

L A W S
OF THE
STATE OF MISSOURI,
PASSED AT THE
ADJOURNED SESSION
OF THE
TWENTY-FIFTH GENERAL ASSEMBLY,

BEGUN AND HELD AT THE
CITY OF JEFFERSON, WEDNESDAY, JANUARY 5, 1870

BY AUTHORITY.



JEFFERSON CITY:
HORACE WILCOX, PUBLIC PRINTER.
1870.

cess known to the law; and every such certified bill shall be a lien against the lot of ground described therein, and shall bear interest at the rate of ten per cent. per annum from thirty days after its issue, unless sooner offered to be paid; and if not paid, or offered to be paid, within six months after the date of its issue, then it shall bear interest from its issue until paid at the rate of fifteen per cent. per annum; and every such certified bill shall, in any action brought to recover the amount thereof, be *prima facie* evidence of the validity of the charge against the property therein described, and of the liability of the person therein named as the owner of such property. Justices of the peace shall have power to render a special judgment, and the same may be enforced as in the case of delinquent taxes, and all the provisions now contained in the said revised charter of the city of St. Louis, approved March 13, 1867, in relation to the assessment and collection of special taxes for local improvements are hereby expressly made applicable to the re-assessment authorized by this act.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 21, 1870.

TOWNS AND CITIES: ST. LOUIS.

AN ACT to revise the charter of the city of St. Louis, and to extend the limits thereof.

ARTICLE I.—CORPORATE POWERS, BOUNDARIES AND WARDS.

SECTION

1. Name and style of corporation, and corporate powers.
2. Corporate limits to comprise, what.

SECTION

3. Division of city into wards.
4. Provisions of act in relation to extension of corporate limits; to take effect, when.

ARTICLE II.—OF THE CITY COUNCIL, ITS ORGANIZATION, AND QUALIFICATION OF ITS MEMBERS.

SECTION

1. City council to be composed of how many members; their term of office.
2. Their qualifications.
3. Oaths to be taken by them before taking their seat.
4. President and other officers of council; council to judge of election and qualifications of its members; contested and tie elections determined, how.
5. Quorum to do business, etc.
6. Rules of proceedings; expulsion of members for disorderly conduct.

SECTION

7. Journal of proceedings to be kept; yeas and nays to be entered, when.
8. Aldermen disqualified to hold any other city office.
9. Vacancies in council filled, how.
10. Stated and special sessions of council.
11. Term of office of present members of council; term of their successors and additional aldermen.

ARTICLE III.—LEGISLATIVE POWERS OF THE CITY COUNCIL.

SECTION

1. Legislative powers of city council specified.
2. Ordinances to be submitted to mayor before becoming laws; passage of bills over mayor's objections, etc.
3. Style of city ordinances; ordinances to be read, how often, and preserved, where.

SECTION

4. Revision of ordinances to take place, how often; qualifications and appointment of revisor.
5. Council not authorized to exempt any citizen from payment of tax or burden imposed by law.

ARTICLE IV.—MUNICIPAL ELECTIONS.

SECTION

1. General election for city officers to be held, when.
2. Elections to be conducted, how.
3. Appointment; oath and duties of judges of election.

SECTION

4. Qualifications of voters at city election.
5. Additional aldermen to be elected, when.

ARTICLE V.—CITY OFFICERS, THEIR QUALIFICATIONS, POWERS AND DUTIES.

SECTION

1. Elective and appointive officers of city and their term of office.
2. The mayor; his qualifications, decision of tie elections and removal from office.
3. His appointive powers.
4. When his appointing powers shall cease.
5. Suspension and removal of appointed officer.
6. Messages; execution of laws; pardon power.
7. Ex-officio president of certain boards or committees.
8. Special sessions of council, how called.
9. Who shall be acting mayor in case of vacancy, absence, etc.
10. Residence of officers.
11. Comptroller, his duties and powers.
12. Auditor, his duties and powers.
13. Treasurer, his powers and duties.
14. Counsellor, his duties.
15. Register, his duties.

