

CHARTER SUBMITTED TO VOTERS OF THE CITY OF ST. HELENS
(Continued from page 5).

stating the time at which said matter will come up for hearing before the Council. It shall also be the duty of the Recorder forthwith to send by mail, postpaid, to the owner, if known, of each lot or part thereof, or parcel of land, or to the agent of such owner, directed to the postoffice address of such owner (directed to the postoffice address of such owner or agent), if known, and if such postoffice address be unknown to him, then directed to such owner or agent at St. Helens, Oregon, a notice of the amount so apportioned to each lot or part thereof, or parcel of land owned by such person, stating the time within which objections to such apportionment may be made in writing to the Council, and filed with the Recorder, and also stating when said matter will come up for hearing before the Council.

Sec. 111. At the time specified in said notice, or at such subsequent time as the Council may fix, the Council shall consider said proposed assessments and all objections made thereto, and shall have power at its discretion and without any further notice to consider, ascertain and determine the amount to which each lot or part of lot or parcel of land so assessed is benefited by reason of said improvement, or construction, reconstruction or repair of said sewer, and if the amount apportioned by the Council to any lot or part thereof, or parcel of land shall not be in just proportion to such benefits, the assessment against such lot or part thereof or parcel of land shall be reduced or increased by the Council that it shall be in just proportion to such benefit as determined by the Council. The Council shall then declare said assessment by ordinance, and direct the Recorder to enter a statement thereof in the "Docket of City Liens," as provided in this Charter.

Sec. 112. Each lot or parcel thereof or parcel of land shall be deemed to be benefited by the sewer construction, reconstruction or repair, or street improvement, as the case may be, to the full amount of the assessment levied thereon.

Sec. 113. No such assessment shall be held invalid by reason of failure to enter the name of the owner of any lot or part of lot or parcel of land so assessed, or by a mistake in the name of the owner, or the entry of a name other than the name of the owner in said assessment, or in any acts or proceedings connected therewith, and no delays, mistakes, errors or irregularities in any act or proceeding in the improvement of a street, or the construction of a sewer or drain, shall prejudice or invalidate any final assessment, but the same may be remedied by subsequent and amended acts or proceedings; and if found by decree of any court to be invalid, the Council may proceed by ordinance to reassess the property directly benefited by reason of said improvement of streets, or construction or repair of any sewer.

Sec. 114. Whenever an assessment has been made against property benefited, for any improvement of any character under this Charter or any prior Charter of City or amendments thereof, and the proceedings or any portion thereof, whereby such assessments have been made, shall be declared invalid by any court of competent jurisdiction, because of any defect, jurisdictional or otherwise, or of any irregularity, the City of St. Helens, may within one year from the date of the entry of such judgment or decree declaring the same defective, maintain an action in the Circuit Court of the State of Oregon for Columbia County, against the owner or owners of the lot or lots, or blocks, parcel or parcels of land upon which the costs of such improvement or repair of any such street or alley, sewer or drain should be charged and imposed under the terms of this Act, and recover the proportion of the costs of such construction, improvement or repair to any street, alley, sewer or drain, properly chargeable under this Act to each of said lots, blocks or parcels of land, including reasonable attorney's fees for maintaining the same.

Sec. 115. In any such action instituted, all persons whose property is or would be so liable for the payment of any such proportion of the assessment aforesaid, may be joined as party defendants in one action, and the judgment rendered therein shall be a several judgment against each of said defendants for his proportion of such assessment and costs and disbursements and attorney's fees, and a lien therefor shall be decreed upon the premises liable or assessed for such improvements, sewer or drains, and such lien shall be a first lien prior and superior to all others except for taxes and other liens in favor of the City of St. Helens, and the general laws of the State of Oregon, governing actions at law and service of summons shall apply in such action.

Sec. 116. No record need be kept of the mailing of any notice prescribed to be mailed in connection with any of the proceedings in relation to the improvement of any street or construction or repair of any sewer or the assessment of property therefor; and the failure to mail or mistake in the mailing of, or a mistake in any such notice shall not be fatal when notice is published or posted as herein required.

Sec. 117. In any action, suit or proceedings in any court concerning any assessment of property, or levy of taxes, authorized by this Charter, or the collection of such tax or proceeding consequent thereon, such assessment, levy, consequent proceeding, and all proceedings connected therewith, shall be presumed to be regular, and to have been duly done or taken until the contrary is shown.

