

ORDINANCE NO. 1222

An Ordinance Providing for Taxing, Licensing and Regulating Bars, Rooms and Drinking Shops and Places Where Liquors Are Sold Within the City of Astoria.

The City of Astoria does ordain as follows:

Section 1. That no person or persons shall, in the City of Astoria, Clatsop County, Oregon, either directly or indirectly, in person or by another, sell, barter or deliver, or knowingly permit to be sold by another, or for or on his account, or otherwise, any wine, malt or spirituous liquors in less quantities than one gallon, without first obtaining a license so to do from the City of Astoria, in the manner in this ordinance hereinafter provided. Provided, that nothing in this ordinance shall be construed to apply to the sale of liquors for medicinal purposes, made by a regular licensed pharmacist upon a prescription therefor, made by a regular licensed physician or surgeon, in the regular course of such physician's or surgeon's practice to a patient, and for medicinal purposes only.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof before the police judge shall be fined not less than Twenty-five Dollars, nor more than Two Hundred Dollars, or by imprisonment in the city jail until such fine be paid, not to exceed One Hundred days. And it is here by made the duty of the Chief of Police and each police officer of the city to make complaint to the City Attorney of each and every violation of the provisions of this ordinance, and such violation must be prosecuted by such attorney.

Section 2. Every person applying for a license to sell wine, malt or spirituous liquors, in less quantities than one gallon, under the provisions of this ordinance, shall pay into the city treasury the sum of Four Hundred Dollars per annum, and in no case shall any license be issued for a less period than one year, and no license shall be in any manner transferable. Provided, further, that the Common Council shall reserve and have the right to revoke a license at any time.

Section 3. Before a license shall issue as provided in this ordinance, the applicant shall petition the Common Council in the manner provided in Section 1 of this ordinance, and shall also, with said petition, present to the Common Council a bond in the sum of Five Hundred Dollars, with two or more sufficient sureties, to be approved by the City of Astoria, conditioned that the applicant shall keep an orderly house, and will in all things comply with the provision of this ordinance during the period of one year from the date of such license. Attached to said bond shall be the affidavit, verified by the oath of the sureties, to the effect that they are free holders of the City of Astoria, and are in the aggregate worth the sum of One Thousand Dollars over and above all just debts and liabilities, exclusive of property exempt from execution. The applicant shall also present with such petition and bond, a receipt of the City Treasurer for the amount of money deposited for such license, to-wit, \$400.

Section 4. The petition required by this ordinance shall state: 1st-The name of the applicant. 2nd-Whether such applicant has before held, or holds at the time of this application, a license, and if so, at what time such license has or does expire. 3rd-The number and street where such house is situated where the liquors are to be sold.

Such petition shall be verified by the applicant, or if more than one, then by one of said applicants, stating that such petition is true. The receipt of the Treasurer mentioned in Section 3 of this ordinance shall state that the amount paid by such applicant is paid for liquor license to be refunded in case the Common Council shall refuse to grant the petition of the applicant, otherwise upon the issuing of such license to go into the Police Fund of said City of Astoria.

Section 5. Said petition shall be granted on condition of the approval of the bond by the Mayor, and said Mayor shall examine the bond of the applicant and either approve or disapprove the same. Upon the provisions of this ordinance being complied with, the Auditor and Police Judge shall issue such license to such applicant.

Section 6. The peace bond given by the applicant, as provided in this ordinance, in case of any violation of any of its provisions or conditions, shall be liable to be forfeited therefor, in a civil action, and it shall be the duty of the City Attorney to prosecute the bond given by such applicant for any violation of its provisions. Section 7. Any keeper of a bar-room or drinking shop, or place where liquors are sold, who shall permit any breach of the peace or disturbance of public order or decorum, by noisy or disorderly conduct on the premises, when it is in his power to prevent the same, or who shall sell or give any intoxicating liquor to any person already intoxicated, or any person under the age of legal majority, or who shall allow or permit any minor to remain in or about any bar-room or drinking shop, or place where liquors are sold, or who shall permit any theatrical or minstrel show, exhibition or concert to take place in such bar-room or drinking shop, or place where liquors are sold, or who shall permit any minor to be or remain in any theatre or place of amusement in which intoxicating liquors are sold, shall be deemed guilty of a misdemeanor, and upon conviction thereof before the Police Court, shall be fined not less than twenty-five nor more than one hundred dollars, or by imprisonment in the city jail not less than twelve nor more than fifty days, or both, in the discretion of the court, and shall forfeit the license to such bar-room, or drinking shop or place where liquors are sold.

