called into question elsewhere, -

as fixed by this act.

this act.

Section 115. All the acts men-

posed main and shall designate the county of Jackson. portion of the street along which the same is to be laid; it shall declare which the council will meet and hear

Said resolution shall be published amount of assersments entered in three times in a daily newspaper said water main lien docket and unprinted, published and of general cirwhich publications shall be made not days before the date of said meetand said resolution shall be posted for a period of ten days prior to said meeting in five public and conspicuous places in said city.

Section 117. At said meeting, or tent of the probable amount of the the basis of any other on the frontage of said lot.

Section 118. When the cost of laying said water main has been asproportionate share thereof of each lot or part thereof has been assessed hereinbefore provided, the council shall declare the same by ordinance and direct the recorder to enter a statement thereof as hereafter provided in the water main lien The city recorder docket. shall enter in a docket kept ford, not less than twice during the for that purpose, under separate beads for each water main on each period; and after said semi-annual street a description of each lot or parcel of land or other property against which such assessment is made, with the name of the owner and the amount of such assessment remaining unpaid. Such docket shall stand thereafter as a water main lien docket as for taxes assessed and levted in favor of such city and for the amounts of such unpaid assessments but where such notice is given as to therein docketed, with interest thereon at the rate of six per cent per annum against each lot or parcel of the bonds of said issue bearing the land or other property, respectively, lowest number, and such bonds shall until such assessment and interest are paid; and all uppaid assessments bering. and interest shall be and remain a lien on each lot or parcel of land or other property, respectively, in favor of said city, and such Hens shall have priority over all other liens Medford and shall be registered consecutively by number and denominaany lien for street improvements or sewers on the bases of which any bonds have been or may be issued nated as the water main bonds regispuramant to Chapter V. of Title XXVII Codes and Statutes of Oregon. plainly and distinctly inscribed or

There is hereby created a fund to be known as the water fund of the istered number of said bond and the City of Medford, and all moneys re- words "Water Main Bond" with the ceived by said board shall be paid name of the City of Medford thereover to the treasurer of said city for sale and sold for the bighest and placed in said fund, and from price obtainable therefor, but not for said fund shall be pand all of the less than par and accrued interest; operating expenses and other ex- and the proceeds thereof shall be operating expenses and other expenses and the proceeds thereof said matter to and of the council shall have the right to be sprinkled shall be given in of the council shall have the right to be sprinkled shall be given in of the council shall have the right to be sprinkled shall be given in of the council shall have the right to and the same and other expenses and other expenses and other expenses and other expenses and the paid by the purchaser to the treat to and of the council shall have the right to and the same and appoint receive the consent of the council shall have the right to and the same and the proceeds and appoint receive the same manner as in case of street improvements. All the same manner as in case of street improvements, and the same manner as in case of street improvements, and the same manner as in case of street improvements, and the same manner as in case of street improvements and in such that the right to and the proceeds and appoint of the council shall have the right to and the same and the same and appoint receive the consent of the council shall have the right to and the paid by the purchaser to the same and appoint of the council shall have the right to and the same and appoint of the council shall have the right to and the paid by the purchaser to the same and appoint of the council shall have the right to and the paid by the purchaser to the same and appoint of the council shall have the right to and the same and the s made by order of the council and as bonds are issued; and the accrued other claims are paid.

