PROCLAMATION FOR SPECIAL ELECTION.

Notice is hereby given that in compliance with ordinance No. sixty-three hundred and seven (6307) entitled "An ordinance providing for a special election upon proposed amendments to the charter of Kansas City, Missouri, and embodying such amendments," approved April 15, 1895, a special election is ordered to be held in Kansas City, Missouri, on Thursday, the 6th day of June, 1895, for the purpose of voting upon said proposed amendments as provided in said ordinance.

Witness my hand and the seal of said Kansas City, Missouri, this 8th day of April, 1895.

WEBSTER DAVIS,
Mayor.

Attest:
F. G. Graham, City Clerk, by W. E. Sullivan, Deputy.

(SEAL of Kansas City, Jackson county, Missouri.)

AN ORDINANCE providing for a special election upon proposed amendments to the Charter of Kansas City, Missouri, and embodying such amendments.

Be it ordained by the Common Council of Kansas City:

Section 1. That a special election be held in Kansas City, Missouri, on the 6th day of June, A. D. 1895, to submit to the qualified voters of said City the amendments hereinafter set forth to the Charter of said City.

Section 2. Said election shall be held and the returns thereof made, according to the general statutes of the State governing State and municipal elections in this city.

Section 3. The said amendments are designated, Amendment Number I, Amendment Number II and Amendment Number III, hereinafter, and are presented for the choice of the qualified voters of said City, and may be voted on or for them separately, and accepted or rejected separately, without prejudice to any other of such amendments.

Section 4. The ballots submitting such amendments shall have written or printed thereon the following:

Amendment Number I—Concerning water works.

Yes.
No.

Amendment Number II—Concerning Parks and Boulevards.

Yes.
No.

Amendment Number III—Reducing the minimum license fee.

Yes.
No.

Section 5. Those who deposit one of the above ballots or any part thereof, with the word "No" erased after any proposed amendment shall be deemed to have voted for such amendment, and those who deposit a ballot or any part thereof, with the word "Yes" erased after any proposed amendment, shall be deemed to have voted against such amendment.

Section 6. The Common Council and Mayor of Kansas City, Missouri, the law-making authorities of said City, hereby propose the following amendments to the Charter of said City:

Amendment Number I. To Amend Article XIII of Kansas City Charter of Kansas City, Missouri, by repealing Sections 11, 14 and 16 of said Article XIII, and by adding immediately after Section 17 of said article, the following new Section, to be designated Section 18:

"Section 18. For the purpose of paying off and satisfying the judgment and decree rendered against the City in the United States Circuit Court for the Western Division of the Western District of Missouri, in the case of the National Water Works Company of New York, complainant, and against Kansas city, defendant, on the 28th day of November, 1894, and the full and entire amount thereof, as the same is now, or may hereafter be fixed and determined by said court in said case, and interest and costs thereon, said judgment and decree being in the matter of the purchase of the Water Works of said Company by said City, the City by Ordinance of the Common Council, may, after said decree shall have become final, and the amount thereof payable by the City, determined and its respective liability therefor, the amount as may be necessary, not exceeding the amount of said decree as the same is or may hereafter be determined. Such bonds shall be in such amounts, each not less than $100, nor more than $1,000, payable to bearer at such place or places, times, not exceeding twenty years from their date, at such place or places in the United States, in such lawful money of the United States, with such interest as may be prescribed, payable annually or semi-annually, at such rate, not exceeding six per cent per annum, as may be prescribed by Ordinance and such bonds shall be numbered, sealed with the seal of the City, countersigned by the City Comptroller, and signed by the Mayor, attested by the City Clerk, countersigned by the City Comptroller, and in all other matters shall be in such form and issued and sold in such manner as may be prescribed by Ordinance.

"At any time after said decree shall have become final and payable, the City may, by Ordinance of the Common Council, cause said bonds, when prepared and signed, to be placed in escrow with the Clerk of the United States Circuit Court for the Western Division of the Western District of Missouri, to be delivered to the purchaser or purchasers of said bonds, and then only to be issued and to become binding on the City when such purchaser or purchasers shall pay to said Clerk the purchase price thereof, and the decree against the City in said case of the National Water Works Company against the City, shall be satisfied and cancelled, so that the City shall not, at the same time, be liable both for the amount of said decree and upon the bonds, and so that the actual indebtedness of the City shall not be increased by the issue of such bonds.

