

The council shall also order said list published in a newspaper published and of general circulation in said city, at least five days before the date of election.

The city recorder shall, before the opening of the polls on the day of election, transmit to the election judge in each ward or voting precinct, the poll list for the respective wards or voting precincts, and the same shall be used by said judges in the conduct of said election, and opposite the name of each voter shall be marked the word "voted" as soon as he shall have cast his ballot.

Said board of registration shall sit at the places designated as aforesaid by the city council, on the day of election, and any qualified elector of said city who has not theretofore registered may appear before said board on said day for registration. He shall make and subscribe to affidavit heretofore provided for, and shall in addition produce three qualified voters and freeholders of said city, who are acquainted with his qualifications as an elector of said city, and they shall make affidavit to that effect and that they are personally acquainted with such elector and that the affidavit made by him is true of their own knowledge, in so far as the statement of place of residence and length of residence in said state and city is concerned, and that they believe the same to be true in all other respects. Said board of registration shall retain all of the affidavits of all persons registered by them and turn the same over to the city recorder of said city, and shall write thereon the word "Registered." They shall, upon registering any elector on election day, issue to him a certificate to that effect that the elector, naming him, has been registered and found to be a qualified elector of said city, which said certificate shall state the ward or voting precinct in which said elector is entitled to vote, and said certificate shall, upon producing such certificate to the election judges of said precinct, be entitled to cast his vote at said election.

The judges of election shall, upon the presentation of any such certificate, add the name of such voter to the poll list and shall give said name a number. As soon as said elector shall vote they shall mark on the poll list the word "Voted" opposite the name of such elector and shall also endorse on said certificate the word "Voted," together with the number opposite elector's name on the poll list, and shall also write upon the ballot cast by said elector the words "Voted by Certificate," and shall place thereon the said number opposite the name of said voter on the poll list.

No person who has not been registered as aforesaid shall be entitled to vote at any annual election of said city.

CHAPTER VII. TAXATION.

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 16 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 and county taxes, a special tax in such amount 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.

Section 66. All tax levies made by the city council shall be made on or before the twentieth day of January, annually, and shall be certified by the city recorder, under his hand and seal of the city, to the county clerk of Jackson county, who shall enter the same on the tax roll as other taxes are entered, and the same shall be collected by the sheriff of said county as other taxes are collected by him, and by him shall be paid over to the county treasurer to the credit of the city.

Section 67. The city council, by ordinance or resolution at any session, may fix or increase the bond of any city officer, and by ordinance shall have full power to prescribe the manner in which any such officer shall discharge his financial or other duties.

CHAPTER VIII. WATER WORKS AND SEWERS.

Section 68. The council shall have power, and it is hereby authorized to construct, acquire, maintain, own, manage and operate a complete system of waterworks, with all necessary implements, appurtenances and appliances, for the supply of water to the citizens of the city and vicinity; and for the purpose of making said supply of water permanent, shall have the right to acquire, by purchase or otherwise, as it may deem for the best interest of the city, cisterns, wells and water rights and other sources of supply.

Section 69. The council shall have power, and is hereby authorized to construct, erect, maintain and own and manage and operate a complete system of electric and other lights for the purpose of lighting streets and public buildings of the city, and furnishing lights for the citizens of said city and in the vicinity thereof, including the erection upon the streets, alleys and public grounds of the city of all necessary and convenient poles, wires and other appliances, the purchase or construction of all necessary buildings, power, dynamos, machinery and all other things necessary and proper to the complete equipment and operation of said electric or other light system; or, instead of generating electricity, the said council may contract with any individual, company or corporation for the purchase of electricity, and may resell the same to the citizens of the said city and vicinity for the purpose of electric lighting and power, in such manner and on such terms as the said council may by ordinance prescribe, and shall also have the power to regulate or prohibit private light plants of any kind in said city.