Sec. 118. Neither the City of St. Helens nor any officer thereof or person employed by the City shall be liable for any portion of the cost or expense of any street improvement or for the construction, reconstruction or repair of any sewer or drain by reason of the delinquency of persons or property assessed for the payment of said work; but the contractors doing such work shall be required to look wholly to the property affected by such improvement, and to the owners thereof except when the Council at the time of awarding the contract for such improvement shall specially assume payment of such indebtedness; provided, however, that the City may direct the payment out of the general fund of the City of the cost of repairs when authorized and done in accordance with and pursuant to this Charter. And provided, further, that at the time of the passage of the legislation for a proposed street improvement, or for the construction or repair of any sewer, the Council may, if it deems it expedient, provide that the City shall pay all or a specified portion of the cost of the proposed improvement out of the general fund of the City, the remaining portion to be paid by the property directly or indirectly benefited, as herein provided; but such sum so appropriated shall not exceed in any one year a greater amount than one-tenth of one per cent of the assessed valuation of all property within the corporate limits of said City, as shown by the last assessment of the County Assessor, for the improvement of said streets, and not more than said amount for the construction or repair of sewers; and if a greater amount is to be expended in any one year for such proposed by the City, it must be done by issuing bonds of the City therefor, as provided in this Charter.

Sec. 119. The Docket of City Liens is a book in which must be entered, in pursuance of Section —, the following matters in relation to assessments for the improvements of streets:

1. The number or letter of lot assessed, and the number or letter of the block in which it is situated; and if a separate assessment is made upon a part of a lot, a particular designation of such part.
2. The name of the owner thereof, or that the owner is unknown.
3. The sum assessed upon such lot, or part thereof, and the date of the entry.

Sec. 120. The Docket of City Liens is a public writing, and the original or certified copies of any matter authorized to be entered therein are entitled to the force and effect thereof, and form the date of entry therein of any assessment upon a lot or part thereof, the sum so entered is to be deemed a tax or levy and a lien thereon, which lien shall have priority over all other liens or incumbrances thereon whatever.

Sec. 121. A sum of money assessed for the improvement of a street cannot be collected until by order of the Council notice thereof is given by the Recorder by publication in three consecutive issues of a newspaper published in the City of St. Helens, or by posting in three or more public places within said City for twenty days. Such notice must substantially contain the matter required to be entered in the Docket of City Liens concerning such assessment.

Sec. 122. If, within ten days from the final publication of the notice prescribed in Section —, the sum assessed upon any lot or part thereof is not wholly paid to the Treasurer, and a duplicate receipt therefor filed with the Recorder, the Council may thereafter order a warrant for the collection of the sum to be issued by the Recorder, directed to the Marshal or other person authorized to collect taxes due the City.

Sec. 123. Such warrant must require the person to whom directed to forthwith levy upon the lot or part thereof on which the assessment is unpaid, and sell the same in the manner provided by law, and to return the proceeds of said sale to the Treasurer, and the warrant to the Recorder, with his doings endorsed thereon, together with the receipt of the Treasurer for the proceeds of such sale, paid to him.

Sec. 124. Such warrant shall have the force and effect of an execution against real property, and shall be executed in like manner, except as in this Charter otherwise provided.

Sec. 125. The person executing a warrant shall immediately make a certificate of sale for the property sold thereon to the purchaser, stating therein that the sale is made subject to redemption as provided in this Charter within three years from the date of such sale by the owner or successor in interest, or any person having a lien by judgment, decree, or mortgage, or any part thereof, separately sold, who may redeem the same upon the terms and conditions provided in the next section.

Sec. 126. Redemption is made by the payment of the purchase money and ten per cent additional, together with the interest upon the purchase money from the date of sale to the time of payment at legal rate, and the amount of any tax or assessment which the purchaser may have paid upon the property.

Sec. 127. A redemption discharges the property from the effect of the sale for the assessment. If made by the owner, or his successor in interest, the estate in the property is thereby restored to such owner or his successor in interest, as the case may be, but if made by a lien creditor, the amount paid for the redemption is thereafter deemed a part of the judgment, decree or mortgage, as the case may be, and shall bear like interest and may be enforced and collected as a part thereof.