The surplus in said fund shall be the sale of any such bonds shall be transferred from time to time by credited to the general fund of said order of the city council into the city, following funds of said city:

ular and duly done or taken from the beginning; and no error, defect. Section 120. Whenever the city or omission in any act, proceeding. On thing required to be done or taken from the beginning; and no error, defect. Section 120. Whenever the city of the balance from the balanc or thing required to be done or tak- any water main to be laid in any ment shall be due and payable at the which he shall deem sufficient to any protests against such assessment, application to pay which in installen by ythis act, or any ordinance of street of said city and shall have as- expiration of one year from the date fully secure the owner of the prop- Said resolution shall be served by ments has been made by the owner the city, shall effect or invalidate sessed the cost there of to the prop- of the entry of said assessment in the such act or proceeding, unless the er'y benefited thereby or liable there- water main lien docket, and subsection of the entry of said assessment in the erty sought to be appropriated and publishing the same pursuant to the charter water main lien docket, and subsection of the entry of said assessment in the erty sought to be appropriated and publishing the same pursuant to the charter water main lien docket, and subsection of the entry of said assessment in the erty sought to be appropriated and publishing the same pursuant to the charter water main lien docket, and subsection of the entry of said assessment in the erty sought to be appropriated and publishing the same pursuant to the charter water main lien docket, and subsection of the entry of said assessment in the erty sought to be appropriated and publishing the same pursuant to the charter water main lien docket, and subsection of the entry of said assessment in the erty sought to be appropriated and publishing the same pursuant to the charter water main lien docket, and subsection of the entry of said assessment in the erty sought to be appropriated and publishing the same pursuant to the charter water main lien docket, and subsection of the entry of said assessment in the erty sought to be appropriated and publishing the same pursuant to the charter water main lien docket. party attacking the saem shall allow according to the provisions of lege and prove that he has been missing and prove that he has been missing assessments and prove that he has been missing the same in five public places in led by such errors, defect, or omissing the same in five public places in led by such errors, defect, or omissing the same in five public places in led by such errors, defect, or omissing the same in five public places in labely of said city or the general laws of the value of said property, all daming the same in five public places in labely or the same in five public places in labely or the same in five public places in labely or the same in five public places in labely or the same in five public places in labely or the same in five public places in labely or the same in five public places in labely or the same in five public places in labely or the same in five public places in labely or the same in five public places in labely or the same in five public places in labely or the same in five public places in labely or the same in five public places in labely or the same in five public places in labely or the same in five public places in labely or the same in five public places in labely or the same pursuant to the charter of the same pursuant to the same pursuant to the charter of t led by such errors, defect, or omission, to his damage; and the court of side with the clerk of said meeting.

In shall be lawful for the same in five public places in state. All existing assessments owner or any other persons are liable to suffer and all said city, at least ten days before against each parcel so assessed shall pay the sum or sums aforesail as the date of said meeting.

At any time thereafter said city on the docket of city lies.

At any time thereafter said city on the docket of city lies.

At any time thereafter said city on the docket of city lies.

Said re-assessment shall be assessment shall be as is final, and can not be reviewed or cant and property owner does bereby improvement. excess of the debt limit of said city shall contain a provision that the be to notify the owner or owners of said real estate and all thereof. said applicant and property owner property by mail in all cases where assessments witch lias not been paid er or owners to receive such notice. and all acts or parts of acts, either er convenient description of the prop- treasurer of the city shall issue a regeneral or special, in conflict here- erty of the applicant assessed for ceipt to the person or persoons paying with, are hereby repealed in so far as said water main, and may contain any installment or interest and shall they conflict herewith or restrict the the postoffice address of the appli- file duplicates of such receipts with powers or duties hereby conferred cant, to which notices may be mailed the recorder and when the treasurer upon said city or its mayor or coun- as hereinafter provided. No applica- returns said docket said recorder jury the court shall order the pay- docket of city liens and collected in ley, shall be clegible to serve as viewtion as aforesaid shall be received shall make the proper entries thereon Section 116. Whenever the city and filed by the recorder if the showing the amount of such payments warrant or so much thereof as shall in the cause of assessment for street shall within five days after his apcouncil shall intend to lay any water amount of such assessment, together and the date thereof; provided that mains in any street of the city of with any previous assessments for Medford the cost of which is to be street improvements or sewers asassessed to the property fronting on sessed against said property and research to the property fronting on sessed against said property and research to the property fronting on sessed against said property and research to the property fronting on sessed against said property and research to the property fronting on sessed against said property and research to the property fronting on sessed against said property and research to the property fronting on sessed against said property and research to the property fronting on sessed against said property and research to the property fronting on sessed against said property and research to the property fronting on sessed against said property and research to the property against said street, it shall by resolution de-maining unpaid shall equal or exceed of any such lot or parcel of land or clare such intention. Said resolution the valuation of said property as shall describe the size of the pro-shown by the last tax roll of the Section 121. The recorder shall

