SHERIFF'S SALE.

By virtue of a warrant to me directed, sued by the County Clerk of Tillamook County, Oregon, commanding me to sell the several articles of personal property and parcels of real property upon which the axes are levied and unpaid as shown by the Tax List accompanying such warrant of the State, County, School and other taxes for the year 1903, and Special School Taxes and mook City Taxes for the year 1904, I will, beginning at 10 o'clock in the forenoon Monday, the 30th day of January, 1905, and continuing from day to day thereafter public action and sell to the best bidder the real property situated in Tillamook County, Oregon, particularly described in the list fol-

Smith, Walter J. B. % of N.W. M. W. ½ of N B. ¼, Sec. 9, T. 1 N., R. 7 W..... .. \$14 53 Unknown. 16 int. in S. 1/2 of Sec. 32, T. 1 N., R. 7 W..... Unknown. % int. in Lot 4 or S.E. 4 of S.E. 14 of Sec. 36, T. 1 N.,

R. 7 W. Ryan, R. F. S. 1/2 of S.E. 1/4, N.W. 1/4 of S.E. 14. Sec. 13, T. 1 N., R. 8 W. Ryan, R. F. N.B. 14 of N.E. 14 of smith, Mary E. S.W. 16 of S.W. 14. Smith. Louis L. N.W. 1/2 of S.W. 1/4. Sec. 1, T. 1 N., R. 10 W & N.E. of S.E. & & S.E. % of N.E. 14 Sec. 2, T. 1 N., R. 10 W.....

an, Bertha. N. 1/2 of S.W. 1/4. Bengtha Byrom. All tide lands F. & A., on Lot 2, Sec. 20, T. 1 N., R. 10 Byrom, Bengtha. Beg. at N. boundary of the 5 acre tract in Lot 2,

known as the Ralston tract and at a pt. 40|100 chs. N. 74° E. from the N.W. cor. of said Ralston th. N. 16° W. 2 43|100 chs.: th. N. to N. boundary of D. D. Bayley's cor. of Lot 2 in said Sec. 21; th. S. on line between Lots 1 & 2 to

following described tract: Commencing at a pt. known and designated as stone "A," being 58 16|100 chs. W. & 42 15|100 S N.E. cor. of Sec. 21, Tp. 1 N., R. 10 W.; thence N. 74° E. 5 664|1000 chs. ; thence N. 16° W. 7.08 chs.; thence S. 16° E. 7.08 chs. to place

of beginning Byrom, Bengtha. Beginning at stone "A," said stone being 58.16 chs. W. and 42.15 chs. S. of N E. cor. of Sec. 21, Tp. 1 N., R. 10 W. ; thence S. 16° B. 45 ft.; thence 8. 74° W. 150 ft.; thence N. 169 W. 45 ft. to intersect S.W. cor. of Lot 3, in blk. 1, town of Garibaldi : thence N. 740 E. 150 ft. place of beg, to include all land ying between the S. line of Lots 1, 2 & 3, blk. 1, Garibaldi and nary high water mark ... Byrom, Peter. All tide lands F. &

A., on Lots 3 & 4, Sec. 21, T. 1 N., Bengtha. Beg. at 8, W. cor. of Lot 1, in Sec. 22, Tp. 1 N., R. 10 W.; th. N. 209 ft.; then E. 209 ft.; thence S. 209 ft; thence

W. 209 ft. to beg...... Parss, Theo. That part of the preemption claim of B. A. Bayley, in Sec. 22, Tp 1 N., R. 10 W., bounded by beginning at the meander line of Tillamook Bay, 20 chs. E. of line bet. Sec. 21 & 22 and running thence N. to N. line of said claim; thence W on said N. line 3.44 chs.; thence 8. to aforesaid meander line ; thence E'ly. with said meander line to place of

beg, containing 5 acres more or Byrom, Peter. All tide lands F. & A., on lots 1, 2 & 3, in Sec. 22, T. 1 Tillamook Logging Co. N.W. 1/4 of

N.W. 14, Sec. 24, T. 1 N., R. 10 W. Byron, Bengtha. All tide land F. & A., on Lot 1, Sec. 29, T. 1 N, R. 10 Haskins, J. W. N. 1/2 of N.W. 1/4.

