## The Gambling

An ordinance provinding for licensing, taxing, regulating and restraining no person or persons shall set up, main- said court for that purpose. gaming and gambling houses.

The City of Astoria does ordain as follows:

SECTION 1. That no person or persons shall, either directly or indirectly, in person, or by another, set up, maintain, keep, or carry on, any gaming or gambling house, within the City of Astoria, Clatsop County, Oregon, except as in this ordinance provided, and any or carry on any gaming, or gambling house in violation of the provisions of this ordinance, shall upon conviction provided, be fined, in any sum not less than one hundred dollars, nor more than three hundred dollars, or by imprisonment in the city jail not exceeding one hundred days, or both such fine and imprisonment, in the discretion of the auditor and police judge.

It is hereby made the duty of the nance is strictly enforced, and to make complaint to the city attorney of each and every violation of any of the procity attorney to prosecute all persons violating the same.

SECTION 2. Before any gaming, or gambling house shall be set up, maintained, or kept, or carried on within this city, the person, or persons desirous of setting up, maintaining, keeping, or carrying on the same shall apply for, and take out a license therefor, which license shall be in the name of the person applying therefor, shall designate the place, or house where gambling stud poker, rounce, solo, pekoy, whist, may be carried on, and shall not be transferable. Before a license shall issue under this ordinance, the applicant shall petition the common council in the manner provided in section 3 hereof, and shall also present to the common council with said petition, a bond in the penal sum of five hundred dollars, with two or more sufficient sureties payable to the city of Astoria, conditional that he or they will well in all things comply with the provisions of this ordinance, during the period of one year from the date of the beginning of said license. Attached to said bond shall be an affidavit of the sureties to the effect that they are freeholders in the City of Astoria, and are in the aggregate worth one thoussand dollars, over above all their just debts anl liabilities, and property exempt from execution.

SECTION 3. The petition of the applicant for a license shall state:

First the name of the applicant. Second. Whether such applicant has before held, or whether he then holds a license, and if so, at what time such license expired or expires, and the kind

desire such license to begin, and expire, and the place where such gaming,

or gambling house is to be carried on. Said petition shall be verified by the applicant, or if more than one, by at least one of such applicants, stating

that such petition is true. SECTION 4. The receipt of the treasurer shall be given to the applicant for the amount paid into the city treasury by him, and shall state that the amount paid by him is paid for a license for a gambling or gaming house, to be re funded in case the common council shall refuse to grant the petition of the applicant, otherwise upon issuing the to go into the police fund of the city. Upon the granting of the said petition by the common council, the mayor shall examine the bond of the applicant, and approve it if it, is in compliance with the provisons of this ordinance therefor, otherwise to disapprove it.

SECTION 5. Upon a full compliance with the requirements of this ordinance by the petitioner, the granting of the said license by the common council and the approval of the applicant's bond by the mayor, the auditor and police judge shall issue to the applicant a license to carry on a gaming or gambling house for one or more years from a date to be specified in said license. Said license shall be numbered, and shall be for not less than one year, shall specify and designate by number, the place or house licensed and where gaming or gambling may be carried on, the name of the proprietor, or proprietors, of such house, and the kind of license, whether first-class or second-class.

No part of any license money shall be refunded under any circumstances after a party, or parties shall have once obtained a license, and no license shall be deemed, or construed to license or allow gaming or gambling to be carried on at any place other than that designated in said license, unless the common council by ordinance duly passed, permit the proprietor of such the location thereof.

hundred dollars, or be imprisoned in and to produce the same in evidence the city jail, not less that twenty-five upon the prosecution of the person. nor more than one hundred days, or both, in the discretion of the court. gaming or gambling house, which forfeiture shall take effect upon the en-

SECTION 7. Every house where any

Ordinance, of value, shall be deemed a gaming or

censed as such. section are not intended to apply to baseball, football, lawn tennis, or other athletic sports, or where cards are played or dice shaken for drinks or cigars only. And no person violatsum not less than one hundred dellars, nor more than three hundred dollars, thereof, where no other punishment is or imprisonment in the city jail not less days, or both such fine, and imprison-

ment SECTION 8. It shall be unlawful for any minor to engage in any game, in any gaming or gambling house, or to remain or lotter in, or about any such house, and any person violating any of chief of police, and of each police officer of the city, to see that this ordi- on conviction thereof in the police visions of this ordinance, and of the days in the city jail, or by both such dred days, or both, in the discretion of fine and imprisonment, in the discre- the court.

tion of the court. SECTION 9. No games, other than the following shall be set up, maintained, carried on, or played for money, checks, credits or representatives of value in any gaming or gambling house licensed under the provisions of this ordinance, to-wit: faro, roulette, carp, per centage stud poker, China tan, or fan tan, seven up, pedro, round table trick whist, pin-pool, fifteen ball pool, billiards, hearts, eastern dice, poker dice, first throw five dice, first throw one dice, three card lou, draw poker, straight poker, casino, euchre, brag. And the proprietor of any gaming or gambling house who shall permit any game to be played in his or her house tion 10 of this ordinance, shall upon conviction thereof, be punished by a fine of not less than one hundred dollars, nor more than three hundred dollars or by imprisonment in the city jail not less than fifty, nor more than one hundred days, or by both such fine and imprisonment in the discretion of the court, and such conviction shall make null and void the license of said proprietor, from the date of the entry of final judgment thereof.

