

O.S. No 627

An Ordinance providing for the holding of a special election on the 16th day of April, 1913, for the purpose of submitting to the legal voters of Albany, Oregon, for their adoption or rejection, a proposed amendment to the Charter of said city, which amendment remodels the Charter, grants further powers, and otherwise enlarges and defines powers and procedure, all as appears by Resolution No. 3 of the City Council of Albany, Oregon, adopted on the 12th day of February, 1913; designates and appoints officers of said special election; provides the manner and place of holding same in said city and prescribes the manner of making return of the result of said election and if favorable to said amendment, prescribes when the same shall become effective.

The People of the City of Albany Do Ordain as Follows:

Section 1. That in the manner provided by law and as hereinafter provided and for the purposes hereinafter set forth, a special election shall be held on Wednesday the 16th day of April, 1913 in the City of Albany, Oregon, commencing at 8:00 o'clock in the morning and continuing until 7:00 o'clock in the evening of the same day without closing the polls.

Section 2. That said special election shall be conducted, except as herein otherwise provided, in the same manner as general elections in said city are conducted.

Section 3. That the following places are hereby designated as polling places for holding such special election in the several wards of the city, as follows:

County Recorder's office for the first ward.

City Recorder's office for the Second Ward.

Wahumond Lumber Company's office for the Third Ward.

Section 4. That the following named persons are hereby designated and appointed, Judges and Clerks of said election in the several wards respectively, as follows:-

G. C. Turner, W. S. Weary and Rufus Thompson, Judges, &c. for the First Ward.

Harriet H. Van Tassel and Cassie H. Thompson, Clerks for the First Ward.

T. J. Sittig, W. S. Tweedale and A. H. Hall, Judges for the Second Ward.

S. H. Fish and Lydia B. Franklin Clerks for the Second Ward.

H. W. McElmurry, W. H. Conn and J. J. Livingston, Judges for
the Third Ward.

E. S. Ampley, H. Babb, Clerks for the Third Ward.

Section 5. That previous to entering upon the discharge of their duty, said judge and clerks shall take and subscribe an oath in the following form, to-wit:-

"I do solemnly swear (or affirm) that I will perform the duties of a Judge (or clerk, as the case may be) of election according to law and the best of my ability; that I will studiously endeavor to prevent fraud, deceit and abuse in conducting the same."

Said oath to be administered to the judges and clerks by an officer authorized by law to administer oaths, and in the absence of any such officer, one of the persons chosen to act as judge is hereby empowered to administer the oath to the judges and clerks of said election, and the person administering the oath shall cause an entry thereof to be made and subscribed by him and prefixed to the poll books.

Section 6. That if any judge of said special election as above named shall fail to attend and serve at said election, the voters of the ward present may elect another in his place; and if any clerk above named shall fail to attend and serve at said election, the judges of election may appoint another in his place; and if any clerk above named shall fail to attend and serve at said election, the judges of election may appoint another in his place.

Section 7. The City Recorder shall give ten days notice of said special election by posting or causing to be posted, one printed hand bill in each of the wards of the City of Albany, which said hand bill shall contain substantially the matters required in the form of notice set out in Section 8 herein. Also the City Recorder shall give notice of said special ^{publication} election thereof in a daily newspaper of general circulation published within the City of Albany, once a week for two successive and consecutive weeks within thirty days next preceding April 16, 1919. Such notice to be so published shall contain substantially the matters required in the form of notice set out in Section 8 herein.

Section 8. It shall be the duty of the City Recorder at least twenty days before said special election, to prepare printed notices of such special election and mail two of said notices to each Judge and each Clerk of election in each ward, and it shall be the duty of the several Judges and Clerks to immediately post and

notices in public places in their respective wards. Such notices shall be in the following form:

Special Election Notice.

Notice is hereby given that on Wednesday, the 16th day of April, 1913, at _____ in the _____ Ward of the City of Albany, in the County of Linn, State of Oregon, a special city election will be held for the purpose to vote upon a proposed amendment to the City Charter "Referred to the people by the Council of the City of Albany, Oregon," as provided by Resolution No. 3 adopted on the 12th day of February, 1913, by the Council of the City of Albany, which amendment remodels the Charter, grants further powers and otherwise enlarges and defines powers and procedure.

The special election will be held at 8:00 o'clock in the morning and continue until 7:00 o'clock in the evening of said day.
Dated this _____ day of _____ 1913.

Recorder of the City of Albany.

Section 9. That all persons entitled to the privileges of an elector in the City of Albany, Oregon, according to the constitution and laws of the State of Oregon, shall be qualified to vote at said special election.

Section 10. That at said special election, a proposed amendment to the Charter of the City of Albany shall be submitted to the legal voters of said City of Albany for their adoption or rejection, which amendment is the amendment proposed by Resolution No. 3 of the City of Albany, Oregon, passed by the council of said city on the 12th day of February, 1913.