Sec. 128. Each lot or part thereof, within the limits of the proposed street improvement, shall be liable for the full cost of making the same upon the half of the street in front and abutting upon it; also for a proportionate share of the cost of improving the intersection of two of the streets bounding the block in which such lot or part thereof is situated, unless the Council shall have determined that such lot or part thereof

will not be benefited by such improvement in the full sum of such cost, in which case such lot or part thereof shall be liable for so much of the said cost only as the Council shall have found the same to be benefited thereby, and the further cost of making said improvement in excess of the benefit so found shall be paid by owners of property not immediately abutting on said improvement, but situated within the district adjudged by the Council to have been specially benefited thereby; or the Council may pay same out of the general fund of the City, provided the Council shall have power to determine what shall constitute a "lot," or a part of a "lot," as the terms are used in this article; and provided, further, should a street be improved abutting on lands not laid off into lots and blocks, such lands charged as abutting on said improvement shall be liable for the cost of such improvements only to the depth of one hundred feet, and the term "street," as used in this chapter, shall include all legally established roads and highways.

Sec. 129. The probable cost of improving such intersections is to be assessed upon the lots of parts situated in the quarters of the four blocks adjoining such intersections, but only upon the lot or parts thereof within the quarter nearest thereto, and only on the following proportion: Five-ninths of the cost to the corner lot, and four-ninths to the lots next inside; provided, that when any tract adjacent to said improvement shall not be laid out in blocks, the proportionate cost of the improvement of such intersection shall be assessed to the owner or owners of such land as lies within one hundred feet of the intersection; and provided further, that unless the Council shall have determined that such lot or lots, or part thereof, will not be benefited by such improvement in such proportion, or at all, in which case such lot or part thereof shall be liable for so much of said cost only as the Council shall have found the same benefited thereby.

Sec. 130. A sale of real property under the provisions of this Charter conveys to the purchaser, subject to redemption, as herein provided, all the estate or interest therein of the owner, whether known or unknown, together with all the rights and appurtenances thereunto belonging.

Sec. 131. That all sales of real property for the non-payment of assessments shall be made in said City at the Council chamber door, and notice of such sale may be published in two consecutive issues of such newspaper as hereinbefore mentioned, or posted for twenty days in three public places within said City, and the Council may authorize the Recorder to bid upon said real property for the City to the amount of such tax or assessment and expenses of sale, and no more; and if there be no higher bidder therefor, the same shall be struck off to said City, and it shall be a purchaser thereof upon the same terms as other purchasers, and hold and dispose of the same for its benefit; said property shall be advertised to be sold for publication, as aforesaid, the same length of time as is required for the sale of real property under execution under the laws of this state. When real property is sold for delinquent taxes, or assessments, the person selling the same must immediately execute to the purchaser a certificate of sale of the property sold to such purchaser, setting forth therein a description of the property sold, the amount it sold for, the year in which the tax is levied, the name of the purchaser, and that the sale is made subject to redemption within three years of the date of the certificate. The owner or his successor in interest, or any person having a lien by judgment, decree or mortgage, or any part thereof, sold separately, may redeem the same. After three years from the date of such certificate the Marshal shall, if no redemption shall have been made, execute to the purchaser, his heirs and assigns, a deed of conveyance, reciting or stating a description of the property sold, the amount bid, the year in which the tax or assessment was unpaid at the time of the sale, and that no redemption has been made; and such deed thereafter executed shall operate to convey a legal and equitable title in fee simple to the purchaser named in the deed, and upon the delivery of such deed, all the proceedings required by law in relation to the levy, assessment and collection of taxes or assessments, and the sale of property, shall be presumed regular and to have been done in pursuance of law, and such deed shall be prima facie evidence of title in the grantee; and such presumption and such prima facie evidence shall not be disputed or avoided except by proof of either:

- a. Fraud in the assessment or collection of the tax or assessment.
- b. Payment of the tax before sale, or redemption after sale.
- c. That the payment or redemption was prevented by the fraud of the purchaser.
- d. That the property was sold for taxes, for which the owner of the property at the time of the sale was liable, and that no part of the tax levied or assessed upon the property sold.

Sec. 132. When an assessment upon any lot or part thereof becomes delinquent, any person having a lien thereon by judgment, decree or mortgage may at any time before sale of such lot or part thereof, pay the same; and such payment discharges the property from the effect of the assessment, and the amount of such delinquent taxes and all accruing costs and charges, if any, when so paid, is thereafter to be deemed a part of such lien creditor's judgment, decree or mortgage, as the case may be, and shall bear interest and may be enforced and collected as a part thereof.