SECTION

16. Marshal, his duties and powers.
17. Engineer, his qualifications and duties.
18. Other duties may be enjoined on officers, how.
19. Police justice, his qualifications, jurisdiction and duties.
20. Officers interested in contracts to be removed, how; no person to hold two offices.
21. Oaths and bonds of officers; terms "officer" and "fiscal officer" defined.
22. Delinquent officers, how prosecuted.
23. Proof in case of delinquency.
24. Punishment of defaulter.
25. Questions as to powers between officers, to be decided by the mayor.
26. This act not to touch the terms of present officers.
27. Other offices may be created, how.
28. Mayor and other officers to see that contracts with the city are faithfully kept.

ARTICLE VI.—REVENUE AND APPROPRIATIONS—INCOME.

SECTION

1. Rates of taxation.
2. Certified abstract of assessment list to be transmitted to council.
3. Such abstract to rule the levy of taxes; manner of collection.
4. Collection of special taxes, licenses, etc., how regulated.
5. Different classifications of income.
6. Blanks for licenses, etc., how to be issued.
7. Settlements with collectors, how to be made.
8. Reports required from the different officers.

SECTION

9. Tax-bills, sheriff's deeds and other papers to be deposited with the auditor.
10. Fiscal year, when to commence.
11. Regular annual appropriations.
12. No fund to be exceeded by appropriations.
13. Ordinances implying an expenditure, to be submitted to comptroller.
14. Auditor's warrant necessary for drawing money.
15. Unadjusted accounts, how presented for payment.
16. Conflicting laws repealed.

ARTICLE VII.—SINKING FUND—FUND COMMISSIONERS.

SECTION

1. Organization of board of fund commissioners.
2. Deemed guilty of embezzlement, when.
3. Sinking fund to consist, of what.

SECTION

4. Receipts of board to be deposited, how.
5. Receipts, how to be invested.
6. Board to report to council in regard to railroad stock, when.

ARTICLE VIII.—PUBLIC IMPROVEMENTS—STREET OPENING.

SECTION

1. Compensation for property taken for public purposes, how ascertained; powers of land commissioner in the premises.
2. Land commissioner to take, what preliminary steps.
3. What jury shall take into consideration.
4. Owners willing to relinquish property, commissioner authorized to compromise.
5. Duties of commissioner on rendition of verdict.
6. Judgments against the city in such cases to be held in obedience, notice to owners, etc.

SECTION

STREET AND ALLEY WORK.

7. Ordinance for constructing street to specify, what.
8. Costs of street work, how to be distributed.
9. Majority of land owners petitioning, street to be opened.

CONSTRUCTION OF SEWERS.

10. Sewers classified.
11. Public sewers.

SECTION.

- 12. District sewers.
- 13. Private sewers.
- 14. Special tax-bills, how to be made out and delivered.
- 15. Special sewer tax-bills, how collected; payment, how enforced.
- 16. Limitation against lien attached to special tax-bill.

SECTION

- 17. Public work to be let out to lowest and best bidder.
- 18. Ordinances and contracts for public work, to contain what; complaints about non-fulfillment of contract.

ARTICLE IX.—BOARD OF HEALTH.

SECTION

- 1. Reorganization of board.
- 2. General powers of the board.
- 3. Officers to be appointed by the board.
- 4. Nuisances, how removed; costs and penalties, how collected.
- 5. Contract for removing nuisances, how to be made.

SECTION

- 6. Powers of boards in time of epidemics.
- 7. Record to be kept.
- 8. Certificate of death to be made out by physicians.
- 9. Sextons to make reports to board.
- 10. Penalty on sextons permitting burials without certificate.

ARTICLE X.—PUBLIC PARKS.

SECTION

- 1. Board of park commissioners, their appointment; protection and embellishment of parks, appropriation therefor.

SECTION

- 2. Park superintendent, his qualifications, appointment, tenure of office and compensation.

ARTICLE XI.—PUBLIC PRINTING.

SECTION

- 1. Mode of contracting for the public printing.
- 2. All printing to be done according to contracts.
- 3. What part of the council proceedings shall be published.

SECTION

- 4. Messages and reports, how to be published.
- 5. Register to do the contracting for all printing, stationery, &c.
- 6. Slips of each day's proceeding to be furnished to certain officers.

ARTICLE XII.—MISCELLANEOUS PROVISIONS.