keep all such applications as are spec the intention of the council to as- ified in section 120 in convenient sess the cost thereof on the property form for examination. And he shall said, together with the full amount fronting on said street, in propor- also enter in the water main lien tion to the frontage of said proper- docket the date of filing each appliand shall fix a time and place at cation, the name of the applicant the address, if given, opposite the all protests against the laying of description of the property and the said water mains and the assessment amount of the assessment remaining of the cost thereof on the property enpaid as shown in the application. Section 123. Whenever the total

said, for which applications to pay culation in said city, the last of in installments in accordance with section 120 have been made, and ess than ten nor more than twenty against which no bonds have been thereof is discharged. issued as herein provided, shall ex-Section 125. Each series of bonds reed two thousand dollars, exclusive of interest, the city council may, by ordinance, authorize the issue of the amount of which goes to make up of all violations of city ordinances bonds of said city in convenient dethe amount of any bond issue as nominations, not exceeding five hunat any adjourned session thereof, the dred dollars each, and in all for an such serial number on said water council shall first hear all protests amount equal to the total amount of main line docket. The treasurer against the laying of said water augaid assessments, exclusive of inupon receiving any funds accruing main and the assessing of costs terest, for which application to pay thereof to the property fronting on in installments in accordance with the account thereof separate acsaid street; thereafter, at said meet- section 120 have been filed against ording to the serial number with ing or at any subsequent meeting of which no bonds have been theretowhich the assessment on which the said council the matter of laying said fore issued in accordance herewith respective payments are made is water main may be further consid- provided, however, that if any of the marked as aforesaid ered, and if, notwithstanding any probe thus created a sinking fund for tests, it shall appear to the council water main on any street shall be each series of bonds issued hereunthat said water main is of material used as the basis for any bond issue, der. Out of each said fund shall be benefit to the said city and that all no other such assessment levied paid the interest accruing from time the property to be assessed therefor on account of the same water main o time on the bonds of such series stances as in the case of judgments of or if the council shall be of the opin- any such street or alley, with the his ability.

On the same street shall be used as represented by said fund and the such justice courts. rineiral of said bonds as the same respective assessments to be levied Such bonds shall by their terms macatures. A transfer shall be made against said property the council may ture in ten years from date thereof from the general fund of said city order said water main laid; and and be payable in gold coin of the o any such ginking fund at any time whenever thereafter, either before United States and bear interest at not when it shall be necessary to meet all or after the completion of the work to exceed six per cent per annum, payments payable out of such fund of laying said water main, the cost payable send-annually said interest ind whenever there shall be a surthereof has been determined, may to be evidenced by coupons attached plus in said sinking fund thereafter assess upon each lot or part thereof to said bonds; provided the right to payment of any such advance may fronting upon said portion of said | ke up and cancel such bond or bonds e made therefrom to the general street on which said main is laid its upon the payment of the face value and on direction of the city council. proportionate share of said cost based thereof with accrued interest to the The council shall from time to date of payment at any semi-annual ime issue notice in accordance with coupon period at or after one year he provisions of section 123 for the from the date of such bond or bonds etirement and cancellation of as certained and determined and the shall be and hereby is vested in the many of the bonds of each series as City of Medford. Notice that said an be retired with the funds cvailbonds are to be taken up and canthle in the sinking fund of such sercelled as aforesaid, and that the ines, the said bonds to be relired in terest thereon shall cease at the in-