Vanniewenhuize, Alois. Lot 3, Sec. 35, T. 1 N., R. 10 W. Mead, C. W. N.E. & of Sec. 18, T. 24 80 Kinney, M. J. Lot 2, Sec. 4, T. 2 N., Ripley, M. H. S.E. 1/4 of N.W. 1/4, S.W. ¼ of N.E. ¼, Sec. 36, T. 2 N.,

R. 10 W Mack, Mary J. S.E. 1/4 Sec. 1, T. 3 Montague, W. K. S.W. & Sec. 1, T. 3 N., R. 6 W urrie, D. C. N E. 1/4 Sec. 12, T. 3 N., R. 6 W Brauer, A. G. E. 14 of S.E. 14, N.W.

14 of S.E. 14 & N.E. 14 of S.W. 14, Sec. 12. T. 3 N., R. 6 W... Watt, R. H. N. 14 of S.W. 14. S.E. 14 of S.W. ¼ & S.W. ¼ of S.B. ¼, Sec 11, T. 3 N., R. 9 W Mendel, G. H. S. ¼ of N.E. ¼ & N ¼ of S.E. ¼, Sec. 11, T. 3 N., R. Mendel, H. E. S.W. 14 of N.W. 14, W.

% of S.W. 24 & S.E. ¼ of S.W. ¼, sec. 12. T. 3 N., R. 9 W.... 2, 3 & 4, Sec. 12, T. 3 N., R. 9 W Purdom, J. S. N.W. 1/4 of Sec. 14, T. Unknown. Lot 1, Sec. 27, T. 3 N., Sanford, B. J. S. 1/2 of N.W. 1/4, Lots

3 & 4, Sec. 4, T. 3 N., R. 10 W.... 28 32 Pearnside, Heirs of Geo. W. 34 interest in Tract commencing at low water line of Nehalem River, at a pt. 50 ft. up said river from N. pt. of Lot formerly owned by Chas. Pye, th fol said low water line up river 59 ft.; thence in V'ly direction 100 ft.; thence in S.W'ly direction 59 ft.; thence S.E.'ly to Nehalem River, pt of beg. all lines and angles in said des-cription to conform to lines and talem. in Lot 5, Sec. 23, T. 3 N.,

R. 10 W. oorhies, John Nelson. S. 15 of S.W. 4. S.W. 4 of S.E. 14, Sec. 10, T. 1 f N.W. 14, Sec. 15, T. 1 8., R. 8 W.

Voorhies, John Nelson, N.W. 1/4 of McIntosh, B. B. Lots 4 & 5, Sec. 12, T. 1 S., R. 9 W . McIntosh, E. B. Lot 1 & N.W. 1/4 of N.B. 14, Sec. 13, T. 1 S., R. 9 W. 6 57 Svenson, John. Tract in Sec. 19, T. Quick, Heirs of Ray, M. Beg. at a pt on W. line of James Quick D.L.C., 25.50 chs. 8. of N.W. cor. on W. line of James Quick of said claim and running thence E. 21.75 chs; th. N. 11.50 chs.; th. E. 18.25 chs. to E. line of claim ; th N. 50 lks., th. W. 40 chs. to W. line of claim; thence 8, 12 chs. to beg. in Secs. 29 & 32, T. 1 S., R. 9

Fairview Grange, No. 273. Beg. at the S.E. of N.E. 1/4 of Sec. 28 T. 1 S., R. 9 W.; thence W. 155 rods; thence N. 583 feet to initial point; thence N th W. 132 ft; th S. 165 ft.; th E. 132 ft. to place of beginning arnside, Heirs of G. W. 34 int. in Lot 3, Sec. 16, T. 1 S., R. 10 W. olds, Eli P. All that part of the S.W. 1/4 o S.W. 1/4 lying N. of Trask River, in Sec. 25, T. 1 S., R. 10 W.; also all that part of Lot 10, lying N. of Trask river

slough not heretofore sold, in Sec. 25, T. 1 S., R. 10 W. Lot 13 less 34.42 acres to Dee Tomlinson and acres to William Dowd, in Sec. 26, T. 1 S., R. 10 W Hellstren, William. S. 1/2 of S.W. 1/2 of Sec. 12, T. 2 S., R. 8 W N.E 1/4 of N.W. 1/4 of N.E. 1/4 & N.E 1/4 of N.W. 1/4 of Sec. 13, T. 2 S. R. S W Whitney, R. W. S.E. 1/4 of S.E. 1/4 of