"The city shall, at or before the issue of such bonds, provide by Ordinance of the Common Council, for the collection of an annual tax, which, together with all sums which shall be applicable to the payment of the principal and interest of said bonds, shall be sufficient to meet the interest of the bonds, as it falls due, and also to constitute a sinking fund for the payment of the principal at maturity. Such sinking fund shall be kept invested and managed in the same manner as the other sinking funds of the City.

"Any bonds so issued and delivered, shall, in the hands of bona fide holders, be conclusively presumed and held to have been duly and regularly authorized and issued under this Section and the Ordinances passed in pursuance thereof, and shall be valid obligations of the City, negotiable to the same extent as securities negotiable by the law merchant.

"The City may, by Ordinance, make alterations in the prices of rates to be paid for the use of water from the Water Works. No water rate shall be allowed or fixed by any other principle or consideration than that of equality of price and exceptional discriminations in rates are forbidden. Water rates shall be so fixed as to produce revenue enough to pay at least all running expenses, interest, and a sinking fund for the cost of all repairs, enlargements and extensions of the works. All revenue and income derived from the water works, after paying salaries of officers and employees, running expenses and cost of repairs, enlargements and extensions, shall so far as may be necessary to meet the same, be first applied to the payment of interest on said bonds, and the balance thereof shall go to the sinking fund aforesaid, to meet the principal of said bonds.

"Sections 11, 14 and 16 of Article XIII of the City Charter are hereby repealed."

Amendment Number II. To amend the Charter of Kansas City, Missouri, by repealing the whole of Article X thereof, and adopting in lieu of the same a new article, to be designated Article X, as follows:

ARTICLE X.

Section 1. There is hereby established within the city an executive department to be known as "Board of Park Commissioners," which board shall be composed of six citizens, residents and electors of the city, well known for their intelligence and integrity, who shall have resided in the territory embraced within the city limits at the time of their appointment for a period of at least five years before the date of their appointment, and who shall be appointed by the Mayor without confirmation, and whose term of office shall continue for a period of six years: Provided, that the first appointment of such commissioners hereunder shall be for a term ending at the end of the fiscal year of 1896. Said commissioners shall serve without compensation, and any one of said commissioners shall be held to have vacated his office in the event of his accepting a nomination or appointment to, or becoming a candidate for any political office.

No more than three members of said board shall belong to the same political party, and none of the members of the board shall be designated in the appointment as president thereof, and vacancies in said board shall be filled by appointment by the Mayor for the unexpired term.

Any member of said board may be suspended or removed in the same manner and for like causes as other appointive city officers.

Sec. 2. The president of said board shall give a bond to the city in the sum of ten thousand dollars, and each of the other members shall give a bond to the city in the sum of five thousand dollars, for the faithful performance of his duties as such park commissioner. All bonds required to be given by the provisions of this article shall be approved by the city comptroller.

Sec. 3. Said board of Park Commissioners shall keep a record of its proceedings, have a common seal, and shall appoint a secretary who shall not be a member of the board, and who shall hold office at the will of the board, and who shall receive such salary as the board may determine, and shall give bond to the city for the faithful performance of his duties in the sum of five thousand dollars. In the absence or disability of the secretary, the board may designate one of its members to act as secretary pro tempore.

Sec. 4. The president, and in his absence or disability any other Park Commissioner appointed by president of said board, shall be the organ of said board, is authorized to sign, execute and acknowledge, in the name of the board, all maps, plats, contracts, warrants or documents of any character required or authorized by this article; and three members of said board shall constitute a quorum for the transaction of business, and an affirmative vote of a majority of the members of the board shall be sufficient to authorize any act of said board.

Sec. 5. Said Board of Park Commissioners shall have power, and it shall be its duty, to devise and adopt a system of public parks, parkways and boulevards, for the use of the city and its inhabitants, and to select and designate lands to be used and appropriated for such purposes within or without the city limits, and to select routes and streets for boulevards, and to cause the same to be opened and widened as hereinafter set forth, and, by and with the approval and authority, by ordinance, of the common council, to lease, purchase, condemn or otherwise acquire, in the name of the city, land for parks, parkways, boulevards, or public squares, and, by and with the approval and authority, by ordinance, of the common council, to establish, change or re-establish the grade of any boulevard or parkway, and to require any railway upon or across such boulevard or parkway to be brought to the grade so established, changed or re-established.