be order of their number. The said terest payment period next following. shall be printed in a newspaper principal or interest on said bonds printed, and published and of genhall be deposited in such bank in eral circulation in said City of Medsaid city as will pay the highest rate of interest thereon. month preceding said semi-annual Section 126. Entries of payments or installments, interest and costs period, interest upon the bonds designade under the provisions of this nated in said notice shall cease and act shall be made in the lien docket. The judge of said court shall be apforesaid as the same shall be repayable by said city on demand. Said city si all have the right to give such such payments made and entered in ered year and shall hold office for principal to become due and payable as aforesaid, as to the whole or any part of any issue made hereunder. he date thereof. a part only of any issue made here

be so retired in order of their num-

be signed by the mayor and coun-

ersigned by the recorder and authen-

leated by the seal of the City of

tion of each in a book to be kept by

the recorder to be known and desig-

printed on the face thereof the reg-

Each of said bonds shall have

under, the notice shall be given as to this charter as to the indebtedness proved by the council. issues of bands or warrants by Said bonds before theissuance shall

at any time after making such appli-

cation as provided in section 129

other property against which an as-

amount of said assessment and for

of interest and costs accrued thereon

upon producing to the city recorder

(in which receipt shall be stated not

also a description of the lot or parcel

upor

of land or other property

which said lien is docketed as afore

street, in proportion to the to the respective fronting of said property on been paid for, assess against the shall be followed by the council in making such re-assessment.

In case said viewers can to respect the respective fronting on the portion of making an original assessment or in case the council deems the re-

Section 124. Thereafter there action to appropriate and condemn the following manner: The council shall distrib-First—Sack proportion as the council shall be due and payable annually for any real estate within or without cil shall declare by resolution its innine successive years to the treasurer of the city by the owner of each lot or parcel of land assessed for such policied in the interest fund of said in the interest fund of said assessment in innine successive years to the treasurer of the city, said city tention to lev such assessment, tween the various parcels adjacent the finite or benefits declared by ordinance and enterthe timits of the city hy the owner of each lot or parcel of land assessed for such which resolution its inthe limits of the city hy the owner of each lot or parcel of land assessment in land assessment in land assessment in inthe limits of the city hy the owner of each lot or parcel of land assessment in land as First Such proportion as the shall be due and payable annually for any real estate within or without cit shall declare by resolution its in- ute the cost of said improvement bevity as required to meet the demands stallments has been filed as provided fixing the amount of a deposit to be it proposes to permit the owners of sessing no parcel any great amount cept that no such assessment shall by section 120, ten per cent of the made in said court in the manner adjacent property to use for lateral than the actual benefit received by it be paid in installments. Section 119. Buch assessments amount of sail assessment as appears hereinafter provided as a condition purposes, as aforesaid, and shall dess from said improvement, but the The city council may in its dissection by section 120, ten per cent of the manner adjacent property to use in manner adjace

same by said court. e dismissed by said city without the said notice. consent of the defendants. When the equal such assessment and all costs improvements. .

State of Oregon. his charter to levy any special benevery instance extend and apply to occupied or used by any school dis-City of Medford, and said school distherein, the fact of such payment and ment conferred by this charter or by the date thereof, and that the lien iny law of the state of Oregon.

Section 131. There is hereby created Issued hereunder shall have a serial snown as the municipal court. It shall evied against such parcel of prophage bay portion of any such parcel of any portion of any such parcel of the council in the same full and exclusive jurisdiction of the council in the c have full and exclusive jurisdiction arty. with full power to enforce an judg shove provided, shall be marked with ments it may render in the same manner as judgments of justice court o time be enforced under the laws of percunder shall keep such funds and this state.

