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T H E

LAWS OF OREGON,

AND THE

RESOLUTIONS AND MEMORIALS

OF THE

THIRTEENTH REGULAR SESSION

OF THE

LEGISLATIVE ASSEMBLY THEREOF.

1885.



SALEM, OREGON,
W. H. BYARS, STATE PRINTER,
1885.

the limits of the town, upon the streets and public highways thereof, under the supervision of the commissioner of the streets.

15. To organize fire and hook and ladder companies and to regulate the fire department in said town.

Approved February 18, 1885.

AN ACT to incorporate the City of Junction and to repeal an Act entitled "An Act to incorporate the City of Junction;" approved October 29, 1872.

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

SECTION 1. That the inhabitants of the town of Junction City, Lane county, Oregon, and their successors, within the metes and bounds hereinafter prescribed, be and they are hereby established and declared a body corporate under the name and style of Junction City, and as such shall have the right to sue and be sued, defend and be defended in any of the courts of this State; to hold real and personal property; to sell, lease, use or otherwise dispose of the same for the common benefit; to have and use a seal, and alter the same at pleasure, to borrow and loan money; *Provided*, Said corporation shall not create any debts or liabilities which, in the aggregate, shall exceed the sum of two thousand dollars.

SEC. 2. The corporate limits of Junction City shall be as follows, to-wit: Commencing at a point 1.155 feet east [of the] southwest corner of section 32, township 15 south, range 4 west, thence north 1,460 feet; thence west 280 feet from the southwest corner of lot No. 5 in block No. 58, thence north 1,180 feet to a point 280 feet west of the northwest corner of lot No. 1, in block No 55; thence west 875 feet to the west line of section 32, thence north one-half mile to the northwest corner of section 32, thence east one-half mile, thence south one-half mile, thence east sixty rods (60) thence south one-half mile to south line of section 32, thence west to place of beginning.

SEC. 3. The officers of said city shall be a Mayor and six Councilmen, a Recorder, who shall be clerk of the board of the common council and assessor and justice of the peace within the limits of the town of Junction City, a Marshal, who shall be collector of taxes and a constable within the limits of said city, and a Treasurer, who shall hold their offices until their successors are elected and qualified, and who shall be legal voters and actual residents of the town six months preceding their election; and the terms of all officers elected under this charter shall commence on the day after the date of their elec-

tion; and before entering upon the duties of their offices each shall file with the Recorder, as clerk of the board of councilmen, an oath that they will well and faithfully perform the duties required of them by law; and the Recorder shall file his oath of office with the Mayor or president of the common council. The Recorder, Marshal and Treasurer shall each give a bond in the sum of one thousand \$1,000 dollars for the faithful performance of their duties, which bonds must be approved by the council, and said bonds may be increased at any time by order of said council. The common council shall advertise every election held under this charter by posting notices in three public places in said city six days prior thereto, and shall appoint judges therefor who shall chose their own clerks, and said election shall be conducted under the laws of this State, except as otherwise provided.

SEC. 4. Said officers shall be elected by the qualified voters of said city on the first Monday of November in each year, as provided in section 5 of this act; *Provided*, That no person shall be entitled to vote at any municipal election who has not resided within the limits of said city thirty days next preceding the election, and who shall have refused or neglected to pay any city fine or tax legally assessed against him; *Provided*, Such payment has been legally demanded of him.

SEC. 5. The officers of said city shall hold their offices for the term of two years, and until their successors are elected and qualified, except as provided in this section; and the first election for said city shall be held on the first Monday of November, A. D. 1885, in such a manner as shall be provided by the common council of said city. At the first meeting of the council after said election, they shall provide for dividing the councilmen elect into two classes, the first class of which shall hold their offices for two years, and those of the second class for the term of one year; and shall provide that one-half of the councilmen of said city shall be chosen every year; the Recorder, Marshal and Treasurer of said city shall hold their offices for one year and until their successors are elected and qualified.

SEC. 6. The power and authority given to the municipal corporation of the city of Junction by this act is vested in a Mayor and common council and their successors in office, and at any regular or legally called meeting of the said council shall have exclusive power within the corporate limits of said city to provide for the election and qualification of officers, and to fill vacancies in office; to fix the time and places of their meeting, but they shall meet as often as once a month; to levy and provide for the collection of taxes for city

