

alleys.

59. To prohibit persons from roaming at unreasonable hours.

60. To prevent the erection of buildings within the city limits which shall be dangerous to passersby or to the adjacent property; and in case any building or any public street shall become dangerous to passers-by, the Common Council shall have power to cause the same to be removed or made safe at the expense of the property, and such expense shall be a lien upon the property and be collected in the same manner as street improvements.

61. To provide for the erection, construction and maintenance of flood gates on any property in the city, and to prevent the overflow of water on any part of the city, and to regulate and control the same.

62. To provide for the erection of a city hall or a suitable building for same; and to provide for the erection or purchase of suitable buildings for city jail, houses of correction, workhouses, and any other public buildings and the government and management of the same, both within and without the limits of the city.

63. To provide by ordinance for making operative the initiative, recall and referendum powers reserved by the constitution of the State of Oregon to the people of the City of Springfield as to municipal legislation.

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

CHAPTER VIII. OF CITY REVENUES.

Section 1. All moneys paid for license and collected as fines, as well as all moneys collected by taxation, shall form the general fund of the city, except as in this act otherwise specially provided.

Section 2. No person paying a license to the City of Springfield in order to carry on any business or avocation within the city limits for which a license is required by this act or by any ordinance, shall be required to pay a license tax to the county authorities of the County of Lane Oregon, for the same purpose; and the City Council shall have exclusive control of all licenses, and no part of the income derived therefrom shall go to the said county.

Section 3. Whenever any person holding any office created by this act or established by ordinance, shall neglect or refuse to pay over any moneys belonging to the city at the time fixed by ordinance for the payment thereof, his office shall be declared vacant by the Council and some qualified person to serve therein be appointed, as provided in Section 6 of Chapter VII of this act.

Section 4. All taxes levied by the Common Council shall be levied in the manner provided by Chapter XVIII of the General Laws of Oregon for 1921 known as the local budget law, entitled, "An act to require all municipal corporations as defined in this act to prepare and file estimates of proposed expenditures and probable receipts from all sources of revenue, before making a tax levy; to prescribe the manner of preparing such estimates, to provide for the publication of such estimates and for a public hearing upon them; to provide the manner in which levying boards make levies of taxes, and to repeal Sections 4397, 4398, 4399, 4400, 4401 and 4402 of Oregon Laws, and all acts or parts of acts in conflict herewith, and all acts or parts of acts amendatory thereof," and all laws of this state regulating and governing the levying of taxes by municipal corporations shall apply so far as applicable to the levying of taxes by the City of Springfield, except as herein otherwise provided.

Section 5. It is hereby provided that all taxes so levied shall be collected by the same officer in the same manner and at the same time as taxes for county purposes are collected by the county of Lane. It shall be the duty of the tax collector of said County to pay to the county Treasurer of said county as often as once a week, all taxes so collected for said city, and to furnish the Recorder of said city a receipt for each of such amounts by him so paid to said Treasurer of said county. It shall be the duty of the Treasurer of said city from time to time, under the directions of the Common Council, to make demands in writing of the Treasurer of Lane County, Oregon, for any amounts to which at the time said city may be entitled, the said city Treasurer giving the County Treasurer his receipt for any moneys received thereon.

Section 6. During the last week of each fiscal year the Common Council of the city, or any other department of city government having supervision of any funds of the city, shall prepare and have published in some newspaper of the city, a detailed statement of the financial condition of the city, showing the indebtedness of the city and to whom owed, showing the income of the city for the fiscal year and from what sources, and showing the expenditures of the city for the fiscal year and to whom and for what paid.