Section 70. The council, in addition to the sewers and drains heretofore constructed under and by virtue of the authority vested in the officers of said city by previous charters, shall have the power, and is hereby authorized, to construct or cause all necessary sewer and drains of a character and capacity to produce a complete system of sewerage; and for such purpose the said council shall have the right to enter upon any land between the termini of said sewer, drain or ditch for the purpose of examining, locating and surveying the line of said sewer, drain or ditch, doing no unnecessary damage hereby; to appropriate and exercise the right of eminent domain over so much of said land as may be necessary for the construction of said sewer, drain or ditch; provided, that the procedure for said condemnation and appropriation shall conform substantially to the condemnation of land for corporate purposes, as is provided by the general laws of the state, and to cause the cost of the construction of said sewer, drain or ditch to be assessed to the property directly benefited by or adjacent to such sewer, drain or ditch in the following manner:

In case said sewer is a trunk or sub-trunk sewer, the limits of the district to be served by said sewer shall be defined by ordinance, and said district, or sub-district be given a number, and in giving the notice hereafter provided for it shall be sufficient to refer to said district by the number so given to it. The cost of lateral sewers shall be assessed against the property adjacent to the street or alley in which the same is laid; no property, however, to be assessed unless the same is directly benefited thereby.

Ten days' notice of the intention of the council to construct any trunk or sub-trunk or lateral sewer and to assess the cost thereof against the property benefited thereby shall be given by the council in the manner provided by section 79 of this charter in the case of contemplated street improvements. If said sewer be a trunk or sub-trunk sewer, the number of the sewer district in which the property is to be assessed shall be set out in said notice, but in case of a lateral sewer it shall be sufficient to state the street or portion of street or alley in which said sewer is proposed to be laid. Thereafter the proceedings for levying said assessment and for entering and collecting the same shall be the same as in case of assessment for street improvements. The council shall assess no property a greater amount than the special benefit derived by it by reason of said sewer, nor a greater amount than the cost thereof, including engineering, inspection and superintendence, and any property in the sewer district or along the line thereof not found to be especially benefited by said sewer shall be exempt from assessment. In the construction of any sewer, drain or ditch the city shall have the right, through its council, to divert the waters of any stream within the boundaries of said city.

Section 71. At any time that the said council shall deem it advisable, for the benefit of the public health and the convenience of said city, to acquire an outlet for any sewer, drain or ditch outside of the corporate limits of said city, the said council is hereby authorized to acquire, by purchase or by condemnation proceedings, as provided for in this act, a right of way along and across any property outside of the corporate limits of said city; and shall also have the right to acquire, by purchase or condemnation proceedings, land along or across any stream of water for the purpose of providing said outlet for said sewer, drain or ditch, and to use the bed of such stream for sewerage purpose.

CHAPTER IX. BONDS AND WARRANTS.

Section 72. Power and authority is hereby given the council, and the council is hereby authorized to borrow money on the faith and credit of the city, and to that end to provide for the issuance of warrants and bonds of said city for any purpose which in the judgment of said council is beneficial to the interest of said city, and to designate the manner and time of payment thereof, and the interest thereon, but no higher rate of interest than six per cent per annum shall be allowed upon said warrants or bonds; provided, that the total amount of warrants and bonds issued shall not at any time exceed the limits hereafter in this section provided. And provided further, that any issue of

either bonds or warrants in excess of the limits hereinafter provided shall not render the members of the council voting for any indebtedness in excess of such limit personally liable as individuals therefor, at the instance of any taxpayers of said city or other person interested in the debt or obligation so unlawfully created, by suit brought for the purpose of enforcing said individual liability.

Subdivision (a). The total amount of warrants and bonds issued, including all existing indebtedness heretofore created by the City of Medford for all purposes whatsoever, shall not at any time exceed the total sum of \$100,000, except as hereinafter expressly provided. In determining the total amount of indebtedness under this provision, the total amount of warrants and bonds of said city outstanding, and not expressly provided for in other subdivisions of this charter, together with the accumulated interest thereon, shall be held to constitute such total indebtedness hereunder.