SECTION

- 1. Power conferred upon council to establish a general plan for location and graduation of streets.
- 2. Report of police commissioners; power to investigate their accounts.
- 3. Carondelet ordinances, not conflicting, to remain in force; suits accrued thereunder to be prosecuted in the name of the city of St. Louis.
- 4. Carondelet property vested in the city of St. Louis.
- 5. Former acts of the authorities of St. Louis and Carondelet not invalidated.
- 6. Charter declared a public act.
- 7. Promulgation of charter.

SECTION

- 8. Conflicting acts repealed, but accrued rights not to be affected.
- 9. Bonds in suits at law on the part of the city, how to be executed.
- 10. Contracts relating to city affairs, how to be executed.
- 11. Citizens exempted from working roads.
- 12. Board of water commissioners to make a report to council.
- 13. City made liable by acts of another, such party to be joined with her in action for damages; judgment, how to be enforced.
- 14. When to take effect.

Be it enacted by the General Assembly of the State of Missouri, as follows:

ARTICLE I.

CORPORATE POWERS, BOUNDARIES AND WARDS.

SECTION 1. The inhabitants of all that district of country situated in the county of St. Louis, embraced within the limits prescribed in the next succeeding section, shall be and continue a body corporate by the name and style of "The City of St. Louis," and by that name

shall have perpetual succession, shall sue and be sued, implead and be impleaded, defend and be defended in all courts of law and equity, and in all actions whatsoever; may purchase, receive and hold property, real and personal, within said city, and also hold the like beyond the limits of the city, to be used for the burial of the dead of the city; also for the erection of waterworks to supply the city with water, and also for the establishment of a hospital or hospitals for the reception of persons infected with contagious and other diseases; also for a poor house or poor houses, workhouse or house of correction, or for any other purposes, and may sell, lease or dispose of any property for the benefit of the city, and may receive bequests, gifts and donations of all kinds of property, within or without the city, in fee simple or in trust, for charitable or other purposes, and may do all acts necessary to carry out the purposes of such bequests, gifts and donations, with power to manage, sell, lease or otherwise dispose of the same; they may have and use one common seal, and may break, change or alter the same at pleasure.

SEC. 2. The corporate limits of said city shall comprise all that district of country situated in the county of St. Louis, to-wit: Beginning at a point in the middle of the main channel of the Mississippi river, where the continuation of Keokuk street would intersect said main channel; thence westwardly by the said line of the south side of Keokuk street to a point six hundred and sixty feet west of Grand avenue; thence northwardly on a line parallel with Grand avenue at a distance of six hundred and sixty feet therefrom, until it intersects the Bellefontaine road; thence northeast to the line dividing townships forty-five and forty-six, north, range seven, east; thence eastwardly with said line and in the same direction to the middle of the main channel of the Mississippi river; thence southwardly and with the meanderings of the main channel of said river to the place of beginning; and also the following district of country situated in St. Louis county, to wit: Beginning at a point in the middle of the main channel of the Mississippi river, where the continuation of Keokuk street eastwardly would intersect the said channel (being the same point of beginning as hereinbefore set forth); thence westwardly by the said line of the south side of Keokuk street to a point six hundred and sixty feet west of Grand avenue; thence southwardly in a straight line until said line intersects the northwestern corner of the boundary line of the city of Carondelet; thence southwardly along the western boundary line of Carondelet to the southwestern corner of the said city of Carondelet; thence eastwardly along the southern boundary line of the city of Carondelet to the middle of the main channel of the Mississippi river; thence northwardly with the meanderings of said main channel to the place of beginning. The district of country first above described shall be known as the "old limits," and that last above described shall be known as the "new limits," and they shall be subject to all the provisions hereinafter provided for the government of and improvement in the said "old" and "new" limits, respectively. That part of the city defined and designated by an act entitled "an act to revise the city charter of the city of St. Louis," approved March 13, 1867, as the old limits, shall hereafter be known as the first district; that part of the city therein defined as the new limits shall be known as the second district, and that part which is added to the city by this act shall be known and designated as the third district.

SEC. 3. The city shall be divided into not less than twelve wards, the boundaries of which shall be fixed by city ordinance, and

shall be so established that the population of the several wards shall, as near as practicable, be equal; *provided*, that until the re-establishment of the boundaries of the wards, as heretofore required, the "new limits" shall belong to and form part of the first ward.