Sec. 20, T. 2 S., R. 8 W., Whitney, R. W. W. 1/2 of S.W. 1/4, of Sec. 21, T. 2 S., R. 8 W. Whitney, R. W. N.R. ¼ of N.E. ¼ of Sec. 29, T. 2 S., R. 8 W....... Dickenson, Silas W. S.E. 14. Sec. 34. T. 2 S., R. 8 W Campbell, William P. Beg. at the cor. of the N.E. 14 of S.W. % of Sec. 4, Tp. 2 S., R. 9 W.;

thence E. 9 chs; thence S. 20 chs. to the 1-16 Sec. line; thence W. 9 chs, to the S.W. cor. of the N.E. 14 of S.W. 14 of Sec. 4; th. N. 20 chs. to the place of beg. in Sec. 4. T. 2 S. R. 9 W McCormack, Armada. N.E. 1/4 of Sec. 5, T. 2 S., R. 9 S of Trask

B. end of S. 1/2 of N.W. 1/4 of Sec. 5, T. 2 S., R. 9 W..... Marolf, John. Lot 4 and E. ½ of Lot 5, Sec. 8, T. 2 S., R. 9 W. Johnson, Maryette. Com. at S.E. cor. of Truman Harris D.L.C. th. N. 30.21 chs, to N.E. cor. of said claim: th. W. 26.98 chs.: th 8 30.21 chs; th. E. 12.98 chs; th. N. 3.75 chs.; thence E. 4 chs; thence S. 3.75 chs.; thence E. 10 chs. to place of beg, less 40 acres to Leon Berry, in-Sec. 8, T. 2 \$, R.

McCormack, Armada, 30 acres of

frevor, Francis, Jr. S.E. 1/4, Sec. 15, T. 2 S., R. 9 W.. Borton, Isaac. N.E. 1/4 of S.W. 1/4. Sec. 21, T. 2 S., R. 9 W. Dennis, O. E. N.W. ¼, Sec. 31, T. 2 S., R. 9 W Nodine, Vance. Beg. at the S.W. cor of the S.E. 14 of Sec. 11, Tp. 2 S, R. 10 W., and running thence along the W. line of said tract N. 20 rods. th. E at right angles to said W line 80 rods; thence S. at right angles to said last cor., 20 rods th. W. along the S boundary of

said first described tract 80 rods e of beginning, in Sec. 11, T 2 S, R. 10 W. npston, Heirs of E. R., Alltide lands F. & A. on Lots 1, 2 and 4 of, Sec. 17, T. 2 S, R. 10 W. Osborne, Rose G., E. 1/2 of S. W. 1/4. S. E. ¼ of N. W. ¼ and S. W. ¼ of N. E. ¼ of Sec. 26, T. 2 S., R 10

Steele, Eliza, W.1/2 of S. W. 1/4 of Sec. 26, T. 2 S., R. 10 W. Steele, Eliza, E. 1/2 of S. E. 1/4 of Sec 27, T. 2 S., R. 10 W Moore, H. B., S. E. ¼ of N. E. ¼, E. 1/2 of S. E. 1/4, Sec. 5, T. 3 S., R. 9

Mills, C., Lot 1 and N. E. 1/4 of N.W. % of Sec. 31, T. 3 S. R. 9 W Harris, Lucy, E. N. ½ of N. E. ¼. E. 14 of N. E. 14, N. E. 14 of S. E. 14 of Sec. 32, T. 3 S., R. 9 W. Munson, Emanuel, Lots 10, 11, 13 and 14, Sec. 11, T. 3 S., R. 10 W

White, A. T., N. 1/3 of of S. W. 1/4, S. 1/4 of N. W. 1/4 of Sec. 15, T. 3 S., R. 10 W Unkaown: Beg. at a pt. where the Co. road crosses the W. line of the E. 14 of S. E. 14 of Sec. 31, T. 3 S. R 10 W., th. N. 40 rods, th. E. 20 ft., thence S 40 rods, thence W 20

ft. to place of beg., in Sec. 31, T. 3 Chamberlain, E. A. and O. R., Lots 1, 2 and 3 less 2 acres (Lot 3) for Lookout City, Sec. 1, T. 3 S., R. 11

Chamberlain, N. J., Lot 1, less 4 acres for Lookout City and 20 neres sold, Sec. 12, T. 3 S, R. 11 W, Wood, W. H., S. E. & of N, W. 1/4, N E. % of S. W. % and Lots 2 and 3, Sec. 18, T. 48., R. 6 W

Kauffman, H. J., Lots 2 and 3, S. E. 14 of N. W. 14 and S. W. 14 of N. E. 14, Sec 4, T. 4 S, R 7 W Browning, Geo. E., E. 1/2 of 8, B. 1/4. S. W. 14 of S. E. 14 and S. E. 14 of S. W. 14 of Sec. 4, T. 4 S, R. 8 W. Imlah, Alex, Sr., S. E. 14 of S. E. 14 of Sec. 33, T. 4 S., R, 9 W

Parmer, Agnes, W. 1/2 of S. E. 1/4 of S. E. 1/4 of Sec. 1, T. 4 S., R. 10 W 9, except certain lots in Ocean Park and W. 1/2 of S. E. 1/4 of Sec.

