and when so located or established said county roads or public highways shall be and become public streets of said city and subject to jurisdiction and control of the Council, the same as though streets.

CHAPTER XI.

SEWERS AND THE CONSTRUCTION THEREOF

Section 1. 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 to supply 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 upon the property directly benefited by such drains or sewers, or paid out of the sewer fund as hereinafter provided for, and the determination of the Council for any sewer or drain shall be final.

Section 2. If the Council declares that a proposed sewer or drain shall be constructed, laid down, or repaired at the expense, in whole or part, of the property directly benefited thereby, thereafter the proposed sewer or drain as to that part of the expense thereof to be assessed upon 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 graveling, except that the requirements of Sections 6, 7 and 8 of Chapter IX of this act shall not apply; but in lieu thereof the Council shall appoint three disinterested freeholders, residents of said city, whose duty it shall be to view the streets and new location of the proposed drain or sewer and shall ascertain and determine what property is directly benefited by such sewer or drain, and the estimate of and proportion of said benefits to and upon each lot or part of lot, or acreage property so directly benefited (compared with the other property benefited) and report the same to the Common Council, which said report shall be filed with the Recorder.

Section 3. Upon the report provided for in the preceding section being filed with the Recorder, he shall immediately give notice thereof by publicatoin for twenty days in some newspaper published in said city, or by posting notices thereof in three public places in said city; such notice must specify with convenient certainty the streets or parts of streets thereof on which said sewer or drain is proposed to be located and the property ascertained and determined by said viewers to be directly benefited by said sewer or drain, and the estimate and proportion of such benefit.

Section 4. Within ten days from the final publication of such notice, the owner of any property ascertained and determined by said viewers to be directly benefited by said sewer or drain may file with the Recorder any objection he or she may have to the findings and determination of said viewers.

Section 5. At the next regular meeting of the Council after the expiration of the time provided wihin the preceding section for filing objections to said report the Recorder shall present the same with the objections thereto, if any, to the Council and it shall thereupon proceed to examine and consider said report and objections thereto, if any, and may adopt said report in whole or in part, modify or reject the same; provided, that the Council may, by motion or resolution, postpone the consideration of said matter to the next regular meeting, or some special or adjourned meeting.

Section 6. Should the Council adopt said report, either in whole or in part, or as modified, it shall proceed to ascertain and determine the probable cost of constructing such sewer or drain, and shall assess upon each lot or part thereof, or other property liable therefor its proportionate share of such cost, and shall declare the same by ordinance as provided in section 9 of Chapter IX of this act relating totimprovement of streets, and all further proceedings in relation to such sewer or drain, shall be the same as in this act provided for the improvement of streets by grading and graveling.

Section 7. Should the Council declare that the costs of any proposed sewer or drain shall be paid out of the sewer fund, such sewer or drain may be construtced, laid down or repaired as the ordinonce may provide, and be paid for accordingly.

Section 8. In the construction of any sewer or drain the City of Springfield shall have the right to use and divert from its natural course any and all creeks and streams running through the city, in said sewer or drain.

Section 9. The Council has power and is authorized to, whenever it may deem it expedient or necssary, in order to provide a complete system of sewerage for said city, lay down, construct sewers or drains outside of the corporate limits of said city, to regulate the manner of construction and to expend the funds of said city therefor, as if the same were constructed, laid down, or repaired within said corporate limits; provided, all drains or sewers and repairs thereof outside of the corporate limits of said city shall be paid out of the sewer fund hereinafter provided for.

Section 10. Said City of Springfield shall have the power and authority to acquire by purchase or otherwise, own and possess such real property outside the corporate limits of the city as in the judgment of the Council may be necessary to enable it to provide a complete system of sewerage and shall have the right to enter upon any land between the termini of any proposed sewer or drain, either inside or outside of said corporate limits for the purpose of examining, locating and surveying the line of such sewer or drain, doing no unnecessary damage thereby; and it may appropriate the use of so much of said land as may be necessary for the construction or laying down, or keeping in repair said sewer or drain, not to exceed twenty feet in width, and may make whatever cuts and excavations as may be necessary in order to repair or lay down said sewer or drain, filling such excavations or cuts as soon as practicable after making the same.

