

The City Council met in first reg. Session on the 4th day of January 1909. and was Called to Order at 8⁰⁰ O'clock P.M. by the Mayor J. F. Mitto +

Present: The Mayor; Recorder; and J. S. Dick Chief of Police! and Councilmen holding Over: S. J. Fusher, F. H. Hilton, & Chas Lucke. ~~and the Newly Elected Councilmen.~~ W. H. Bair; Chas. J. Bates; H. C. Giltman & J. H. Graham ~~and Chas. J. Wait~~ ^{and Chas. J. Wait} having been previously qualified, by taking, and filing their Oaths of Office & Certificates of Election with the Recorder + Minutes of Last Special Meeting read & stood approved; after which; a petition was presented by the Recorder to the City Council; having been served on the City Recorder by the Chief of Police of Canby, which Petition was addressed to the Hon. Mayor and Council of Canby. and was subscribed and sworn to, before Wm Knight a Notary Public, by the Petitioner E. J. Lias, protesting the Election of Chas. J. Bates as City Councilman + The Petition (or contest) was ordered read, and also: an Opinion; written by Hon: Geo. C. Brownell, and confirmed by Hon: Gordon E. Hayes: in reference to said Contest; was read by the Recorder + and after the reading of the foregoing protest papers: it was Moved by Councilman Wait, duly seconded by W. H. Bair, that a time, & place be set for settlement of Contest: which motion was carried + after which, it was Moved and Seconded, that the time be set for One week from tonight which resulted in a vote of 3 to 3, and was declared Lost; after which it was Moved and seconded, that the Case be settled tonight: which resulted in a vote of 3 for; & 3 against, ^(2 not voting) to which the Mayor cast his vote in the affirmative, and the motion was declared Carried +

after which it was Moved and Seconded, that the Office of Councilman Chas Lucke be declared Vacant under Sec. 23. of the Charter, which resulted in a rising vote of 4 votes yes, against 3 votes no, and was declared Carried; after which it was Moved, seconded and Carried, by a standing vote of six councilmen. that the Council now proceed to take a vote upon the Lias vs. Bates contest case: whereupon the Mayor put the Question: "Shall Chas. J. Bates retain his Seat as Councilman?" which was carried by 6 to 1, in the affirmative, & so declared;

after which the Council proceeded to the Election of a Councilman to fill the vacancy of Charles Lucke's seat for the unexpired term ending 1st Monday in Jan'y. 1910.

The following persons were placed in nomination: Lucke & Ed. Sias on 1st ballot: Lucke rec^d 3 votes, Sias 1, Roth 3, no Election was declared; on 2^d ballot Lucke rec^d 3 votes Sias 4, Roth having declined; no Election on 3^d ballot, Sias declined; Lucke rec^d 3 votes, Wilson & Evans 4; no Election on 4th ballot, Lucke declines; Wilson & Evans rec^d 5 votes, Attk. Knight 1, Blank 1.

Wilson Evans was declared duly Elected, having received a majority vote of the whole Council & Wilson Evans being present; it was, by Motion duly Seconded and Carried, that he be qualified immediately by taking and filing his Oath of Office & The Oath of Office was administered by the Recorder, and the newly Elected Councilman took his seat &

After which: it was Moved and Seconded, that the "Ratification" of business, transacted by the Old Council in reference to Franchise Ordinances be postponed to the next reg. meeting in Feby: Carried.

The Ordinance; to License, trades & Callings; laid over to Feby. meeting;

After which: a petition, signed by 28. Citizens of Canby, was ordered read, asking for a gravel sidewalk to be constructed along the easterly side of "A" Street, from 1st to 2^d Street, and a streetlight be placed at Cor. of "A" and "3^d Street," and after due consideration it was Moved and Seconded, that the Street Commissioner. Notify property Owners, along said proposed Gravel walk, to construct a six-foot-wide board walk instead of a gravel walk along said Street, in accordance with City Ordinance, specifying the kind and size of material to be used; ^{also to notify N.W. Co. to move poles & put from the fence &} the Motion Carried, and was so Ordered.

And in the matter of Additional Streetlights: it was Moved Seconded and Carried,

That the Committee on Streets & P. Property Notify the Aurora Electric Company to put ~~up~~ ^{lights}, not to exceed 5. lights, on the Streets of Canby, at the direction of said Committee, & the new Streets & P.P. Committee consisting of Councilmen Bain, Bates & Graham

as announced by the Mayor, The Recorder's & Treasurer's annual reports were laid over to next reg. meeting in Feby: after which the Council proceeded to the Election of Officers &

H. C. Gillmore was placed in nomination for President of the Council & no other nominations moved and seconded that rules be suspended and Recorder cast a ballot for H. C. Gillmore as President of the Council & motion carried & Recorder cast a ballot, & Gillmore was declared Elected & For City Recorder, William Knight ^{was} placed in nomination and by motion duly seconded & carried. rules were susp^d and the Chief of Police J. S. Dick cast a ballot, and William Knight was declared Elected & For Chief of Police & Claude Baty was placed in nomination, [W. R. Porter: who declined], and by motion duly 2^d and carried, Claude Baty was duly Elected by the Recorder casting a ballot for Claude Baty, who was declared duly Elected by the Mayor & after which; Adam H. Knight and W. R. Porter were placed in nomination for Street Sup't & a ballot was taken which resulted in five votes for A. H. Knight and three votes for Porter; Adam H. Knight was declared duly Elected as Street Superintendent, after which; the Mayor stated that he would announce the other standing committees at the next reg. meeting in Feby. The Council then adjourned in due form: William Knight
Recorder