

Legal Notices

PROPOSED ORDINANCE OF THE CITY OF HERMISTON

AN ORDINANCE granting to Pacific Power & Light Company, a corporation, and to its successors and assigns, a non-exclusive license and franchise for a period of five (5) years to construct, maintain and operate in and on the present and future streets, alleys, bridges, and public places of the City of Hermiston, electric light and power lines and appurtenances for the purpose of supplying electricity and electric service to the City of Hermiston, the inhabitants thereof and others, subject to the terms and conditions and to the making of the payments specified in the ordinance.

THE CITY OF HERMISTON DOES ORDAIN AS FOLLOWS:

Section 1. The city of Hermiston, hereinafter called the City, does hereby grant to Pacific Power & Light Company, a corporation, and to its successors and assigns, hereinafter called the Grantee, a license and franchise for the period of five (5) years from and after the effective date of this ordinance, to construct, maintain and operate in and on the present and future streets, alleys, bridges and public places of the City, electric light and power lines, with all the necessary or desirable appurtenances, for the purpose of supplying electricity and electric service to the City and the inhabitants thereof, and to persons and corporations beyond the limits of the City, subject to the terms and conditions and to the making of the payments hereinafter specified.

Section 2. The license and franchise hereby granted shall not be exclusive, and the City expressly reserves the right, at any time during the term of the license or franchise hereby granted, to grant licenses or franchises for such purpose to other persons or corporations, as well as the right in its own name as a municipality to use said streets and public places for such purposes, in the event that the City shall hereafter decide to engage in the business of supplying electricity and electric service for municipal or other uses. If, during the term hereof, the City shall decide to engage in such business, and shall elect to acquire by condemnation or otherwise the property used by the Grantee in furnishing electric service hereunder, no value or damages of any kind shall be claimed by or allowed to the Grantee on account of the unexpired term of the license or franchise hereby granted.

Section 3. The locations and methods of installation and maintenance of all poles, wires, fixtures, underground conduits, and appurtenances shall be subject at all times to reasonable regulation by the Council of the City, or by such committee of the Council or such official of the City as may be designated by the Council; and all such poles, wires, fixtures, underground conduits and appurtenances shall be so constructed and maintained as to interfere as little as practicable with street or other traffic. All of such poles, wires, fixtures, underground conduits, and appurtenances shall be installed and at all times maintained by the Grantee in safe order and condition and in accordance with good electric practice, and the Grantee, at its own cost and expense, shall promptly repair all streets, alleys, bridges and public places in any way disturbed by the Grantee, and shall restore the same to as good condition as the same were in prior to the doing of any work thereon or therein by the Grantee. The Grantee shall comply with all lawful present and future charter provisions, ordinances, rules, or regulations of the City relating to the use or improvement of the streets, alleys, bridges and public places of the City.

Section 4. The service to be furnished hereunder by the Grantee shall be continuous and shall be adequate for the requirements of the City and its inhabitants, subject to accidents, interferences or interruptions beyond the reasonable control of the Grantee, and shall be furnished under such reasonable rules and regulations as the Grantee may make from time to time for the proper conduct of its business. Such service and all rates and charges therefor, and all rules and regulations pertaining thereto or to the making of necessary and proper extensions of service, shall be subject at all times to any rules, regulations and orders lawfully prescribed by the Public Utilities Commissioner of Oregon, or by any other authority having jurisdiction in the premises.

Section 5. When necessary, in order to permit any duly authorized person to move any building or other structure across or along any street, alley, bridge or public place within the City, the Grantee shall temporarily raise or remove its wires, fixtures and appurtenances upon such streets, alleys, bridges or public places, upon reasonable notice in advance from the Recorder of the City, and at such time and in such manner as may be necessary reasonably to accommodate such moving, consistently with the maintenance of proper service to the Grantee's customers; provided, however, that the cost to the Grantee of such temporary raising or removal, and of any interruption of the Grantee's service to its customers caused thereby, shall first be paid or satisfactorily secured to the Grantee by the owner or mover of such building or other structure.

Section 6. The City shall have the right, without payment or charge therefor, to attach its fire alarm or police signal wires to the poles of the Grantee, but at its own risk and only in accordance with good electrical practice. Such fire alarm or police signal wires shall be subject to inter-

ference by the Grantee only when and to the extent necessary for the proper construction, maintenance, operation or repair of the Grantee's poles, wires, fixtures, conduits, and appurtenances.

Section 7. The Grantee hereby agrees and covenants to indemnify and save harmless the City of Hermiston and the officers thereof against and from any and all claims, and all damages, cost and expense to which it or they may be subjected by reason of any acts or neglects of the Grantee, its agents or servants, in any manner arising out of the construction, maintenance, or operation of any property of the Grantee in or on any street, alley or highway within the City of Hermiston.

