letters not less than one nance providing for such guarantee. characters state that such a resolution has been passed by the Common by Tillamook City on account of the letters not less than one characters state that such a resoluthe date when, and the places where rants or general bonds. the same had been posted, and the Section 34: Wheneve publication of said notice shall be ment for opening, altering roved in the came manner provided by law for the proof of publication of matters received to be published.

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Section 29: At any time within 20 days after the first publication of the resolution provided for in the preced-ing section, the owners of more than or has been orshall be hereafter set one-half of the property affected by aside, annulled, declared or rendered such change of grade may make and void or its enforcement refused by file with the City Recorder a written any court of this State or any federal objection or remonstrance against court having jurisdiction thereof, the same, and said objection or re- whether directly or by virtue of and least five days before the date set out determined, and the judgment theremonstrance shall be a bar to any fur- decision of such court or when the for such meeting, cause said viewers ther proceedings thereto for a period common council shall be in doubt as to be notified of their appointment, of six months, after which, if the to the validity of such assessment or and of the time and place of such Common Council proposes to change any part thereof, the common council said grade the same proceedings shall be had as in the first instance.

Section 30: If no such written obction or remonstrance be filed within the time designated, or if the com-mon council finds that such objection or remonstrance is not legally signed by the owners of more than one-half of the property affected by the pro-posed change of grade, the Common Council shall be deemed to have ac-quired jurisdiction to change by ordinance the grade as described in the

resolution previously adopted.
Section 31: When the grade of any street has once been established, and any permanent building or improveany permanent building or improvement has been constructed on any lot abutting said street, or affected by such change of grade, the owner or owners of any such permanent buildings or imprevements during the time designated for filing objections or remonstrances, may file with the City Recorder a claim of damages by prior to the making of the lands or other property aforesaid, or of the improvements thereon, or to have any interest in such lands, or improvements, and the damage which each of said owners, respectively, will sustain, but the right and title of such owners of such improvements shall not be affected by such proposed change of assessment that the time it is made, but the com-said, or of the improvements thereon, or to have any interest in such lands, which each of said owners, respectively, will sustain, but the right and title of such owners of such improvements shall not be affected by such proceedings, and the appropriation of assessment that the time it is made, but the com-said, or of the improvements thereon, or to have any interest in such lands, which each of said owners, respectively, will sustain, but the right and title of such owners of such lands, and the com-said, or of the improvements thereon, or to have any interest in such lands, or improvements thereon, or to have any interest in such lands, or improvements thereon, or to have any interest in such lands, or improvements, and the damage which each of said owners, respectively. reason of such proposed change of grade, and such claim shall describe or improvements stand, and an estimate of the value of said buildings or improvements, and of the damages which said change of grade will cause thereto, and said claims, and all statements contained therein, shall ments and the land, or by their agents Tillamook City, Oregon, having the of streets, to estimate and determine the damages that will be sustained by the owners of buildings or improvements affected by such change of grade, and to assess the benefits accruing to the property benefited by such change of grade. The viewers shall be appointed and they shall qualify, and notice of their meeting, and of the filing of their report, shall all be done in the same manner as similar acts and proor services, which shall be the sum nefit to the lot or parcel of land, injuries to the same which are less than said benefits. Nor shall any damages be awarded for any building erected prior to the establishment of he grade which is proposed to be tompensation of viewers shall exceed the actual benefits to the specific property subject to assessment, they shall so indicate in their report. The said account of which the same were paid iewers shall make a report of their as of the date of such payment. dings of benefits and damages to he Common Council, and the same ll be heard, considered and adopted, and the assessments of benefits shall be levied, docketed and collected, and kept in a separate fund. An eal from said report may be taken and the findings of the jury in such cases shall be final and conclusive in same manner, to the same extent nd with the same effect as provided in the opening, laying out, establishing and changing of street. When such assessment is fully collected the Common Council may change the hall be drawn upon the special fund to provided in favor of the person en-litled to damages. But if after the of the street, and warrants lection of any assessment as hereprovided the Common Council not change the grade of any treet, the amounts of any assessment to collected shall be refunded to the erson or persons paying the same es or successors in interest as to id matter. Provided, the Common ouncil may pay from the general and of the city the whole or any art of the damages so assessed.

