

City Attorney Trindle Explains Proposed New Amendment to Charter

The need for revision of the present city charter to protect purchasers of city property on a tax or improvement lien is explained by City Attorney Trindle in the following article:

It has been known to the legal fraternity generally and to many of the citizens of Salem for some time that the present city charter of the city of Salem provides very inadequate means for the enforcement of special assessments levied for the improvement of streets. Under the present charter when an assessment is delinquent for one or more years the city council may direct a warrant to issue for the collection of such assessment which warrant must be placed in the hands of the marshal for execution, and it is his duty to offer for sale and sell the property for such delinquent assessment. At the sale the marshal issues a certificate which must be held by the purchaser for a period of three years, at the end of which time a deed is made by the marshal to the purchaser of the premises.

No sufficient notice is required by the charter to make the procedure providing for sale by the marshal and deed thereafter sufficient legal process as that the deed secured by the marshal will constitute a good and valid title. This makes it necessary for the holder of a deed secured from the city marshal to bring a suit in the circuit court to quiet title. After decree to quiet title is secured the owner of the lot still has three years within which to appear and claim the property and move to set aside the decree.

It will be seen that this procedure requires approximately seven years from the time an assessment becomes delinquent until a purchaser at a delinquent assessment sale could secure a good and valid title to the property. This being true no speculator would see fit to buy in the property at a foreclosure sale, therefore the city is put to the expense of bidding it in, and carrying the burden until such time as an absolute title is secured so as to transfer the property to some purchaser. To cure this defect in the present charter the amendments to be voted upon at the next ensuing election have been worked out, with a view of providing for the foreclosure of assessment liens identically the same procedure as that provided by the state laws for the foreclosure of tax liens. Under the method provided by these amendments no foreclosure can be had until the assessment has been delinquent for three years, but at the end of such period the city may proceed to sell the property and after such sale the purchaser of a delinquency certificate may make application to the circuit court of Marion county, Oregon, for a decree foreclosing their liens against the premises, which decree will be a final determination of the matter in the event personal service of summons is secured. If summons is served by the date of the sale under the foreclosure decree within which to move to set the same aside upon the proper grounds shown.

Some objection has been made to the amendments upon the ground that they will work in the interest of the wealthy and against the poor people of the city. This is a mistaken idea, for the present city charter could be used as an oppressive measure against people unable to pay their assessments just as readily as the amendments proposed, and in the end so far as oppression is concerned much more effectively. Under the present city charter the city council can collect a penalty of 25 per cent and annual interest of 15 per cent in the event a foreclosure is instituted, whereas under the proposed amendments the penalty is reduced to 10 per cent and then only when a foreclosure suit is instituted in the circuit court, and the annual interest which certificates will draw under the new amendments is 12 per cent in place of 15 per cent as at present.

It is not the purpose of the council nor has the council ever practiced oppressing any poor person who was not in position to promptly pay his assessment as the same falls due. Where payments are made just as rapidly as the property owner is in position to do, the city has been and we believe will continue to carry such part of the assessment over due as is absolutely necessary to accommodate the property owner. But the council does feel that people who are in position to pay assessments should pay them and not require the city to bear the extensive burden which it is carrying at the present time.

The records at the city hall will disclose that by far the greater part of over due assessments are owing by people of means who by making a little sacrifice or a little extra effort could pay them if they so desired. They are, however, allowing them to run over due in such shape that it is costing the tax payers of the city of Salem several hundred dollars per annum which could be saved if these assessments were collected. Many of the persons owing such assessments are aware of the weakness in the city charter and knowing it propose to let the matter rest as it is, as they feel that the chances are strong that the city will make no effort to foreclose the liens.

The situation as it stands may be summed up in this statement. That the property owners who pay their taxes and assessments promptly are now carrying an extra load of approximately \$2,000 per annum which properly belongs to the people who are continuously allowing their assessments to run over due. To pass the proposed amendments simply gives to the city council power and machinery with which to enforce, where necessary, the payment of assessments so as that the expense of carrying the indebtedness incident to the improvement of streets will fall where it belongs. All persons who pay their assessments should vote for the amendment, for it simply means that in the end a considerable saving in taxes to themselves will result.

SCHOOL TAX LEVY VOTED LAST NIGHT Amount To Be Raised For Support of Public Schools Smaller Than Usual

The proposed levy of 6.7 mills for the maintenance of the city public schools was adopted by an unanimous vote at the annual tax payers meeting held in the auditorium of the high school last evening. As usual, the attendance at this annual meeting was small. Of this 6.7 mills levy, 5.1 mills is for maintenance and 1.6 mills for the payment of interest on bonds. One year ago the levy was 7 mills and two years ago, 7.3 mills.

Of the \$138,166.30 to be raised next year, \$85,966.60 is from direct taxes and the remainder from county and state funds and tuition.