Sec. 6. Said Board of Park Commissioners shall also have power to superintend, control and manage any and all parks, parkways and boulevards belonging to or under the control of the city, and such other public grounds and thoroughfares as may, by ordinance of the common council, be placed under the control and management of said board, and to improve, adorn and regulate the same in such manner as it may deem best, and to establish the width of sidewalks on all boulevards and parkways. And the common council shall have power, and it shall be its duty, upon the recommendation of the Board of Park Commissioners, to pass ordinances for the regulation and orderly government of such parks, parkways and boulevards, and to prescribe fines and penalties for the violation of such ordinances.

Sec. 7. The territory within the present city limits, so long as said limits remain unchanged, and until such time as the same be changed as herein provided, is hereby divided into three park districts to be known as "West Park District," "North Park District" and "South Park District," whose respective limits shall be the same as those heretofore established by ordinance of the common council, numbered fifty and approved on the 4th day of March, 1893, which division of the city into park districts under the provisions of said ordinance is hereby ratified and confirmed, the boundaries of which districts are as follows:

Of the West Park District: Beginning at the intersection of Western avenue extended with the northern city limits; thence eastwardly along the northern city limits to the intersection of said northern city limits with the center line of Indiana avenue; thence along said Indiana avenue in a southerly direction along the center line of Indiana avenue to the intersection with the center line of Ninth street; thence eastwardly along the center line of Ninth street to the intersection with the center line of Main street; thence with the center line of Main street to the intersection of Main and Delaware streets; thence in a southerly direction along the center of said Main street to the southern city limits; thence southwardly along the eastern city limits to the western city limits; thence northwardly along the western city limits to the place of beginning.

Of the North Park District: Beginning at the intersection of the West Park District with the northern city limits; thence eastwardly along the northern city limits to the intersection of the eastern city limits with the northern city limits; thence southwardly along the eastern city limits to the center line of Fifteenth street; thence eastwardly along the center line of Fifteenth street to the eastern city limits; thence in a northerly direction along the eastern city limits to the northern city limits; thence westwardly along the northern city limits to the place of beginning.

Of the South Park District: Beginning at the intersection of the West Park District with the South Park District as herein defined; thence in a southerly direction along the eastern boundary line of the West Park District, as herein defined, to the southern city limits; thence eastwardly along the southern city limits to the eastern city limits; thence in a northerly direction along the eastern city limits to the center line of Fifteenth street; thence westwardly along the center line of Fifteenth street to the place of beginning.

Whenever and so often as the city shall extend or change its limits, the common council shall have power by ordinance, upon recommendation of the Board of Park Commissioners, to divide the added territory into new park districts, or to add the same to the districts already established so that the whole territory within the city limits as extended or changed into two or more park districts.

Sec. 8. It shall be the duty of the Board of Park Commissioners to provide at least one park in each park district, and to purchase or otherwise acquire, with the concurrence of the common council, as herein provided, real estate therefor; and the common council is hereby authorized and empowered to provide by ordinance for the purchase, condemnation, or otherwise obtaining of land within the city limits, and for the purchase or otherwise obtaining of land without the city limits, for public parks, parkways and boulevards, and to establish the same, provided the acquisition of such land for such public parks, parkways and boulevards, shall select and recommend to the common council any acquisition of any land for parks, public squares, parkways or boulevards, it shall be the duty of the common council upon such recommendation to proceed forthwith, by ordinance, to provide for the establishment and acquisition by purchase, condemnation or otherwise, as it may deem best, of such lands for parks, parkways or boulevards as may be selected by said Board of Park Commissioners. Payment for any such land so selected and acquired, whether within or without the city limits, may be made out of the general fund, or by the issue and sale of bonds of the city as may be provided by ordinance of the common council subject to the provisions of the constitution of the state, or payment for land so selected and required for such purposes within the city limits may be made as hereinafter provided.