Section 32: Whenever it shall apar to the Common Council that reet improvement bonds issued unthe provisions hereof will not or any reason sell at par, and the mon Council shall deem it exdient, on the faith and credit of illamook City as a whole, to guar-ntee payment of such street imovement bonds, it may in the ordiance authorizing the issuance of id bonds, based upon assessments benefits to property benefited treby, provided that the payment f such street improvement bonds hall be guaranteed by Tillamook ity, and any deficit in any special and to redeem said bonds shall in uch event be paid out of the general and of Tillamook City at maturity of bonds, the Common Council may use such guarantee to be inserted such improvement bonds, provided ever that any ordinance authoriz-

at points effected by such ing such guarantee shall be subject to tainity the boundaries and termini of peal, and the only question to be dechange of Grade" in clause shall be attached to any ordi"Notice of Change of Grade" in clause shall be attached to any ordi-

Council, the date thereof, and the issuance of street improvement bonds change of grade proposed, and the as herein provided for shall be deemtime within which written objections ed or taken to be within or any part change of grade projections and the same of the limitations imposed by this fore the time so appointed for the may be made. An affidavit shall be Charter or by law upon the amount meeting of the viewers, and the Revenue of the viewers by the Council may be made. An affidavit shall be Charter or by law upon the amount filed with the City Recorder of the of indebtedness which may be incurposting of said notice, stating therein red by Tillamook City either by warpaid, a copy of such notice to each Section 34: Whenever an assess-

struction or repair of a sewer or for

may by resolution make a new assess- at the time and place designated, and ment or re-assessment upon the lots shall then be sworn to faithfully disor blocks or parcels of land which have been benefited to the extent of their respective and proportionate shares of the full value thereof. Such (which adjournment shall not exceed verdict upon such appeal shall be one week at a time) proceed to view confined to the parties appealing, and re-assessment shall be based upon the one week at a time) proceed to view special and peculiar benefit of such the proposed street or change, and special and peculiar benefit of such improvement to the respective particles of land assessed at the time of its original making. Interest thereon from the date of delinquency of the original assessment may be added at laid out, established, or changed, will the discretion of the common council. Such re-assessment shall be made in ascertain the respective interest of an equitable manner as nearly as may all persons claiming to be the owners be in accordance with the law in force of the lands or other property afore-

reason of such proposed change of assessment shall not be required to such lands, if such owner shall with-grade, and such claim shall describe be done again in case of re-assess-the land upon which such buildings ment. Sush re-assessment shall be such lands shall be completed, or made and shall become a charge upon be sworn to by the party or parties Oregon, or connected with or relat-owning said buildings or improve- ing to such improvement and assessor local representatives. Thereafter ceedings of the common council or street or change to the respective the Common Council shall appoint any officer, contractor or other persons interested three disinterested freeholders of son connected with such work may in all lands or other persons interested. have been irregular or defective, same qualifications as viewers for the whether such irregularity be jurisdic-opening, laying out, and establishing tional or otherwise. The common council shall appoint a time and place not less than twenty days distant when it will meet for the purpose of making such re-assessment. The City Recorder shall give ten days notice

son or by council and be heard in refor other real property so assessed, erence thereto. After having made deducting therefrom any damages or such re-assessment, the common council shall declare the same be resolution and the same shall be a final determination of the regularity, validity and correctness of the re-assessment except as herein otherwise pronged, and no award of damages to vided. Such re-assessment shall be any person shall be greater than the amount claimed and sworn to by said person as hereinbefore provided, and in like manner as ordinary assessif in the judgment of said viewers the whole amount of said damages and and collected under the Charter of

common council for making such re-

A MEASURE To amend Article VIII of the Char ter of tillamook City, Oregon. Be it enacted by the people of Till-

amook City, Oregon as follows:
Sestion 1: The Common Council of Tillamook City is authorized and the Council, and directing all persons empowered within the limits of Tilla-City, whenever it may deem expedient, to open, lay out, establish, widen, alter, extend, vacate or close streets, and to appropriate and condemn private property therefor, and to assess any special benefit arising from such matters and to make the same a lien against prope-