CHAPTER IX. OF STREETS - THEIR GRADE AND IMPROVEMENT

Section 1. The Common Council shall have power and authority, whenever it deems it expedient, to establish or alter the grade of and to improve or repair any street or alley, or 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 may provide; such power and authority shall include the power and authority to improve, build or repair sidewalks, pavement or curbing on any street or alley, and to determine and provide for everything convenient or necessary concerning such improvement, alterations and repair; to provide for the construction, cleaning and repairing of side and crosswalks adjacent to property by the owners thereof, or by the city at the expense of such owner, and that such expense be a lien upon the property. The term "improvements" as used herein shall be construed to include paving, hard surfacing, planking, graveling, macadamizing, repairing, and keeping in repair, and any and all other means of bettering the conditions of a street for public travel.

Section 2. The Common Council may by ordinance delegate power to construct, improve and repair side and crosswalks hereby given to it to any committee or officer, or both, of the city, and prescribe rules and regulations not inconsistent with this act for the enforcement of such powers, and for making the expense of such improvements, constructions, alteration, and repairs of side and crosswalks in this chapter mentioned, a lien upon the property liable therefor, or the Council may proceed in the manner hereinafter provided for the grading and graveling or improving of any street or alley.

Section 3. 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 Springfield in such 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 Commissioner and the Committee on Streets, with surety to the satisfaction of the Committee on Streets, and the provisions of such bond shall be enforced by an action in the name of the City of Springfield.

Section 4. No contract to grade or gravel any street or alley shall be let until after the Recorder, by order of the Common Council, shall have given ten days notice thereof by publication in some newspaper published in the City of Springfield, or by posting notice thereof in three public places in said city, not less than ten days prior to the time of letting such contract.

Section 5. Such notice shall state the time when, and the place where bids will be opened and said contract will be let, and refer to the ordinance providing for the improvement of such street or alley by number and the date of its passage, and shall specify what part of improvement or repair shall be let in one contract, and the time within which the same shall be required to be done.

Section 6. The owner of two-thirds of the property adjacent to such street or alley, or part thereof to be improved, shall have the right to make and file with the Recorder a written remonstrance against the proposed improvement or repair at any time before the last two preceding days stated in said notice for letting of such contract.

Section 7. If a remonstrance be filed signed by two-thirds of the owners of the property abutting on said street or alley to be so improved or repaired no contract shall be let therefor until the Council shall consider and determine the necessities of such improvements or repairs; but if, after consideration by the Council of the ordinance requiring and directing such improvement, two-thirds of all the Councilmen shall vote for the same, and the Mayor shall again approve the ordinance, the contracts for such improvements or repairs may be let as if no remonstrance had been filed, either upon the bids already received therefor, or the Recorder may give notice again, as provided in Section 4 of Chapter IX of this act, as the Council shall direct.

Section 8. If no remonstrance be filed, as above provided, the contract to grade and gravel such street or alley may be let as in such notice stated; provided, that the Common Council or Street Committee may reject any and all bids.

Section 9. After the probable cost of such improvement 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 its clerk to enter in the docket of the city liens a statement thereof containing:—

1. A description of each lot, part of lot, or acreage property for such improvement sufficient for identification.
2. The name of the owner or reputed owner thereof, or that the owner is unknown.
3. The sum assessed upon such property and the date of entering the same in the docket of city liens. For all purposes of this chapter any number of lots, parts of lots, and acreages property owned by any one person may be assessed together, and such part shall be liable for the assessment of the whole.

Section 10. Whenever, heretofore or hereafter, the Common Council has caused or may cause any street or alley to be improved, or has caused or may cause any sewer or water main to be laid, or any local improvement whatsoever to be made, and has or may hereafter assess or attempt to assess against the property abutting upon, adjacent to, or benefited thereby, the cost of such improvement, and such assessment by reason of failure to give any notice, or because of a two-thirds remonstrance, or because of any other defect, or other irregular jurisdiction, or otherwise leading up to the making of such improvement or the levying or assessment therefor, shall be declared to be void by any court, or if the Council shall be of the opinion that said assessment is illegal or doubtful by any omission or defect, the Council may cause the cost of such improvement, together with legal inter-

est from the date of making the same, to be re-assessed against the property abutting upon, adjacent to, or benefited by said improvement, which assessment shall be made in an equitable manner and as nearly as may be in conformity with the provisions of the charter at the time the improvement was made, or the Council may adopt a different plan of apportionment when in its judgment it is essential in order to secure an equitable assessment.