Sec. 133. The Council must provide, by ordinance, for the time and manner of doing the work, or any proposed improvement, subject only to the following restrictions: After proper notice the work may be let to the lowest responsible bidder for either the whole work necessary to complete the proposed improvement, or for such subdivision thereof as will not materially conflict with the completion of the remaining portion. The Council may provide for the rejection of any or all bids deemed unreasonable, and that the bid of any person who has before bid or contracted for such work and been delinquent therein shall not be received. The Council shall provide for taking security by bond for the faithful performance of any contract let under its authority, and the provisions thereof shall be enforced by an action in the name of the City of St. Helens, or in the event the Council shall so decide, the City may have the work or improvements performed by day labor under the direction of the City Engineer or of a construction engineer employed by the City for said purpose.

Sec. 134. If, upon the completion of any improvements of a street, thereof, and the amount charged to any lot or part thereof or parcel of land is less than the benefit accruing thereto, the Council must ascertain the deficit and declare the same by ordinance, and when so declared the Recorder must enter the amount of the deficit in the Docket of City Liens in the column reserved for that purpose in original entry, with the date thereof, and such deficit shall thereafter be a lien upon such lot or part thereof or parcel of land in like manner and with like effect as in the case of the sum originally assessed, and shall also be payable and may be collected in like manner and with like effect as in the case of such sum so assessed.

Sec. 135. If, upon the completion of any improvement, it is found that the sum assessed therefor upon any lot or part thereof or parcel thereof is more than sufficient to defray the cost thereof, the Council must ascertain and declare the surplus in a like manner as in the case of a deficit, and when so declared, it must be entered as in the case of a deficit in the Docket of City Liens, and thereafter the person who paid such surplus, or his legal representatives, is entitled to repayment of the same by warrant on the Treasurer, payable out of the fund raised for such improvement.

Sec. 136. All money paid or collected upon the assessments for the improvement of streets shall be kept as a separate fund, and in no wise used for any other purpose whatever.

Sec. 137. The Council is authorized to repair any street or part thereof, whenever it deems it expedient, and to declare, by ordinance, adjacent property, or partly upon the adjacent property and partly upon property not abutting but within the district adjudged to be benefited, or whether same shall be paid out of the general fund.

Sec. 138. If the Council declares that a proposed repair shall be made at the cost of the adjacent property or of the abutting property, and is to be deemed an improvement and shall be made accordingly, but if it such repair may be made as the ordinance may provide, and paid accordingly.

Sec. 139. Whenever any lot or part thereof or piece of land sold under the provisions of this Charter shall bring more than the assessment thereon, with costs and charges of collecting, the surplus must be paid to the Treasurer, and the person executing the warrant must take a separate receipt for such surplus and file it with the Recorder on the return of the warrant. At any time thereafter the owner or his legal representative is entitled to a warrant upon the Treasurer for such surplus; that whenever bring less than the assessment thereon, the Council shall supply the deficiency out of the general fund, if in the opinion of the Council such improvement is necessary.

Sec. 140. The deed to the purchaser must express the true consideration thereof, which is the amount paid by the purchaser, and the return of the person executing the warrant must specify the amount for which such lot or part thereof was sold, and the name of the purchaser.

Sec. 141. Whenever any lot or part thereof is sold for delinquent assessment for street improvement, and afterwards resold for deficit on such assessment, as in the Charter provided, to any person other than the purchaser at the first sale, or his successor in interest, such purchaser or such sale is to be deemed an owner within the meaning of this Charter.

Sec. 142. All general or special taxes levied, as provided and authorized in this act, and all assessments for the improvements, widening or part thereof, shall bear interest at the rate of ten per cent from the time it is delinquent until paid or collected.

Sec. 143. The Council as soon as the time for paying annual state and county taxes shall have expired must thereafter order the Recorder to issue a tax roll showing taxes remaining unpaid to the Marshal and him to proceed forthwith to collect the delinquent taxes upon such roll together with the costs of collection, and to return the warrant with his doings thereon, and the receipt of the Treasurer for all moneys collected thereby, and paid to the Recorder.

Sec. 144. Such warrant, for the purpose of collecting such delinquent taxes, shall be deemed an execution against property, and shall have the force and effect thereof against any person, firm or corporation against whom such taxes are levied or charged on the tax roll, and shall be executed and returned in like manner, except as in this Charter otherwise provided.