Section 8. The Grantee shall pay to the City on or before the 20th day of the month following the close of each calendar quarter during the term hereof, beginning with the calendar quarter ending December 31, 1941, a fee or charge equivalent to two per cent (2%) of the Grantee's gross receipts during the preceding calendar quarter from electric service furnished by the Grantee within the corporate limits of the City, other than such receipts from service to the United States of America or any agency thereof. The amounts so payable by the Grantee shall be in lieu of all other license, occupation, franchise or excise taxes or charges which might otherwise be levied or collected by the City in respect of the use or exercise of the license or franchise granted hereby. The Grantee shall keep proper books of account, and shall make verified quarterly reports to the Recorder, within 20 days following the close of each calendar quarter, which shall contain accurate statements in summarized form of the Grantee's gross receipts from electric service furnished by it within the City, and such other information concerning the Grantee's said business as the City through its Council or Recorder may from time to time request of the Grantee.

Section 9. This ordinance shall be in full force and effect from and after the expiration of thirty (30) days after the date of its final passage by the Council and its approval by the Mayor of the City, but shall become null and void unless within thirty (30) days after such effective date the Grantee shall file in the office of the Recorder the Grantee's unqualified written acceptance hereof and of all the terms, conditions, restrictions and obligations to be complied with or performed by it hereunder.

Section 10. If the Grantee shall fail to perform or comply with any of the obligations and requirements imposed by this ordinance, after the receipt of written notice from the City of Hermiston specifying the respect in which the Grantee is deemed to be in default hereunder, and demanding that such default be remedied within a reasonable time to be fixed in such notice, the right and franchise granted hereby may be terminated and annulled by the Council of the City of Hermiston, after reasonable opportunity for the Grantee to be heard and appropriate determination with respect to such alleged default.

The foregoing is a proposed ordinance being considered by the City Council of the City of Hermiston. Anyone interested may discuss the same with the City Council at any regular meeting up to and including the meeting of February 6, 1942. CHARLES TAYLOR, Recorder of the City of Hermiston, Ore. (Dec. 11-18)

CITATION

In the County Court of the State of Oregon for Umatilla County.

In the Matter of the Estate of James Gannon, deceased.

To the unknown heirs of James Gannon, deceased, and to all persons interested in the estate of said James Gannon, deceased:

IN THE NAME OF THE STATE OF OREGON:
You and each of you are hereby cited and required to appear in the above entitled court and matter within in 28 days from the date of the first publication of this citation to show cause if any you have, or if any exist, why an order should not be made authorizing, empowering and directing W. J. Warner, as administrator of the estate of the above named, James Gannon, deceased, to sell the following described real property of said estate at private sale for cash, to-wit:

Tax No. 1 in Section 10 in Township 4 North of Range 28 East of the Willamette Meridian and more particularly described as follows:

Beginning at a point 30 feet South and 187.5 feet West from the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 10 in Township 4 North of Range 28 East of the Willamette Meridian in Hermiston in Umatilla County, Oregon, and running thence South 300 feet; thence West 157.5 feet; thence North 300 feet; thence East 157.5 feet to the place of beginning.

This citation is served upon you by publication thereof for four weeks by order of Honorable Carl W. Chambers, Judge of the above entitled court, which said order was made and dated November 29, 1941, and the date of the first publication of this citation is December 4, 1941.

Witness the Honorable Carl W. Chambers, Judge of said County Court, with the seal of said County Court affixed at Pendleton in Umatilla County, Oregon, this 1st day of December, 1941.

(SBAL)
MRS. E. B. CASTEEL, Clerk of said Court. Dec. 5-Jan. 1

LAND SALE NOTICE

NOTICE IS HEREBY GIVEN, That the undersigned, Sheriff of Umatilla County, Oregon, by virtue of an order duly made and entered herein by the County Court of Umatilla County, Oregon, on the 21st day of November, 1941, will, on the 30th day of December, 1941, at the hour of 10 o'clock in the forenoon, sell to the

highest bidder for cash at the front door of the Umatilla County Court House, Pendleton, Oregon, subject to a minimum price of \$396.00 therefore, to be paid in cash, at the time of sale; the following described parcel of land, heretofore by Umatilla County, Oregon, acquired for delinquent taxes, to-wit:
Lot 2, (NW NE) and Lot 3, less W 21 1/4 acres, Section 4, Township 4, North Range 28, E. W. M.
R. E. GOAD, Sheriff of Umatilla County. -Nov. 27-Dec. 25

LAND SALE NOTICE

NOTICE IS HEREBY GIVEN, That the undersigned, Sheriff of Umatilla County, Oregon, by virtue of an order duly made and entered herein by the County Court of Umatilla County, Oregon, on the 21st day of November, 1941, will, on the 30th day of December, 1941, at the hour of 10 o'clock in the forenoon, sell to the highest bidder for cash at the front door of the Umatilla County Court House, Pendleton, Oregon, subject to a minimum price of \$250.50 therefore, to be paid in cash, at the time of sale; the following described parcel of land, heretofore by Umatilla County, Oregon, acquired for delinquent taxes, to-wit:
Tax No. 1 Section 28, Township 4, North Range 29, E.W.M. Tax No. 8 Section 28, Township 4, North Range 29, E.W.M.