The Council shall declare by ordinance its intention to make such re-assessment, which ordinance shall briefly describe the improvement, and shall declare the intention of the Council to assess the cost thereof against the property abutting upon, adjacent to, or benefited thereby, describing each parcel of property which it intends to so re-assess and the amount it intends to assess against each parcel. Said ordinance shall fix a time and place for holding a meeting of the Council, at which all protests against such re-assessment or re-assessments shall be heard. A notice embodying the foregoing provisions of the ordinance, and requiring all persons interested to appear at said meeting and state their objections to such re-assessment, shall be published once in a newspaper of general circulation and published in said city, and shall be posted in three places in said city, of at least ten days before such meeting.

At the time appointed in such ordinance, the Council shall hear and determine all objections which may have been filed and may thereupon, if necessary, revise and correct such re-assessment, and shall declare the same by ordinance to be a lien upon the respective property assessed, and the decision of the Common Council so made shall be final with respect to the regularity, validity and correctness of such re-assessment, and such re-assessment shall be collected in the manner that other assessments for local improvements are entered, enforced and collected under the provisions of the charter and the laws governing the City of Springfield.

Section 11. The docket of city liens is a public writing and the original or certified copies of any matter authorized to be entered therein are entitled to the force and effect thereof, 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 Springfield owned by such person at the time of such entry, which lien shall have priority over all other prior or subsequent liens or encumbrances whatever upon the property against which the costs of such improvement are assessed, and priority over all subsequent liens or encumbrances on other property in the city then owned by the owner of the property against which such assessment is made, and may be enforced against any property upon which the same is a lien in the manner in this chapter provided.

Section 12. Any assessment levied pursuant to this chapter 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 Recorder to issue a warrant for the collection of the same, directed to the Marshal or any person authorized to collect taxes due the city.

Section 13. Such warrant shall require the person to whom it is directed to forthwith levy upon the property against which such assessment was made, or other property upon which assessment is a lien, and sell the same, or such a part thereof as in his opinion can be sold separately to advantage to pay such assessment, together with interest, costs and disbursements, in the manner provided by law, and return the proceeds of such sale to the City Treasurer and the warrant to the Recorder, with his doings endorsed thereon, together with the receipt of the City Treasurer for the proceeds of such sale as paid to him.

Section 14. Such warrant shall have the force and effect of an execution against said real property, and shall be executed in like manner, except as in this chapter otherwise specially provided.

Section 15. The Marshal or other officer shall, within sixty days from the receipt of said warrant, sell the property therein described. Such sale shall be at public auction to the highest bidder for cash in hand, and shall take place at the front door of the building in which the city Council holds its sessions. The Marshal shall give notice of said sales, by publishing notice thereof once a week for three consecutive weeks in any newspaper published in the City of Springfield, and also by posting a similar notice in three public places within said city; such notice shall contain a description of the parcel or parcels of land to be sold, and upon which such assessments are delinquent, with the amount of the assessments, due upon each tract of land, interest and costs to date of sale, including costs of advertisement, together with the name of the owner or reputed owner thereof, or the words, "Owner unknown," as the same may appear in said docket of city liens, and shall also specify the time and place of the sale, and that the parcel or parcels of land therein described will be sold to satisfy the assessment, interest and costs due upon each.

Section 16. All of said sales shall be made between the hours of nine o'clock a. m. and four o'clock p. m. and each tract or parcel shall be sold separately. If there be no bidder for any tract or parcel described in said warrant at a sum sufficient to pay the assessment thereon, with interest and costs, the Marshal, if so directed by the Council, shall strike the same off to the City of Springfield for the whole amount of said assessment, with interest and costs to date of sale.