Section 11. Should the city be unable to agree with the owner of the lands mentioned in the preceding section as to the compensation to be paid for the right-of-way over the same, or if such owner be absent from the city said city may maintain an action in the Circuit Court of the proper county against such owner, for the purpose of having such land appropriated to its use, and for determining the compensation to be paid to such owner therefor, and the general laws of this State regulating the mode of proceedings to appropriate land by private corporations shall govern and control the mode of proceedings in such action.

Section 12. For the purpose of raising money with which to pay the costs and expenses that may be incurred by the City of Springfield in constructing and laying down the sewers and drains in this act provided for, said city is hereby authorized and fully empowered, whenever in the judgment of the Council it may be expedient or advisable, to issue and dispose of the bonds of the city of the denominations of from $100.00 to $1,000.00, as the purchaser may desire, with interest coupons attached thereto, the par value of which shall not exceed the sum of $50,000.00, signed by the Mayor and counter-signed by the Recorder, with the seal of the city attached, whereby the City of Springfield shall be held and considered in substance and effect to undertake and promise, in consideration of the promises, to pay to the bearer of each of said bonds the sums therein named, in lawful money of the United States, together with interest thereon at such per centum and within such time as the Council may determine, interest payable half yearly, as provided in said coupons. Said issue shall be in addition to all other issues authorized heretofore for sewers.

Section 13. Before disposing of any of the bonds provided for in this act, the Council shall require the Recorder to advertise for thirty days, in at least one newspaper of this State, for sealed proposals to purchase such bonds, which said advertisement shall state the amount of bonds to be sold; the interest thereon; the time the same shall become due; the time and place the proposals will be opened and considered, and that the bonds are issued and disposed of under provisions of this act.

Section 14. At the time specified in the notice provided for in the preceding section, the Council shall proceed to open all proposals received for the purchase of the bonds offered, and dispose of the same to the person or persons making the best offer or offers therefor; provided, the Council shall have power and authority to reject any and all bids or proposals.

Section 15. The funds arising from the sale or disposal of all bonds provided for in this act shall be known as the sewer fund, and shall be kept separate and apart from all other funds of the city, and shall only be used to pay the costs and expenses that may be incurred by the city in and about the construction and laying down the sewers and drains in this act provided for, and the issuing and disposing of said bonds.

Section 16. The Council of said city shall, at the same time the tax for general expense is levied, and at least once in each year, levy and collect a special tax on all taxable property within said city, sufficient to raise money enough to pay the semi-annual interest issued under this act and to provide a sinking fund with which to pay the principal of said bonds on 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 tax is collected its proportion to the other taxes collected with or included in the sum colleced, shall be set apart from the other tax as a special fund for the purpose and to be used in the manner hereinafter provided, and shall not be used for any other purpose, except that for which the same was collected.

Section 17. The money belonging to the sinking fund, provided for by the proceeding section of this act, shall be by said city invested from time to time in interest-bearing bonds of the United States or of this State, or some municipal corporation therein, or loaned on good unencumbered real estate security, or used in purchasing any outstanding bonds of the city disposed of under this act.

CHAPTER XII.
MISCELLANEOUS PROVISIONS

Section 1. In every action, suit or proceeding in any court concerning the exercise or enforcement by said city, the Common Council or any committee thereof, or any officer or board of the city, of any power or authority by this act given or delegated to said city, Common Council, or any of its officers, boards or committees, all acts, proceedings and duties of said city, the Common Council, or any committee thereof, or any officer or board of said city, shall be presumed to be regular and duly done or taken from the beginning, and no error, defect or omission in any act, proceeding or thing required to be done or taken by this act, or any ordinance of said city shall affect or invalidate such act or proceedings, unless the person attacking the same shall allege and prove that he has been misled by such error, defect or omission to his damage, and the court shall disregard every error, defect or omission which does not affect the substantial rights of such person; and any proceeding, matter, or thing by this act committed or left to the discretion or judgment of the Council such discretion or judgment of the Council when exercised or declared, is final, and can not be review or called into question elsewhere.