R. E. GOAD, Sheriff of Umatilla County. -Nov. 27-Dec. 25

LAND SALE NOTICE

NOTICE IS HEREBY GIVEN, That the undersigned, Sheriff of Umatilla County, Oregon, by virtue of an order duly made and entered herein by the County Court of Umatilla County, Oregon, on the 18th day of November, 1941, will, on the 30th day of December, 1941, at the hour of 10 o'clock in the forenoon, sell to the highest bidder for cash at the front door of the Umatilla County Court House, Pendleton, Oregon, subject to a minimum price of \$220.00 therefore, to be paid in cash, at the time of sale; the following described parcel of land, heretofore by Umatilla County, Oregon, acquired for delinquent taxes, to-wit:
Tax No. 6, Section 9, Township 5, North Range 28, E.W.M.

R. E. GOAD, Sheriff of Umatilla County. -Nov. 27-Dec. 25

NOTICE OF HEARING UPON FINAL ACCOUNT

In the County Court of the State of Oregon for Umatilla County.
In the Matter of the Estate of Henry A. Hooker, deceased.
NOTICE IS HEREBY GIVEN

that the undersigned has filed his final account and report in the above-entitled matter, and that the above-entitled court has fixed Saturday, the 20th day of December, 1941, at the hour of ten o'clock in the forenoon of said day as the time, and the County Court Room of the Umatilla County Courthouse as the place for hearing thereon. Objections to said final account and report, if any there be, should be filed on or before that date.

Dated at Hermiston, Oregon, this 20th day of November, 1941.
Alvin E. Hooker, Executor of the Estate of Henry A. Hooker, Deceased. Nov. 20-Dec. 18

NOTICE TO CREDITORS

IN THE COUNTY COURT OF THE STATE OF OREGON FOR UMATILLA COUNTY

In the Matter of the Estate of Cora Tobin, Deceased.
NOTICE IS HEREBY GIVEN that the undersigned has been appointed administrator of the estate of Cora Tobin, deceased, and has qualified as the law directs. All persons having claims against said estate are required to present the same to me at the office of W. J. Warner, my attorney, in Hermiston, Oregon, verified as the law directs, within six months from the date hereof.

Dated this 19th day of November, 1941.
A. W. Prann, Administrator. (Nov. 20-Dec. 18)

NOTICE OF SALE OF REAL PROPERTY
No. 26742

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF MULTNOMAH DEPARTMENT OF PROBATE

In the Matter of the Guardianship of Earl James Kingsley, an incompetent person.

NOTICE IS HEREBY GIVEN that the undersigned, Portland Trust and Savings Bank, as guardian of the estate of Earl James Kingsley, an incompetent person, under and by virtue of a license and order of court entered in the above entitled court and cause on November 4, 1941, will sell at private sale, for cash or on credit with a down payment of not less than one-third of the purchase price, on or after December 15, 1941, the following described real property situated in Umatilla County, State of Oregon, to-wit:

Lot numbered Fourteen (14), in Block numbered Eight (8), TOWN OF HERMISTON, according to the official plat thereof.
Bids may be personally delivered or sent by mail to the undersigned,

Portland Trust and Savings Bank, Portland, Oregon.
Date of first publication, November 13, 1941.
Date of last publication, December 11, 1941.

PORTLAND TRUST AND SAVINGS BANK, By Chester J. Irelan, Ass't. Trust Officer, Guardian of the estate of Earl James, Kingsley, an incompetent person. (Nov. 13-Dec. 11)

UMATILLA NEWS

By Mrs. Glenn Ostrom

Mrs. Bill Switzler, who is in Portland while Bill is receiving medical attention spent from Thursday till Saturday here at her home on business.

Mr. and Mrs. Jeff Stephens returned to Portland the last of the week after spending several days here visiting their grandson, Alva, and attending to business matters.

A large crowd attended the high school play "Ready Made Family" presented Friday night.

Mr. and Mrs. James Byrnes and daughters, Joan and Mrs. Glenn Ostrom, and Mildred Smith spent Saturday in Walla Walla shopping. They went around by Pendleton.

