

CITY NOTICES.

ORDINANCE NO. 355.

An ordinance providing for the construction of a 6-inch lateral sewer along Dakota avenue from Peach street to Newtown street, and for the assessment of the cost thereof on the property directly benefited thereby and adjacent thereto, and providing a meeting of the council to consider protests against said construction and assessment and the serving of the owners of such property with notice thereof.

The city of Medford doth ordain as follows: Section 1. It is the intention of the council to cause a lateral sewer to be constructed along Dakota avenue from Peach street to Newtown street, and to assess the cost thereof upon the property directly benefited thereby and adjacent thereto.

Section 2. The council will hear and consider any protests against said construction and the assessing of said property for the cost thereof, at a meeting of the council to be held on the 22d day of July, 1910, at 7:30 o'clock p. m. in the council chambers in said city, and all property owners of property adjacent to said sewer and benefited thereby are hereby called upon to appear before said council at said time and place, and show cause, if any they have, why said construction should not be made and the cost thereof so assessed.

Section 3. The city recorder is hereby directed to serve notice thereof upon the property owners aforesaid, by causing three copies of this ordinance to be published in the places in said city, and said ordinance to be published three times in a daily newspaper published and of general circulation in the city, at least ten days before the date of said meeting.

The foregoing ordinance was passed by the city council of the city of Medford, Oregon, on the 8th day of July, 1910, by the following vote:

Welch absent, Merrick aye, Emerick aye, Wortman aye, Elfert aye and Demmer aye.

Approved July 9th, 1910.

W. H. CANON, Mayor.

Attest: ROBT. W. TELFER, City Recorder.

CHARTER AMENDMENTS.

Notice is hereby given that the following is a true and correct copy of the titles and texts of those certain amendments to the charter of the city of Medford, Oregon, to be presented to said city for their approval or rejection by resolution of the city council of said city, at a special election to be held on August 2d, 1910, together with the numbers and forms in which a ballot title therefor will be printed upon the official ballot.

ROBT. W. TELFER, Recorder of the City of Medford.

An amendment to the charter of the city of Medford providing for the assessment of property abutting on trunk water mains and trunk sewers heretofore or hereafter constructed by said city for a portion of the cost thereof, not exceeding the cost of a suitable lateral water main or sewer for said property, and authorizing the use of said trunk water mains and trunk sewers by the owners of said abutting property for lateral purposes.

The people of the city of Medford do ordain as follows: That the charter of the city of Medford be amended by adding thereto the following:

Whenever heretofore or hereafter the council has or may cause any trunk sewer or water main to be laid along any street of said city for the benefit of said city, or any portion thereof, if after the laying of said trunk sewer or water main the council shall be of the opinion that the same may be used by the property fronting on the street wherein said trunk water main or trunk sewer has been laid, as a lateral water main or sewer without materially interfering with the use thereof for the purpose for which it was originally laid, said council may at any time before said trunk sewer or trunk water main has been paid for, assess against the property fronting on the portion of said street wherein said trunk water main or trunk sewer is laid, so much of the cost thereof as equals the special benefit which will result to said property from the use of said trunk water main or trunk sewer as a lateral water main or sewer of such size as would be required to supply the property fronting on said street or portion thereof, in case said trunk water main or sewer were not so used, in the following manner: The council shall declare by resolution its intention to levy such assessment, which resolution shall designate the street, or portion thereof, along which said trunk water main or trunk sewer has been laid, and which it proposes to permit the owners of adjacent property to use for lateral purposes, as aforesaid, and shall designate the amount per front foot which it proposes to assess against said adjacent property on account thereof.