ty benefitted. Section 2: Whenever the Common Council shall deem it expedient to lay out, and establish, or widen any street, it shall direct the City Surveyto survey such street, or change therein as the case may be, and to make a report thereof containing a plat of the survey of such street or the Council that the damages or ben-change, showing the boundaries there efits assessed be unreasonable, unchange, showing the boundaries there of, and of that portion of each lot or just or insufficient in any respect, the just or insufficient in any respect, the Council may send the same back to tract of land to be appropriated for such street or change, which report the viewers for further consideration, and the viewers may alter and revise cil within ten days from the time the the same as they shall deem just and same is ordered, unless the Council again report the same to the Council by ordinance embodying such report. and obligations as the first viewers 60 days from the adoption of such report, the Council shall appoint three disinterested freeholders of over such report as over that of the Tillamook City to view such propos- original. an assessment of damages and benefits as provided in the next following section, and shall assign a day and place for them to meet, and shall person having an interest therein, or cause a notice to be given by publi-cation for at least four successive ment or benefit has been made, may weeks in some newspaper published appeal to the Circuit Court of the

private property to be appropriated over benefits and the excess of benefor such purpose and specially notifits over damages suffered and refying all persons claiming damages by reason of the appropriation of such property to file their claim for Section 7: An appeal shall be takof the property owners whose property is proposed to be appropriated, ment for opening, altering or improv- or to the agent of such owner when ing a street or construction, recon- the postoffice of such owner or agent all owners of property whose proper- Court. ty shall be appropriated for such pur-

Section 4: The Recorder shall, at meeting, and said viewers shall meet charge the duties assigned them. of Tillamook City, Oregon, to be had prior to the making of the original proceedings, and the appropriation of Section 9: If any within such further time as the Counin all lands or other property which said viewers shall deem specially benefitted by such opening, laying out, establishing or change. Said viewers shall thereafter, at their earliest convenience, report the assessment for damages and benefits as in this Section required to the Common Council, but any failure to state the by one publication in a newspaper name of any owner, or mistake in peal, if no appeal be taken, or immedpublished in Tillamook City, Oregon, of the time and place fixed by the of a name other than that of the true appeal, if appeal is taken, if it shall owner, in such report, or in the orassessment. At the time appointed dinance adopting such report or in the therefor, unless at some time the docket of city liens where the same common council shall adjourn until a is entered, or in any notice required such re-assessment in the manner of \$3.00 each for each day actually

to be published for a period ing their objections to said report, if any they have, and said objections port shall be heard and determined by the Council at the time specified as the hearing thereof may be adsend by mail, postpaid, a notice of each assessment, stating the date when the same will be considered by interested to present in writing their objections to said report, if any they have, to the owner(if known) of lot, or part thereof, or tract of each land assessed, any part of which is appropriated for the proposed street or to the agent of such owner when the post office address of such owner or agent is known to him, and if such postoffice address be unknown to him then such notice shall be directed to such owner or agent at Tillamook City, Oregon. If such report shall appear to the Council to be in all respects reasonable and just, it may be adopted by ordinance embodying such report. Or if it shall appear to grant further time. Should the Coun- who may thereupon adopt or reject cil deem said survey, plat and report the same,, or the council may appoint satisfactory, it shall adopt the same new viewers with like powers, duties Section 3: Thereafter and within to make such assessments and awards

Section 6: The owner or owners State of Oregon, for Tillamook Counof such viewers, with their names and the time and place for them to meet, and specifying with convenient cer-

corder shall also send by mail, post- upon the Mayor, Recorder or Attorney of the city, and filing an undertaking with one or more sureties who shall possess the qualifications of bail upon arrest in civil action, and the postoffice of such owner or agent shall justify in like manner, condi-is known to him, but if such post-tioned that the appellant will pay all any local improvement which has office address be unknown, then such been or may hereafter be made by Tillamook City, Oregon, is or shall be defective, insufficient, or inadequate, published notice herein provided for proof of service of such notice in the published notice herein provided for proof of service of such notice in the shall be deemed conclusive notice to office of the Clerk of the Circuit Section 8: The City shall be con-