19, T. 4 S., R. 10 W Weatherly, J. P., Beg. at a pt. 100 ft. n'ly from low water line of Big Nestucca River 27.89 chs. dist. from the 1/4 Sec. cor. bet. Secs. 18 and 19, T. 4 S., R. 10 W, thence N 6 degrees 37 minutes W 6.13 chs. to survey of R. H. Virgel's tract of land, th. 8 3578 chs to S.E. cor. of E. H. Virgel's land, thence S 6 degrees 37 minutes E to the N.E. cor. of Wm. Plank's lot, thence W. 50 ft., thence S. 100 ft., thence E. 78 t. to the N.W. cor. of T. J. Lucy's lot, th. S. 50 ft., th. B. 100 ft., th. to the line of low water, thence W'ly along theline of low water to the S.E. cor. of E. H. Virgel's lot, thence N'ly to the N.E. cor. of E. H. Virgel's lot, th. W. 167 ft to the N.W. cor. tof E. H. Virgel's, thence S. to the N.E. cor. of the lot be-longing to H. A. Miles, N. L. Plet-

R. 10 W..... Dimick, A. C., W. ½ of N. E. ¼, N. W. 14 of Sec. 21, T. 4 S, R. 10 W. Brooten, Hans H., Lot 9 of Sec. 31 and S. W. & of N. E. 14, S. E. 14 of

cher and A. T. Bain, th. W. 100 ft.

to place of beg., in Sec. 19, T.4 S.,

lot 1 of Sec. 32, T. 4 S., R. 10 W ... Graves, E. B., S. ½ of N.W. ¼ and E. 14 of S. W. 14 of Sec. 9, T. 5 S, R. Hart, Mary M., S. W. 14 of S. E. 14 and that part of the S. B. 14 of S. E. 1/2 lying west of Big Nestucca Toll Road, Sec. 17, T. 5 S., R. 9 W.

1000 E 1000 TO YOU AND THE WAS TO SEE THE WAS THE WAS

Hart, Elra, S. E. 14 of N. E. 14 of section 19 and N. E. 14 of N. W. 14 and S. 1/2 of N. W. 1/4 and N. of N. E 14 of Sec. 20, T. 5 S, R. 9 Hill,"H. V., E. 14 of N. W. 14 and N. W. ¼ of N. W. ¼ oiSec. 28 & N. E. ¼ of N. E. ¼ of Sec 29, T. 5 S., R.

Selph, E. E., S.W. 1/4 of N. E. 1/4 and S. E. 14 of N.W. 14 of Sec. 4, T. 5 S., R

Bush. A. S., N.E. 1/4 of S. W. 1/4, N. W. 1/4 of S. E. 1/4 Sec. 4, T. 5 S. R. 10 W Upton, C. B., Com. 40 rods N. 22 degrees E. from aniron post that stands 1 ft. S. of the break of Little Nestucca Falls at low water, thence E. 40 rods, thence S. 40 rods, thence W. 80 rods, thence N 40 rods, thence E 40 rods to the place of beg., being a part of the N.E. 14 of S. W. 14, N. W. 14 of S. E. 14 of Sec. 15, T. 5 S., R. 10 W Millspaugh, William H., E. 1/2 of S. E. 1/4 oi Sec. 21 & W. 1/4 of S. W. 1/4 of Sec. 22, T. 5 S., R. 10 W Ayers, John M., S. 1/2 of S. E. 1/4 of Sec.

10, T. 6 S., R. 9 W Pfoutz, M. G., S. W. 14 of Sec. 18, T. 6 S., R 9 W. ... Burton, Mrs. R. C., W. 1/4 of S. W. 1/4 of Sec. 13 and lots 17, 18, 19 and 20 of Sec. 14, T 6 S, R. 11 W ... John P. Munsinger. Lot 1, Blk 1, Tohl's Add. to Neholem City. William Norris, Lots 3 & 4. Blk. 2, Tohl's Add. to Nehalem Lity ... Hans Larsen, Lot 6, Blk. 2, Tohl's Addi, to Nehalem City ..