Said resolution shall fix the time and place at which the council will hold a meeting to hear any protests against such assessment. Said resolution shall be served by publishing the same three times in a newspaper published and of general circulation in said city, and by posting the same in five public places in said city, at least ten days before the date of said meeting. At said meeting the council shall hear and consider all protests against such assessment, and may either at such meeting or at any subsequent meeting, assess said property for such portion of the cost of said trunk water main or trunk sewer as they shall determine the adjacent property is benefited by having the right to use the same as a lateral sewer or water main, not exceeding the cost of a suitable lateral water main or sewer, as aforesaid, and not exceeding the amount designated in said notice. Said assessment shall be made in proportion to the frontage of each parcel of property, provided, however, that the council may assess any parcel a less amount than its proportion of the cost of a suitable lateral based on its frontage, if it finds that the special benefit to such parcel is less than said proportional amount, but no other parcel shall on account of any such reduction be assessed any greater amount than its proportion of such cost based on its frontage, and no assessment shall exceed in amount per front foot the amount designated in said notice. Said assessment shall be declared by ordinance and entered in the docket of city liens and collected in the manner provided by this charter in the cause of assessment for street improvements. Thereafter the owners of all property adjacent to the street wherein said trunk water main or trunk sewer has been laid shall have the right to use the same as a lateral water main or sewer, as the case may be, in the same manner and subject to the same regulations as are provided for the use of other lateral water mains or sewers in said city. The fact that prior to the institution of proceedings for the making of any assessment in accordance herewith, the owner of or occupant of any property assessable hereunder shall have been given permission to use said trunk water main or trunk sewer as a lateral shall not be held or taken to prohibit the levying of an assessment against said parcel of property, but every such permit whether heretofore or hereafter given, shall be held and taken to be a temporary and revocable permit and license only, until the assessment above provided for shall have been levied against such parcel of property. The following is the form in which the foregoing measure will appear upon the ballot.

Submitted by the Council.

CHARTER AMENDMENT. An amendment to the charter of the city of Medford providing for the assessment of property abutting on trunk water mains and trunk sewers heretofore or hereafter constructed by said city for a portion of the cost thereof, not exceeding the cost of a suitable lateral water main or sewer for said property, and authorizing the use of said trunk water mains and trunk sewers by the owners of said abutting property for lateral purposes.

Vote yes or no.

403 YES

404 NO

Submitted by the Council.

CHARTER AMENDMENT. An amendment to the charter of the city of Medford providing for the assessment of property abutting on trunk water mains and trunk sewers heretofore or hereafter constructed by said city for a portion of the cost thereof, not exceeding the cost of a suitable lateral water main or sewer for said property, and authorizing the use of said trunk water mains and trunk sewers by the owners of said abutting property for lateral purposes.

Vote yes or no.

403 YES

404 NO

An amendment to the charter of the city of Medford authorizing the re-assessment of property specially benefited by street improvements, sewers or water mains, for the cost thereof in cases where the original assessments levied for the cost thereof are for any reason void or defective.

The people of the city of Medford do ordain as follows:

That the charter of the city of Medford be amended by adding thereto the following:

Whenever heretofore or hereafter the council has caused, or may cause, any street or alley to be improved, or has caused any sewer or water main to be laid and has, or may hereafter assess or attempt to assess upon the property adjacent thereto or benefited thereby the cost of such improvement, and said assessment by reason of any failure to give any requisite notice or by reason of any other defect in the proceedings leading up to the making of such improvement or the levying of such assessment 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 reason of any such omission or defect, said council may cause the cost of said improvement to be re-assessed against the property adjacent to said improvement or benefited thereby, in the following manner:

The council shall declare by resolution its intention to make such re-assessment, which resolution shall briefly describe the improvement, and shall declare the intention of the council to assess the cost thereof upon the property adjacent to said improvement, or benefited thereby, describing in said resolution each parcel of property which it intends so to re-assess and the amount it proposes to assess against each such parcel. Said resolution shall fix the time and place for holding a meeting of the council, at which all protests against re-assessing the costs of said improvement against adjacent property, shall be heard. Said resolution shall be published three times in a newspaper published and of general circulation in said city and shall be posted in five public places in said city, at least ten days before the date of said meeting.