Subdivision (b). In addition to the warrants and bonds authorized above, the said council is hereby further authorized and empowered to borrow money on the faith of said city, and for that purpose to issue warrants and bonds as above set forth, for the sole purpose of extending and improving the existing water distributing system of said city and of purchasing, establishing and maintaining standpipes and reservoirs, purchasing and laying water pipes and mains, connecting dead ends, carrying on investigations as to the possibilities of obtaining water for said city by means of wells and otherwise establishing an adequate water distributing system for said city, which warrants and bonds shall be termed water warrants and water bonds, but the total amount of warrants and bonds so issued as water warrants and water bonds shall not at any time exceed the sum of \$40,000, and in determining the total amount of indebtedness under this provision, the total amount of warrants and water bonds, together with the total indebtedness under this provision shall be included; but before expending any moneys provided for in this subdivision the council shall pass an ordinance designating and describing all the improvements, extensions, purposes and plans which they will adopt and carry out for water purposes and improvements, and at the same time the council shall cause to be filed in the office of the city recorder a full, detailed and complete estimate of the cost of all such improvements, extensions, purposes and plans set forth in said ordinance. And in the event that bonds be issued under this subdivision, there shall be set aside, out of the gross revenue derived from the operation of the said water system, as a sinking fund for the retirement of such bonds at the maturity thereof, such proportion of gross revenues as the council may by ordinance designate from time to time, provided that said proportion shall not at any time be less than five per cent of such gross revenues.

Subdivision (c). In addition to the foregoing warrants and bonds, as authorized in the two preceding subdivisions of this section, the said council is further authorized to borrow money on the faith of the city, and for that purpose to issue warrants and bonds for the sole purpose of further improving the water distributing system of said city, provided that the mains installed in improving said system shall be of cast iron of approved design and manufacture, and shall issue warrants and bonds as provided in this subdivision for such purpose, the total amount of warrants and bonds so issued shall not at any time exceed the sum of \$25,000, in addition to the warrants and bonds in the two preceding subdivisions authorized, and in the event that such warrants and bonds shall be issued such issue shall be in all respects subject to the provisions and restrictions of subdivision (b) of this section, except as to the maximum amount of such issue.

Subdivision (d). In addition to the foregoing warrants and bonds, as authorized in the preceding subdivisions of this section, the said council is further authorized to borrow money on the faith of the city, and for that purpose to issue additional warrants and bonds for the sole purpose of securing, furnishing and installing a gravity supply of pure water for said city; but in the event that said council shall elect to secure, furnish and install a gravity supply of pure water as above mentioned, and shall issue warrants and bonds as provided in this subdivision for such purpose, the total amount of warrants and bonds so issued shall at no time exceed the sum of \$300,000 in addition to the warrants and bonds in the two preceding subdivisions authorized, and in the event that such warrants and bonds shall be issued, such issue shall be in all respects subject to the provisions and restrictions of subdivision (b) of this section, except as to the maximum amount of such issue.

Subdivision (e). In addition to the foregoing warrants and bonds as authorized in the preceding subdivisions of this section, the council is further authorized to borrow money on the faith of the city, and for that purpose to issue additional warrants and bonds for the sole purpose of making improvements in the water system of said city and having for trunk, sanitary and storm sewers heretofore or hereafter constructed by said city, the total amount of

warrants and bonds so issued shall at no time exceed the sum of \$30,000 in addition to the warrants and bonds in the preceding subdivisions of this section authorized, and in the event that such warrants and bonds shall be issued such issue shall in all respects be subject to the provisions and restrictions of subdivision (b) of this section, except as to the maximum amount of such issue.