Unknown, Lot 4, Blk, 4, Tohl's Add Lot 3, Bik. 6, Tohl's Add. to Nehalem City ... Nick Drostoff, Lots 10 & 11, Blk. 9, Tohl's Add. to Nehalem City ... Clyde Newell, Lot 11, Blk. 12, Tohl's Add to Nehalem City D. H. Vedder, Lots 1 & 2, Blk. 16,

Tohl's Add. Nehalem City D. & C. Newell, Lot 2, Blk 19, Tohl's Add. to Nehalem City..... Nehalem Dairy Association, Lot 1, Blk. 21, Tohl's Add. to Nehalem Daniel Cronen, Blk. 44, Pacific Har-

Bengtha Byrom, Lots 1, 2 & 3, in Blk1: All tide lands F. & A. on Lots 1, 2 & 3, Garibaldi . Bengtha Byrom, Lots 6, 7 & 8, Blk. 1, Garibaldi F. W. Cay, Lot 2, Blk. 7, Bay City. Unknown, Lot 7, Blk. 7, Bay City

Baker, M. R., Lots 1 & 2, Blk. 8, 1, Fay View Add. to Bay City. Unknown. Lots 12 & 13. Blk. 4, Bay View Add. to Bay City Riefenberg, Geo. Lots 5 & 6, Blk. 5, Bay View Add, to Bay City.

Neil, James. Lots 9, 10 & 11, Blk. 7, Bay View Add, to Bay City .. 12. Bay View Add. to Bay City. Hawley, Lauretta F. Lot 8, Blk. 3 Bar View Add. to Bay City. Wade, Mary C. Lot 4, Blk. 7, Bar View Add. to Bay City Riefenberg, W. L. Lot 1, Blk. 8, Bar View Add. to Bay City...... Unknown, Lot 15, Blk. 10, Bar View Add. to Bay City

Unknown. Lot 1, Blk. 13, Bar View Add. to Bay City Cone, W. S. 50 x 200 ft. in Lot 1. 3 28 Blk. 4, Bewley's Add. to Bay City Cone. W. S. Lot 2, Blk. 4, Bewley's

Add. to Bay City Roby, D. W. A. Lots 9 & 10, Blk. 13, Central Add. to Bay City. 7 50 Hermings, O.G. Lots 11 & 12, Blk. 13, Central Add. to Bay City ... Cottle, Addie, Lots 11, 12, 13, 14, 15, 16, in Blk. 22; Lots 1 to 8 Blk. 23, Central Add. to Bay

City Bridgeford, J. H. Lots 11 & 12, Blk. 76. Central Add, to Bay Hicks & Nelson. Lot 4, Blk. 1, Cone & Co's. Add. to Bay City Grout, Heirs of W. H. Lot 5, Blk. 6, Cone & McCoy's Add, to Bay

City .. Oakes, Catherine, Lot 6, Blk. 2, Fuller's Add. to Bay City Tilden, A. S., Lot 8, Blk, 2, Fuller's Add. to Bay City.... Cone, Mary J. Lot 1, Blk. 3, Fuller's Add. to Bay City

Ackley, Ralph, Lot 7, Blk. 3, Fuller's Add. to Bay City.... Cone, W. S. & Mary J. Lot S, Bik. 3, Puller's Add. to Bay City..... Sabin, R. L. Lots 7 & 8, Blk, 4 Puller's Add. to Bay City Hellstren, William, Lot 5, Bik. 8, Fuller's Add. to Bay City.....

Sabin, R. L. Lots 3 & 4, Blk. 9, Fuller's Add. to Bay City Riefenberg, W. L. E. 1/2 of Lot \$1, E. lots 6, 7, 16,17, 18, 19, 20, 21, 22, 23, 24, 25, 26 & 27 in Fuller's Amended Add. to Bay City. Unknown, Lot 9, Bik. 6, Theo. Ja-

coby's add. to Bay City ... Unknown, Lot 10, Blk. 6, Theo 19 71 Iacoby's add, to Bay City Hicks, C. H., Lot 2, Blk. 10, Theo. Iacoby's add. to Bay City Briggs, Geo. H., Lots 14 and 15, J. J. McCoy's add to Bay City Cottle, Addie. Lots 5 and 12, in Blk. 13, Pacific add. to Bay City. Cottle, Addie. Lot 12, Blk 26, Paci-Williams, Ida F. Lots 14, 15 and

16, Blk. 46, Pacific add, to Bay Cottle, Addie. Lots 5 & 12, Blk, 50, Pacific add. to Bay City ... Cottle. Addie. Lot 12, Blk. 51, Pacific add, to Bay City Lot 16, Blk. 52, Nicodemus, J. Lot 9, blk. 67, Pacific add. to Bay City..... Williams, Ida F. Lots 9 to 16, Blk, 71. Pacific add. to Bay City St. John, S. P. Lots 14, 15 and 16, Elk. 72. Pacific add. to Bay City.