sidered the plaintiff, and suuch appeal shadd be conducted and be heard and on enforced as far as practicable, in the same manner as an action at law The jury shall view the proposed street, the property to be appropriated, and the property against which benefits are assessed, and the evidence of damages and benefits may be introduced by the city and the apthe jury shall not ressess and damages of benefits not appealed from The jury in making the reassessment of damages or benefits, shall, inits determination of the same, be goverened by the same laws as in this charter provided for the action viewers. The verdict of the jury shall be a final and conclusive determination of such assessment, unless the judgment rendered in such case shall be reversed or modified on appeal. An appeal to the Supreme Court of the State may be taken from such judgment in the same manner as from other judgments of such Circuit Court

Section 9: If any appellant fails to recover greater damages, or to se-cure a more favorable assessment of benefits, as the case may be, then were assessed by the viewers, judg-ment shall be rendered against him the property upon which the same is cil shall allow therefor, remove such ment shall be rendered against him laid, notwithstanding the omission, improvements from such lands. Other and his sureties on appeal for his prolaid, notwithstanding the omission, failure or neglect of any officer, body or person to comply with the provisions of the Charter of Tillamook City

City. Said viewers shall also make a spective amount of damages and ben
City. Said viewers shall also make a spective amount of damages and ben
gust and equitable estimate and as
of the value of the benefits costs shall be taxed and paid upon actions.

Section 10: In all actions, suits and roceedings concerning the opening laying out, establishing or changing of streets under the provisions of this Charter, all proceedings had for that purpose shall be presumed to have been regularly and legally taken, until the contrary is shown.

deem it advisable to open, lay out establish or change said street in pursuance of said reports or judgment, shall by resolution direct the Receedings are done in the opening and laying out and establishing of appoint another time therefor, and laying out and establishing of corappoint another time therefor, and in such event at such adjourned or clude as a part of the benefits assess- further meeting, the common ed the amount of their compensations of the amount of their compensations of the amount of their compensations of the manner of \$200 each for each day actually owners or other parties in interest in owners or other parties in interest in of \$3.00 each for each day actually prescribed. At the time of making rendered in such service, but in no such re-assessment the common by the city and charged as costs, and each day actually owners of other parties in interest the formation of \$3.00 each for each day actually owners of other parties in interest the lands or other parties. Section 5: Upon the filing of said when so docketed said sums shall be report of viewers with the Recorder, a lien or charge upon the estate and he shall immediately cause a notice interest of the respective owners and of two parties interested in said land or other weeks in a newspaper published in property and also the said owners Tillamook City, Oregon, of the filing and other persons interested, as afore of said report, giving the date not less than 20 days from the date of the first publication of said notice, when the same will be considered by the shall be paid to the Treasurer of the first publication of said notice, when and said excess so assessed the same will be considered by the Common Council, describing with City of Tillamook within ten days convenient certainty the boundaries from the time of entering the same of the district assessed by the view- on the docket of city liens, or the ers in said report, and notifying all same shall be deemed delinquent; and persons interested to present in writ- thereupon shall be collected in like manner as provided for the collection of other delinquent assessments by if any there be, together with said re- this Charter, provided that if all the property upon which assessments are due and delinquent is not sold at any in said notice, or at such other time sale, proceedings may be begun for a subsequent sale immediately after journed to. It shall also be the duty the returns of sale is made. All of the City Recorder forthwith to moneys arising from such assessment send by mail, postpaid, a notice of of benefits shall be kept in a seperate fund and be applicable to the satisfaction of the excess of damages over benefits assessed to the owners and other persons interested in the property taken or damaged for the date purpose of laying out, e tablishing tion. or changing the street in the matter in which such benefits are assessed and for the payment of the expenses incurred by the city for surveying, advertising and viewers in said pro-