The motion for the adoption of the budget, after being read by Clerk W. H. Burghardt, Jr., was made by Joseph Baumgartner, and seconded by J. L. Stockton.

Attorney S. M. Endicott was elected chairman of the meeting, who stated that he had all confidence in the school board of directors and that they were doing the best that could be done. Chairman Miles of the board expressed the opinion that Salem had schools second to none in Oregon, and that after visiting several schools in California, was satisfied that southern California had nothing on us, the size of our city taken into consideration.

A. A. Lee, chairman of the financial committee of the board, explained how the board was able to reduce the levy three mills compared to last year, although the valuation in this district had been reduced \$578,000. A few teachers' salaries had been increased and a few teachers added, on account of the increase in the high school attendance by pupils coming from outside districts. He explained the increase of pupils in the high school from the fact that the efficiency of the school was such that very few pupils drop out at the seventh and eighth grades but continue into the higher grades, even to graduation. "As a result schools become more efficient, more stay in for the higher grades," said Mr. Lee.

From a financial standpoint, Mr. Lee was in favor of reducing the bonded indebtedness each year and not pass it on to the next generation. The McKinley school is all paid for excepting \$2,000 and the building and lot cost close to \$25,000. As to carrying bonds on a school, Mr. Lee said that the Lincoln, Park and Washington were built in 1888 and 1889. A \$20,000 bond was floated for 20 years at 6 per cent and re-floated at 5 per cent. "We have been paying interest all these years and the buildings not paid for yet," said Mr. Lee, "and it will pay this district to permit the payments on bonded indebtedness until wiped out."

CADY INCOMPETENT TO HANDLE FLAX SITUATION--OLCOTT

Secretary of State Favors Change in Management of Plant At Pen

SAYS MANAGEMENT AT PRESENT A FAILURE

Kay Agrees With Olcott But Governor Is Satisfied With Situation

That J. C. Cady is incompetent to handle the flax business for the state and that present conditions are entirely unsatisfactory was the statement of Secretary of State Ben W. Olcott made at a conference in the governor's office at 3 o'clock this afternoon. Mr. Olcott said that from a business standpoint the flax situation was a failure, in his opinion, and he recommended a change in the management. State Treasurer Kay agreed with Secretary Olcott in the main but was not in favor of the removal of Mr. Cady at present as there was no available man for superintendent. The governor expressed himself as satisfied with the present conditions.

The meeting this afternoon was called at the request of Secretary Olcott for the purpose of discussing the status of affairs at the flax plant at the state penitentiary and to receive the views of the members of the board of control. Mr. Olcott stated that his reasons for desiring a change in the management of the plant were not sudden conclusions but had been based upon his own personal investigations. In stating his views, Mr. Olcott said: "Mr. Cady in the management of the various details coming under his direct

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Sport News

Eugene All-Stars Pile Up Big Lead and Win From Salem Bowlers

The Eugene picked team of All-Stars piled up a lead of 235 pins in the first game on the Rainbow alleys in Eugene last night but the Salem bowlers came out from under in good shape and at the end of the contest Eugene nosed out ahead by just 32 pins. The Eugene pin smashers upset a total of 2688 and Salem scored 2656. Salem won two out of three games but Eugene won on total pins.

Patton, of Eugene, rolled the high game of 257 and the high score of 202. Noud had the high average for Salem with 186. A return match is to be played in this city probably a week from tomorrow on the Club alleys. The Salem team was chaperoned by Bill Steuteman and was composed of Arthur Laflar, Barney Noud, Lloyd Wilson, E. Day and Fred Kress.

Score list for Eugene vs Salem bowling match. Eugene: Laflar 140, Wilson 135, Day 156, Kress 150, Noud 181. Total 798. Salem: Patton 169, Lee 190, Hyland 198, O'Brien 209, Patton 157. Total 1023.

ALBANY AND THE DALLES TIE

That Albany high school has a team that is as good as the best of them was demonstrated yesterday when they played the big The Dalles high school to a standstill on their home grounds. According to reports Albany scored a place kick in the first quarter. In the second period they scored a touchdown and The Dalles scored a place kick. Albany started the second half with the lead of seven points, but in this period The Dalles came up and tied the score with a touchdown and only. The last quarter was a bitter fight to score in the rain by both teams, neither being successful.—Albany Democrat.

FUNERAL OF MRS. GIBBS Funeral services for Mrs. Margaret W. Gibbs, widow of Addison C. Gibbs,

Washington Junior High Loses To Sophomores

The Washington junior high school football team met its first defeat this season at the hands of the sophomores of the high school yesterday afternoon on Willamette field when the second year men won 6 to 0. The teams struggled through an even contest until E. Gill, the Soph's left end pulled down a forward pass and raced across the chalk mark for a touchdown.