Section 2. The Common Council, at its earliest convenience after this act takes effect, may provide by ordinance, direction or resolution for codification and publishing in book form this charter and all ordinances or parts thereof in full force at the time of such codification, and from time to time thereafter, as it may deem proper.

Section 3. All general or special taxes or assessments levied or created under this act shall bear legal interest from the time they become due.

Section 4. All ordinances, laws, rules and regulations heretofore passed or made by Springfield or the City of Springfield when this act takes effect, and not inconsistent herewith, shall be and remain in full force and effect after this act takes effect and thereafter until repealed by the City Council. All rights vested or liabilities incurred under either the act of incorporation of the town of Springfield, or the amendatory acts thereof, or any ordinance, when this act takes effect, shall not hereby be lost, impaired, or in any way be disregarded or destroyed.

Section 5. All actions and proceedings pending in the Recorder's Court for the City of Springfield when this act takes effect shall thereafter be proceeded in according to the provisions of this act, or any ordinance applicable thereto, and continued in force by this act, and no suit, or proceeding now pending in any court shall abate by virtue of this act. No proceedings for the collection of taxes or for street improvements, and no proceedings under any street assessment or other matter or proceeding relating thereto, and no proceedings, for the sale of property shall abate or be affected by this act, but may be determined as though this act had not been passed, or under this act as the person enforcing the same may determine, and all taxes heretofore levied in favor of said city are hereby legalized and declared to be collectible if levied upon the same basis as are other similar taxes.

Section 6. Any person or persons hereafter laying out, and platting any addition to the City of Springfield, within the limits or adjacent thereto, shall cause the same to conform in size of blocks and width of streets to that portoin of the city already laid out and platted adjacent thereto, and to be so laid out that all streets shall correspond with and be a continuance of the streets already laid out in said city. Any person violating the provisions of this section shall forfeit and pay unto the City of Springfield such sum as may be prescribed by ordinance, to be collected by action in the name of said city in any court of competent jurisdiction.

Section 7. The Common Council shall have power and authority to divide the City of Springfield whenever it may deem it expedient or necessary into a suitable number of wards, and define the boundaries thereof, and after such wards are so established no voter in the City of Springfield shall vote in any ward other than that of which he is a resident.

Section 8. Whenever the Council shall divide the city into wards, as provided in this act, it shall, by ordinance, provide for the election, as nearly as possible, of an equal number of Councilmen from the residents of each ward, by the voters thereof; but in case it shall not be practicable to provide for an equal number of Councilmen from each ward, it shall provide for the election of one Councilman from each ward and the remaining Councilmen from the city at large by the voters thereof.

Section 9. Whenever the city shall be divided into wards, the Council shall provide a voting place in and judges and clerks of election for each ward, and prescribe the manner of conducting the election and the return and canvassing of the votes cast thereat.

Section 10. Whenever the city is divided into wards, as in this act provided, the Council shall, by ordinance, provide for the apportionment of the Councilmen then in force among said wards and the city at large, as may be necessary, and make such provisions in relation thereto as in the judgment of the Council may seem advisable.

Section 11 No injunction or restraining order shall issue from any court to enjoin or prevent the issuance or warrants or the collection of any street or sewer assessment provided for in this act after the work for which the assessment has been made has been completed, or to prevent the sale of property for any tax.

12. The power and authority granted to the Council by this act is granted to the municipal corporation of the City of Springfield to be exercised according to the provisions of this act.

