

# Lebanon Express.

## CITY OFFICIALS.

MAYOR..... M. A. MILLER.  
 RECORDER..... GED. RICE.  
 TREASURER..... J. A. ROBERTS.  
 MARSHAL..... PHIL SMITH.

COUNCILMEN:  
 G. W. CRUSON,  
 G. M. WESTFALL,  
 C. E. BAISTON,  
 J. S. HIKINS.

City Council meets on the first and third Tuesday evenings of each month.

## ORDINANCE NO. 14.

AN ORDINANCE to provide for and regulate the establishment and alteration of the grade of streets and alleys or any part thereof, and providing for the grading of streets and alleys or any part thereof, and for the construction, improvement and repairing of sidewalks, pavements, streets, alleys, sewers, drains, bridges and aqueducts within the limits of the city of Lebanon, when, in the judgment of the common council of said city, such work is necessary, and to provide for the assessment and collection of the costs and expenses thereof, and providing for the recording and enforcement of liens upon the property adjacent to such improvements and repairs.

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

SECTION 1. It shall be the duty of the Street Commissioner in supervising the grading, travelling, improving and repairing of all streets and alleys, and to see that the same is graded, traveled, repaired and improved in accordance with the ordinances and orders of the council providing therefor and to superintend the construction of all sidewalks, crosswalks, bridges and culverts and all aqueducts, drains and sewers and all repairs thereof ordered by the council and to see that they are constructed and repaired in strict accordance with the orders of the council and the ordinances of the city governing the construction and repair of such crosswalks, sidewalks, culverts, bridges, aqueducts, drains, streets, alleys and sewers.

SEC. 2. When, in the judgment of the council, it becomes necessary to establish or alter the grade of any street or part thereof, or of any alley or part thereof, or to grade any street or alley or part thereof, or to construct or improve any sidewalk or pavement or part thereof, or to improve or repair any street or alley or any part thereof, or to construct or repair any drain or sewer within the streets or alleys of said city at the cost and expense of the adjacent property owners, the council shall by an order or resolution duly made and entered on its journal, specify as follows:

First. With convenient certainty, the street or part thereof proposed to be improved, or of which the grade is proposed to be established or altered, or the sidewalk, pavement, street or alley or part thereof proposed to be improved, constructed or repaired and the kind of improvement, construction or repair which is proposed to be made.

Second. A time when the council will hear and determine all objections or remonstrances which may be made by any adjacent property holder or tax-payer thereto. The period intervening between the date of the making of said order and the time specified therein for such hearing shall be of sufficient length to allow not less than seven full days notice to be given thereof. By the same order the council shall direct the Recorder to give notice of the time specified therein for such hearing. At least seven days notice of the time of such hearing shall be given by the Recorder and such notice shall be given in the manner, and contain all the matters and things required by sections 58 and 59 of the charter of the city as enacted by the last Legislature of the State of Oregon incorporating said city. When the time specified for such hearing arrives and it appears to the satisfaction of the council that due notice has been given as herein required and provided, the council shall then proceed with such hearing strictly in accordance with the provisions of section 60 of chapter VIII of said act, and determine whether or not such proposed improvement or alteration or establishment of grade or improvement or sidewalk, alteration or repair specified in such notice shall be made or not.

SEC. 3. After the hearing mentioned in section 7 of this ordinance shall be finished, if the council shall determine by resolution that the proposed improvement or alteration or establishment of grade or sidewalk or repair specified in such notice be made, it shall then provide by resolution or ordinance for the time and manner of doing the work thus ordered and for levying the cost thereof.

SEC. 4. In case the council shall undertake to establish or alter the grade of any street or alley or part thereof, or to grade any street or alley or part thereof, or to construct or improve any sidewalk, pavement, drain or sewer in any street or alley of said city at the cost and expense of the adjacent property holders or owners, all such work shall be carried on and completed under the supervision of the street commissioner, whose duty it shall be under the authority of the committee on streets and alleys to see that all resolutions of the council in regard to the same are strictly carried out. And it shall be the duty of the street commissioner to cause such work to be done in the best manner, and if the

specify particularly the lot or lots or premises adjacent to which the work was done, the name or names of the owner or owners thereof, and the actual costs and expenses of the work done on the portion of the street, alley, grade, sidewalk, pavement, sewer or drain, adjacent to such lot or part thereof or premises, and the date when such work was done.

