

SPECIAL LAWS

OF THE

STATE OF OREGON;

AND THE

MEMORIALS AND JOINT RESOLUTIONS,

ENACTED BY THE

LEGISLATIVE ASSEMBLY THEREOF DURING
THE SESSION OF 1862.

SALEM, OREGON;
ASAHEL BUSH, STATE PRINTER:
1862.

SEC. 18. Inasmuch as an urgent necessity exists for funds for the immediate use of the city, the council may incur a debt which shall not, in the aggregate, exceed the sum of two thousand dollars, but from and after the first of December, next, the city council shall not, in any manner, create any debt, or liabilities, which shall singly, or in the aggregate, exceed the sum of one thousand dollars.

SEC. 19. The legislature shall have the right to alter, amend or repeal this charter.

SEC. 20. All acts, or parts of acts, that contravene this act, are hereby repealed.

SEC. 21. This act shall be in force from and after its approval by the Governor.

Passed the House of Representatives October 10, 1862.

JOEL PALMER,

Speaker House Representatives.

Passed the Senate October 10, 1862.

WILSON BOWLBY,

President of the Senate.

APPROVED, October 15, 1862.

ADDISON C. GIBBS,

Governor of Oregon.

AN ACT to incorporate the City of Albany.

SECTION 1. *Be it enacted by the Legislative Assembly of the State of Oregon,* That the inhabitants of Albany, and their successors, within the following limits, are hereby declared a body politic and corporate, by the name and style of the City of Albany.

SEC. 2. The limits of said city shall be as follows: Commencing in the middle of the main channel of the Willamette river, at the north east corner of Hackleman's addition to the town of Albany; thence south, on the east line of said addition, to the south-east corner of said addition; thence west, on the south line of said addition, to the east line of Thomas Monteith's land claim; thence south, on said line, to a point one-half mile from the Willamette river; thence south, 81 1-2 degrees west, to the western boundary of Walter Monteith's land claim; thence north, along said boundary, to the Calapooia river; thence down the middle of said river, to the Willamette river; thence down the middle of the channel of said river, to the place of beginning; and said city shall constitute one ward.

SEC. 3. Said city shall have power to purchase, use, lease, sell

or dispose of property, real and personal, to make contracts, to sue and be sued, to have and use a common seal, and the same to change at pleasure.

SEC. 4. The officers of said city shall be a mayor, six aldermen, a recorder, who shall be, *ex officio*, clerk of the common council, and assessor, a marshal, who shall be, *ex officio*, collector of taxes and a treasurer; who shall hold their offices until their successors are elected and qualified.

SEC. 5. Said officers shall be elected, annually, by the qualified electors of said city, on the third Monday in November, 1862, and afterwards on the first Monday of November of each year; and the first election therefor shall be as follows: The county clerk of Linn county, or his deputy, shall post in three of the most public places of said city, at least one week before the election, a notice designating the place where said election will be held in such ward, and thereafter, and before the election, shall appoint three persons to receive the votes at the place designated; and the persons so appointed shall receive the votes as aforesaid, and within five days thereafter, shall make return of said votes to the said clerk or deputy, and he shall, forthwith, in the presence of the county judge or a justice of the peace, canvass the same; and to the persons, respectively, having the highest number of votes for mayor, recorder, marshal, and treasurer, he shall give certificates of election; and to the six persons having the highest number of votes for aldermen, he shall give certificates of their election as aldermen of said city.

SEC. 6. The mayor and aldermen shall compose the common council of said city, and at any meeting shall have exclusive power: to provide for the election and qualification of officers, and for filling all vacancies in office; to fix the times and places of their meetings, but they shall meet as often as once a month; to levy and collect taxes for city purposes, not to exceed one-half of one per cent. per annum on property in said city, taxable for county purposes; to establish hospitals; to prevent and remove nuisances; to provide water for the city; to license, tax and regulate auctioneers, taverns, ordinaries, hawkers, peddlers, brokers, pawn-brokers and money-changers, and also, hackney carriages, wagons, carts, drays and omnibusses, and to fix the rates of carrying persons or property thereon; to license, tax and regulate bar-rooms, tippling houses, billiard tables, theatricals, and other shows, exhibitions and amusements, and also, to prohibit bawdy houses, gaming and gambling houses; *Provided*, That no license shall exceed those made by statute for tippling houses, bar-rooms and billiard tables; that the tax and license hereby granted shall be in addition to those made by the county; theatricals, and other exhibitions, shows, and amusements, and also,

to prohibit bawdy houses, gaming and gambling houses ; to establish and regulate market houses, and places ; to establish fire companies, and to provide for the prevention and extinguishment of fires ; to appoint fire wardens, and prescribe their duties, and property guards, and to compel any person or persons present, to aid in extinguishment of such fires, or for the preservation of property exposed to danger in time of fire, and by ordinance to prescribe such other powers, as may be necessary on such occasions ; to establish and regulate a police and night watch ; to impose fines, forfeitures, and penalties ; to provide for the construction, clearing, and repair of side and cross walks adjacent to lots by the holders thereof, and also, for making, clearing, and improving gutters ; to grade, pave, plank, or otherwise clean, and keep in repair, streets, alleys, and sidewalks ; to erect, regulate, and repair public wharves, docks, and bridges, and regulate the erection and repairs of private wharves, and fix the rates of wharfage thereof ; to regulate the storage of gun powder and other combustible materials, and the use of candles, lamps, and other lights, in shops, stables and other places ; to prevent, remove or secure any fire-place, stove, or other apparatus which may be dangerous in causing fires ; to regulate and prescribe the manner of building, partition walls and fences ; to prevent, or regulate the running at large of animals, and the discharge of fire-arms, in said city ; to license and regulate porters and fix the rate of portorage ; to appropriate for any item of city expenditure, and to provide for the payment of the debts and expenses of the city ; to appoint a city attorney and prescribe his duties ; to change and make new wards, and change the number of the aldermen, as the interest of the city may require ; to provide for measuring and weighing hay and wood, and other commodities bought and sold in said city ; to provide for the removal of standing water, and unwholesome and offensive substances and to prevent streams from overflowing their banks ; to make by-laws and ordinances, not inconsistent with the laws of the United States, or of this State ; to carry into effect the provisions of this charter, and secure the health, peace and improvement of said city, and to provide for the punishment of the violation of city ordinances by fine or imprisonment ; but no fine shall exceed one hundred dollars, nor imprisonment more than twenty days ; and shall have power to prevent the introduction of diseases into the city ; to prevent and restrain any riot, noise disturbance or disorderly assemblage in any street, house or place in the city ; to provide for the prevention and removal of obstructions in the Willamette river within the limits of said city ; *Provided*, That the residents of said city shall not be exempt from payment of such road taxes as are, or may be by law, imposed upon other residents of Linn

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