Section 13. The Common Council shall grant no franchise or amendments to any franchise or other prerogative of sovereignty to any person, firm, or corporation except by ordinance. As a condition precedent to the enactment to any such ordinance, the Common Council shall publish notice of its intention to do so not less than once a week for three consecutive weeks, in one or more newspapers of general circulation printed and published in the city . Such notice shall state the substance and nature of the proposed ordinance, including the name of the grantee, and consist of at least one hundred words, and unless the ordinance is of less length, in which event the whole ordinance shall be published. The said ordinance shall be read at two consecutive regular meetings of the Council before the same is finally passed. Any corporation, firm or person applying for such franchise or other prorogrative of sovereignty shall pay the expenses in advance, of the said publication of notice. No franchise shall be granted by any public service corporation, or for a public utility, except upon such terms as shall secure to the city adequate service and adequate compensation therefor by exacting such a percentage of the gross income as shall be deemed adequate to cover present values and future development.

Section 14. The following acts are hereby repealed: An act entitled an act to incorporate the Town of Springfield in Lane County, approved the 9th day of February, 1893, and all acts and parts of acts amendatory thereof.

Section 15. In as much as the present municipal government of the Town of Springfield is inefficient and does not serve the interests of the inhabitants thereof, this act shall take effect and be enforced from and after its approval by the Governor.

Approved February 9th 1893

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BALLOT TITLE TO BE USED IN SAID ELECTION

"Shall the Town of Springfield amend its charter by approving and adopting the new city charter proposed and submitted by the Council to the people of the Town of Springfield by resolution adopted by the Common Council and filed with the Recorder on the 12th day of January, 1927?"

500 Yes.
501 No.

NOTICE
SPECIAL ELECTION TO APPROVE ADOPTION OF NEW CHARTER

NOTICE IS HEREBY GIVEN that on Tuesday the 25th day of January, 1927; a special election will be held of the voters of the Town of Springfield, Lane County, State of Oregon, and that the poles will be open from the hour of eight o'clock A. M. until the hour of eight o'clock P. M. of said day.

Said election is called by order of the Common Council of the Town of Springfield for the purpose of proposing and submitting to the people of the Town of Springfield for their approval or adoption of a new charter for said town as proposed by the Common Council of said town in a resolution passed and adopted on the 3rd day of January, 1927, the approval of the said charter by the people of Springfield will be submitted to the voters in the following proposition:

"Shall the Town of Springfield amend its charter by approving and adopting the new city charter proposed and submitted by the Council to the people of the Town of Springfield by resolution adopted by the Common Council and filed with the Recorder on the 12th day of January, 1927?"

500 Yes.
501 No.

The full text of said resolution and proposed charter is on file at the office of the City Recorder where it may be read and consulted by the public.

The poling place for said election shall be at the City Hall in the Town of Springfield, Lane County, Oregon.

I. M. PETERSON, Town Recorder

BUSHMAN IS NAMED VICE PRESIDENT SCOUT BODY

G. G. Bushman, mayor of Springfield and chairman of the Boy Scout honor court here, was named vice president of the Lane County Boy Scout Council at the annual meeting. Mr. Bushman will serve in this capacity with Delbert Oberteuffer, Eugene; Sam Lehman, Junction City; J. D. Ash, Oakridge and Fred Huntington of Mapleton.

Many matters of importance were discussed at the meeting, including plans for planting of trees along the Pacific Highway by the Boy Scouts. County Executive Clark reported that he has been in correspondence with Dean G. W. Peavy of the O. A. C. forestry school and that Dean Peavy states that the school can furnish the nursery stock for the planting under the provisions of the Clark-McNary act. They now have for distribution black locust, green ash, and box elder.

Springfield People Wed

Marriage licenses were granted by the county clerk to the following people during the last week: Louie Edward Tibbets and Nellie Lenora Nesbitt, both of Springfield; Milton C. Lane and Zola Smith, both of Springfield; Ted Baisden and Madelyne McKaig, both of Eugene; Ernest Korn and Lela May Forest, both of Eugene; Fred Stump and Hulda Virginia Prough, both of Eugene; Elvin Trout, Elmira, and Nellie Taylor, Veneta; Daniel Todd, Eugene and Luella Weidenkeller, Springfield.