Heirs of G. W. Fearnside. % int. in Lots 3 and 4. Blk. 1, Tillamook,

Blk. 2, Central add. to Tillmook Woods, William. Lots 3 and 4, Blk. 2. Central add. to Tillamook... Nodine, Vance. E. 1/2 of Lot 2, Blk. 4. McDermott's add. to Tillamook Mapes, Frances B. Lots 6, 7 and 8, Blk. 7, Miller's add. to Tillam Haskins, heirs of Martha J. Lots 3, 4, 5, 6 and 7, Blk. I, Park add. to

4, Blk. 5, Park Add. to Tilla-Haskins, heirs of Martha J. Lots 2 to 7, Blk. 6, Park Add. to Tilla Olsen, Louis. Lots 1 to 7, Blk. 14,

well's add, to Tillemook on, A. B. Lot 6, Blk. 6, Thayer's add. to Tillamook. Ryan, R. F. Lot 7, Blk. 23, Thayer's add. to Tilllamook

ferce Tide Lots 17, 18, 19 and 20, Tillamook Dunnagan, Claude. Lot 4, Blk. 7, Lookout City Jaknown. Lot 12, Blk. 11, Ocean Park ... Magarrell, R. C. Lot 13, Blk. 11,

2, Malancy's add. to Ocean Park. Killibrew, R. P. Lots 5, 6, 7 and 8, Blk. 7, Malaney's add, to Ocean SHERIFF'S ASSESSMENT. McWhinnie, Margaret. S.W. 1/4

N.E. 14 of Sec. 36, T. 3 S, R. 9 W

'illamook Lumbering Co. Beg. at the N.E. cor. of the E. Thomas D.

L. C., thence 8 326 ft., thence E 60 ft., thence N. to Hoquarton Slough, Sce. 7, Tp. 5 S, R. 10 W., th. N on % Sec. line 8.90 chs., th. S. degrees E 2.16 chs., th. 8 551/4 degrees E 225 ft. to what is known as the Vincent Sutton tract. th. 8 341/2 degrees W along the east side of County Road to a pt. N 22 degrees E from the point of beginning, th. S. 22 degrees W. to place of beg.

excepting County Roau, all in Sec 7, T. 5 S, R. 10 W..... The amount of taxes, interest to date of sale and penalties due upon each parcel is set opposite the same, and also the name of the owner when known. The sale will be held at the front door of the Court House in said county, in manner and form as upon sale of real property under execution, excep as by law otherwise especially provided. Each parcel will be sold to the person who offers to pay the taxes, costs and accruing penalties thereon, and take a certificate at the lowest rate of interest, provided, howver, the maximum rate should not exceed 10 per cent. The sale will be made subject to redemption as provided by law, and is for the purpose to satisfying the said warrant with lawful charges.

C. H. WOOLFE. Sheriff of Tillamook County, Oregon Tillamook City Oregon, December 17th, 1904.

THE WATER COMMIS-SION BILL.

Commission.

Following is the bill which the water commission agreed upon to make it a legally constituted body, and as it wes the desire of the citizens that the matter of a new water system should be vested in the hands of representative business men in the city, this will put a stop to any 45 more foolish and costly breaks being made, such as the negotiation of the 45 bonds months before the money is want-1 30

ed. A BILL. For an act to create a Water Commis.

declaring an emergency. State of Oregon

45

Clough and A. M Hare, to constitute said water commission City. 45 classes with respect to their terms of of said water commission, and in the interests of the people of Tillamook City

