

PUBLISHED BY AUTHORITY.

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THE  
LAWS OF OREGON;  
AND THE  
RESOLUTIONS AND MEMORIALS  
OF THE  
TENTH REGULAR SESSION  
OF THE  
LEGISLATIVE ASSEMBLY THEREOF.

1878.



SALEM, OREGON :  
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shal the fees of a constable for like services. The Treasurer shall receive such sum as the board may deem just, not to exceed twenty-five dollars per annum.

SEC. 20. Inasmuch as there is great need of local municipal government, this act shall take effect and be in force from and after its approval by the Governor.

Approved October 17, 1878.

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AN ACT to Incorporate the Town of Independence, in the County of Polk, and State of Oregon.

*Be it enacted by the Legislative Assembly of the State of Oregon :*

SECTION 1. That the town of Independence, in the county of Polk and State of Oregon, shall be bounded as follows: beginning at the mouth of Independence slough and following the center of said slough to a point where C. A. Sharp's land claim crosses said slough; thence west on said line to the northwest corner of section 28; thence south to the line of John E. Davidsons land claim; thence east to the northeast corner of said land claim; thence south thirty-six rods; thence east to the Willamette river; thence down said river to the place of beginning, and the inhabitants within said boundaries are hereby created a body corporate, with perpetual succession, by the name of the Town of Independence. They shall have a common seal; may sue and be sued; may acquire and hold real and personal property within the said limits for any public, educational or charitable purposes, and shall possess all the rights and powers incident to municipal corporation.

SEC. 2. The officers of the town shall be a board of five

trustees, a Recorder and a Marshal, who shall be legal voters and actual residents of the town during the three months next preceding their election. The legislative powers are vested in the board of trustees, who may enact all ordinances necessary and proper for the due execution of the powers herein granted. The judicial powers are vested in the Recorder, who shall by virtue of his office, have jurisdiction and power like a Justice of the Peace within the town, and shall have exclusive original jurisdiction of all cases and matters arising under the ordinances of the town, and shall act as clerk of the board of trustees, and shall be the town assessor. His duties of clerk and assessor shall be as prescribed by the board of trustees. He shall preside in the absence of the president, and shall keep a journal of the proceedings of the board of trustees. The Marshal shall be the executive officer of the town, and shall execute all process directed to him by the Recorder or any legal authority of the town; he shall be a constable and conservator of the peace, and shall arrest and bring before the Recorder for trial, on complaint or otherwise, all offenders against the laws of the State or ordinances of the town, and shall perform all such duties as the board of trustees shall prescribe. The board of trustees may appoint a treasurer and other subordinate officers and agents, and prescribe their duties by ordinance, and to fill all vacancies in office.

SEC. 3. That the officers shall be elected by the qualified voters annually, on the first Monday of December, and the election shall be conducted in accordance with the general laws of the State, except as hereinafter provided. The first election shall be held at the school house, on the second Monday after the approval of this law by the Governor, at the place of holding general elections, commencing at 10 o'clock

A. M. and ending at 4 o'clock P. M. The inspectors at said first election shall be M. S. Pipes, Henry Hill and Isaac M. Butler, and the next election shall be held on the first Monday of December, 1879, and annually on the first Monday thereafter in December; and the inspectors of election shall give certificates to the successful candidates, and shall deliver the poll books to the Recorder elect. The board of trustees shall appoint inspectors of all subsequent elections, and the places of holding the same, and cause ten days' previous notice thereof to be posted throughout the town, and shall receive the returns and declare the result, and the president and Recorder shall give certificates of election to the officers elect.

SEC. 4. That the board of trustees shall elect a president, keep a record of their proceedings, and meet at stated times, and at such other times as the president shall appoint; they shall judge of the qualifications and elections of their own members; and shall decide contested elections of all town officers. The board of trustees shall have power within the town to levy and collect taxes for town purposes, not to exceed one-half of one per centum per annum on all the real and personal property which is taxable by law for State or county purposes in said town; and to provide by ordinance for enforcing the payment of all such taxes, by sale of the property so taxed by the town Marshal, in the same manner as like property is sold by the sheriff for State, county and school taxes. The board of trustees shall have power to compel, by ordinance, the owners of lots or lands within the limits of the town, to conduct or repair side or cross walks, and improve or gravel the streets adjacent to such lots or lands, at the cost and expense of the owners thereof; and to provide for the selling of lots and lands adjacent to which any

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such walks may be constructed or improvements made, to pay all costs and expenses thereof in the same manner as like property is sold on execution, under, and in pursuance of the laws of this State; to license, tax, and regulate, or prohibit bar-rooms, houses for the sale of intoxicating liquors, ale and beer, billiard tables, theatrical and other exhibitions, shows and amusements, but such taxes shall not be less than are prescribed by the general laws; also, to prohibit bawdy houses, houses of gaming and gambling; to establish fire companies, and to provide for the prevention and extinguishment of fires: to establish, maintain and regulate a day and night police; to provide and regulate a lock-up for persons arrested or sentenced to imprisonment under the ordinances of the town, or the general laws; to provide for the construction, cleaning and repair of side and cross walks adjacent to lots or lands by the owners thereof; and also, for making, clearing and improving gutters, ditches, drains and sewers; to grade, pave, plank or otherwise improve, clear and keep in repair streets, highways, alleys, bridges and sidewalks; to erect, regulate and repair public wharves and docks, and to regulate the erection and repair of private wharves, and to fix the rates of wharfage thereof; to license, tax and regulate auctioneers, taverns, hawkers, peddlers, brokers and pawn-brokers, and also hacks, carriages, wagons, carts, drays, omnibuses, and to fix the rate for conveying persons or property thereon; to provide for water for the town; to prevent and remove nuisances; to regulate the storage of gunpowder and other combustible material, and the use of candles, lamps and other lights in shops, halls 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 flues, chimneys, par-