Returns to Monmouth—Mrs. Glenn Riddle returned to Monmouth after spending a week-end at her residence here.

Visits from Yoncalla—Mrs. Fred Krews of Yoncalla was a visitor this week at the residence of Mr. and Mrs. A. P. Nielsen of Springfield.

CALL AND SEE Dr. N. W. Emery on prices on plate and other work. tf

OREGON STATE NEWS OF GENERAL INTEREST

Brief Resume of Happenings of the Week Collected for Our Readers.

J. C. Lonquist, 27, was killed at the Jones Logging company camp eight miles west of Vernonia when a tree fell on him.

Total shipments of horticultural and agricultural products from Hood River county for the past season have reached 4538 cars.

Postmaster Hageman at Milwaukie reports last year's business as the biggest in the history of the institution. The office was established in 1848.

Charles Hasness of Lyons, near Scio, has lost 30 hogs during the last few days from what is thought to be ptomaine poisoning caused from feeding valley green corn.

A night school for farmers, sponsored by the agricultural department of the Newberg high school, will begin a 10 weeks' session at Newberg the latter part of this month.

The survey for the extension of the standard construction on the Nehalem highway has been pushed as far as the Fishhawk Falls by A. F. Danielson, Clatsop county engineer.

The Tigard school bus ran into a tree near Progress last week. Children on the front seat with the driver were thrown through the windshield, but no serious injuries resulted.

Mr. and Mrs. F. M. Pike, Wallowa county pioneers, celebrated their 60th wedding anniversary at Wallowa last week. Both are in excellent health. Mr. Pike is 85 and Mrs. Pike 81.

The Klamath Falls city library board accepted the new $40,000 city library, just completed, it was announced. The building will be opened to the public within a few weeks.

A report made public by Will Moore, state insurance commissioner, shows that the receipts of his department for 1926 totaled $695,126.99, or $59,137.68 more than for the previous year.

Clifton Campeau, 5½ years old, was shot and killed by his playmate, Robert Epley, aged 7, in the basement of the Epley home in Portland last week. The boys did not know the gun was loaded.

The 42 miles of road between Dayville and Mitchell in eastern Oregon is so bad on account of rains and melting snow that the stages are unable to operate. Mail is being carried on horseback.

Paul Krause, rancher, fined $100 in The Dalles justice court on charges of cruelty to animals, was also charged with polluting the Deschutes river with carcasses of horses that had starved to death.

Eleven and a half million salmon eggs have been hatched at the Enterprise state hatchery this winter, according to Irvine French, superintendent. This brings the total number of small fish to 14,500,000.

Robbers, supposedly minors, ransacked every room of the Fremont school of Klamath Falls last week, and after cooking themselves a meal in the cafeteria, escaped with approximately $30 of pupils' money.

Of the 44 active irrigation districts in the state only 13 are in a sound condition and able to work out their own problems, according to a report filed with the legislature in Salem by Rhea Luper, state engineer.

R. M. Winans of Dee, who holds the mid-Columbia record for bears and bobcats this season, having caught four big bear and six cats, recently astonished Dee residents when he arrived in town with a live bobcat.

The opening gun of a campaign for the establishment of a five-day working week to replace the present five and one-half day schedule was sounded last night at a meeting of the Klamath Falls builders exchange.

The thirtieth annual convention of the Oregon Wool Growers' association was held in Pendleton last week with 200 growers from all sections of the state in attendance. Grazing fees and rates were important items discussed.

Although dead for half a year, L. C. Roberts of Bend has been elected to the directorship of a Deschutes county loan association, it was discovered by members of the association at the annual meeting of the association held last week.

Through flotation of a huge bond issue, the Southern Pacific company plans to purchase the 582 miles of old Oregon & California Railroad company, which it has operated as a part of its system in Oregon for 40 years under lease.

The cities of Oregon will take a hand in any program of legislation dealing with the pollution situation involving the Willamette river, according to a decision reached at a meeting of the Oregon league of cities held in Salem recently.