his office for five years from the time of mission. such last mentioned drawing. Thereafter, not earlier than sixty days nor piration of the term of office of any member or members of said commission as last above constituted, and said commission shall give notice of an election to be held by the resident tax payers of said Tillamook City for the purpose of electing a member or members of said 4 32 commission in place of the member or members whose term may be about to 44 class to which the members to be elected shall belong, and shall be given by and in the name of such water commission in given in said city, and shall be posted eration of said water system. and published in the same manner and for the same length of time as such notices of city elections. Such elections 39 shall be held by ballot in the same manner as ordinary city elections shall be held in said city, and the said water members, designate three judges of such election and shall also appoint from among the resident tax payers of said election. Except as here in otherwise provided, such elections shall be in all respects held in the same manner as ordinary city elections shall be held in canvassed by said water commission, who shall declare the person or persons | securities. receiving the highest number of votes entitled to seats in said water commission, proyided every such person so elected shall be a resident and tax payer of said Tillamook City. Each last above constituted, shall hold his office for the term for which he shall be elected and until his successor is elected. In case of a vacancy arising from death, resignation, inability to act, or becoming a non-resident of said Tillamook City, such vacancy shall be filled by a said water commission. For the purposes of this section, no person shall be deemed a taxpayer of Tillamook City then last preceeding county; assessment Tillamook City.

Sec 3 .- As soon as practicable after organization by the election of a Presi-Which was Agreed to by the dent, Vice President, Secretary and full to the commission concerning the are elected and qualified. The President, Vice President and Secretary shall be members of the water commission. The Treasurer shall give a bond in such sum as the water commission shall determine for the faithful performance of his duty, and he shall be custodian of all funds coming into the hands of the water commission. The commision may, by a majority vote at any meeting duly held, remove any officer from his office.

SEC. 4.-Said water commission of sion for Tillamook City, Oregon, to Tillamook City shall, from the taking prescribe the powers and duties and effect of this act, have the sole and exthe method of its perpetuation, and clusive charge of the construction, purchase, maintenance and operation of any Be it enacted by the people of the water system or water works heretofore or hereafter authorized by or for said SEC. 1 .- There is hereby constituted a | Tillamook City. And it shall be the duty board to be known and recognized and province of said water commission under the name, style and official desig. to represent and act for said Tillamook nation of the Water Commission of Till. City with reference to any contract or amook City, Oregon, said board to con- contracts heretofore made or hereafter sist of the following named citizens of to be made by and on behalf of duty of the Mayor, city recorder and Tillamook City, Oregon, to-wit : George said Tillamook City in relation to a sys-Cohn, Homer Mason, M. W. Harrison, tem of water works, or in relation to the M. F. Leach, F. R. Beals, C. A. Patzlaff, acquisition of real or personal property. Claude Thayer, F. S. Whitehouse, B. L. or any righs, privilege or easement in re-Eddy, G. A. Edmunds, Charles I. lation to such system of water works. Said water commission shall have the Sec. 2.-The members of said water sole charge of the collection and disbursecommission as designated in Section 1 ment of the revenue of any such water 86 of this Act, shall hold their offices until system. All authority with reference to there shall be installed and completed the construction, maintenance or operaand accepted by said Tillamook City, a tion of said water works heretofore conwater system for the supply of the in. ferred upon said Tillamook City, or any habitants thereof with water. In case officer thereof, by law, shall henceforth of the death, or resignation, or removal be exercised by said water commission from said city of any of said members of for and on behalf of said city, and said for the conduct of its business and not said commission prior to the com. water commission shall have the right in pletion of such water system, then the the name of said Tillamook City, to vacancy thereby created shall be filled make any and all contracts which may by the majority of the remaining mem. become necessary or expedient in referbers of the commission. Upon the com- ence to the construction, maintenance or 45 pletion and acceptance of such water operation of such water system. Said the present supply of water to said city system, said water commission shall be water commission shall have the right to being so inadequate as to be dangerous reduced to five members; and for that exercise in the name and on behalf of said to life and property; and, whereas, there purpose the members of said commis- Tillamook City, the power of eminent is an immediate necessity for the consion shall, at said time, draw lots and domain for the purpose of condemning 2 58 thereby determine what five members of rights of way, water rights and other their number shall continue to consti private property as may be necessary or in order to provide for the safety of the tute said water commission, and those convenient in carrying out the business people of said city; and, whereas, the not designated by such drawing to con- of said commission. All rights so ob- present laws do not adequately provide tinue upon said commission shall there. tained, and all title to property, both for the protection of the rights and inupon cease to be members thereof, real and personal, which may be acquired terests of the people of said Tillamook Within thirty days after such drawing by said water commission, shall vest in City in connection with the construction the five members thereby designated and be the property of said Tillamook of such system of water works; and,

their offices for two years from the time soon as organized, adopt a corporate from and after the approval of by Gov. of such last mentioned drawing; the seal, which seal shall be in the custody ernor,

7 53 members of the second-class shall hold of the secretary of said commission, and their offices for four years from the time shall be affixed to contracts and other of such last mentioned drawing; and documents only in pursuance, of resolu-9 76 the member of the third-class shall hold tions duly adopted by said water com-

Sec. 5.-The said water commission shall have the exclusive right from time 2 79 later than thirty days prior to the ex- to time to fix water rates and charges for the use of water, both by individuals and by the city of Tillamook City, and said commission shall have the right to adopt any and all reasonable rules and regulations with reference to the use o water and the operation of water works.

