

streets at points effected by such change of grade, a notice headed "Notice of Change of Grade" in letters not less than one character state that such a resolution has been passed by the Common Council, the date thereof, and the change of grade proposed, and the time within which written objections or remonstrances against the same may be made. An affidavit shall be filed with the City Recorder of the posting of said notice, stating therein the date and the places where the same had been posted, and the publication of said notice shall be made in the same manner provided by law for the proof of publication of matters received to be published.

Section 29: At any time within 20 days after the first publication of the resolution provided for in the preceding section, the owners of more than one-half of the property affected by such change of grade may make and file with the City Recorder a written objection or remonstrance against the same, and said objection or remonstrance shall be a bar to any further proceedings therefor for a period of six months, after which, if the Common Council proposes to change said grade, the same proceedings shall be had as in the first instance.

Section 30: If no such written objection or remonstrance be filed within the time designated, or if the common 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 proposed change of grade, the Common Council shall be deemed to have acquired 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 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 improvements during the time designated for filing objections or remonstrances, may file with the City Recorder a claim of damages by reason of such proposed change of grade, and such claim shall describe the land upon which such buildings or improvements stand, and an estimate of the value of said buildings or improvements, and of the damage which said change of grade will cause thereto, and said claims, and all statements contained therein, shall be sworn to by the party or parties owning said buildings or improvements and the land, or by their agents or local representatives. Thereafter the Common Council shall appoint three disinterested freeholders of Tillamook City, Oregon, having the same qualifications as viewers for the opening, laying out, and establishing 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.

Section 32: Whenever it shall appear to the Common Council that street improvement bonds issued under the provisions hereof will not for any reason sell at par, and the Common Council shall deem it expedient, on the faith and credit of Tillamook City as a whole, to guarantee payment of such street improvement bonds, it may by the ordinance authorizing the issuance of said bonds, based upon assessments of benefits to property benefited thereby, provided that the payment of such street improvement bonds shall be guaranteed by Tillamook City, and any deficit in any special fund to redeem said bonds shall in any event be paid out of the general fund of Tillamook City at maturity of said bonds, the Common Council may cause such guarantee to be inserted in any ordinance providing for the issuance of such bonds, and no 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

operative and shall be approved by the affirmative vote of three-fourths of all the members elected to the Common Council taken by ayes and noes, and also approved by the Mayor.

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, or amendment, without a petition therefor, and may provide for the calling of special elections to vote upon any ordinance or charter amendment referred 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 newspaper published in Tillamook City, Oregon, which notice shall contain the full text of the measure to be voted upon at said election, together with the form in which said measure will be 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 a general election held in Tillamook City, Oregon.

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

BE IT ENACTED BY THE PEOPLE 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 and designated as Article XII, to read as follows:

ARTICLE XII

Section 1: It shall be the duty of the Mayor, whenever necessary, to procure blank bonds of suitable design, and cause the same to be 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 be 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 be 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 issuance of the same, which ordinance shall always be subject to the power of 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, and 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 approved 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 Tillamook City, such ordinance shall not be subject to the powers 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 is 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 proposed redemption, which shall be conclusive 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 redemption.

Section 4: 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 bear interest at the rate of not more than six per cent, per annum, payable annually or semi-annually as the Common Council may determine, with the right therein reserved to Tillamook City to redeem 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. 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 conclusive notice to the holder of such bond or bonds, and interest thereon shall cease after the date fixed in said notice for redemption.

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