SECTION 10. All faro games carried on in any gaming or gambling house, licensed under the provisions of this ordinance shall be dealt with a single card box, and without any stealing device connected therewith, All roulette games carried on thereunder shall be carried on with a thirty-six roulette wheel without any device for cheating. centage stud poker, China fan tan, or fan tan games, shall be carried on without any device, or devices for cheating, and the above, and all other games set up, kept, maintained, caried on, or played without cheating, and without any device or devices for heating. And any person or persons who shall set up, keep, maintain, arry on, or play any game in violation f any of the provisions of this secion shall, upon conviction thereof, be ounished by a fine not exceeding three nundred dollars, or by imprisonment n the city jail, not exceeding one hunired days, or by both fine and imprisnment, in the discretion of the court and a final entry of a judgment of condiction in any such case shall render full and void any license for any gamng or gambling house held at the time by any such person.

SECTION 11. Licenses shall be designated as "first-class gambling license" and "second-class gambling license." Any person or persons procuring a first-class gambling license. shall pay to the city treasurer there fore the sum of two thousand dollars per year, and shall be entitled under such license to set up, keep, maintain, and carry on, in his gaming or gambling house any, or all of the games mentioned in Section 9, of this ordinance, and any person or persons procuring a second-class gambling license, shall pay to the city treasurer therefor, a sum of one hundred dollars per year and shall be entitled under said licenso to set up, maintain, and carry on, in his gaming or gambling house the following games only, to-wit: seven up, pedro, round table, stud poker, rounce, solo, pekay, whist, trick whist, pin pool, fifteen ball pool, billiards, hearts, eastern dice, poker dice, first throw five dice, first throw one dice, three card lou, draw poker, straight poker, casino, euchre, brag.

SECTION 12. The chief of police, or any police officer of the city shall have gaming or gambling house to change power and authority, and it is their duty whenever they or either of them SECTION 6. Any keeper of any shall suspect that any game is being gaming or gambling house who shall set up, kept, maintained, carried on or permit any breach of the peace, or dis- played, in violation of any of the proturbance of public order, or decorum visions of this ordinance, to inspect by noisy or disorderly conduct, on the such game, and the device, or devices premises when it is within his, or her with which it is provided or carried on, power to prevent the same, or who or played, and to seize any such game, shall knowingly permit any minor to and the device or devices with which it remain in or about such gaming or is provided, carried on, or played, gambling house, shall upon conviction whenever he shall find it being kept. thereof before the police court, be fined carried on, or played, in violation of not less than fifty nor more than three this ordinance, or any of its provisions, setting up, keeping, maintaining, carrying on, or playing said game, and and shall forfelt his license for such dispose of the same in the manner ordered by the court where said case is

tering of the judgment of conviction. Provided that if any game or the devices with which the game is carried

game in carried on, or conducted, or mer different from the requirements of where any game is played for money, this ordinance, said court may make checks, credits, or other representative and enter up an order directing that the same be destroyed, and thereupon gambling house within the meaning of said order shall be carried into effect this ordinance. And it shall be unlaw- by the chief of police, or any police ful for any person or persons to, and officer or by any person designated by

tain, keep, carry on, or play any game | SECTION 13. In case of the violation or games for money, checks, credits, or of any of of the provisions of any other representatives of value, except | bond, required to be given by applicant in a gaming or gambling house duly li- for license under this ordinance, the city attorney shall prosecute the same in a civil action in any court of competent jurisdiction.

SECTION 14. Each and every person having a license under the provisions of this ordinance, shall exhibit person who shall set up, maintain, keep ing the provisions of this section shall the same at all times while it is in upon conviction thereof be fined in any force, in a conspicuous place in his person violating the provisions of this section shall be fined not exceeding than fifty nor more than one hundred fifty dollars, or be imprisoned not exceeding twenty-five days, or both, in the discretion of the court.

SECTION 15. This ordinance shall be printed in full in all licenses issued under its provisions.

SECTION 16. Any person violating any provision of this ordinance, and for which no punishment or penalty is provided, upon conviction thereof, shall court, be fined in any sum not exceed- be fined in any sum not exceeding three ing three hundred dollars, or by im- hundred dollars, or shall be imprisoned prisonment, not exceeding one hundred in the city jail not exceeding one hun-

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Q. C. FULTON,
[SEA14]

Notary Public for Oregon.

Correct - Atrest:
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JOHN HORSON,
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Directors.

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