> Section 12: Whenever the full amount of the assessments of benefits as entered in the docket of City Liens paid into the City treasury warrants shall be drawn for that purpose, for the amount of excess of damages or the excess of damages and costs assessed, and when said warrants therefor are drawn and ready for delivery to the parties en titled to the same, such property shall be appropriated for the purpose of such street and not otherwise; provided that no process of any court shall issue to compel any appropriation for damages or the issuing of warrants for the same. And unless such assessments are collected, and said warrants are so drawn and ready for delivery within nine months after the termination of the time limited for appeal, if no appeal be taken, or within nine months form the rendition of final judgment on appeal, if an appeal be taken, all acts and proceeding under such survey and view shall be null and void, provided that the Common Council may order the whole amount of damages allowed, or such part thereof as it may deem proper, to be paid out of the general funds of the city, or may order the ame to be so paid temporarily, and that the general fund be 'reimbursed for said payments from the special fund provided for that purpose when the same shall be collected.

the opening or widening of a street of all the members elected to until the person in whose favor such Common Council taken by ayes warrant is drawn shall have exhibited to him satisfactory proof that or. appropriated which may be affected

by such appropriation.
Section 13: And when said warrants are drawn and ready for delivas shown in the report of the City Surveyor shall be deemed appropriated for the purpose of the street, and the Council shall by resolution de clare such street to be opened, out, established or changed, and within thirty days after the adoption of said resolution the City Surveyor shall file for record with the County Clerk of Tillamook County, a copy of said resolution, and an accurate plat of said street and of the property so appropriated for public use.

Section 14: The Council many provide by ordinance any regulations as to the manner of opening, laying out, establishing or changing street; not in conflict with this Charter, and may provide by ordinance anything convenient and necessary for the effect-ual carrying out of the spirit and intention of this Charter.

A MEASURE. To amend the Charter of Tillamook City, Oregon, by adding thereto an Article to be known as Ar-

ticle XII BE IT ENACTED BY THE PEO-PLE OF TILLAMOOK CITY,

OREGON AS FOLLOWS: Section 1: The Charter of Tilla-mook City, Oregon, is hereby amended by adding thereto an article to be known and designated as Article XII, to read as follows:

ARTICLE XII

Section 1: It shall be the duty of the Mayor whenever processory to

the Mayor, whenever necessary, to procure blank bonds of suitable deign, and cause the same to be properly prepared in amounts of not less than \$100.00 each, made payable within a period of not to exceed twenty years, with interest payable either annually or semi-annually as may directed by the Common Council. All such bonds shall have designated thereon "Water Bonds", "Street Improvement Bonds", "General Bonds," or otherwise as the case may be None of said bonds shall in any event e sold otherwise than for cash, nor shall they be sold for less than the par value thereof, and the rate of interest thereon shall not exceed six per cent per annum.

Section 2: No bonds of any character shall ever be issued upon the faith and credit of Tillamook City, except after the passage of an ordinance by the Common Council authorizing the same, which ordinance shall always be subject to the power Section 11: The Council at the ex-piration of the time limited for apof the referendum reserved to the legal voters of Tillamook City, provided that the Common Council upon the passage of such ordinance may provide for its submission to the people for rejection or adoption, provided also that if any ordinance shall be passed or adopted by the Common Council authorizing the issuance of bonds for any purpose, and the same shall be aproved by the Mayor, or if disapproved by him passed over such disapproval and if the power of the referendum be not thereupon invoked, the issuance of such bonds shall be deemed authorized without any election called for that purpose, except that in case the Common Council shall by ordinance provide for the issuance of street improvement bonds without any guarantee of the payment thereof in whole or in part out of the general funds of Tiliamook City, such nance shall not be subject to the pow-

ers of the referendum Section 3: All bonds issued by Tillamook City shall reserve the right to the city to take up and cancel any or all of said bonds upon payment of the face thereof with accrued interest to the date of such payment, at or after five years from the date of such bond, which right of redemption hereby vested in Tillamook City. Such bonds shall be redeemed by consecutive numbers, commencing with the lowest number unpaid, and notice of the intention of the City to redeem any bonds shall be published in two consecutive weekly issues of a newspaper published in Tillamook City, Oregon, by the City Treasurer, within one month prior to the pro-posed redemption, which shall be con-clusive notice to the holder of said bond or bonds, and interest on such bond or bonds shall cease after the date fixed in such notice for redemp-

A MEASURE. City, Oregon, by adding there-to an Article to be known

BE IT ENACTED BY THE PEO-PLE OF TILLAMOOK CITY, OREGON AS FOLLOWS:

Section 1: The Charter of Tillamook City, Oregon, is hereby amended by adding thereto an Article to be known as Article XIII, which shall

read as follows:
ARTICLE XIII. Sectoin 1: The initiative and referendum powers reserved to the people of Tillamook City by the constitution of the State of Oregon as to all local special and municipal legislation of every character in and for said Tillamook City shall be exercised as may be provided for by the Common Council of Tillamook City, Oregon, subject to the provisions of said con-stitution, provided, however, that no ordinance of Tillamook City, Oregon, shall go into effect within less than thirty days after its passage by the Common Council and approval by the Mayor, unless the same shall be passed over his veto, and in that case it shall not take effect and operative until thirty days after such final passage, except measures neces-sary for the immediate preservatoin of the peace, health or safety of the City, and no such emergency measure shall become immediately operative unless it shall state in a separate section the reasons why it is necessary that it should become immediately

warrant for damages on account of the affirmative vote of three-fourths Common Council taken by ayes and noes, and also approved by the May-

Section 2: The Common Council may provide for the submission to the legal voters of Tillamook City for their approval or rejection any ordinance or charter provision, ery to the parties entitled to the same amendment, without a petition there-the property required for public use for, and may provide for the calling of special elections to vote upon any ordinance or charter amendment re-ferred to the legal voters of the City by petition or otherwise, but no such election shall be held without 15 days notice thereof being first given by publication in two or more consecutive weekly issues of some newspeper published in Tillamook City, Oregon, which notice shall contain the full text of the measure to be voter upon at said election, together with the form in which said question submitted upon the official ballot for voting thereon, and said election shall be held within thirty days from the date of the first publication of said notice. Like notice shall be given of the submission of any question which is to be voted upon at any general election held in Tillamook City, Oregon.

A MEASURE.

To ammend the Charter of Tillamook City, Oregon, by adding there-to an Article to be known as Article XIV providing for the refunding of the outstanding warrant indebtedness of Tillamook City, Oregon, and running expenses for 1914.

BE IT ENACTED BY THE PEO-

PLE OF TILLAMOOK CITY, OREGON, AS FOLLOWS. Section 1: The Charter of Tillanoog City, Oregon, is hereby amended by adding thereto an Article to be known as Article XIV providing for the refunding of the outstanding warrants of Tillamook City, Oregon which amendment shall read as fol-

ARTICLE XIV. Section 1: The Common Council of Tillamook City, Oregon, is hereby authorized to issue general bonds of Tillamook City, Oregon, upon its faith and credit, to the amount not exceeding \$70,000, and to apply the proceeds from the sale of such bonds to the discharge and payment of the outstanding city warrants of Tilla-mook City, Oregon, and for necessary running expenses of said city for the year 1914. Provided, how-ever, that no part of said proceeds be used for the payment in whole or in part of any such warrants which have heretofore, or may hereafter be issued without any consideration therefore having been received

by said Tillamook City. Section 2: None of the bonds hereby authorized shall be sold otherwise than for cash in exchange for outstanding City warrants, and in no event for any less than the par value thereof, but the holder of any such warrants, the payment of which is not prohibited by the provisions of this Article, may exchange such warrants, with the consent of the Common Council, for said bonds, said bonds to be taken at par with accrued interest and the said warrants to be put on the same basis.

The bonds hereby Section 3: The bonds hereby authorized shall only be issued after the passage of an ordinance by the Common Council authorizing the same, and said bonds shall be payable within a period of not to exceed twenty years, to bea rat of not more than six per cent, per annum, payable annually or semiannually as the Common may determine, with the right there-in reserved to Tillamook City to redeem and cancel any or all bonds upon payment of the face thereof with accrued interest to the date of such payment at or after five years from the date of such bond. uch bonds shall be redeemed by consecutive numbers, commencing with the lowest number, and notice of the intention of the City to redeem any such bonds shall be published for two consecutive issues of a newspaper published in Tillamook City, Oregon, by the City Treasurer, within one month and not less than ten days prior to the time fixed for the redemption, which shall be conclu-sive notice to the holder of such bond or bonds, and interest thereon shall cease after the date fixed in said notice for redemption.

Continued on next page.

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