Sec. 9. The parks, parkways, public squares and boulevards, established in any park district or districts within the city limits, whether acquired by purchase or condemnation, may be paid for by special assessments upon the real estate situated in such district found benefited thereby as hereinafter authorized. Such special assessments may be made payable in such manner and at such time or times as may be provided by ordinance of the common council upon the recommendation of the Board of Park Commissioners.

If the Common Council, with the concurrence of the Board of Park Commissioners, shall, by ordinance, find and determine that the establishing of any park, parkway or boulevard is a benefit to more than one park district or part or parts thereof, the cost thereof may be assessed upon the real estate found benefited in such park districts or part or parts thereof.

Sec. 10. Whenever the common council, upon the recommendation of the Board of Park Commissioners, shall provide by ordinance for the condemnation of any real estate selected for a park or for the opening, widening or extending of any boulevard or parkway, or part thereof, or for constructing and maintaining any viaduct or bridge for public use on any park, parkway or boulevard, or for establishing, opening, widening, extending, or altering any route or right of way for a sewer or a channel of any watercourse necessary to the maintenance of a water supply system in whole or in part, and it becomes necessary to take or damage any private property for any such purpose, said Common council shall, by ordinance, declare the property sought to be purchased, taken or damaged; and in case the same is to be paid for by special assessments upon real estate, shall designate the time and mode of payment of such assessments, and shall also prescribe the limits within which private property shall be deemed benefited by the proposed improvement, and be assessed and charged to pay compensation therefor, which benefit district may include one or more park districts, or any part or parts of such district or districts. And in said ordinance, separate descriptions of each piece or parcel of property shall not be required, but it shall be a sufficient description of the property to be purchased, taken or damaged to give a description of the entire tract by metes and bounds whether the same shall be composed of one or more than one piece or parcel. Thereupon the City Engineer, or other competent engineer, shall make out and deliver to the Board of Park Commissioners a statement by map, plat or otherwise, containing a correct description of the several lots or parcels of property to be taken, or damaged, taken or damaged, and containing also the names of the owners so far as known, of such lots or parcels of land, if any, to be taken or damaged, or of any estate or interest therein, which may accrue by reason of the taking effect of the ordinance providing for the taking or damaging of such private property. The proceedings for the taking or damaging of such private property for public improvements hereinbefore provided and the assessments of benefits to pay for the property so purchased, taken or damaged, if the same is to be paid for by special assessments upon real estate, shall be governed by the laws of the State of Missouri relating to the Circuit Court of Jackson County, Mo., at Kansas City.

Sec. 11. When the Board of Park Commissioners shall file or cause to be filed a certified copy of such ordinance, referred to in the preceding section, in the Circuit Court, or with the clerk thereof, such court shall thereupon, by order, appoint a day and place for empaneling a jury to ascertain the compensation to be paid for lands so taken or damaged, and, if the same is to be paid for by special assessments upon real estate, to make assessments to pay for the property to be taken, purchased or damaged, as the case may be, which shall be set forth in such ordinance, or the substance thereof, and shall be directed to all persons whom it may concern, without naming them, notifying them of the day and place fixed for the empaneling of a jury and for the ascertaining of the compensation to be paid for the property to be taken or damaged and the amount of benefits, if any, to be assessed to pay therefor on account of such improvement.

A copy of such order shall be published in a newspaper at the time doing the city printing, for four successive weeks, the last insertion to be not more than one week prior to the day so fixed for said hearing. The court may, at the time of making such order, or at any time before the hearing, further order that the parties owning or having an interest in the real estate proposed to be taken or damaged, be served with such order, either by delivering to each of such owners or parties interested at any time before the day fixed therein for the hearing, a copy of the order or by leaving such copy at the place of abode with some person of the age of fifteen years, and in case of corporations, by delivering a copy to the president, secretary, or some managing officer thereof, or to any agent of such corporation being in charge of any office or place of business of such corporation.