purposes, not to exceed one-half of one per cent. per annum on all property, both real and personal, within the city limits; *Provided*, That no indebtedness shall be deducted from any assessment made upon any person or property for city purposes, and to levy and collect a poll tax, not exceeding two dollars, from such persons in the corporate limits subject to poll tax under the laws of this State; and to levy and collect a road tax from all property in said corporation equal to that now levied by law for road purposes, to be expended on the highways, streets and alleys within said corporation, under the supervision of a Supervisor, to be elected by the council; to sit as a board of equalization; to adjust and equalize the assessment roll, or to provide by ordinance for the creation of a board of equalization for such purposes; to establish hospitals; to license, regulate and restrain laundries; to prevent and remove nuisances; to provide water for the city; to license, tax, regulate, restrain or suppress taverns, hawkers, peddlers, brokers, pawnbrokers and money changers; also hackney coaches, wagons, carts, drays and omnibuses, and to fix the rate of conveying persons and property therein; and to have power to regulate weights and measures within the city limits; to license, tax, regulate, restrain or suppress bar-rooms, tippling houses, breweries, and all places where spirituous or malt liquors are kept and sold, billiard tables, bowling alleys, shooting galleries, theatrical and other exhibitions, skating rinks, shows, circuses and all other places of amusement; and also to regulate market houses and places; to establish fire companies and provide for the extinguishment and prevention of fires; to appoint fire wardens and prescribe their duties, and to compel any and all persons present to aid in the extinguishment of fires and the preservation of property exposed to danger in time of fires, 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 provide for the restraint and employment of vagrants; to provide all necessary means for the protection of the city against fires, and to remove, repress, prevent or restrain anything which would be detrimental to the health or morals of the city, and to prevent, suppress or restrain vulgar, obscene and profane language, cursing, swearing, drunkenness or disorderly conduct, at any time or place within the corporate limits of said Junction City; to regulate, restrain or prevent animals from running at large in said corporate limits, and the discharge of firearms or other preparation of gunpowder or combustibles of any kind; to impose fines, forfeitures and penalties; to provide for the construction, cleaning and repairing side and crosswalks adjacent to lots by the holders thereof; also for

making, cleaning, improving and maintaining sewers and gutters; to grade, pave, plank or otherwise improve, clean and keep in repair streets, alleys and sidewalks, and to remove stables or other buildings therefrom; to regulate the storage of gunpowder 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 appropriate for any item of city expenditures, and to provide for the payment of the debts and expenses of the city; to appoint a City Attorney and prescribe his duties; to provide for the removal of standing water and offensive substances; to provide for vacating any street or alley upon the petition or with the consent of all the owners of property adjoining or abutting upon such street or alley, or the part thereof so vacated; to build culverts and bridges, and to construct cisterns for water for the extinguishment of fires in said city; to make by-laws and ordinances not inconsistent with the laws of this State to carry into effect the provisions of this charter, and to secure the health, peace and improvement of said city; to regulate the rate of speed upon all railroads within the corporate limits, and to prevent fast or furious riding or driving upon the streets and alleys therein; to provide for the survey of the blocks and streets [of the city], and for making and establishing the boundary lines of such blocks and streets, and for the naming of the streets and straightening the same; to compel all prisoners in the city jail, who may be imprisoned for vagrancy or for violating any city ordinance, to work on the public works or streets under the control and direction of the Street Commissioner, and, if need be, secure said prisoner with ball and chain while working; to prevent, restrain and suppress any riot, noises, disturbances or disorderly assemblages in any street, house or place within the corporate limits; to regulate, restrain, suppress and prohibit the carrying of deadly weapons in a concealed manner; to regulate slaughter houses, and provide for their exclusion from the city limits or from any part thereof; to provide for the punishment of the violation of the city ordinances by fine and imprisonment, but no fine shall exceed \$200, or imprisonment more than one hundred days; and shall have power to use every necessary means to prevent the introduction of contagious and infectious diseases into the city; to provide by ordinance that in case of illness or temporary absence of the Recorder, the Mayor or president of the common council may designate any person having the qualifications of a Recorder, who shall forthwith take the oath of office and per-

form the duties of Recorder during such temporary absence or inability of the Recorder to act, and he shall receive the same salary as the Recorder, to be deducted from the salary of that officer. To erect, establish, and keep in repair a city jail; to license, tax, regulate, suppress, restrain or prohibit the sale of spirituous or malt liquors; to tax, license and regulate mercantile and business houses, and also the different branches of business which, in their judgment, should be taxed, licensed, regulated or suppressed, under this charter; to license, regulate and tax the keeping of stallions and all other animals kept for breeding purposes.

SEC. 7. The Mayor or president shall have power to call meetings of the common council and shall preside at their meetings, and when there is a tie in the council shall vote; and shall at least once in a year state to the council the condition, financial and otherwise, of the city; and recommend such measures for the peace, health, improvement and prosperity of the city as he may deem expedient.

SEC. 8. The Recorder shall have jurisdiction over all violations of city ordinances, and may hold to bail, fine, or commit persons found guilty thereof; and within the city shall have jurisdiction and powers like a justice of the peace, and the laws governing justices of the peace shall apply, as far as applicable, to all his proceedings; his duties as assessor and clerk shall be as prescribed by the council; he shall preside in the absence of the Mayor, and shall keep a journal of the proceedings of the council.

SEC. 9. The Marshal shall execute all processes directed to him by the Recorder or any legal authority; shall be a conservator of the peace, and shall arrest all persons guilty of a breach thereof or of a violation of a city ordinance, and take them before the Recorder for trial; and may as collector enforce the collection of city taxes as the collection of county taxes are enforced; and shall perform such other duties as may be required of him by the common council. The Treasurer shall receive and keep the funds and moneys of the city, and pay out the same as hereinafter specified; and when required by the common council shall make out a statement of the financial affairs of the city.

SEC. 10. The Mayor and councilmen shall receive no pay for their services, and the compensation of other officers shall be provided for by the common council. No member of the common council shall, during the period for which he is elected, be interested in any contract the expenses of which are to be paid out of the city treasury.

SEC. 11. No claim against the city shall be paid until it is audi-