Section 17. The Marshal shall, immediately after having sold any real property by virtue of such warrant or of any warrant for the collection of delinquent taxes, make a certificate of sale of the property so sold, setting forth therein the object for which the sale was made, a description of the property sold, a statement of the amount it sold for, of the improvement for which the assessment was made, the year in which the tax was levied, the amount of such tax or assessment, the name of the purchaser, and that the sale is made subject to redemption within two years from the date of the certificate, and then deliver such certificate to the purchaser. The owner or his successor-in-interest, or any person having a lien by judgment, decree or mortgage on any property so sold, may redeem the same upon the conditions provided in the next section.

Section 18. Redemption of any real property sold for delinquent assessments or taxes under the provisions of Section 15 or other sections of this charter, may be made by paying to the Recorder for the purchaser, at any time within two years from the date of the certificate of such sale, the purchase price and twenty-five per centum additional, together with ten per centum interest per annum upon the purchase price from the date of such certificate, and the amount of any taxes paid thereon by the purchaser and interest thereon from the date of their payment, and the costs of any improvements made thereon. Such redemption shall discharge the property so sold from the effect of such sale; and if made by a lien creditor the amount paid for the redemption shall be thereafter deemed a part of his judgment, decree or mortgage, as the case may be, and shall bear like interest and may be enforced and collected as a part thereof.

Section 19. After the expiration of two years from the date of such certificate if no redemption shall have been made the Marshal shall execute to the purchaser, his heirs or assigns, a deed of conveyance containing a description of the property sold, a statement of the amount bid, of the improvement for which the assessment was made, of the year in which the tax was levied, that the assessment or tax was unpaid at the time of the sale, and that no redemption has been made; and the effect of such deed shall be to convey to the grantee therein named the legal and equitable title in fee simple to the real property in such deed described; and such deed shall be prima facie evidence of title in such grantee, and that all proceedings and acts necessary to make such deed in all respects good and valid have been had and done, and such prima facie evidence shall not be disputed, overcome or rebutted, or the effect thereof avoided, except by satisfactory proof of either: (1) Fraud in making the assessment, or in the assessment or collection of the tax; (2) payment of the assessment or tax before sale or redemption after sale; (3) that payment or redemption was prevented by fraud of the purchaser; (4) that the property was sold for an assessment or tax for which neither said property nor the owner thereof at the time of sale was liable, and that no part of the assessment or tax was assessed or levied upon the property sold.

Section 20. A sale of real property under the provisions of this chapter conveys to the purchaser, subject to redemption as herein provided all the real estate or interest therein of the owner, whether known or unknown, together with all the rights and appurtenances thereunto belonging.

Section 21. When an assessment upon any lot, tract or part thereof becomes delinquent, any person having a lien thereon by judgment, decree or mortgage may, at any time before the sale of such lot, tract or part thereof, pay the same, and such payment discharges the property from the effect of the assessment; and the amount of such delinquent taxes and all accruing costs and charges, if any, when so paid, is thereafter to be deemed a part of such lien creditor's judgment, decree or mortgage, as the case may be, and shall bear like interest, and be enforced and collected as a part thereof.

Section 22. Whenever any lot, tract or part thereof sold under the provisions of this chapter, shall bring more than the assessment thereon, with costs and charges of collection, the surplus must be paid to the Treasurer, and the officer executing the warrant must take a receipt for such surplus and file it with the Recorder on the return of the warrant. At any time thereafter, the owner or his legal representative is entitled to a warrant upon the Treasurer for such surplus; provided, whenever any lot, tract or part thereof sold under the provisions of this chapter shall bring less than the assessment thereon, the Common Council shall supply the deficiency out of the general fund, if in the opinion of the Council such improvement is necessary.

Section 23. The return of the officer executing the warrant must specify the amount for which each lot, tract or part thereof sold, and the name of the purchaser.