Sec. 145. If no personal property be found whereon to levy the warrant, or if that levied on is not sufficient to satisfy the same, it must be levied upon any real property of the person or firm or corporation against whom the tax is levied or charged, or sufficient thereof to satisfy said warrant, including fees of officers and all expenses of sale and executing the warrant.

Sec. 146. In case of a delinquent tax levied on real property in the name of an unknown owner, the warrant shall be executed by levying upon each lot or part thereof of such property for the tax levied thereon, and selling it separately.

CHAPTER XI.

Sewers and Sidewalks.

Sec. 147. The said City of St. Helens shall have the power and authority to acquire, by purchase or otherwise, own and possess such real property outside the corporate limits of the City, as in the judgment of the Council may be necessary to enable it to provide a complete system of sewers, and it shall have a right to enter upon any land between the termini of any proposed sewer or drain, either inside or outside the corporate limits, for the purpose of examining, locating and surveying the line of such sewer, or drain, doing no unnecessary damage thereby, and it may appropriate the use of so much of said land as may be necessary for the construction, or laying down or keeping in repair said sewer or drain, not to exceed twenty feet in width, and may make whatever cuts and excavations as may be necessary to lay down or repair said sewer or drain, filling such excavations or cut as soon as practicable after making the same.

Sec. 148. The Council may by ordinance declare it the duty of all owners of land adjoining any street in the City of St. Helens to construct, reconstruct and maintain in good repair the sidewalks or steps in front of said land. The Council has power and is hereby authorized whenever it deems it expedient to order the building or repair of any sidewalk or any part thereof, to determine the grade and width of all sidewalks, or material to be used and the specifications for the construction thereof, upon any street or part thereof within said City.

Sec. 149. If the owner of any lot or part thereof or parcel of land adjoining a street on which the Council shall have declared it the duty of the abutting owner to erect a sidewalk or steps shall suffer any sidewalk or steps along the same to become out of repair, it shall be the duty of the Marshal upon order either of the Council, or in case such defect be dangerous, then upon his own motion, to give written notice to the owner or agent of such property to repair said sidewalk within three days therefrom or that the same will at the expiration of said time be repaired by the City and the cost thereof assessed against said property. Said notice shall be served personally upon such owner or his agent, if either thereof can be served within the City of St. Helens, and if not so found, said notice shall be served by mailing a copy thereof to the last known postoffice address of such owner or his agent, or if his postoffice address is not known, addressed to him at St. Helens, Oregon; and the Marshal shall make and file with the Recorder his return showing such service. In case such notice is not served personally upon such owner or his agent, the same, in addition to the mailing of a copy thereof, shall also be posted on the property adjacent to said sidewalk to be repaired. If within three days from the service and posting of said notice as aforesaid, said sidewalk is not repaired in a good and sufficient manner, the Marshal shall proceed to repair the same and shall at the next regular meeting of the Council after the completion of such repair, report to the Council the cost thereof. If the Council deems said amount reasonable, they shall approve the same; if they deem said amount unreasonable for making said repairs, they shall fix the reasonable amount to be taxed for making said repairs. When the amount of said cost has been thus determined, the Recorder shall enter the same in the Docket of City Liens, and the same shall thereupon constitute a lien upon the abutting property and shall be collected in the same manner as provided for the collection of delinquent street assessments. Said amount shall be entered in the manner provided for the entry of street assessments.

Sec. 150. The Council has power and is hereby authorized, whenever it may deem it expedient, to order the building of any sidewalk within the limits of the City of St. Helens, and the payment of the cost of the construction thereof by the owners of property adjacent thereto; or in a district created by the Council and by it adjudged to be benefited thereby; provided, that notice to the property owners to be affected by such order shall be required, and such notice shall be served in the same manner as provided in Section — of this Charter for the service of notice of repair. Within ten days from the date of the service of such notice, the owner or owners of the abutting property, or property within the district subject to assessment, or any of them, may file with the Recorder a written remonstrance against the said proposed sidewalk; and the Council, upon hearing said remonstrance, may, at its discretion, discontinue proceedings in said matter, or may overrule any and all remonstrances and objections, and proceed as though no remonstrance had been filed. If within thirty days from the time of the service of such notice the property owners, or any of them, do not comply with the provisions of such order, the Marshal shall proceed to build such sidewalk and the cost thereof shall be determined, taxed and become a lien against the abutting property, as provided in Section —, for the determining and taxing of the cost of repairing sidewalks; and the same when entered in the Docket of City Liens shall be collected in the same manner as provided for the collection of delinquent street assessments.