At said meeting the council shall consider all protests against the levying of such assessment, and if after considering the matter the council shall determine that the property adjacent to said improvement, or any other property, has been specially benefited thereby, it may cause the cost of said improvement to be assessed against said adjacent property, or other property especially benefited by said improvement, to the extent of the special benefit so received by said property therefrom; provided, however, that no parcel of property shall be so assessed unless the same has been described in the notice of intention to make such re-assessment above provided for, and no parcel of property shall be assessed for a greater amount than the amount designated in said notice. In determining the property to be assessed and the amount to be assessed against each parcel of property, the provisions of the charter for making an original assessment shall be followed by the council in making such re-assessment.

Thereafter the council may, by resolution, announce that said report has been filed, naming the said viewers and fixing a time and place at which they will meet to consider the same and any protests thereto, and to assess the property benefited by the opening or widening of any such street.

Said resolution shall be published three times in a newspaper published and of general circulation in said city, and three copies thereof shall be posted in three public places in said city, at least ten days before

the date of said meeting. At said meeting the council shall examine and consider said reports and any protests thereto. If it shall be made to appear to the council by any protest made at such meeting that any of the said viewers lacks the qualifications above specified, or that any of them have failed to file the prescribed acceptance or oath, said report shall be rejected and new viewers appointed. If no protests are received to any such matters, all of the same shall be held to be forever waived.

After considering said report and any protests thereto, the council may proceed to assess against each parcel of land specially benefited by the opening or widening of said street or alley, its proportion of the cost thereof, not exceeding in any case the actual benefit received thereby. The council shall not assess any parcel of land not described in the report of the viewers, nor shall it assess any such parcel a greater amount than that fixed in said report therefor, but the council shall not otherwise be bound by said report.

In case the said viewers fail to report within the time above limited, or in case the council deems the report unfair or incomplete, it may reject the same, if made, and appoint other viewers, and in such case the same proceedings shall be had as above set forth. No mistake or failure to designate the owner of any parcel of land by the viewers in their report, or the council in declaring the assessment, shall effect the validity of the assessment. Said assessments when made shall be declared by ordinance and entered in the city lien docket and collected in the same manner as assessments for street improvements, except that no such assessment shall be in installments. The city council may in its discretion permit any interested property owner to advance the cost of opening or widening any street or alley, and after the same has been opened or widened, as above provided, may proceed to assess the cost thereof on the property thereby benefited in the same manner herein provided, and such assessments are collected may repay the amounts so advanced to the persons so advancing the same, but in such case no greater amount shall be assessed against the property benefited thereby, than the reasonable value of the property acquired for said purpose, irrespective of the amounts actually paid therefor by the property owners so advancing such cost, and said city shall in such case be liable to the owners for such amounts only as may be collected on such assessments and such liability shall be considered as no part of the liability of the indebtedness of the city as limited by the charter. All the foregoing provisions as to assessments shall apply to any street declared opened or widened within six months previous to the adoption hereof, and the property thereby benefited may in any such case be assessed for the cost of such opening or widening, as above provided.

The following is the form in which the foregoing measure will appear upon the ballot:

Submitted by the Council.

CHARTER AMENDMENT. An amendment to the charter of the city of Medford providing for the assessment of property especially benefited, of the cost of opening or widening streets in the city of Medford, and providing the manner of opening or widening streets and the levying of such assessments.

The people of the city of Medford do ordain as follows:

That the charter of the city of Medford be amended by adding thereto the following:

Whenever the city council shall desire to open or widen any street or alley within the city it shall first acquire, by purchase or condemnation, the necessary land for said purpose. Any property-owner may voluntarily execute a deed to the city for any portion of his property required for said purpose, and such conveyance shall be taken into consideration in assessing the cost of opening or widening said street or alley, as hereinafter provided.

The city council shall thereupon declare said street or alley to be opened or widened, describing the street so opened or widened, and thereafter it would be one of the streets of said city.