SEC. 4. All provisions in this act in relation to the extension of the present limits of the city of St. Louis shall be of no force or effect until the first Tuesday in April, 1870, but on and after that day they shall take effect, and the inhabitants of that district shall enjoy the same rights and privileges as are now enjoyed by the citizens of the present city of St. Louis.

ARTICLE II.

OF THE CITY COUNCIL, ITS ORGANIZATION AND QUALIFICATIONS OF ITS MEMBERS.

SECTION 1. The legislative functions of said city shall be exercised by a board, to be styled the city council of the city of St. Louis, which shall be composed of two aldermen from each ward, to be chosen by the qualified voters thereof, for a term of two years; *provided*, that the terms of the aldermen from each ward shall close respectively in alternate years.

SEC. 2. The qualifications of an alderman shall be as follows: He shall reside in the ward from which he is elected, shall be twenty-five years of age, a citizen of the United States, and a qualified voter of the city of St. Louis; he shall have resided in the city two years, and in said ward one year next preceding his election; he shall not be in arrears in the payment of any tax or other liability due to the city, nor shall he be directly or indirectly, interested in any contract whatever with the city. Any alderman who ceases to possess any of said qualifications, or who becomes subject to any of said disqualifications, shall be deemed thereby to have vacated his office.

SEC. 3. Before any alderman shall take his seat in the city council, he shall take and subscribe to the oath provided in the Constitution of this State, that he possesses all the qualifications required by the preceding section, and is not subject to any of the disqualifications therein named; that he will support the Constitution of the United States and of this State, and that he will faithfully discharge the duties of his office.

SEC. 4. The city council shall elect one of its own members to be president thereof. It may appoint clerks and such other officers, agents and servants, as it shall deem necessary in the transaction of its business; shall fix by ordinance their compensation, and that of each member, but shall not change said compensation during the fiscal year in which it was so established. It shall be the judge of the election, returns and qualifications of its own members, and shall determine all contested elections, and whenever there is a tie in the election of an alderman the council shall certify the same to the mayor, who shall thereupon order a new election.

SEC. 5. The majority of the council shall constitute a quorum for the transaction of business, but a less number may adjourn from day to day, and may compel the attendance of absent members, in such manner and under such penalties as it may prescribe.

SEC. 6. The council may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds of all the members elected, expel a member, but not the second time for the same offence.

SEC. 7. The council shall keep a journal of its proceedings, and the yeas and nays of the members on any question shall, at the desire of any two members, be taken and entered therein, and the yeas and nays shall be recorded on the final passage of all ordinances and a majority of all members elected to the council shall be necessary for the final passage of all ordinances. All sessions of the council shall be held with open doors.

SEC. 8. No alderman shall during the term for which he is elected, be eligible or appointed to any office under the city, nor shall any alderman, while such be an employe of the city or of the city council, in any capacity whatever, and no compensation shall be audited or paid for services as such officer or employe, except as such member.

SEC. 9. Vacancies occurring in the city council shall be filled by election in such manner as shall be prescribed by ordinance, and any person elected to fill a vacancy shall hold office during the unexpired portion of the term.

SEC. 10. Two stated sessions of the city council shall be held annually, which shall commence respectively on the second Mondays of May and November, at such place as shall be prescribed by ordinance; and each stated session shall be adjourned *sine die*, on or before the tenth days of July and February, respectively, in each year; *provided*, that after the general election of each alternate year, when the mayor and other city officers are elected, a special session of the council shall be held, according to the proclamation of the mayor, for the purpose of organizing the new administration and the installation of officers.

SEC. 11. The members of the present city council shall continue in office and exercise their functions, and their successors shall be elected as hereinafter provided for, the same as if this charter had not been passed. At the same time there shall also be elected the additional aldermen provided by this act, to represent the first and twelfth wards, respectively. The successors of the present members of the council shall serve for the term of two years, and the two additional aldermen, required herein to be elected, shall serve for one year.

ARTICLE III.

LEGISLATIVE POWERS OF THE CITY COUNCIL.

