

New City Administration Formally Installed.

(Continued from First Page)

proper, to also include in such amendment a provision for additional bonds for the purpose of meeting the current expenses of the city.

There exists at this time an urgent necessity for a new city hall but if one is built it should be in keeping with the splendid structures and other improvements that have been made in the city in the last two years and will therefore involve quite an expense and, in view of the fact that we are heavily burdened with public debt, it would be well in proposing to bond the city for this purpose to proceed with caution and with due regard to the wishes of the tax-payers of the city.

The sanitary sewer constructed in this city by the Warren Construction Co., involving a cost of over \$47,000.00, lacked proper supervision and inspection during the course of construction thereof and should, as far as practicable at this time, be subjected to thorough inspection and test, and if found not to have been constructed in accordance with the specifications and contract therefor, steps should be taken forthwith to protect the city and its abutting property owners affected by the improvement from injustice or damage due to the non performance of said contract on the part of the Warren Construction Co., and in any event, the sewer should not be accepted by you until you are thoroughly satisfied that the contract and specifications for said sewer have been substantially complied with.

In relation to the indebtedness of the city, I desire to further call your attention to the fact that in the year 1912 the City Council of this city let a contract to the Warren Construction Co. of approximately seventy-two blocks of streets in the city in the sum of about \$180,000.00. In letting this contract, under the law as I understand it, it was the duty of the city to regularly conduct the proceedings in relation to such improvements so as to charge the abutting property for the cost thereof, and that therefore the contract price or cost of such construction of street improvements, is not a direct indebtedness of the city of Tillamook, yet the proceedings of the city council has been held by the Court to have been exercised without power and authority and that the contract is void for that reason; and in addition thereto, the Court has held that the Warren Construction Co. has utterly failed to live up to its contract with the city and that therefore the city is not entitled to levy upon the abutting property the cost of such improvements, and there is a remote possibility, in the final outcome of the litigation now pending between the Warren Construction Co. and Tillamook City concerning said street improvements, that some liability might be fastened upon the city as to said improvements, and I consider it my duty to inform you in relation thereto, so that you may be advised of the exact situation and may take such steps as in your judgment may be necessary to protect the city from liability on account of such improvements. In this connection I desire to further state that the Citizens Committee, who have so successfully conducted the litigation with the Warren Construction Co., are in possession of much valuable data and evidence that will be of inestimable value to you in best serving the city's interests in case the Warren Construction Co. should seek to recover from the city. There can be no conflict of interests as the litigants and property owners affected by the improvements own approximately 90 per cent of the taxable property of the city, (some of whom would have been more burdened for the improvements had they been made at the expense of the city rather than the abutting property owner.) The committee therefore represent interests in common and identical with that of the city and in my judgment its assistance and cooperation should be sought in the event the Warren Construction Co. should be so unwise as to further undertake to prosecute its case against the city.

I append to this message a copy of the findings of Hon. J. U. Campbell, so that you may be particularly advised as to the findings of the Court.

Recent unpleasant and costly experiences have taught us that we have a very faulty city charter, affording little protection to the property owners with the Mayorship and Council in the hands of men disposed to arbitrarily use the power conferred upon them by the charter. To remedy this and to afford more adequate power and jurisdiction to the city council I recommend that amendments be made to the city charter so that:

1st. Some limitations be placed on the power of the city council in making improvements at the cost of abutting property owners; (a) that the power of the Council to make improvements shall depend upon the filing of a petition containing the signatures of the owners of seventy-five per cent of the property to be affected and upon which as assessment for the cost thereof will be levied; or (b), if a remonstrance, signed by the owners of seventy-five per cent of the property so affected, is filed with the city council, that it be

deprived of jurisdiction to proceed; and (c), that the owners of seventy-five per cent of the property to be affected have a right to select and designate the character of material to be used in the construction of the improvement, and upon such selection the city council be bound thereby; and (d), that if a petition is filed, asking for the improvement, containing the names of the owners of seventy-five per cent of the property to be affected, that it should be compulsory upon the council to proceed.