Thereafter the council may appoint three viewers, one of whom shall be designated as chairman. Each of said viewers shall be a resident and freeholder of said city, and no person owning any interest in any property especially benefited by the opening or widening of said street or alley, shall be eligible to serve as a viewer. Each of the persons so appointed shall within five days after his appointment file in the office of the recorder a written acceptance and an oath to the effect that he will fairly and impartially discharge his duties as such viewer to the best of his ability. Should any person so appointed fail to qualify within said time or fail to perform his duties as such viewer, the council may appoint another to act in his stead.

The viewers shall meet at a time and place within said city to be designated by the chairman, of which three days' notice shall be given by, or under the direction of, the chairman, but the appearance of any viewer at said meeting shall render notice unnecessary. Said viewers shall proceed to inspect said street or alley and shall determine what property is specially benefited by the opening or widening thereof and the amount of the special benefit to each parcel of property thereof, not exceeding its proportion of the cost thereof. In case any portion of any such parcel shall have been voluntarily conveyed to the city by the owner thereof for said purpose, the viewers shall, in fixing the benefit to said parcel, determine the difference between the value of said parcel, including said part so conveyed, and the same as reduced, but as benefited by said street or alley or the widening thereof.

Within thirty days after their appointment, or such further time as the council may allow, the viewers shall file a report in the office of the recorder, giving a description of each piece or parcel of land which they shall find to be specially benefited by the opening or widening of any such street or alley, with the name of the owner, or reputed owner, thereof, together with the amount of the special benefit so received by each parcel therefrom. Said amounts shall not exceed the proportional benefit of said respective parcels, and the aggregate thereof shall not exceed the cost of acquiring the necessary land for said purposes.

Thereafter the council may, by resolution, announce that said report has been filed, naming the said viewers and fixing a time and place at which they will meet to consider the same and any protests thereto, and to assess the property benefited by the opening or widening of any such street.

Said resolution shall be published three times in a newspaper published and of general circulation in said city, and three copies thereof shall be posted in three public places in said city, at least ten days before

the date of said meeting. At said meeting the council shall examine and consider said reports and any protests thereto. If it shall be made to appear to the council by any protest made at such meeting that any of the said viewers lacks the qualifications above specified, or that any of them have failed to file the prescribed acceptance or oath, said report shall be rejected and new viewers appointed. If no protests are received to any such matters, all of the same shall be held to be forever waived.

After considering said report and any protests thereto, the council may proceed to assess against each parcel of land specially benefited by the opening or widening of said street or alley, its proportion of the cost thereof, not exceeding in any case the actual benefit received thereby. The council shall not assess any parcel of land not described in the report of the viewers, nor shall it assess any such parcel a greater amount than that fixed in said report therefor, but the council shall not otherwise be bound by said report.

In case the said viewers fail to report within the time above limited, or in case the council deems the report unfair or incomplete, it may reject the same, if made, and appoint other viewers, and in such case the same proceedings shall be had as above set forth. No mistake or failure to designate the owner of any parcel of land by the viewers in their report, or the council in declaring the assessment, shall effect the validity of the assessment. Said assessments when made shall be declared by ordinance and entered in the city lien docket and collected in the same manner as assessments for street improvements, except that no such assessment shall be in installments. The city council may in its discretion permit any interested property owner to advance the cost of opening or widening any street or alley, and after the same has been opened or widened, as above provided, may proceed to assess the cost thereof on the property thereby benefited in the same manner herein provided, and such assessments are collected may repay the amounts so advanced to the persons so advancing the same, but in such case no greater amount shall be assessed against the property benefited thereby, than the reasonable value of the property acquired for said purpose, irrespective of the amounts actually paid therefor by the property owners so advancing such cost, and said city shall in such case be liable to the owners for such amounts only as may be collected on such assessments and such liability shall be considered as no part of the liability of the indebtedness of the city as limited by the charter. All the foregoing provisions as to assessments shall apply to any street declared opened or widened within six months previous to the adoption hereof, and the property thereby benefited may in any such case be assessed for the cost of such opening or widening, as above provided.