SECTION 1. The mayor and city council shall have power within the city, by ordinance, not inconsistent with any law of the State: *First*, to levy and collect taxes for general or special purposes, on real and personal property and licenses. *Second*, to borrow money on the faith and credit of the city in such form of bonds, notes, bills, tax certificates or warrants, and for such specified object and time as they may think proper; *provided*, that the time shall not exceed twelve months, nor the amount that of one-half the current revenue for the fiscal year; and for the purpose of raising means to meet maturing bonds, may issue and dispose of other bonds of the city for the requisite amount, and in the usual manner. *Third*, to appropriate the money of the city; provide for the payment of its debts and expenses; for arming its citizens and for the defense of the city. *Fourth*, to provide quarantine laws and regulations; to prevent the introduction or spreading of contagious diseases in the city, and enforce the same fifteen miles thereof; to make all needful regulations to secure the gen-

eral health of the inhabitants; to establish and regulate hospitals and to prevent or abate all nuisances on public or private property; to regulate the slaughtering of animals, and to provide for the erection of abattoirs, and to regulate and prevent the carrying on of any business or factory if detrimental to the public health. *Fifth*, to establish, open, alter, widen, extend, pave, or otherwise improve, sprinkle, and plant shade trees on all streets, avenues, sidewalks, alleys, wharves, and public grounds and squares, and to provide for assessing special taxes on the property fronting thereon, to pay the expenses thereof in the manner hereinafter prescribed; and also to provide for the grading, lighting, cleaning, and repairing the same. *Sixth*, to construct and keep in repair all bridges, culverts, sewers and drains, and to regulate the use thereof, and to confine, wall up, cover over, alter or change the channel of water courses. *Seventh*, to erect, purchase or rent a city hall, workhouse, houses of correction, engine houses, and all other necessary municipal buildings inside or outside the city limits; to erect and purchase market houses, and establish markets, market places and meat shops, and license, regulate, sell, lease, abolish or otherwise dispose of the same; and to purchase, inclose, improve and regulate all parks and other public grounds belonging to the city. *Eighth*, to construct all needful improvement in the harbor, which shall comprise the bed of the Mississippi river, its channel, shores, bayous, bars and islands, from the mouth of the Missouri river to the mouth of the Meramec river, to control, guide or deflect the currents of the river; to erect, repair and regulate public wharves and docks; to regulate marine railways; to regulate and license all ferries; to sell ferry privileges within the city limits, and to establish ferry rates; create the office of port wardens and define their duties; to regulate the stationing, anchoring and mooring of vessels within the city; to charge and collect wharfage and tonnage dues, wharfage on firewood, lumber, timber, logs, shingles, staves, posts, laths and other articles brought to the port of St. Louis. *Ninth*, to license, tax and regulate auctioneers, grocers, merchants, retailers, hotels, boarding houses, tenement houses, office buildings, public buildings, public halls, public grounds, concerts, photographers, artists, agents, porters, runners, drummers, public lecturers, public meetings and shows, real estate agents and brokers, horse and cattle dealers, beer houses, patent right dealers, inspectors and gaugers, stock-yard proprietors, examiners of titles, conveyancers, mercantile agents, insurance companies, banking or other corporations or institutions, street railroad cars, hackney carriages, omnibuses, carts, drays and other vehicles, and all other business trades, avocations or professions whatever, and fix the rates for carriage of persons, and of wagonage, drayage and cartage of property. *Tenth*, to license, regulate, tax or suppress ordinaries, hawkers, peddlers, brokers, pawnbrokers, money changers, intelligence offices, public masquerade balls, street exhibitions, sparring exhibitions, dance houses, fortune tellers, pistol galleries, lottery ticket dealers, corn doctors, lock, private and venereal hospitals, museums and menageries, equestrian performances, horoscopic views, lung testers, muscle developers, magnifying glasses, billiard tables or any other tables or instruments used for gaming, theatrical and other exhibitions, shows and amusements, tippling-houses, dramshops, gift enterprises, and to suppress prize fighting, coon fights, dog fights, chicken cock fights, gaming or gambling houses, and to regulate or suppress bawdy or disorderly houses, houses of ill fame or assignation. *Eleventh*, to provide for the safety of the lives and property of the