Subdivision (f). For the retirement of the bonds of the City of Medford, authorized by this section, there shall be created a sinking fund. The council shall levy a tax of not less than one-half mill each year upon all taxable property in the city, the proceeds of which shall be placed in a fund. There shall also be placed in said fund such proportion of the gross receipts of the water plants of said city, not less than five per cent, as the council may from time to time determine upon, being made the duty of the city council to cause at least five per cent of said gross receipts to be placed in said fund. Said sinking fund may be invested by order of the council in any of the bonds of said city, including improvement bonds and water main bonds; said tax shall continue to be levied and said proportion of the gross receipts of said water system placed in said fund until said fund shall be equal in amount to all outstanding bonds and warrants of said city authorized by the preceding subdivisions of this section. Upon the maturity of any of said bonds such proportion thereof shall be paid from said sinking fund as the council shall determine upon, but such proportion shall in no case be less than the proportion which the amount in said sinking fund bears to the total amount of the bonds of said city outstanding authorized by the preceding subdivisions of this section.

When any bonds shall be retired by payment from said sinking fund, this section shall not be taken to confer any authority for the reissuance of any other or further bonds in their place and stead.

Section 73. In the event that the council shall deem it for the best interest of the said city, the said council is hereby authorized to issue the bonds of said city to refund any outstanding indebtedness of said city represented by warrants at a lower rate of interest than that borne by said warrants or to refund any maturing bonded indebtedness of said city at a rate of interest equal to or lower than that borne by said maturing bonds; and said council is further authorized to issue the bonds of said city (in the event that this provision be made for the payment of street, sewer or sidewalk assessments in installments) in such amounts and upon such terms as will supply the funds for such improvements, rendered necessary by the deferring of such payments, but all bonds so issued shall be a charge upon the property subject to assessment for such improvement, and provisions shall be made by said council for the retirement of such bonds as speedily as possible, out of the proceeds of such deferred payments of such assessments.

CHAPTER X. CITY BOARD OF EQUALIZATION. Section 74. The mayor shall annually appoint two electors of said city, subject to the approval of the council, as a city board of equalization, who shall sit with the county board of equalization as advisory members thereof, when the said county board has the assessment roll of the precincts in which the City of Medford is situate under consideration. Said advisory members may make recommendations as to the increase or reduction of any or all of assessed values in said city, and said county board of equalization shall cite any property owners of said city to appear before it and show cause, if any exists, why his or her assessment should not be increased, whom said city board of equalization requests to have cited.

Section 75. The members of said city board of equalization shall carefully examine the assessment roll of Jackson county as soon as the county assessor has completed the same, so far as the assessment of property in said city and road district is concerned, and shall make a list of all taxpayers in said city whose assessments should, in their opinion, be increased, and file the same with the county board of equalization on the first day of session thereof, accompanied with a request to have such taxpayers cited to appear before said county board and show cause, if any exists, why their assessments should not be increased.

Section 76. The members of said city board of equalization shall each be paid \$3.00 per day, and no more, for their services, for a period not exceeding five days.

Section 77. A certificate of appointment shall be issued by the recorder to the members of said city board of equalization, under the seal of the city, signed by the mayor and attested by the recorder.

CHAPTER XI. STREETS, ETC.

Section 78. The council is authorized and empowered to lay out, establish, vacate, widen, extend and open and beautify by planting and caring for shade trees, streets and alleys in the City of Medford, and appropriate property therefor; to improve the public grounds and parks within the city; to establish and open streets and alleys within said city in continuation of those now or hereafter laid out; to establish or alter a grade, and to improve any street or park thereof now or hereafter laid out or established within the limits of the city; to cause to be constructed all sidewalks,

ditches, drains, curbs and gutters and to repair the same, and to determine and provide for everything necessary concerning such improvements and repairs.

Section 79. Before undertaking to grade, improve or beautify any street, the cost of which is to be assessed upon the property adjacent to and benefited by such grading or improvement, the council shall by resolution declare its intention to cause said improvement to be made, briefly describing said improvement, and to assess the cost thereof, as aforesaid, fixing the date of a meeting of the council at which protests thereto will be heard, and shall cause five copies of said resolution to be posted in five of the most public and conspicuous places in said city at least ten days before the date of said meeting.