Levi C. Vinson, a rural mail carrier working out of Astoria, pleaded guilty to a charge of detaining mail and was fined $100. Vinson has been discharged from the service, after three years' work in Clatsop county, government agents reported.

The $100,000 appropriation for an eastern Oregon tuberculosis hospital, approved at the November election, is available at any time for construction of the required buildings, Attorney General Van Winkle held in a legal opinion recently issued.

Survey of the Lebanon-Shea section of the Santiam highway will be commenced before the middle of January, according to advices received at Sweet Home by the county court and members of the good roads committee of the chamber of commerce.

Arrests for violations of the state prohibition statutes in which state prohibition agents participated aggregated 1279 during the years 1925 and 1926, according to a report filed with the legislature in Salem by William S. Levens, state prohibition commissioner.

The Columbia River Mint Growers' association was organized at a meeting of growers held in Rainier last week. C. M. Hirtzel of Rainier was elected president, W. G. Jenks of Clatskanie, vice-president, and A. F. Brown, also of Clatskanie, secretary-treasurer.

An appropriation of $175,000 for construction of a building for the new eastern Oregon state normal school at La Grande and $40,000 to cover maintenance of the new institution for the biennium was approved by the normal school regents in session in Salem last week.

Authorization by the La Grande city commission of construction of an 18-inch main connecting the old town reservoir with the city mains was made recently, marking virtual completion of the renovation of the water supply system. Engineers estimate the project will cost $35,000.

Books are one of the most ordinary possessions nowadays, but a book 367 years old is a rarity. Such a volume is that owned by H. L. Cantley of Portland. It was printed in Germany in 1560. Its type is not so clear cut as modern printing and its illustrations are all from pen drawings.

Oregon monthly pensions have been granted as follows: Rudolph A. Peterson, Portland, $40; Albert D. Walker, Portland, $40; Charles E. Hanigan, Portland, $40; Lydia V. Allen, Portland, $30; Claude T. St. Clair, Wauna, $30; Florence E. Taylor, Rogue River, $30; Flora B. Lehn, Newport, $30.

The state supreme court refused to assume jurisdiction in mandamus proceedings brought by Row, Patterson and other members of the state board of education to sign contracts with the publishers for certain textbooks adopted by the state textbook commission at its annual meeting held in Salem early in November.

Improvements are now being made at the eastern Oregon game farm five miles east of Pendleton. A well which will be used to furnish the supply of water for an overhead sprinkling system for the pens is being dug, new pens for wild turkeys constructed and a new lighting system installed. A duck pond also is to be built.

Proposals for constructing the $3,000,000 Bear Creek dam for the Portland city water bureau will be opened at a meeting of the city council February 9, according to the statement by City Auditor Funk. The dam will be 900 feet long and 200 feet high. It will impound 11,000,000,000 gallons of water in a basin of 400 acres.

During the past two years 8284 predatory animals have been killed by federal hunters, according to the report of Stanley Jewett, in charge of predatory animal extermination for the biological survey. Animals destroyed in the two years were listed as follows: Coyotes, 7528; bobcats, 693; bears, 54; cougars, 8, wolves, 1. Besides these the hunters killed 2811 porcupines which are considered destructive to trees.

The four-mill special road tax, voted by the people of Lane county at the primary election last May for the purpose of paying the county's share toward the completion of the McKenzie highway and the Willamette Valley-Florence highway, has been declared invalid and the $184,968.54 to have been raised by the levy will not be available, according to an opinion received from the state tax commission by B. F. Keeney, county assessor.

Construction of 10 bridges and the grading and resurfacing of great stretches of public roads in various sections of the state will come up for consideration by the state highway commission at its next meeting in Portland January 27-28, according to notices sent to contractors. Six of the projected bridges are on the Redwood highway near Grants Pass, two others, both 70-foot steel spans, are to be constructed on existing abutments on the Pacific highway near Canyonville; one is a bridge over the North slough near North Bend in Coos county and the other is a steel superstructure over the McKenzie river on a county road 10 miles east of Eugene in Lane county.