SEC. 5. When the work shall have been completed, whether by the street commissioner, or by a contractor or contractors, the council shall audit in a summary way the actual costs of the improvement or work. When the total actual cost of the improvement or work has been ascertained by the council, it shall proceed at once in strict accordance with the provisions of sections 62 and 63 of chapter VIII of the city charter, to assess by resolution each lot or parcel of ground with its proportion of such costs, and every provision contained in said sections 62 and 63 in regard to such assessment shall be strictly pursued.

SEC. 6. As soon as the council shall have ascertained and determined what property shall be liable for the costs and expenses of such improvement or repair or work, the proportion thereof to be paid by the owner of each lot or parcel of ground, and shall have assessed upon each parcel of ground its proportionate part of such costs, by resolution, as required by sections 62 and 63 of the charter, the Recorder shall immediately and without delay enter a statement in the book of city liens, of such assessment, in strict conformity with the provisions of sections 64 and 65 of the charter of said city, and from the date of such assessment upon any tract of land, the sum so assessed and entered shall be a tax lien and a lien thereon whether assessed to the true owner or not, to the extent and effect mentioned in section 66 of said city charter. And said book of liens shall at all times be kept by the Recorder in a safe and secure place so as to be safe from destruction by fire or otherwise.

SEC. 7. If the council should at any time authorize the owner or owners of any property abutting on any street, the grade of which is already established, to cut down or fill up any street in front of such property according to the established grade thereof at the expense and cost of such owner or owners, such work shall be done under the supervision of the street commissioner and the committee on streets and public property, and said commissioner shall see that such work is done in accordance with the order and direction of the council in regard thereto.

SEC. 8. When in the judgment of the street commissioner and the committee on streets and public property, any street, alley, sidewalk, sewer or any part thereof shall be so out of repairs as to endanger the life or limb of man or beast, the commissioner of streets under the direction of the committee on streets and public property shall immediately repair the same and if the cost be not paid on demand by the street commissioner by the owner or owners of the abutting or adjacent property, the street commissioner shall present the bill therefor to the council, such bill shall specify the lot, lots or part of lots adjacent to the repairs so made, the name or names of the owner or owners thereof and the actual costs of the repairs made on that part of the street or alley or sidewalk and the date when such repairs were made and the costs of such repairs shall be paid by the city out of the general fund.

SEC. 9. If the owner or owners of any tract or parcel of land situated within the limits of said city against which any statement of assessment or delinquent tax shall be entered in the books of city liens under the provisions of this ordinance or of the charter of said city shall pay to the treasurer of the city, within the time provided by said charter therefor, the sum of such assessment or tax so entered or docketed against or upon any such land, together with the costs or fees of the Recorder for docketing the same and then present to the Recorder the treasurer's receipt therefor, the Recorder shall at once cancel such lien upon the docket by entering thereon full satisfaction of such assessment or tax, signed by him in his official capacity. And, if any such owner or owners shall fail or refuse to pay to the city treasurer any such assessment or delinquent tax together with the costs or fees of docketing the same in the lien docket of the city within the time provided by said charter the council shall immediately after the expiration of such time order a warrant for the collection of such assessment or delinquent tax to issue and forthwith thereafter the recorder shall issue a warrant directed to the marshal of the city, commanding him to forthwith levy upon each tract of land upon which such assessment or delinquent tax is still unpaid. Such warrant shall contain all the matters and things required by section 68 of the charter of said city and also a copy of the statement entered in the book of liens of the city creating such lien on such tract or parcel of land.