2nd. The charter should be made to provide for longer notice of the intention of the Council to make improvements, as seven days now provided by the charter is such notice as to amount to almost no notice.

3rd. The charter should provide that all improvements in the city, whether made at the cost of abutting property owners or to be paid for by the city out of the general fund, should be let by contract, after full advertisement, to the lowest responsible bidder.

4th: The charter should provide a method of apportionment of the cost of improvements and a limitation as to area of abutting property to be affected by such apportionment.

5th: All notices in assessment proceedings should be of sufficient length of time to give the persons affected ample opportunity to investigate the correctness of the apportionment and the regularity of the proceedings.

6th: The provisions of the Bankruptcy Bonding Act should be incorporated in the city charter to the exclusion of any other form of bonding, because bonds issued under that act render the proceedings definite and certain and the sale of bonds is rendered much easier because bond purchasers are fully familiar with that act; but I suggest that the time in which to file an application for securing the benefit of that act be made thirty days instead of ten, as therein provided.

7th: A provision should be incorporated in the charter granting to the city council power and authority to guarantee improvement bonds, providing the city council is satisfied that the bonds would sell for less than par; in other words, the city council could, by ordinance, guarantee any deficiency, which guaranty should be incorporated in the bond and would make the bond sell at par, and thus protect the city from any depreciation of the bonds below the contract price of the improvement which would make the city liable for the difference between the contract price of the improvement and the amount received from the sale of the bonds, and would also protect the property owner against the addition of a large percentage to a contractors bid to overcome any depreciation in the bonds in the event he was required to accept them in payment for his contract. In my judgment this provision is a proper safe guard, not only to the city but to the property owner, and the city could suffer no liability because the bonding act prescribes that no bonds shall be issued for a greater sum than the actual assessed value of the property as shown by the County assessment rolls, any excess above the assessment being required to be paid in cash at the time of filing the application for bonding the property.

8th: The charter should be amended so as to provide for assessment of damages and benefits for the opening of streets, avenues and lanes in the city of Tillamook, more definite and certain than the present provisions contained therein.

For some years past no record of the ordinances adopted by the city council has been kept, and many ordinances, some of which are of vital importance, have been lost or mislaid. I would therefore recommend that a suitable record book be procured and a classified system be adopted for the recording of ordinances and suitable files be obtained for the preservation of all city records and documents.

I am in hearty sympathy with an idea that has been under discussion for some time in regard to having the Recorder act as collector for the Water Commission. By combining these two offices and putting the Recorder on a salary large enough to justify him in giving his full time to this dual capacity work a better service can be had and a saving made of several hundred dollars per annum to the city. This idea is well exemplified by making comparison of the expenses of the first months with the latter months of the year 1913. The first months of the year, with Surveyor and Street Commissioner and Recorder, I find the expense averaged \$951.57 1/2 per month, and latter months, with surveyor and street commissioner dispensed with, averaged \$202.05. This economy has been brought about without impairment to the service.

I note several unsightly places in the business districts of the city, where short stretches of badly dilapidated plank walks have not yet been replaced with cement walks. I feel that the values of the abutting property in the business districts will warrant the construction of cement walks and I therefore recommend that the walks referred to be removed and replaced with cement walks in conformity and harmony with the walks adjoining the adjoining properties.

Respectfully submitted
F. R. BEALS,
Mayor.

The Best
In
The West

TALK NUMBER TWO SELECTIONS NOW FOR HOME BUILDING

The Best
In
The East

ARE YOU A HOME OWNER OR ARE YOU A HOME RENTER?

WHICH CLASS DO YOU BELONG TO?

Why Not Own Your Home in Tillamook and Help Build the town?

Look at the following lines, What line do you represent?