Transcripts of such judgments may e filed in the office of the county elerk with like effect and like manier as is provided by law in the case There shall of Judgments of such justice courts and appeals from such judgments namer and under the came circumbe declared to be void by any court. Sited by the opening of duties of said office to the best of

Section 132. All proceedings in aid court shall be governed and regdated by the laws of the state of Orgon in relation to justice courts inluding taxation of costs and disno trial by jury in said court.

Section 133. All fines and costs collected by said court shall be urned over to the city treasurer by he judge of said court, and said judge shall make a monthly report n writing thereof to the city council. Section 134. All the powers and unctions of said court shall be exeris the municipal judge. The salary of said judge shall be fixthe council by from ime to time and shall be paid by said city in the same manner as funds until so used for payments of the salary of other officers are paid, said salary shall not be changed to ake effect during the term of office of said judge. In the absence from he city of said judge the recorder ball perform the duties and pointed by the council at its first said lien docket shall be and oper-ate as a discharge of such lien to the mount of such payment and from fore taking office he shall subscribe ressor is elected and qualified. Beand file with the recorder of said city Section 127. No bond or bonds an oath that he will honestly and ssued by virtue of sections 120 and faithfully discharge the duties of said 26 inclusive of this charter shall be office to the best of his ability, and seemed or taken to be within or any shall furnish a bond in such amount part of the limitations contained in as the council shall require, to be ap-

Section 119. Such assessments amount of sail assessment as appears hereinafter provided as a condition purposes, as aforesaid, and shall be collected in the manner proby the water main lies docket deto the right of said city to enter upon ignate the amount per front foot council shall enter no assessment cretion permit any interested propthe City of Medford, or the council shall enter to assess against any parcel of property which erty owner to advance the council shall enter to assess against any parcel of property which erty owner to advance the council shall enter to assess against any parcel of property which erty owner to advance the council shall enter to assess against any parcel of property which erty owner to advance the council shall enter to assess against any parcel of property which erty owner to advance the council shall enter to assess against any parcel of property which erty owner to advance the council shall enter to a second to the council shall enter to the coun

substantial rights of such person; and assessment is first published in ac- council may at its option declare the court its warrant payable to the clerk such assessment, and may either at clared by ordinance and entered in In any proceedings, matter, or thing by this act committed or left to the by this act committed or left to the clistretion or judgment of the council, such discretion or judgment of the council, signed by the mayor, or any installment may at its option declared to the council of said count, drawn by the order of the property acquired for such discretion of the council signed by the mayor, or any installment may at its option declared to the council of said count, drawn by the order of the property acquired for such discretion of the council, signed by the mayor, or any installment may either at the property acquired for such discretion of the council, signed by the mayor, or any installment may be collected assessment in the property of the amounts actually in the council, signed by the mayor, or any installment may be collected assessment in the property for in the same manner as the original or any installment may be collected assessment in the property for in the same manner as the original or any installment may be collected assessment in the property acquired for the council or any subsequent of the council or any subsequent of the council or any subsequent or any subseq council, when exercised or declared, plication shall state the said appli- as in case of assessments for street the effect that he holds funds in his shall desire to open or viden city shall in such case be liable to It shall be the bands as such treasurer sufficient to erty is beenfited by having the right any street or alley within the city it the owners for such amounts only as waive all irregularities or defects, duty of the recorder when cover the amount thereof, and that to use the same as a lateral sewer shall first acquire, by purchase or may be collected on such assess-Section 113. But nothing con- jurisdictional or otherwise, in the the installments and when interest he has segregated and or water main, not exceeding the condemnation, the necessary land for ments and such liability shall be tained in the last preceding section proceedings to lay said water main on any assessment on the water holds the same so segregated for the cost of a suitable lateral water main said purpose. Any property owner shall be construed to release any and in the apportionment and as main lien docket are due, to make sole purpose of paying said warrant or sewer, as aforesaid, and not ex- may voluntarily execute a deed to councilman from personal liability sessment of the cost thereof. Said the proper extensions of such install- or so much thereof as the court may ceeding the amount designated in the city for any portion of his propfor having voted or aided in creating application shall be accompanied by and the city for any portion of his prop-limited by the charter. All the fore-and deby or liability which at the a payment of manay of ane tenth of deby or liability which at the a payment of money of one-tenth of and turn the same over to the treas. Medford shall be entitled to the im- be made in proportion to the frontage such conveyance shall be taken into going provisions as to the assessment shall be entitled to the imtime of voting for or creating was in the amount of said assessment and uner of said assessment and uner of said city, whose duty it shall mediate and exclusive possession of of each parcel of property, provided, consideration in assessing the cost of ments shall apply to any street dehowever, that the council may as opening or widening said street or al clared opened or widened within six The treasurer of said city shall cer- sess any parcel a less amount than ley, as hereluafter provided. Section 114. The duties, salary, agrees to pay the balance of said as-