Section 80. The council shall meet at the time and place fixed in said notice, and shall first hear all protests against said improvement and the assessing of the cost thereof, as aforesaid, and if the council shall determine that said improvement is of material benefit to the city, and that the property to be assessed thereby will be specially benefited thereby to the extent of the cost of said improvement, it may notwithstanding any protests, proceed to cause said improvement to be made, and at said meeting, or at any subsequent meeting, may determine the cost or probable cost of making such improvement and assess upon each lot or part thereof adjacent to said improvement its proportionate share of the cost of said improvement, not exceeding in any case the special benefit received by the lots or parts thereof so assessed. If at the aforesaid meeting called to hear protests and consider said matter, there is less than a quorum present, or if the council desires to further consider the matter, said meeting may be adjourned to a later date, fixed by the council.

Section 81. When the cost, or probable cost, of the improvement has been ascertained and determined, and the proportionate share thereof of each lot or part thereof has been assessed, as hereinbefore provided for, the council must declare the same by ordinance, and direct the recorder to enter a statement thereof in the city lien docket.

Section 82. The city lien docket is a book in which must be entered in pursuance of this act the following matter in relation to the assessment for the improvement of streets: (a) A description of the property assessed; (b) the name of the owner or the reputed owner, if known, or that the owner is unknown; (c) the sum assessed upon such property and the date of the entry.

Section 83. The city lien docket is a public writing, and the original or certified copies of any matter authorized to be entered therein are entitled to the force and effect thereof, and from the date of the entry therein of an assessment upon any property as above provided, the sum so entered is to be deemed a tax levied and lien thereon, which shall have priority over all other liens or encumbrances thereon whatsoever.

Section 84. A sum of money assessed for the improvement of a street shall be collected in the following manner: Notice shall be given to the owner or reputed owner of the property assessed, as named in the lien recorded in the docket of city liens, that said assessment has been made and the lien therefor entered of record in the city lien docket, and that the same is due and requiring the same to be paid to the city recorder within ten days from the service of said notice. Said notice shall be served by the city recorder, by publication in some newspaper, by order of the council, for three publications thereof, in such manner as the council shall by ordinance prescribe.

Section 85. If, within ten days from the service of the notice of the final publication thereof, as prescribed in the foregoing section, the sum assessed upon any lot or parcel thereof is not wholly paid to the city recorder, the council may thereafter, at any time it may see fit, order a warrant for the collection of the same to be issued by the recorder, and directed to the chief of police.

Section 86. Such warrant must require the person to whom it is directed to levy forthwith upon the property liable for the unpaid assessment, and sell the same in the manner provided by law for the sale of delinquent state county tax, and to return the proceeds of such sale to the recorder, together with the warrant with his doimes endorsed thereon.

Section 87. Such warrant shall have the force and effect of execution against real property, and shall be executed in like manner, as is provided by the general laws of the state for the enforcement of executions; the recorder shall issue the certificate of the city to the purchaser thereof, and the owner of said property or his assignee shall have the right of redemption in the manner and with like penalties as is provided by the general laws of the state for redemption from tax sales; and the owner of said certificate, at the expiration of two years from the sale of said property, may apply to the recorder and receive a deed therefor, and said deed, at the expiration of one year from its issuance, shall in all respects become absolute, and no suit of any kind or character shall be maintained or set aside or in any wise or in any manner void by any court because of any irregularity or defect in the proceedings leading up to the levying of the assessment whereof same is based or

in the collection thereof, or the proceedings leading up to the sale of said property, the city shall, upon the application in writing setting forth said facts with a certified copy of the judgment or decree attached thereto, repay to the purchaser at said sale, or his assigns, the amount paid by him at said sale.