(From the Twelfth United States Census, Vol II, P. XCVII, 1900)

There was under the above report: 16,006,437 of homes in the United States. The general standing of these homes as to ownership was as follows:

2,180,229 of Homes Mortgaged
4,739,914 of Homes Owned Free
8,246,747 of Homes Rented

WHY KEEP PAYING TRIBUTE TO THE LANDLORD?

WHY NOT MAKE A START TODAY TO OWN YOUR OWN HOME?

Let us close you today on a Contract to a CHOICE HOME LOT in either KING or GOODSPEED Addition. Make a start and get away from the Eight million of renters in the United States.

Terms are Easy Prices are Reasonable The Values There
KING ADDITION

Is very choice Westside property, adjoins the "Stillwell Park"—School Childrens Play Ground—is just 3 blocks from the New High School. Every lot has 6 foot sidewalk. Nine new homes have been built in this tract this year. Why not yours, be the Next?

GOODSPEED ADDITION

Is very choice Eastside property, in fact there is none better in Tillamook City. This new platting, is in that tract of land on the East of PARK STREET to "Lovers Lane" all of which lays North of the County Road and Third Street. Every lot offered just cannot be out-classed in the City at the prevailing price and terms.

We have a number of prospective buyers in this property. Don't delay in making your selections early. Come to this office and we will be pleased to give you further information as to prices and terms.

A small deposit will secure your lot reservation. Contracts or Deeds will be made for you February 2nd 1913. Don't wait, look after your choice of lots before the Choice are Gone forever.

Free, Absolutely Without Cost, Your Money is Second Consideration.

To every lot purchaser, either in King or Goodspeeds Additions, who take contracts or deed, the Architect—Mr. J. F. Stranahan—connected with this office, will draw you your plans and specifications for a home if you wish to build; these plans and specifications to be of your own idea and choosing from the many handsome plans that he has for your consideration. This opportunity is offered to every and all purchasers from now until April 1st, 1914. This in itself is a special inducement to those desiring to build and this service alone is worth a great deal for which we absolutely make no charge, it is free.

ALL LOTS PRICED. TERMS: 10 per cent cash. Installments: \$10:00 per month

ROLLIE W. WATSON, Tillamook's Leading
Sub-Division Agent.

Office in Todd Hotel, Ground Floor, Both Phones, Open Every Day and Evenings Until 10:00 O'clock
Fire Insurance in Conflagration Proof Companies. Building and Mortgage Loans on City Property.
Rentals and Collections. Taxes paid for Non-Residents.

CLOVERDALE NEWS

From Courier:

Mrs. W. A. High is enjoying a visit from her mother, Mrs. Alex Watt of Tillamook.

Chas. Smith has purchased a home in Corvallis and will move to that place the coming week. Ed Worthington has leased Mr. Smith's ranch.

Mr. and Mrs. John Her left Wednesday evening for Gales Creek, Ore., where they were called by the serious illness of Mr. Her's mother.

Nineteen Fourteen was ushered in at Cloverdale in a right, royal manner. Enthusiasts met and built a bonfire on the hill and with the band instruments made merry until the hour of twelve when Nineteen Thirteen passed into history and Nineteen Fourteen commenced its yearly existence.

Miss Lucile George returned to Portland today after spending her holiday vacation with her parents.

Mr. and Mrs. Frank Owens and family visited at the John Blum home near Tillamook Saturday and Sunday.

Chas. Burke has been seriously ill this week and slight hopes have been entertained for his recovery. Dr. George and Dr. Boals held a consultation Tuesday. On Wednesday Mr. Burke was some better, since that day his condition has remained the same.

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THE BEST FILL GOLD
Dado's
Little Liver Pills

Masonic Brethren, Attention!

REGULAR COMMUNICATION EVERY

THIRD SATURDAY

A full attendance is requested and all visiting brothers are cordially invited.

R. T. BOALS, W. M.

C. E. TROMBLEY, Secretary.

F. S. Ford

F. J. Ford

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