SEC. 10. Within 10 days from the receipt of the warrant provided for and mentioned in Section 9 hereof the marshal must levy upon and sell the tract or parcel of land against which such warrant is issued. The levy shall be made by delivering to the owner or owners thereof or to the agent of such owner or owners a copy of such warrant, certified to by the marshal; and in case the marshal after due diligence is unable to find any owner of said land or any agent of such owner who has possession or control thereof, within the limits of the city of Lebanon, he shall then levy thereon by posting a copy of said warrant on the premises above named, and if the

of land as aforesaid, the marshal shall give notice of the time and place of sale of such premises in strict conformity with Section 70 of the charter of the city and shall state in such notice that such premises will be sold at public auction to the highest bidder for cash in hand in gold coin of the United States of America. When the hour for the sale shall have come the sale shall be made by the marshal in strict conformity with all the provisions and requirements of Section 71 of the charter. Immediately after such sale the marshal shall make and execute a deed to the purchaser for such premises in conformity to Section 72 of said charter and shall state therein that the premises described in and conveyed by such deed are subject to redemption at any time within three years in accordance with the provisions of Chapter VIII of this charter.

SECTION 11. If at any time during the period of redemption mentioned in this ordinance, the city treasurer shall sell and transfer all right title and interest of the city of Lebanon, acquired at marshal's sale, in or to any premises sold by him under the provisions of this ordinance or of the city charter, the expenses of the execution of the deed thereto shall be paid by the purchaser, but in no case shall the treasurer of said city make execution deliver any other than a quit-claim deed for any premises sold by said treasurer under the provisions of this ordinance or of the charter of said city, nor shall the city of Lebanon be held liable in any way for the failure of the title to any tract of land sold as herein provided.

SECTION 12. If the property where sold as in this ordinance provided shall bring more than is required to pay such assessment and the interest and accruing costs and expenses of such sale, the surplus shall be paid by the marshal or person making such sale to the treasurer of the city and the treasurer shall execute to the marshal or person making such sale a receipt therefor.

SECTION 13. When the marshal has in all things completed any sale of lands under the provisions of this ordinance he shall immediately pay the proceeds of such sale to the city treasurer and the warrant by virtue of which such sale was made together with the treasurer's receipts for the proceeds thereof shall at once return to the recorder with all his things in the premises enclosed on said warrant.

SECTION 14. The treasurer shall keep all monies paid over to him by the marshal under the provisions of Section 14 of this ordinance separate from all other money that may come into his hands from any other source, and shall pay over the same to the person or persons entitled thereto upon the presentation to him of a warrant drawn by the recorder under an order of the council. The treasurer shall also keep a book in which he shall enter each sum of money so paid him, the lot or parcel of land from the sale of which the same arose or was realized with the number and location of the block in which such premises are situated and the name of the owner, if known.

SEC. 15. This ordinance shall be in full force and effect from and after its approval by the Mayor.

Approved this 21st day of Oct., 1891.  
 M. A. MILLER, Mayor.  
 Attest: Geo. W. Rice, City Recorder.

Settle Up.  
 All parties knowing themselves in debt to us are hereby notified to settle up at once as we have got to have our money.  
 SWAS BROS.

NOTICE FOR PUBLICATION.  
 Land Office at Oregon City, Oregon,  
 Oct. 25, 1891.  
 Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the Registered Receiver of the U. S. Land Office at Oregon City, Oregon, on Dec. 12, 1891, viz:  
 CHARLES J. BORN.  
 Preemption D. T. No. 7261, for the NE 1/4 of Sec. 16, T. 13 S., R. 12 E. He claims the following witnesses to prove his continuous residence upon said cultivation of said land, viz: H. P. Colburn, Arthur Harris, M. J. Lamson and J. F. Casper, all of La Grange, Lane county, Oregon.  
 J. T. APPERSON, Register.

We are sorry to report that Dr. Duckett is ill and unable to attend his office.

An account was given a few days ago of two men being arrested by Sheriff Croisan, of Salem, for straying horses in Lane county. When arrested they had two rigs. On Friday Mr. Upson had a hack stolen and Wm. Royce had a set of harness stolen also, the description of which was that of the outfit so Mr. Royce went to Salem to see if they were theirs.

A brand new wagon in town!  
 Mr. Ed. Kellenberger is in Portland this week on business.

Rev. Morgan who was spoken of in last week's paper is now holding meetings in the land hall at this place. Mrs. Morgan and the little boys are the main attractions.

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