The following is the form in which the foregoing measure will appear upon the ballot:

Submitted by the Council.

CHARTER AMENDMENT. An amendment to the charter of the city of Medford providing for the assessment of property especially benefited, of the cost of opening or widening streets in the city of Medford, and providing the manner of opening or widening streets and the levying of such assessments.

Vote yes or no.

407 YES

408 NO

An amendment to the charter of the city of Medford providing for the assessment of property especially benefited, of the cost of opening or widening streets in the city of Medford, and providing the manner of opening or widening streets and the levying of such assessments.

Vote yes or no.

409 YES

410 NO

CITY NOTICES.

An amendment to the charter of the city of Medford providing for an annual tax levied for the maintenance of a free public library in the city of Medford.

The people of the city of Medford do ordain as follows: That section 65 of Chapter VII of the charter of the city of Medford be, and the same hereby is, amended so as to read as follows:

Section 65. By ordinance of the council there shall be annually levied on all the property in the city taxable for county and state purposes a city tax, not to exceed ten mills on the dollar, for city purposes; and also such further amount as the council may deem necessary for the payment of interest and principal of any debt now or hereafter existing against the city, and which debt fund shall not be diverted or expended for any other purpose; and also such further amount as may be necessary to pay any judgment existing against the city; but any license exacted and collected by the city upon any place, person, pursuit, occupation or calling and the property connected with the place, person, pursuit, occupation or calling so licensed shall not be considered contrary to or in conflict with the provisions of this section; and in addition to the taxes and levies in this section authorized the city council shall, in the event that a free public library building be constructed in said city by private donation or otherwise, annually levy on all the taxable property in said city liable for city and county as will realize a sum equal to ten per cent of the cost of said building, which shall be expended in the maintenance of such free public library, subject to the regulations provided by the library commission of the state of Oregon.

The following is the form in which the foregoing measure will appear upon the ballot:

Submitted by the Council.

CHARTER AMENDMENT. An amendment to the charter of the city of Medford providing for the levying of a tax annually for the maintenance of a free public library building in the event of the construction of such a building in said city by private donation or otherwise.

Vote yes or no.

401 YES

402 NO

NOTICE.

In the district court of the United States for the District of Oregon.

In the matter of Baker-Hutchason Company, an Oregon corporation, and the Hutchason Company, a partnership composed of J. F. Hutchason, C. W. Zorn and — Kugler, bankrupts. The undersigned trustee of the above entitled estate in bankruptcy will receive sealed bids at his office, No. 7 First street, room 8, Portland, Oregon, up to 12 o'clock noon of Saturday, July 23d, 1910, for the following described property belonging to said estate, namely: A stock of merchandise, consisting principally of ladies' furnishing goods and shoes of the inventory value of \$23,835.25, together with a lot of store fittings and fixtures of the inventory value of \$2031.75, all located in store building at Nos. 14-18 North Central avenue in Medford, Oregon. Cash or a certified check for ten per cent of the amount offered must accompany each bid and the sale is made subject to confirmation by the court, the right being reserved to reject any and all bids. An inventory is on file at the office of the undersigned and the property may be inspected upon application at the store in Medford.

Dated at Portland, Oregon, July 7th, 1910.

R. L. SABIN, Trustee.

To the creditors of the above-named bankrupts:

Notice is hereby given that a meeting of the creditors of said bankrupts will be held in the office of the undersigned referee at Medford, Jackson county, Oregon, on the 20th day of July, 1910, at 2 o'clock in the afternoon to consider the sale of the personal property mentioned in the foregoing notice and to transact such other business as may properly come before said meeting.

Dated July 7th, 1910.

HOLBROOK WITHINGTON, Referee in Bankruptcy.