Section 88. The council shall have full control of all streets, county roads and public alleys in said city, and may order and prescribe the kind and character of all improvements and repairs thereto, including sidewalks, gutters, curbs, ditches and drains in, along and across said streets, roads and alleys, and planting and caring for shade trees, and may prescribe the width and grade thereof, and all the mode of construction, improvement and the repair thereof, and may compel the owners of the property abutting thereon or benefited thereby to pay the cost of such construction, improvement and repair in such manner as the said council shall deem for the best interest of said city; provided, that in the event that the said council shall deem it for the best interests of said city and shall provide for the payment of street improvements, sidewalk or sewer assessments, or other assessments in installments and the issuance of bonds for the purpose of paying the cost of such improvements as may be affected by such provision, the bonds so issued shall be a charge upon the property subject to such assessments and the amount of the bonds so issued shall not be included in the determining of the indebtedness of said city, as provided in section 72 of this charter.

Section 89. The council is empowered and authorized to repair any street or part thereof whenever it deems it expedient so to do, and to declare by ordinance before doing the same, whether the cost thereof, in whole or in part, shall be assessed upon the property adjacent thereto, or be paid by the city out of the general fund.

Section 90. Should the council find that the method of levying or collecting assessments for street improvements or repairs and other purposes can be made more speedily or with more economy by some other method than that in this charter provided, then the council shall have power and authority to provide by ordinance for another and different method for making or collecting such assessments, but any such ordinance shall be passed by a vote of at least two-thirds of the whole council.

CHAPTER XII. MEDFORD CITY ROAD DISTRICT.

Section 91. All of sections 24 and 25 of township 37 south, range 2 west, and all of sections 19 and 30 township 37 south, range one west, including the City of Medford, shall constitute an independent road district, to be known as the Medford City road district.

Section 92. The streets, alleys, county roads and highways, parks and other public grounds of said road district and city, as a part thereof shall be under the care and supervision of the street commissioner of the City of Medford, but subject to such rules and regulations as the city council, by resolution or ordinance, may prescribe; and said street commissioner shall also obey all orders given him by the mayor; but said mayor shall not make any order that conflicts with the provisions of this charter or the ordinances of the city.

Section 93. There shall be annually levied upon all taxable property within said road district and city, for street and road purposes, one and one-half mills on the dollar, which shall be certified to the county clerk and placed upon the tax roll of the county, and collected in cash in the same manner as provided for the collection of the annual tax levy of said city, the same to be expended upon the roads, streets, alleys and thoroughfares of said road district and city, and roads leading into said city, and for no other purposes whatever; and the money realized from this tax shall be placed in the street and road fund of said city. The city council may any year increase this levy for roads and streets to 3 mills, or may reduce it to not less than one mill on the dollar.

Section 94. The city council may provide for hiring men and teams by the day to grade, improve and grave any road, street, alley or public place, or portion thereof, and to do other necessary work thereon, whenever the sum to be expended does not exceed \$1000, and the council is in the opinion that such method is best for the city.

Section 95. The city council shall have the same power and authority over all county roads within the limits of said city as it has over the streets of said city in establishing grades, improving, grading and gravelling, construction and repair of sidewalks, construction and repair of curbs and gutters, and the removal of filth and nuisance; and to levy assessments for the whole cost of any or all such improvements or repairs, etc., or any part thereof, upon abutting property, and to levy and collect said assessments, all of which shall be done in manner and form as elsewhere provided in this charter for the streets of the city.

Section 96. That the city council shall cause to be made a suitable book, which shall be kept in the office of the city recorder, called "Record of Grades, Surveys," etc., in which the council shall cause to be entered and recorded a profile plat of all grades established in the city, a plat of all surveys of all new streets opened or streets altered, and of all plats of additions to the city, each of which shall be accompanied by a suitable and full description of said grade, street, alteration, survey