If service of such notice cannot be made on any or all of such parties as above described, within said city, when personal service is ordered by said court, the return on such notice shall so state, and thereupon an alias order specifying a different date may be made by said court, if deemed advisable, notifying such absent parties of the facts as in case of the original notice above provided. Said cause may be continued or postponed from time to time as in civil causes in such court. It shall not be required in any case to bring in any person other than the owners of the property or those interested therein, who were such at the time of the taking effect of such ordinance, and the parties claiming or holding through or under such owners or parties interested, or any of them, shall be bound by the proceedings as fully as if they were brought in by name having an interest in the real estate to be affected by said proceedings may, upon application and entering their appearance, be made parties thereto; but no notice of said proceedings shall, in any case, be necessary to the validity thereof, except the publication of the order as herein provided. Notice so given by publication shall be sufficient to authorize the court to hear and determine the cause and to make any finding or order or render any judgment therein as fully as though all the parties interested at the time of the taking effect of such ordinance, or thereafter, had been duly served by their proper names and had been personally served.

Affidavit by the publisher, manager, or any person connected with the newspaper in which such order was published, accompanied with a printed copy of the notice, shall be prima facie evidence of the publication of such order as herein required.

The service of such notice or order, when so ordered by the court, may be made by a policeman of the city, or by any constable or officer authorized to serve judicial writs; and the return of service by a policeman, constable or other officer, shall be evidence of the facts therein stated.

Sec. 12. If any incorporated company which may be interested in the whole or in any part of the land to be taken or damaged by the said proceedings, be entitled, under the law of the land, to trial of its claim for compensation therefor by a common law jury of twelve men, it may at any time prior to the day fixed as herein provided for empaneling a jury, file in the office of the clerk of said court a notice in which it shall state the description of the property owned or claimed by it so to be taken or damaged and the amount and nature of its claim therefor, and may further state that it demands a trial before a common law jury of twelve men of its claim for compensation therefor; and if any such incorporated company shall not so file such petition before such date, it shall be deemed and taken to have waived its right of trial by a jury as aforesaid of such issue. And if any incorporated company, which may under the law of the land be entitled to a trial by a jury as aforesaid, shall file such petition, then the court shall cause such jury to be empaneled for the trial of such claim, and the same to be tried by such jury shall be the actual value of the land of such claimant taken, if any, and the amount of damage to the land of such claimant not taken, for the public use thereof, and by the use of the land taken for the purposes for which it is taken, including all that the city may from time to time do or cause to be done in, with or upon the private property so taken or damaged, if taken or damaged, incorporated companies interested in land to be taken or damaged as aforesaid, may appear in the court and be a party as aforesaid, and shall make demand therefor as aforesaid, the court may, in its discretion, as may appear expedient, order that all such claims be tried at the same time, or severally as the court may direct, and the same proceedings shall be had in the case of such corporation as are provided for in the case of other parties.

If the land to be paid for by private property not actually taken so as to give the city possession or control of the same, the actual amount of damages such private property may sustain by reason of the use of the land so taken for the public use for which it may be taken, including all that the city may from time to time do or cause to be done in, with or upon the property so taken or damaged.

Sec. 13. If the land to be paid, taken or damaged as aforesaid is to be paid for by the assessment of benefits upon real estate, whether the land actually taken or damaged be taken or damaged, the jury of freeholders, to pay compensation for the land purchased, taken or damaged, shall estimate the amount of benefit to the property at large, including the benefit to the property of the city, and shall estimate the value of the benefit of the proposed improvement to each and every lot, piece and parcel of private property, exclusive of the land taken or damaged, situated within the benefit district, if any benefit is found to accrue therein; and in case the total of such benefits, including the benefits assessed against the city, shall exceed the sum of compensation assessed, or to be paid for the property purchased, taken or damaged, then said jurors shall assess against the city the amount of benefits found to the city so assessed, and shall assess the balance of the cost of such improvement against the several lots and parcels or private property found benefited; each lot or parcel or ground to be assessed shall be charged with such proportion or some ratio to such balance as the benefit to each lot or parcel bears to the whole benefit to all the private property assessed.

Sec. 14. The jury of freeholders shall render a verdict which shall show:

First, a correct description of each piece or parcel of private property taken, if any, and the value thereof, and the amount of damage to the remainder, if any, of such private property damaged, and the amount of injury thereto, and in case the property to be taken or damaged is to be paid for out of the general fund, or out of the funds of the park district in which the same is situated, or from the issue and sale of bonds of the city, and not by the assessment of benefits against real estate, no further finding of the jury shall be necessary.