and fees of all officers and employees sessment in nine additional annual their postoffice address on their ap- so to do in the manner above set ble lateral, based on its frontage, if declare said street or alley to be of the city may be fixed and defined installments with interest at the same plication filed in accordance with forth, provided he shall have funds it finds that the sepcial benefit to opened or widened, describing the rate on all that portion of said section 120, but failure of such own- in his hands available for the payment of such warrant and not other- tional amount, but no other parcel thereafter it shall be one of the ing or widening, as above provided. as that expressed in the bonds issued or of the treasurer to give the same wise, and he shall, upon certifying shall on account of any such reduc- streets of said city. tioned in the title thereof and all to pay for laying aid water main. In accordance herewith shall in no any such warrant forthwith segre- tion be assessed any greater amount acts amendatory thereof or in con- Said application shall also contain a event prevent the collection of such cost three viewers, one of whom shall be a board of water commissioners. Said flict herewith, are hereby repealed; description by lots and blocks or oth- intsallment as herein provided. The intact until ordered to disburse the based on its frontage, and no assess- designated as chairman. ment shall exceed in amount per said viewers shall be a resident and Thereafter said action shall not front foot the amount designated in freeholder of said city, and no per-

treasury of said city the whole Annotated Codes and Statutes of the to the same regulations as are pro- viewer, the council may appoint anvided for the use of other lateral other to act in his stead. Section 130. The right given in water mains or sewers in said city. The viewers shall meet at a time

only the amount of such payment, but trict of the state of Oregon or by the to use said trunk water main or tive unnecessary. runk sewer as a lateral shall not be trict or said city shall in every in- held or taken to prohibit the levying spect said street or alley and shall which such payment is made) said stance be held to enjoy all the rights of an assessment against said parcel determine what property is specially recorder shall enter in such lien to apply for and to make payment of property, but every such permit benefited by the opening or widendocket opposite the entry of the lies 'n installments of any such assess- whether heretoforce or hereafter ing thereof and the amount of the given, shall be held and taken to be special benefit to each parcel of prop- which of said commissioners respectemporary and revokable permit and erty thereof, not exceeding its pro- ively shall hold the several terms of icense only, until the ascessment portion of the cost thereof. In case office above provided for. in the City of Medford a court to be above provided for shall have been any portion of any such parcel shall

> Section 136. proved or has caused any sewer or 188, or may hereafter assess or attempt to assess upon the street or alley or the widening the member whose term is then exproperty adjacent thereto or benefit- thereof. bursements, except that ther shall be fited thereby, in the following manner:

The council shall declare by reso- sary land for said purposes, ution its intention to make such reissessment, which resolution shall briefly describe theimprovement, and shall declare theintention of the o re-assess and and the amount it street. proposes to assess against each such parcel. Said resolution shall fix the ime and place for holding a meeting of the council, at which all protests gainst re-assessing the costs of said improvement against adjacent prop- of said meeting. erty, or property benefited thereby, functions thereof and shall be ex- be published three times in a newspaper published and of general circulation in said city and shall be

other property, has been specially ever waived. Denefited thereby, it may cause the cost of said improvement to be assessed against said adjacent property.