Section 11. That not later than Thirty days next before said special election, the City Recorder, shall cause to be printed in pamphlet form a true copy of the title and text of said proposed amendment to said Charter with the number and form in which the ballot title will be printed on the official ballot as above provided.

Arguments advocating or opposing said amendment to said Charter may be filed by any person, committee or organization with the City Recorder, provided that arguments supporting said amendment shall be filed not less than thirty days next before said special election, and arguments opposing said amendment shall be filed not less than twenty days next before said special election; and provided further that in case

the person or persons offering such arguments for printing and distribution shall pay to the City Recorder, sufficient money to pay all the expenses for paper and printing to supply one copy with every copy of the said amendment to be printed by the City, and the City Recorder shall forthwith notify the persons offering the same, of the amount of money necessary.

The City Recorder shall cause one copy of each of said arguments to be bound in the pamphlet copy of said proposed amendment to said Charter. All the printing of said pamphlets shall be done in the same manner that other municipal printing is done by the City, and the pages of said pamphlets shall be numbered consecutively from one to the end.

The pages of said pamphlet shall be six by nine inches in size, and the printed matter thereon shall be set in eight point Baskerville faced type, single leaded and twenty-five ems in width, with appropriate heads, and printed on sized and super-calendered paper, twenty-five by thirty-eight inches, weighing fifty pounds to the ream.

The title page of each argument shall show by what person or organization it is issued. Distribution of said pamphlets shall be made to every voter in the City of Albany, so far as possible by the City Recorder, either by mail or carrier, not less than eight days before said special election.

Section 12. That immediately upon the passage of this ordinance, the City Recorder shall transmit to the City Attorney a copy of said proposed amendment to said City Charter as hereinbefore set forth, and within ten days thereafter the attorney shall provide and return to the Recorder, a ballot title of said measure.

The ballot title may be distinct from the Legislative title of the measure, and shall express in not exceeding one hundred words the purpose of the measure.

The ballot title shall be printed with the number of the measure on the official ballot. In making such ballot title, the City Attorney shall to the best of his ability, give a true and impartial statement of the purpose of the measure, and in such language that the ballot title shall not be intentionally an argument, or likely to create prejudice either for or against the measure.

Unless an appeal is taken as provided by law from the decision of the City Attorney on the ballot title of said proposed amendment, such ballot title so provided and returned by said City Attorney shall ~~that~~ be placed

upon the official ballot; and in case of an appeal from the decision of the city attorney on said ballot title, the ballot title certified by the Circuit Court on said appeal as provided by law shall be printed on said official ballot.

Section 13. That the City Recorder shall cause to be printed and shall supply a sufficient number of ballots, copies thereof, poll books, ink, pencils, pens, stationery and other necessary and proper supplies for said election; and the City Marshal shall install the voting booths; and deliver the ballots, ballot boxes and other supplies to the said Judges and Clerks of election, at the said polling places in due time for their use by the voters, judges, clerks and others interested in said special election at said time of holding the same.

Section 14. That on or before the second day after said special election, the returns thereof must be filed with the Recorder and on the fourth day after the election or sooner, if the returns of all the wards are in, the Recorder shall call to his assistance, two Justices of the Peace of the City of Albany and they shall canvass the returns of said special election.

Section 15. That a written statement of the canvass shall be made and signed by the canvassers and filed with the Recorder within the time appointed to complete the canvass and file the same with the Recorder, giving the whole number of votes cast in the city for and against said question, and if a majority of all the votes cast shall be shown to be in favor of the adoption of said amendment, then the Mayor shall forthwith issue his proclamation, declaring said amendment to have carried and to be in full force and effect as a law, and the said charter shall thereupon be deemed to be and shall thereby be so amended.

Section 16. Whereas existing conditions are such that this ordinance is necessary for the public peace, health and safety, an emergency exists and an emergency is hereby declared to exist and this ordinance shall take effect and be in full force from and after its approval by the Mayor.

Attest:

F. J. Van Lannel
Recorder of the City of Albany.

Passed the Council Feb'y 12th 1913
Approved Feb'y 13th 1913

J. J. G. G. G.
Mayor.

CITY RECORDER'S CERTIFICATE

STATE OF OREGON.
COUNTY OF LINN.

I, F. E. Van Tassel, Recorder of the City of Albany, in Linn County, and State of Oregon, do hereby certify that the foregoing and annexed copy of.....

Ordinance No. 627
has been by me carefully compared with the original Ordinance (Bill No. 690)
now on file in my office, and that it is a true and correct copy of all and the whole of said
Ordinance Bill No. 690, as passed by the Council of the City
of Albany, Oregon, February 12th, 1913

Witness, my hand and official signature and the seal of the City of Albany, this

13th day of February 1913

F. E. Van Tassel
Recorder of the City of Albany.