Second, if the property purchased, taken or damaged is to be paid for by the assessment of benefits upon real estate, the verdict of the jury shall also show the compensation for the property purchased, taken or damaged, the amount, if any, assessed against the city, which shall stand as a judgment against the city, and shall be payable out of the general fund, and the amount of benefits, if any, assessed against each piece and parcel of private property found benefited within the benefit district.

The City Engineer and City Assessor, or their assistants, if required, and said jury of freeholders to put its verdict in proper form, and said jury may use the books, plats and records in the office of the City Engineer, for such purposes, and said jury shall find that any number of tracts or parcels of land within the benefit district are benefited ratably in proportion to the assessed value thereof as shown by the books of said assessor, and if they find the same so, and said jury shall not be discharged until its verdict shall have been reviewed by the court and is correct in form. Said verdict shall be signed by a majority of said jurors, and the verdict of said jury may be reviewed by said court, and said jury may be required by the court to correct any errors of description or other clerical errors, and shall be discharged by the court, on its own or on the motion of the city, or of any party interested in the proceedings, filed within four days after the rendition of the verdict, for good cause, set forth in writing, and a jury of freeholders, and thereupon, without further notice, may appoint a new jury of freeholders to make a new appraisement or assessment, and fix a time and place for their meeting, and the jury so discharged, or a rehearing of the whole matter, provided, that the verdict of any common law jury therefore rendered in such proceeding fixing the compensation to be paid for property taken or damaged, shall be accepted by such new jury of freeholders as part of its finding.

Sec. 15. The verdict, unless set aside as aforesaid, shall be confirmed and judgment entered thereon that the city have and hold the property sought to be taken upon payment of the compensation assessed therefor, for the purpose specified in the ordinance providing for said improvement, and that the clerk of the Circuit Court enter judgment against said city, that the city recover the respective amount assessed against the private property, and that the several lots and parcels of private property so assessed for the same, and said jury shall not be discharged until its verdict shall have been reviewed by the court and is correct in form. Said verdict shall be signed by a majority of said jurors, and the verdict of said jury may be reviewed by said court, and said jury may be required by the court to correct any errors of description or other clerical errors, and shall be discharged by the court, on its own or on the motion of the city, or of any party interested in the proceedings, filed within four days after the rendition of the verdict, for good cause, set forth in writing, and a jury of freeholders, and thereupon, without further notice, may appoint a new jury of freeholders to make a new appraisement or assessment, and fix a time and place for their meeting, and the jury so discharged, or a rehearing of the whole matter, provided, that the verdict of any common law jury therefore rendered in such proceeding fixing the compensation to be paid for property taken or damaged, shall be accepted by such new jury of freeholders as part of its finding.

Sec. 16. The City Treasurer shall collect said assessments and all interest thereon, and hold all moneys collected therefrom, or from sale of lands under certificates issued upon special taxes bills, to apply the same in payment of land purchased, taken or damaged as aforesaid, or in payment of park fund certificates as hereinafter provided; and any balance or surplus remaining after all such payments, shall accumulate for the use of the park district or districts, and may be applied and used by the Board of Park Commissioners in its discretion for such purpose as duty is keeping a separate and full account for each lot of special assessments growing out of a separate proceeding as aforesaid, of all moneys received and paid out, and of all park fund certificates. If any issued thereon, and of the payment and cancellation of the same, and of the distribution of dividends made thereon as hereinafter set forth, and he shall make report thereof each year as part of his annual report to said city, and shall publish the same with his annual statement.

Any moneys received from special assessments upon which no park fund certificates have been issued, shall be applied directly to the purposes for which said assessments were made; but the City Treasurer shall hold all funds collected from special assessments with proper interest, if any, including annual assessments for maintenance of parks and boulevards within each park district until the same are applied to the purposes for which said assessments were made; and he shall be responsible for the safe keeping of said funds to the same extent as for other city funds, and shall keep separate accounts for each park district, and all interest accruing on said funds, and shall credit to each fund its daily balance, and be entitled to use funds of each district, and for any breach of duty by the treasurer or by the auditor, prescribed in this article, they shall respectively be liable for a breach of duty as in other cases of city funds, and the bond required of the treasurer for the faithful discharge of his duties shall be held to cover also the duties regarding all moneys collected from special assessments as aforesaid, and held from special assessments, and his bondsmen shall be liable for any breach of said trust or said duty.