Washington high has won a string of victories this year and is not only the junior high school champion of the city but branched out and took Independence high school into camp. Yesterday's game was the first played by the sophomores as a team this year. Tateman of the Juniors played a steady game and Merver and Gill starred for the Sophs.

- Following is the lineup: Washington Sophomores: Tatman, C. W. Carson, O'Neill, R. G. Higgins, Moffett, R. T. P. Green, Butte, K. E. Bailes, Swaggerty, L. G. Fitz, Plumer, L. T. Rosa, Chasman, L. E. E. Gill, Prager, Q. Lockman, Hulsey, F. Mercer, B. King, R. H. Caldwell, C. Chung, L. H. Beckman. Referee, Proctor; umpire, Raadahl; head linesman, C. Low.

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Did It Ever Happen to You?

Cartoon strip with four panels. Panel 1: A man says 'OUR STOCK IS VERY LOW, HAVE YOU ANY GOODS TODAY?' The other says 'NEED ANY GOOD'S TODAY? COME UP TO DINNER WITH ME AND WE WILL TALK IT OVER.' Panel 2: The man says 'I'VE GOT A FEW BOTTLES.' The other says 'I'VE GOT A FEW BOTTLES.' Panel 3: The man says 'I'VE GOT A FEW BOTTLES.' The other says 'I'VE GOT A FEW BOTTLES.' Panel 4: The man says 'I'VE GOT A FEW BOTTLES.' The other says 'I'VE GOT A FEW BOTTLES.'

By Mort Burger "Son" Is Stranger

Cartoon strip with four panels. Panel 1: A man says 'OFFICER JACK WHITE SAW HIS FIRST FOOTBALL GAME THANKSGIVING DAY WHEN SALEM HIGH SCHOOL AND COLUMBIA UNIVERSITY PLAYED ON WILLAMETTE FIELD AND MR. WHITE'S PRESENCE AT THIS PARTICULAR GAME WAS LARGELY DUE TO THE FACT THAT GEORGE WHITE, MR. WHITE'S 17 YEAR OLD SON, WAS STATIONED AT RIGHT QUARTER OF THE SALEM HIGH. THE QUARTER THAT WAS SOON WORKED-UP IN THE MIDDLE OF THE FIELD WAS EVICTED FROM THE SIDELINES AND AFTER THE FIRST QUARTER EVERY MAN ON BOTH TEAMS WAS SMOTHERED FROM HEAD TO FOOT WITH WILLAMETTE MUD WHICH COATED FRIEND AND FOE ALIKE.' Panel 2: A man says 'MR. WHITE, SR., WAS PLOWING UP AND DOWN THE SIDE LINES WHEN A FRIEND REMARKED THAT HE DID NOT KNOW THE OFFICER WAS A FOOTBALL FAN. JACK ANSWERED THAT HE WAS NOT BUT AS HE HAD A SON OUT THERE HE LIKED TO LOOK OVER THE COMPANY HE WAS IN.' Panel 3: A man says 'IS THAT SO, JACK, WHICH ONE IS HE?' The other says 'I DON'T KNOW HIM,' THE OFFICER ANSWERED TRUTHFULLY.' Panel 4: A man says 'AFTER THE GAME MR. WHITE GAVE IT AS HIS OPINION THAT IT WAS AN UNFAIR GAME AS EVERYONE APPEARED TO WANT TO JUMP ON ONE MAN AND THAT IT DID NOT MATTER MUCH WHICH ONE IT WAS BUT THEY ALL JUMPED ON HIM JUST THE SAME WHENEVER HE TRIED TO DO ANYTHING AND THAT HE THOUGHT THAT IT WAS MIGHTY DISCOURAGING FOR A MAN TO TRY TO RUN WHEN SOMEONE SNEAKED IN FROM BEHIND AND GRABBED HIM BY THE FEET.'

Scott & Bynon's Bargains

40 acres, close in, cleared, at \$100 per acre. 60 acres level, cleared, well located, \$100 per acre. 80 acres cleared, near Fair Grounds, at \$100. 140 acres, 100 acres cleared, balance timber, will sell for \$100 per acre, take some city property in trade. Six room house, \$450, \$50 down, balance \$10 month. Lots in good locations, \$250, \$300, \$350, \$500, \$1000. EXCHANGES: 160 acres in Arkansas for Oregon. 150 acres in Alberta for Oregon. 130 acres in Gold Hill, Oregon, for Willamette Valley. Salem residence for small farm. 10 acres improved for Salem residence. 20 acres at West Stayton for Salem residence. Money to Loan: \$200, \$300, \$400, \$500, \$600, \$1,000. We Write Insurance. Houses to Rent. SCOTT & BYNON Tel. 937 124 South Liberty St. Rear of Salem Bank of Commerce

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