Sec. 151. The Council is authorized to repair any street, or part of street, or erect or repair any sidewalk or steps, whenever it deems it expedient, and to declare, by ordinance, before doing the same, whether the cost thereof shall be assessed in whole or in part upon the adjacent property or the adjacent property and property in the district benefited, or said in whole or in part out of the general fund of the City of St. Helens. If the Council declare that a proposed repair shall be made in whole or part of the cost of adjacent property or the adjacent property and property within the district created and adjudged to be benefited, thereafter the proposed repair is to be deemed an "improvement" and shall be made accordingly; but if it declare that the cost of the same shall be paid out of the general fund, such repair may be made as the ordinance may provide and be paid for accordingly.

Sec. 152. The Council shall have power and it is hereby authorized whenever it may deem that the public health, interest or convenience may require, to construct or repair and lay down all necessary sewers and drains of a character and capacity to provide a complete system of sewerage, together with all necessary man holes, catch basins and branches, and to levy and collect an assessment upon all lots and parts thereof and parcels of land especially benefited by such sewers and drains to defray the whole or any portion of the cost and expenses thereof, and to determine what lands are especially benefited by such sewer, and the amount to which each lot or part thereof or parcel of land is benefited; and the determination of the Council concerning same shall be final.

Sec. 153. Whenever the Council shall deem it expedient or necessary to construct or relay any sewer or drain, it shall require from a surveyor or engineer plans and specifications for an appropriate sewer or drain, with all necessary catch basins, man holes and branches, and estimates of the work to be done and the probable cost thereof; and the Surveyor or Engineer shall file such plans, specifications and estimates in the office of the Recorder. If the Council shall find such plans, specifications and estimates to be satisfactory, it shall approve the same or may amend and change the same as it may see fit. The Council shall thereupon declare by resolution its purpose to construct said sewer or drain, describing the same and the location thereof and including the estimate of the probable cost thereof. The action of the Council in declaring its intention to construct or relay a sewer or drain, directing the posting of notices thereof, and approving and adopting the plans, specifications and estimates of the Surveyor or Engineer, may all be done in one and the same act.

Sec. 154. The resolution of the Council to construct or relay such sewer or drain shall be kept of record in the office of the Recorder, and shall be advertised by the Recorder for a period of ten days by posting notices thereof in the three conspicuous places in said City, or by publication thereof in two consecutive issues of some newspaper published in said City.

Sec. 155. Within twenty days from the date of the first publication or posting of the notice required by the preceding section, the owner or owners of any property to be affected by said proposed sewer or drain may file with the Recorder a written remonstrance against the said proposed sewer or drain, and the Council upon hearing said remonstrance may, at its discretion, discontinue proceedings in said matter, or may overrule any and all remonstrances and objections, and shall have power and authority to order the construction of said sewer or drain or the repair or relaying of the same; and within two months from the date of the final publication of its previous resolution, may by ordinance provide for the construction of relaying thereof, which shall substantially conform to the plans and specifications previously adopted.

Sec. 156. Upon the taking effect of said ordinance, the Council shall proceed to let and make contracts for the proposed sewer, and shall exercise the same power, authority and supervision in the advertisement for bids, awarding contracts, requiring of bonds, supervising and accepting said work as is provided in the matter of street improvements in this Charter, and the proceedings in the construction of said sewer or drain shall thereupon follow and be the same procedure as laid down for the procedure in case of street improvements in this Charter.

Sec. 157. All existing ordinances of the City of St. Helens in force when this act takes effect and not inconsistent therewith shall be and remain in full force after this act takes effect and thereafter, until repealed by the Council; all actions and proceedings pending and all unfinished business of whatever description when this act takes effect shall thereupon be proceeded with according to the provisions of this act or any town ordinance applicable thereto, and continued in force by this act; no suit, action or proceeding now pending in any court shall abate by reason of this act, and no proceeding for the collection of taxes and sale of property shall be affected by this act, but the Marshal or other proper officer shall proceed to enforce the same as though this act had not been passed; all persons in office when this act takes effect shall continue to hold their respective offices for the term of which they may have been elected or appointed, except as otherwise provided in this act, and shall continue to receive such compensation for their services as appertains to and all rights vested or liabilities incurred when the act takes effect shall not thereby be lost, impaired or destroyed.