Section 24. In making a deed for real property sold for a delinquent assessment or improvement of a street, it is not necessary to recite or set forth the proceedings prior to the sale; it is sufficient if it substantially appears from such deed that the property was sold by virtue of a warrant from the City of Springfield, and the date thereof for a delinquent assessment or tax and the amount thereof, and interest and costs, together with the date of sale, and the amount bid thereat by the purchaser.

Section 25. Real property, when sold for or to satisfy a delinquent assessment or tax, must be sold for United States gold or silver coin, and not otherwise; and anyone applying or seeking to redeem property so sold, as in this act provided, must pay or offer to pay the sum necessary therefor in such coin, and not otherwise.

Section 26. The Recorder shall, upon receiving and filing the duplicate receipt provided in Section 13, immediately cancel said lien upon said docket of city liens, by entering upon the face thereof an entry of satisfac-

tion, signed by himself in his official capacity.

Section 27. In case the notice be for the improvement of a street or part thereof, the Council shall proceed to ascertain and determine the probable cost of making such improvement and shall assess upon each lot, tract or parcel of land liable therefor its proportionate share of such cost, and for the purpose of making such pro rata assessments and apportioning the costs and expenses of such proposed improvement, including costs of survey, plans, assessments and costs of construction and all other necessary expenses in connection therewith the Council shall assess upon each lot, tract or parcel of land, bounded by the property line of the street to be improved and the center of the block or the alley, and upon such other lands and premises in the immediate vicinity of such proposed improvement as may be specially benefited thereby, such relative portion of the whole sum to be levied as shall be proportionate to the estimated benefits resulting to such lot, tract, or other lands and premises from such improvement. In the improvement of paying an alley such assessment shall be made upon the real estate bounded by the property line of the alley to be improved or paved, and the property line or streets on either side of the alley. When the land adjacent to the street proposed to be improved shall not be laid off into blocks, then the cost of such improvement shall be assessed upon the real estate situated upon each side of the street and within one hundred sixty feet of such street.

Section 28. The probable cost of improving such intersection is to be assessed upon the lots or parts thereof situated in the quarter of the four blocks adjoining such intersections, but only upon the lots or part thereof within the quarter nearest thereto, and in the following proportions: five-ninths of the cost to the corner lot, and four-ninths to the lots next inside; provided, that when any tract adjacent to said improvement shall not be laid off in lots, the proportionate cost of the improvement of such intersection shall be assessed to the owner or owners of such land as lies within one hundred sixty feet of the intersection.

Section 29. If upon the completion of any improvement it is found that the sum assessed therefor upon any lot or part thereof is not sufficient to defray the cost thereof, the Council must ascertain the deficit and declare the same by ordinance, and when so declared the Recorder must 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 or part thereof in like manner and with like effect as in case of the sum originally assessed, and shall also be payable and may be collected in like manner and with like effect as in the case of such sum so assessed.

Section 30. If upon the completion of the improvement it is found that the sum assessed therefor upon any property is more than sufficient to defray the cost thereof, the Council must ascertain and declare the surplus in like manner as in the case of the deficit; when so declared, it must 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 representatives, is entitled to repayment of the same by a warrant on the treasurer.

Section 31. All money paid or collected on the assessments for the improvement of the streets shall be kept as a separate fund, and in nowise used for any other purpose whatsoever.

Section 32. Whenever the grade of any street has been established, the Council may authorize the owner or owners of any property thereon, and adjacent thereto, to cut down or fill up such street in front of such property, according to such grade, at the expense and cost of such owner, under such conditions and terms as the Council may determine upon.