or addition, with a full description and references to permanent and enduring objects or landmarks at or near the termini of said grades, streets, surveys, alterations, and at all the outside corners and some of the intersections of streets in plats and descriptions of said additions, which plat and description shall be made by the city engineer or acting city engineer, and indexed, and by him, under the proper date, certified to be correct, and signed by him officially. Thereupon, at the next regular meeting of the city council, the recorder shall present such plat, description and record to the council for its action, approval or disapproval, but the council may cause said plat, survey or record to be altered or amended before finally approving or disapproving it; and the council's approval or disapproval, together with the date of it, shall be entered upon the margin or bottom of the page where said plat and description is recorded, which shall be done by the city recorder and signed by him officially. No engineer employed to make any survey and plat of any kind for the city shall be paid for his services until he has entered said plat, survey and the description thereof in said record as herein required.

CHAPTER XIII. MISCELLANEOUS.

Section 100. No contract shall be entered into by the city or any franchise granted for a longer period than ten years, except franchises for street railways and for the purpose of supplying gas to the city or its inhabitants, which may be granted by the legal voters, for such period as they may see fit, not exceeding fifty years. No franchise shall grant any exclusive right or rights, provided that this section shall not be construed to prevent the issuance of the bonds of the city, elsewhere in this charter authorized, for a longer period than ten years, if in the opinion of the council such longer term will be for the best interest of the city, but no bonds of the city shall be issued for a longer period than thirty years.

Section 101. Before any proposition for selling, leasing or encumbering any of the city public utilities can be legally submitted to the decision of the electors of said city, the council shall cause a full and explicit statement of the power and authority which they desire to have granted to them published for two weeks before said election is to be held in one of the newspapers printed in the city; and no franchise shall ever be granted that injures or depreciates the value of any of the city's public utilities.

Section 102. The city council shall have power to license, regulate or prohibit telegraph and telephone companies using the roads, streets or alleys of the city and road district, and to fix the compensation which such companies shall annually pay to the city for such license or privilege; but no license shall grant an exclusive right to any such company.

Section 103. No witness fees shall be allowed or paid in any suit, action or proceedings before the city recorder, or in the city recorder's court, to any inhabitant of said city. Section 104. That it shall be the duty of all persons owning lots or lands which have sidewalks abutting thereon to maintain and keep in repair said sidewalks, and not permit the same to become or remain in dangerous or unsafe condition. Any owner of lots or lands who neglects to promptly comply with the provisions of this section shall be answerable to any person injured by such negligence, but the city shall not be liable for damages in any such case.

Section 105. All bridges and culverts in said city and road district, upon any county road thereon, the cost of construction of which will not exceed the sum of \$20, shall be built and maintained by said city, but all others in excess of said sum shall be built, maintained and repaired by the county in which said city is situate.

Section 106. The attendance of witnesses may be enforced as in the circuit court of Oregon, but no witness fees shall be allowed or paid in any proceedings in said court unless the council shall by ordinance provide for the compensation of witnesses.

Section 107. All taxes levied by the Town of Medford, and the proceeds thereof, shall be collected and paid over to the City of Medford; and, in all matters whatsoever, every right or obligation of the Town of Medford shall attach to and become a right or an obligation of the City of Medford, upon the passage of this act.

Section 108. No injunction or restraining order shall issue from any court or enjoin or prevent the enforcement and collection of any street, sewer, or other assessment provided for in this act, after the work for which assessment is made has been completed, or to prevent the sale of property for any unpaid tax or assessment.

Section 109. In proceedings of the city council, the axes and keys shall be called and duly entered upon its journal on the final passage of every ordinance or resolution; on the payment of all bills and claims against the city; in any and all cases where the financial rights or interest of the city or any of its taxpayers are involved, either directly or indirectly, and in all other cases, upon order of the presiding officer or the demand of two or more members of the council.

Section 110. In every action, suit, or proceeding in any court involving the exercise or enforcement by said city, the council, or any officer or board of said city, of any power or authority by this act delegated or given to said city, the council, or any officer or board thereof, all acts, proceedings, and doings of said city, the council, or any officer or board thereof, shall be presumed to be leg-