After considering said report and made by said board, including the salaries of all employes. benefited thereby, it may cause the zessed against said adjacent property. Section 135. Whenever heretofore or other property especially benefit- proceed to assess against each paror hereafter the council has or may ad by said improvement, to the ex-Section 128. The council may in gause any trunk sewer or water main tent of the special benefit so received the opening or widening of said cil transferred to the sinking fund Section 128. The council may in gause any trunk sewer or water main tent of the special benefit so received to the street or allev, its proportion of the sprinkled either by acquiring the portion thereof, if after the laying of erty, shall be so assessed unless the case the actual benefit received the council and in the manner in said street or by entering into a contract with any other person or per-sons therefor, and may cause the sons thereof, including the reason-cost thereof, including the reason-cost the reasonable value of the use of any equip- been laid, as a lateral water main or amount designated therefor in said greater amount than that fixed in any water main laid in said city. ment furnished by the city and the sewer without materially interfering notice. In determining the property said report therefor, but the council whether the cost is to be assessed walue of all water furnished by the with the use thereof for the purpose city, to be assessed against the property for which it was originally laid, said erry fronting on said portion of said council may at any time before said erry, the provisions of the charter for making an original assessment for within the use thereof for the purpose to be assessed and the amount to be assessed against each parcel of property or not.

said portion of said street. Notice property fronting on the portion of making such re-assessment.

of the intention of the council to the street wherein said trunk water. The council shall have the right to port unfair or incomplete, it may re-cil to so refer said matter to and ment made and collected in the same water main or sewer of such size as ty specially benefited by said immate the owner of any parcel of land. The following are the numbers and cedings shall be had and the assess- water or trunk sower as a interal in case the council finds said properinterest and premium accruing from the sale of any such bonds shall be credited to the general fund of said the general f

Thereafter the council may appoint son owning any interest in any prop-Said assessment shall be declared erty especially benefited by the opendamages have been assessed by the by ordinance and entered in the ing or widening of said street or alpointment file in the office of the refor which said city is liable, and an appear to the street wherein oath to the effect that he will fairly shall be cancelled and returned to said trunk sewer or trunk water and impartially discharge his duties said treasurer, and such payment main has been laid shall have the as such viewer to the best of his abilsessment is made and lien docketed ment made into court pursuant to water main or sewer, as the case may fail to qualify within said time or

The fact that prior to the institu- and place within said city to be desofit assessment against real estate tion of proceedings for the making ignated by the chairman, of which to the date of such payment, and in said city on any account, shall in of any assessment in accordance three days' notice shall be given by, berewith, the owner or occupant or under the direction of, the chair- his successor is appointed and qualithe receipt of such treasurer thereof any real estate in said city owned or of any property assessable hereun- man, but the appearance of any view- fied. The fourth of said commisfer shall have been given permission er at said meeting shall render no- siovers shall hold office for a term

Said viewers shall proceed to inthe city by the owner thereof for Whenever hereto- said purpose, the viewers shall, in fore or hereafter the council has fixing the benefit to said parcel, de- as soon thereafter as may be, the caused any street or alley to be im- termine the difference between the mavor of said city shall appoint one value of said parcel, including said member of said board, which apof this state are, or may from time water main to be laid and part so conveyed, and the same as so pointment shall be confirmed by the reduced, but as benefited by said council, who shall take the place of