CHAPTER X. OPENING STREETS

Section 1. 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 new street, alley, or extension, or line to which the width is to be changed or straightened, and make a report therefor containing a plat of the survey of such street or alley, or the portion of each lot or part thereof, or acreage property required to be appropriated for such street or alley, which report, if satisfactory to the Council, shall be adopted by an ordinance embodying the same; provided, that before the adoption thereof the Recorder shall give notice of the filing of such report by publication for two weeks in some newspaper published in the City of Springfield, or by written notices posted for two weeks at three public places in said city, and at the last regular meeting of the Council after the expiration of such notice, present to it the said report, and attach 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 Springfield, no kin to any owner or person interested in any property to be appropriated, and possessing the qualifications of jurors in courts of justice for Lane County, to view such proposed street or alley, and make the assessment of the damages, if any, to the respective owner 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 valuable, if any, the premises of such owners respectively would be rendered by the opening of the same. If the Council is satisfied that the amount of damages assessed by said viewers, or by the Circuit Court upon appeal, as hereinafter provided, is just and equitable and that the proposed street or alley will be of sufficient importance to the public to cause the damages so assessed and determined to be paid by the city, the Council shall order the same to be paid to the said owners respectively out of the treasury of the city, to be drawn after the time for appeal has expired, or after a determination thereof upon an appeal as hereinafter provided; but if, in the opinion of the Council, such street or alley is not of sufficient importance to the public to cause the damage to be paid by the City of Springfield, 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.

Section 2. If it shall appear to the Council that the damages assessed are unreasonable, the Council may set aside such views, and order another view under the same regulations as the first view. The viewers shall receive as compensation for their services the sum of \$3.00 per day to be paid by the city.

Section 3. 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, for the County of Lane; any number of persons interested may join in such appeal, and the only question to be determined by such appeal shall be the question of damages.

Section 4. Such appeal shall be taken in the same manner as an appeal from the assessment of damages in laying out a highway by the County Court, except that the notice of appeal shall be served upon the Mayor, Recorder or City Attorney, and may be served by any person over twenty-one years of age not a party to the proceedings, and proof of such service may be made in the same manner as proof of the service of summons.

Section 5. If any appellant fails to recover a judgement more favorable than a report appealed from, they shall pay all costs and disbursements of the appeal.

Section 6. In estimating the damages of the premises of any person pursuant to this chapter, the viewers and jury shall be governed by the difference in market value, if any, of the premises of such person before and after the opening, widening, extending, or straightening of any street or alley and may consider any use of the premises for which it is adopted, including the platting of the same into lots and blocks and that it consider only such damages or inconveniences 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.

Section 7. 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.

Section 8. 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.

Section 9. Such an appeal shall be deemed and be heard and determined and the judgment thereon enforced, so far as practicable, in the same manner as an action at law; and in case two or more persons join in said appeal, the jury shall hear the evidence concerning the damages sustained and in their verdict find the amount of damages, if any, sustained by each appellant; the verdict of the jury shall be final and conclusive determination of the nature of such assessment.

Section 10. If no further view be ordered, the Council shall, within forty days after the expiration of the time herein limited for appeal, if no appeal shall be taken within forty days after judgment is rendered or if an appeal be taken, order a warrant drawn upon the Treasurer for the amount of damage or damages and costs assessed to the owner or owners respectively of the property appropriated in favor of such owner or owners, if it street, and cause such report, survey and plat to be recorded in the "Record of City Surveys," and from thenceforth said street shall be considered as case may be, and the Council shall cause an order to issue directing said street to be opened.

Section 11. The "Record of City Surveys" is a book in which must be entered by the Recorder the report and plat of the city Surveyor, or any survey made by him under the direction of the Council in the matter of opening, laying out, establishing, widening, straightening or extending any street or alley, the date of the filing thereof with the Recorder, the date of the publication or posting of the notice thereof, the action of the Council thereon, and the date thereof, and the final action of the Council in relation to such street or alley, with the date thereof, and the report of such other surveys made by the city Surveyor as the Council may direct.

Section 12. The "Record of City Surveys" is a public writing and the original or copy thereof certified to by the Recorder, of any matter authorized to be entered therein or entitled to the force and effect thereof.

Section 13. The Common Council has authority, and is hereby authorized, when it shall deem it expedient to open, establish, and locate streets or railway right-of-way within the corporate limits of the City of Springfield;