County and State, and particularly bounded and described as follows, to-wit:

N. E. 1/4 of the N. W. 1/4 of Section 16 Twp. 19. S. or Range 4 W. of the W. M. in Lane County, State of Oregon. You are further notified that said H. L. Studley has paid taxes on said premises for prior or subsequent years, with the rate of interest on said amounts as follows: On March 21, 1914, the sum of \$11.02 for taxes of the year 1913. On March 31, 1915, the sum of \$7.38, for taxes of the year 1914. On April 5, 1916, the sum of \$7.96 for taxes of the year 1915.

All of said amounts bear interest from date of payment at the rate of 15 per cent per annum. Said unknown heirs of Sarah E. Patterson, deceased, as the owner of the legal title of the above described property as the same appears of record, and each of the other persons above named are hereby further notified that H. L. Studley will apply to the Circuit Court of the County and State aforesaid for a decree foreclosing the lien against the property above described, and mentioned in said Certificate. And you are hereby summoned to appear within sixty days after the first publication of this summons, exclusive of the day of said first publication, and defend this action or pay the amount due as above shown, together with costs and accrued interest, and in case of your failure to do so, a decree will be rendered foreclosing the lien of said taxes and costs against the land and premises above named.

This summons is published by order of the Honorable G. F. Skipworth, Judge of the Circuit Court of the State of Oregon for the County of Lane and said order was made and dated the 12th day of August, 1916, and the date of the first publication of this summons is the 14th day of August, 1916. All process and papers in this proceeding may be served upon the undersigned residing within the State of Oregon at the address hereinafter mentioned.

L. M. TRAVIS, Attorney for Plaintiff Address, Eugene, Oregon. Aug. 14, 21, 28, Sept. 4, 11, 18, 25, Oct. 2, 9, 16

NOTICE OF SALE OF PROPERTY FOR DELINQUENT SEWER ASSESSMENT

NOTICE is hereby given that by virtue of a warrant issued to me by the Town Recorder of the Town of Springfield, Oregon, and commanding me to levy upon and to sell, as upon execution, the lots 1, 2 and 3 in block 3 of the Extended Survey of the Town of Springfield, Oregon, to make and to pay the sum of \$108.00 being the balance of an assessment against said property, with interest thereon at the rate of six per cent per annum from the 19th day of January, 1910, for the cost of constructing a sewer in the alley between North "A" street and North "C" street from Mill street east to 9th street in said town; that there has been paid thereon the sum of \$12.00 that such assessment was so made and levied by Ordinance No. 139, passed by the Common Council on the 18th day of December, 1909, and was approved by the Mayor of said Town on said date, and that such assessment was entered in the Docket of Town Liens by the Town Recorder on the 19th day of January 1910, and that the said balance, and the whole thereof with interest thereon from the 19th day of January, 1910 is now due, unpaid and delinquent;

NOW THEREFORE, in compliance with the said warrant and in order to satisfy said lien and assessment with interest and costs and disbursements of sale, I will on Saturday the 2nd day of September, 1916, at the hour of one o'clock P. M. on said date, at the front door of the Town Hall in the Town of Springfield, Oregon, offer for sale for cash, subject to the right of redemption, the premises above described, or so much thereof as may be required to make the amount of said assessment, with interest and accruing costs.

JOHN E. EDWARDS Town Marshall of the Town of Springfield, Oregon. July 31, Aug. 7, 14, 21, 28

NOTICE FOR PUBLICATION Department of the Interior, U. S. Land Office at Roseburg, Oregon, August 2, 1916

Notice is hereby given that Melzar A. Rice, of Fall Creek, Oregon, who, on January 31, 1913, made Homestead Entry, Serial No. 08569, for the S. E. 1/4 of N. E. 1/4 of Section 26, Township 18 S., Range 1 E., Willamette Meridian, has filed notice of intention to make Final Three-year Proof, to establish claim to the land above described, before I. P. Hewitt, U. S. Commissioner, at his office, at Eugene, Oregon, on the 18th day of September, 1916. Claimant names as witnesses: Adolphus Kintzley, of Fall Creek, Oregon. Ed. Shoults, of Fall Creek, Oregon. Logan Neet, of Fall Creek, Oregon. John Kissinger, of Fall Creek, Oregon.

W. H. CANON Register Aug. 7, 10, 14, 17, 21, 24, 25, 31, Sept. 7, 11, 14

NOTICE OF SHERIFF'S SALE ON EXECUTION

Notice is hereby given that by virtue of an Execution and Order of Sale issued out of the Circuit Court of the State of Oregon for Lane County on the 15th day of August 1916, upon a judgment rendered in said Court for said County on the 15th day of August, 1916 in an action wherein the Plaintiff, M. A. Pope recovered judgment against the Defendants Jesse A. Phelps, R. J. Phelps, W. M. Casterline and H. E. Tabor for the sum of Five Hundred Five and 58-100 (\$505.58) Dollars with interest thereon at the rate of 8 per cent per annum from the fifteenth day of August 1916, and the further sum of Twenty eight and 90-100 (\$28.90) Dollars costs, which judgment was entered and docketed in the Clerk's office of said Court on the 15th day of August 1916, and said Execution to me directed commanding me in the name of the State of Oregon that in order to satisfy said judgment, costs and accruing costs to sell the following described real property, being the property attached in said action, viz: The South three (3) acres of the East half of the North half of the Southwest quarter of the Northeast quarter of Section 17 in Township 19 S. R. 3 West of W. M. in Lane County Oregon.

Also the North half of Lot 7 Lots 8 and 9, and North half of Lot 10 Block 2, in Mapleton, Lane County, Oregon. Also the Southeast quarter of Section 36, Township 16, South Range 10 W in Lane County, Oregon. Now, therefore, in the name of the State of Oregon, and in compliance with said Execution and Order of sale, I will on Saturday the 23rd day of September, 1916, between the hours of 9 o'clock a. m. and 4 o'clock p. m. to-wit at one o'clock p. m. on said day at the Southwest door of the County Courthouse, at Eugene, Lane County, Oregon, offer for sale at public auction, for cash, subject to redemption, all the right, title, and interest of the above named Defendants and each of them in and to the above described real property.

JAMES C. PARKER Sheriff of Lane County Oregon By D. A. Elkins, Deputy. Aug. 21, 28, Sept. 4, 11, 18.

NOTICE TO CREDITORS

In the Matter of the Estate of William J. Kinney, Deceased

Notice is hereby given that by an order of the County Court of Lane County, Oregon, Cora M. Drew has been duly appointed Administratrix of the Estate of William J. Kinney, deceased, and all persons having claims against said estate, are hereby, by said administratrix notified to present the same, duly verified, within six months from this date at the Law Offices of Swafford and McGinnis, Suite 312, C. & W. Building, Eugene, Lane County, Oregon. Dated July 19th, 1916.

CORA M. DREW Administratrix Swafford and McGinnis, Attorneys. July 24, 31, Aug. 7, 14, 21.

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