ed thereby the cost of such improve- Within thirty days after their apnent, and said assessment by reason pointment, or such further time as a term of five years. of any failure to give any requisite the council may allow, the viewers notice or by reason of any other de-shall file a report in the office of ter commissioners shall, before asect in the proceedings leading up to the recorder, giving a description of suming office, file with the recorder nay be taken into circuit court of the making of such improvement or each piece or parcel of land which of said city an oath that he will aid state for Jackson county in like the levying of such assessment shall they shall find to be specially bene- faithfully and honestly discharge the toubtful by re..son of any such omis- or thereof, together with the amount ion or defect, said council may cause of the special benefit so received by and control of the entire water systhe cost of said improvement to be each parcel therefrom. Said amounts tem of the City of Medford shall and e-assessed against the property ad-shall not exceed the proportional ben-hereby is reposed in said board of jacent to said improvement or bene-lefit of said respective parcels, and water commissioners. They shall the aggregate thereof shall not ex- have power to employ a manager, or ceed the cost of acquiring the neces- superintendent, and all other em-

resolution, announce that said report tion of said plant; to fix all rates for has been filed, naming the said view- water to be furnished to the inhabshall declare theintention of the ouncil to assess the cost thereof upon the property adjacent to said improvement, or benefited thereby, describing in said resolution each to assess the property benefited by for the operation and conduct of said sarred of property which it intends so the opening or widening of any such system, which rules shall be binding

three times in a newspaper published said department. and of general circulation in said city, at least ten days before the date salaries and wages of all such em-

shall be heard. Said resolution shall examine and consider said reports provided, however, that no expendiand any protests thereto. If it shall ture of more than \$500 shall be made be made to appear to the council by by said board without first submitany protest made at such meeting ting the same to the council and seposted in five public places in said that any of the said viewers lacks curing their approval thereto.

the qualifications above specified, or the part of the qualifications above specified. At said meeting the council shall that any of them have failed to file be known as the water fund of the At said meeting the council shall the prescribed acceptance or oath. City of Medford, and all moneys reng of such assessment, and if after said report shall be rejected and new ceived by said board shall be paid considering the matter the council viewers appointed. If no protests over to the treasurer of said city and shall determine that the property ad- are received to any such matters, a'l placed in said fund, and from said jacent to said improvement, or any of the same shall be held to be for- fund shall be paid all of the operat-

shall be collected in the manner pro-vided by this charter for the collec-tion of assessments on property lev-tion of assessments on property which amount of one year's interest at not cel of real estate so sought to be con-said adjacent property on account has been previously assessed and opening or widening any street or 400 YES.

cost thereof on the property thereby benefited in the same manner herein property acquired for said purpose, considered as no part of the liability of the indebtedness of the city as months previous to the adoption benefited may in any such case be assessed for the cost of such open-

Section 138. There is hereby created in and for the City of Medford Each of board shall consist of five members. each of whom shall be a qualified elector of the City of Medford, and shall possess the qualifications of a councilman. The members of the ment into court of the amount of said the manner provided by this charter er. Each of the persons so appointed shall be appointed by the mayor of said city and said appointments approved by the city council as soon after the adoption hereof as may be. One of the members of said board so appointed shall hold office for a shall have the same effect as a pay- right to use the same as a lateral ity. Should any person so appointed term of one year, and until his successor is appointed and qualified. as aforesaid, may pay into the city section 5102, Bellinger & Cotton's be, in the same manner and subject fail to perform his duties as such The second of said commissioners shall hold office for a term of two vears, and until his successor is anpointed and qualified. The third of said commissioners shall hold office for a term of three years, and until of four years and until his successor is appointed and qualified,

At the first meeting of the board of water commissioners the members thereof shall draw lots to determine

Section 139. Thereafter, at the month of February of each year, or piring, and who shall hold office for

Every member of the board of wa

The care, custody, management ploves that they may deem neces-Thereafter the council may, ov sary or advantageous to the operamoon all consumers of water and Said resolution shall be published upon all persons in the employ of

They shall have power to fix the ploves and to purchase all necessary At said meeting the council shall material, supplies and equipment,

ing expenses and other expenses

The surplus remaining in said fund

Annual City Election. January 10, 4911. Charter Amendment.

Mark between the number and