Mr. and Mrs. Harry Rodenbush and children, Doris and Keith, and Mrs. Frank Clark spent Saturday in Pendleton shopping.

Mr. and Mrs. Ralph O'Hara spent Saturday in Walla Walla shopping. Her sister, Mrs. Al Keefer cared for the children in their absence.

Mr. and Mrs. C. R. Brownell of Portland are here visiting his brother and family, Mr. and Mrs. Lew Brownell.

Mrs. Dick Gripp spent Tuesday in Pendleton shopping.

Mr. and Mrs. Hugh Van Schoiack spent Saturday in Walla Walla shopping.

Word was received here Sunday of the death of Mrs. W. O. Miller at Portland. Mrs. Miller who had been in poor health for several years had made her home in Portland for a year. She came to this county in 1925 from Canada with her husband and family and they lived on a farm west of town. Mr. Miller, who was pastor of the local church, died a year ago. Funeral services were held at the community hall Tuesday with Rev. Walpole in charge. Burial was at the local cemetery. Surviving are two sons, Lloyd, of Portland and Carl, of California.

Mr. and Mrs. Ursel Hiatt and Mrs. Andy Baldwin and Mrs. Carl Miller spent Monday shopping in Walla Walla.
Mr. and Mrs. Loren Montgomery of

Pendleton visited her sister, Mrs. Herbert Lane, Jr. and his parents, Mr. and Mrs. George Montgomery here Tuesday.

Mr. and Mrs. Ray Smith and daughter, Mildred, returned home Thursday from Oklahoma where they were called because of the illness of his mother, who passed away the day before they arrived. They were gone 10 days.

John Kinney received word last week of the death of his father in Oklahoma. He had been in ill health for some time.

Mr. Johnson, foreman of the roundhouse for the past year left Friday for Huntington where he was transferred. Just before leaving by car, all the men who could possibly be there came to bid him goodbye and presented him with a pen and pencil set. Charles Shannon of Spokane came Thursday to take his place.

Mrs. Annie Edwards returned Sunday from a few days spent in visiting friends in Walla Walla.

Mrs. Earl Benschel and sons of Hermiston visited her mother here Sunday.

BOARDMAN NEWS

By Elaine Fisher

The news of the death of Mrs. Miller in Portland was received here Monday. She was the wife of a former pastor here.

Practice for the community Christmas program has begun. There is also to be a Christmas program at the community church Sunday morning, December 21st.

Essie Jones who has been in a Portland hospital recovering from an infantile paralysis attack has so much improved that she returned home Sunday.

Lewis Geiss, formerly a resident here, was calling on friends Sunday. He now has a position in a barber shop in Hermiston.

Little Richard Miles, the infant son of Mr. and Mrs. Frank Miles has been quite ill with flu the past week.

The ladies of the community are giving a shower for Mrs. D. Dillon, a recent bride, at the home of Mrs. Leo Root, December 16.

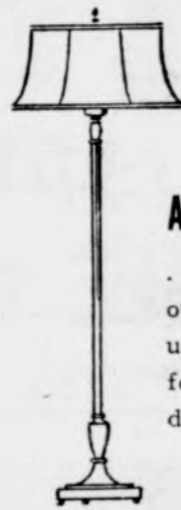
The silver tea of the ladies' aid was held at the home of Mrs. Leo Root Wednesday afternoon. It was also the annual Christmas party of the organization. There was a large attendance and many lovely gifts were exchanged.

The United States has never lost a war, nor the Navy a fleet action. A marine and bluejacket alternate in always guarding the tomb of John Paul Jones at the Naval Academy.



TWO CENTS' WORTH OF PP&L'S CHEAP ELECTRICITY...

... will operate another 300-watt lamp three hours in the average home, for Pacific Power & Light has cut electric rates again and again until now they are 34% below the national average.



AN I.E.S. BETTER-LIGHT LAMP

... has translucent bowl for filtering out glare and reflecting part of the light upward for general illumination. Conforms to 54 rigid standards. A few dollars still buys one at your dealer's.

...and you're all set for an evening of seeing comfort!

Your eye muscles can relax when you have plenty of glareless light... and your nerves can "take it easy", too. So why let eyestrain cause headaches, "grouches" or that drowsy feeling, when good light costs so little?

Just a word of caution—to get maximum efficiency from your better-light lamp, be sure you use the right size bulbs. Get some spares today at your dealer's. The 300-watt size costs only 55c, the 100-watt only 15c.

Our lighting advisor will gladly help you light condition your home for safe seeing.



Put a good lamp by EVERY chair... ELECTRICITY HERE IS CHEAP!