Sec. 17. After the confirmation by the Circuit Court, or Appellate Court on appeal, as herein provided, of any verdict in any proceeding in which special benefits are assessed against real estate as compensation for property purchased, taken or damaged for park purposes, the Common Council, upon the recommendation of the Board of Park Commissioners, and for the purpose of raising money in advance of dates when assessments are due, to pay for land purchased, taken or damaged, may provide by ordinance that the City Treasurer shall issue park fund certificates in amount not to exceed the total amount of assessments so assessed against real estate and shall be collect and unpaid at the expiration of the said sixty days from the confirmation thereof as aforesaid. Such certificates shall be in such form and for such sums as may be provided by ordinance, and shall be either payable to the order of the registered holder or to bearer. Any such certificate shall entitle the owner or holder thereof to his proportionate share as set forth in such certificate of the special assessments and the interest thereon, as the same are collected, upon which such certificates are issued, and shall so specify.

Distribution of the amounts collected upon said assessments, including interest, shall be made to the holder or holders of such certificates pro rata at least semi-annually, at such specified dates as may be provided in the ordinance authorizing the issue of the same, and the holder shall receipt for such payments; and the city shall be liable on such certificates to the holders thereof for the sums collected from the special assessments upon which said certificates are issued, and not otherwise.

Should the purchaser or holder elect, said certificates shall be registered by the city and issued in the name of the owner and his or her heirs and assigns, and the auditor shall certify such registration to the city.

All park fund certificates issued on account of special assessments growing out of the same proceeding, shall be of the same tenor, and be numbered a part of the original proceedings, which shall be designated as a series, and if any more than one series of such certificates issued, they shall be numbered.

Each of such park fund certificates shall bear the certificate of the city treasurer and the auditor, to the effect that the same is one of the series of certificates issued on account of certain special assessments to which shall be specially pledged and the funds to be collected on account of such assessments, and shall contain the name of the owner, the amount of the assessment, the number of the lot, piece or parcel of land, and the name of the park fund certificate, and shall be payable only out of the fund collected on account of the same from special assessments, both principal and interest.

Immediately upon full payment and surrender of any park fund certificate, the treasurer shall cancel the same, and shall deliver the same to the auditor, who shall give the treasurer a receipt therefor; but when all the special assessments represented by a series of park fund certificates issued on account of any one park improvement, shall be collected as far as possible, with interest thereon, and all funds collected have been distributed as above, such certificates shall be surrendered, and if not surrendered, shall nevertheless be void.

Sec. 18. The board of park commissioners may set such park fund certificates at such price or prices, but not less than the amount of the special assessments, including interest represented by such certificates, as may be obtained, and shall determine the manner and terms of sale. Such certificates shall be delivered by the city treasurer to the purchaser upon payment therefor, when the order of the board of park commissioners, specifying the price which order shall be conclusive evidence of such order, shall issue a receipt therefor, and the proceeds of such certificates shall be held for payment for land purchased, taken or damaged for parks and boulevards, taken as aforesaid, and any surplus remaining after all such payments are made in full shall accumulate to the use of the park district or districts, but such certificates may, by agreement, be issued directly in payment for land purchased, taken or damaged for parks and parkways.

Sec. 19. It shall be the duty of the city treasurer and said board of park commissioners at all times to protect each park fund certificate issued against the same, and the city treasurer shall pay all sums collected from special assessments as aforesaid to the holders of such certificates named therein, and shall transfer such certificates upon demand on the dates fixed for the distribution thereof, as provided by ordinance.

Sec. 27. When, by reason of any error, defect or omission in any proceedings that may be instituted under the provisions of this article, a portion of the private property sought to be taken, or some interest therein, cannot be acquired, or an assessment is made against property which should not be assessed, the jury of freeholders shall, in such case, ascertain and assess the amount of damage to the land taken or damaged, as herein provided, and shall make report thereof, and the court may, in its discretion, as may appear expedient, order that all such proceedings be stayed as to the land taken, or damaged, upon the private property so taken or damaged, if taken or damaged, or any part thereof, or any incorporated company interested in land to be taken or damaged as aforesaid, and shall make demand therefor as aforesaid,