

AN ORDINANCE providing for the entering of a decree dismissing the suit of the Spokane, Portland & Seattle Railway Company, a corporation, plaintiff, -vs- City of Warrenton, a municipal corporation; F. M. Wilson, Mayor; John Evenden, Auditor and Police Judge; George W. Warren, G. A. McGuire, G. H. Greer, W. C. Wickline and W. N. Francis, constituting the Common Council of the City of Warrenton, and Frank P. Leinenweber, Assessor of Clatsop County, defendants; and determining that Charter amendments proposed by Ordinances No. 260 and 261, respectively, of the City of Warrenton, are valid enactments and that bonds heretofore issued thereunder are valid obligations of the City of Warrenton, and providing that the power and authority of the City of Warrenton under said amendment proposed by Ordinance No. 260 shall be limited to \$100,000. and declaring an emergency.

That WHEREAS, heretofore and to-wit, on November 7, 1919, the citizens of the City of Warrenton voted upon Charter amendments proposed by Ordinances No. 260 and 261, and that at said election the said amendments were carried, and that thereafter, and to-wit, on the 31st day of December, 1919, the Spokane, Portland & Seattle Railway Company, a corporation, as plaintiff, began a suit in the District Court of the United States for the District of Oregon against the City of Warrenton, a municipal corporation; F. M. Wilson, Mayor; John Evenden, Auditor and Police Judge; George W. Warren, G. A. McGuire, G. H. Greer, W. C. Wickline and W. N. Francis, constituting the Common Council of the City of Warrenton, and Frank P. Leinenweber, Assessor of Clatsop County, to annul said election; and that thereafter and to-wit, on the 9th day of March, 1920, a second election was held, submitting said Charter amendments to the electors of the City of War-

renton, and

WHEREAS, in November, 1919, the City Council of the City of Warrenton sold bonds to the extent of \$100,000 under Charter amendment, Ordinance No. 260, and \$150,000 in bonds under Charter amendment, Ordinance No. 261, and that said bonds were delivered and the City of Warrenton became obligated therefor, and

WHEREAS, the said Spokane, Portland & Seattle Railway Company, as plaintiff, and the City of Warrenton, a municipal corporation, et al, as defendants, have stipulated and agreed as a compromise of said suit that a decree be entered dismissing said suit without costs to either party and determining that Charter amendments proposed by Ordinances No. 260 and 261 of the City of Warrenton, respectively, are valid enactments, and that the bonds heretofore issued thereunder are valid obligations of the City of Warrenton, and that the defendants consented in said Stipulation and agreed that the power and authority of the City of Warrenton under said amendment proposed by Ordinance No. 260 shall be limited to the bonds heretofore issued thereunder, that is to say, bonds in the sum of \$100,000.

NOW, THEREFORE, THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. That the suit heretofore entered against the City of Warrenton, et al, by the Spokane, Portland & Seattle Railway Company, a corporation, be dismissed without costs to either party, and that a decree be entered in the said District Court of the United States for the District of Oregon determining that Charter amendments proposed by Ordinances No. 260 and 261, respectively, of the City of Warrenton, are valid enactments, and that the bonds heretofore issued thereunder are valid obligations of the City of Warrenton, and that the City of Warrenton by and through its Mayor and Common Council hereby binds itself that the power and authority of the City of Warrenton under said amendment proposed by Ordinance No. 260 shall be

limited to the bonds heretofore issued thereunder, that is to say, bonds in the sum of \$100,000, and the City of Warrenton does hereby surrender all power and authority under and by virtue of the provisions of that certain Charter amendment proposed by Ordinance No. 260 of the City of Warrenton to issue, sell or dispose of any bonds of the City of Warrenton in addition to the bonds in the sum of \$100,000 heretofore issued under the authority of said amendment, and does hereby give up and forever surrender all right, power and authority under said Charter amendment to issue, sell and dispose of bonds from and after this date.

Section 2. Inasmuch as the objects to be obtained by this ordinance will be of great benefit to the people of the City of Warrenton and there exists and is an urgent necessity that this ordinance should take effect as soon as possible, so that the health, peace and safety of the people of the City of Warrenton may be preserved, an emergency is hereby declared to exist, and this section, therefore, shall take effect when approved by the affirmative vote of two-thirds of all the members of the Common Council, and this ordinance shall then be in full force and operative immediately after its approval by the Mayor of the City of Warrenton.

Passed the Common Council this 15th day of September, 1920.

Submitted to the Mayor this 15th day of September, 1920.

Approved this 15th day of September, 1920.

J. M. Wilson
Mayor.

ATTEST:

John Brewster
Auditor and Police Judge.