\$30,000.00 GENERAL FUND BONDS OF THE CITY OF MEDFORD, OREGON

The City Council of the City of Medford, Oregon, will receive sealed proposals for \$30,000.00 5 per cent twenty-year General Fund Bonds of the said city; bids to be filed with the City Recorder of the City of Medford, Oregon, not later than 4:30 o'clock p. m., July 29th, 1910.

Bids to be accompanied by a certified check on some National or State Bank within the State of Oregon equal to five per cent of the amount bid for; check to be made payable to the City Treasurer.

The Council reserves the right to reject any and all bids.

ROBT. W. TELFER, City Recorder.

Dated at Medford, Oregon, this 11th day of July, 1910.

Haskins for Health.

CITY NOTICES.

An amendment to the charter of the city of Medford providing for an annual tax levied for the maintenance of a free public library in the city of Medford.

The people of the city of Medford do ordain as follows: That section 65 of Chapter VII of the charter of the city of Medford be, and the same hereby is, amended so as to read as follows:

Section 65. By ordinance of the council there shall be annually levied on all the property in the city taxable for county and state purposes a city tax, not to exceed ten mills on the dollar, for city purposes; and also such further amount as the council may deem necessary for the payment of interest and principal of any debt now or hereafter existing against the city, and which debt fund shall not be diverted or expended for any other purpose; and also such further amount as may be necessary to pay any judgment existing against the city; but any license exacted and collected by the city upon any place, person, pursuit, occupation or calling and the property connected with the place, person, pursuit, occupation or calling so licensed shall not be considered contrary to or in conflict with the provisions of this section; and in addition to the taxes and levies in this section authorized the city council shall, in the event that a free public library building be constructed in said city by private donation or otherwise, annually levy on all the taxable property in said city liable for city and county as will realize a sum equal to ten per cent of the cost of said building, which shall be expended in the maintenance of such free public library, subject to the regulations provided by the library commission of the state of Oregon.

The following is the form in which the foregoing measure will appear upon the ballot:

Submitted by the Council.

CHARTER AMENDMENT. An amendment to the charter of the city of Medford providing for the levying of a tax annually for the maintenance of a free public library building in the event of the construction of such a building in said city by private donation or otherwise.

Vote yes or no.

401 YES

402 NO

P. C. HANSEN TOM MOFFAT We make any kind and style of Windows. We carry Glass of any size on hand. MEDFORD SASH & DOOR CO., Medford, Oregon.

RESOLVED The best resolution for you to make is to come to us for your next suit, if you want something out of the ordinary. We do the best work and charge the lowest prices. W. W. EIFERT THE PROGRESSIVE TAILOR

PLUMBING STEAM AND HOT WATER HEATING All Work Guaranteed Prices Reasonable COFFEEN & PRICE 11 North D St., Medford, Ore. Phone 303

- - For Sale - - 428 ACRES—Rogue River bottom land, suitable for fruit and general farming purposes. 300 ACRES—Alfalfa land, covered with irrigation ditch and perpetual water right. Has coal outcropping. At a bargain on long time, easy payments.

Gold Ray Realty Comp'y. 209 WEST MAIN ST.

J. E. ENYART, President J. A. PERRY, Vice-President. JOHN S. ORTH, Cashier. W. B. JACKSON, Ass't Cashier. The Medford National Bank Capital, \$50,000 Surplus, \$10,000 SAFETY BOXES FOR RENT. A GENERAL BANKING BUSINESS TRANSACTED. WE SOLICIT YOUR PATRONAGE.

Medford Iron Works E. G. Trowbridge, Prop. FOUNDRY AND MACHINIST All kinds of Engines, Spraying Outfits, Pumps, Boilers and Machinery. Agents in So. Oregon for FAIRBANKS, MORSE & CO.

FOR SALE One of the best locations in Medford for Family Hotel OR Apartment House 250 by 100 feet, east front. Comprising five lots or original townsite. It will take \$2,000 cash to handle this property. Easy terms on balance. Write or inquire at 240 South Grape Street or Phone No. 4172.