Sec. 6.-Said water commission shall have the right to begin, maintain, defend and compromise suits and actions at law expire. Said notices shall designate the in the name of Tillamook City whenever necessary in order to carry out the purposes of its organization, including all suits and actions arising in favor of or substantially the same form as notices against the city or its officers by reason of city elections may be required to be of the construction, maintenance or op-

SEC. 7 .- The revenues derived by said water commission from the operations of water works, or otherwise, shall be applied, first, to the payment of necessary operating expenses, including the payment of the interest upon outstand commission shall, from among their ing water bonds of said Tillamook City second, to the necessary expense for repairs of pipe lines, extension of pipe lines and general betterments of water works; Tillamook City, two clerks of such and, third, the remainder of such revenues to be paid into a sinking fund for the payment of the principal of outstanding water bonds of said Tillamook City, and such sinking fund may be from time to said city, and the result thereof shall be time, under direction of said water com mission, invested in interest bearing

SEC. 8 .- No member of said water commission shall receive any compensation for his services as such, nor shall any member be directly or indirectly interest. ed in any contract in relation to, or in member of said water commission as the furnishing of any labor or material in connection with the construction, operation or maintenance of said water works. All funds disbursed by said water commission shall be paid out only by means of warrants drawn upon the treasurer of the water commission and signed by the president and attested by majority of the remaining members of the secretary thereof in pursuance of authority given at a meeting of the commission duly called and held. The Secretary shall keep a fair record of the whose name shall not appear upon the minutes of all meetings of the water commission, and shall keep a stub of every roll as a tax-paper upon real or personal warrant drawn upon the treasurer, and property within the corporate limits of he shall have the care and custody of the books, papers and records of the water commission. The treasurer shall the taking effect of this Act, the water keep a faithful and explicit record oi all commission shall assemble and effect an receipts and disbursements. Each officer of the water commission shall report in Treasurer, who shall hold their offices business appertaining to his office whenfor two years and until their successors ever required by the commission. All books, papers and records of the commission shall be open to inspection by any member of the commission or by any taxpayer of said city, at all reasonable times.

SEC. 9.—The said water commission of Tillamook City shall have the exclusive right to accept or reject any and all bids which may be hereafter received by Tillamook City, or any official thereof for the construction of water works, or any part thereof, and all bonds of said Tillamook City, which may have been heretofore authorized by said Tillamook City for the purpose of raising money for the construction of a system of water works shall, after execution by the proper offiers of Tillamook City, be delivered to the treasurer of the said water commission, to be by him transferred to the purchaser or purchasers of such bonds upon receipt of payment therefor at not less than par. It is hereby made the common council of Tillamohk City, to co-operate with said water commission and its officers in order to render this section effective. All papers, documents, contracts, letters and evidence of contract of every description touching the construction of a system of water works, or the issuance of bonds therefor, now in possession of any officer of facid city, shall be forthwith delivered to said water commission.

Sec. 10 -The said water commission is hereby authorized to adopt such by laws as may be reasonably necessary in conflict with the provisions of this act. SEC. 11.-Whereas, the people of sai I Tillamook City have not at the present time an adequate supply of pure water for domestic use and for fire protection, struction of a system of water works by and on behalf of said Tillamnok City whereas the foregoing act provides ways in future shall meet together and pro- No contract shall be made on behalf of and means available for the construcceed to draw lots for the purpose of said Tillamook City by said water com. tion of such system of water works and dividing the said five members into three mission, except by virtue of a resolution for the conservation of the rights and office. Such classes shall be numbered making of all contracts, the president in connection therewith; and, whereas, from one to three inclusive, and there and secretary of said water commission there is otherwise a necessity for the shall be two members of the first-class, shall be empowered by resolution to ex immediate adoption of the foregoing act two members of the second-class and ecute the same in the name of the water to insure the health, peace and safety of one member of the third-class. The commission for and on behalf of said the peeple of Tillamook City, therefore members of the first-class shall hold city. Said water commission shall, as this act shall take effect and be in force