Section 8. Each and every place where wine, malt or spirituous liquors are sold, bartered or delivered, shall be deemed a bar-room, or drinking shop or place where liquors are sold, under the provisions of this ordinance. Section 9. Each and every person having a license under the provisions of this ordinance shall exhibit the same at all times, while the same is in force in his or their place of business, and persons violating the provisions of this section shall, upon conviction thereof before the Auditor and Police Judge, be fined not to exceed fifty dollars, or by imprisonment in the city jail not to exceed twenty-five days.

Section 10. Ordinance No. 1222, entitled "An ordinance providing for licensing and regulating bars-rooms and drinking shops within the corporate limits of the City of Astoria, Clatsop County, Oregon," approved March 11th, 1891, be and the same is hereby repealed. Section 11. This ordinance shall take effect and be in force from and after its passage and approval by the Mayor, or President of the Council.

Passed the Common Council February 12th, 1894. Attest: K. OSBURN, Auditor and Police Judge. Approved February 15, 1894. ALFRED KINNEY, Mayor.

NOTICE

Of Completion and Acceptance of Young's Bay County Road.

Notice is hereby given that M. Kronquist, contractor, on Young's Bay county road, under the provisions of Ordinance No. 1840, did, on the 16th day of February, 1894, file in the office of the Auditor and Police Judge of the City of Astoria, the certificate of the Superintendent of Streets and the City Surveyor, approved by the Committee on Streets and Public Ways.

After the expiration of the time hereinafter specified, if no objection to the acceptance of such work be filed, and the Common Council shall deem such improvement properly completed according to the contract and plans and specifications therefor, the same may be accepted.

Objections to the acceptance of said work, or any part thereof, may be filed in the office of the Auditor and Police Judge on or before Tuesday, February 20th, 1894.

K. OSBURN, Auditor and Police Judge. Astoria, Ore., Feb. 16, 1894.

FOURTH STREET GRADE NOTICE.

Notice is hereby given that the Common Council of the City of Astoria propose to establish the grade of Fourth street, in the City of Astoria, Oregon, as laid out and recorded by John Adair, at the following heights above the base of grades as established by ordinance No. 71, entitled "An ordinance establishing a base of grades for the streets of the City of Astoria, as follows, to-wit:

At intersection with Auger avenue... 22.0 At intersection with Abernethy... 26.6 At intersection with Bonnevill... 33.6 And that the grade of the intervening streets be a straight line between the crossings mentioned.

And unless a remonstrance signed by the owners of three-fourths of the property fronting on said portion of said street be filed with the Auditor and Police Judge within ten days from the date of publication of this notice, to-wit: on Monday, March 12th, 1894, the Common Council will establish said grade. By order of the Common Council. Attest: K. OSBURN, Auditor and Police Judge. Astoria, Ore., February 16, 1894.

CHIEF OF POLICE SALE.

Notice is hereby given that by virtue of a warrant issued by the Auditor and Police Judge of the City of Astoria, to me directed, dated the 20th day of January, 1894, and against NANCY WELCH,

Commanding me to levy upon the north 2 1/2-250 feet of lot 12, in block numbered 58, assessed to Nancy Welch, a that portion of said City of Astoria which was laid out and recorded by John M. Shively, in Clatsop county, Oregon, upon which an assessment of \$3.58 is unpaid, assessed for the improvement of that portion of West Eighth street, in said city, between the south side of Water street and the southern limits of the city, approved March 11th, 1891, which assessment is declared and assessed upon said lot by Ordinance No. 1433 of said city, entitled in Ordinance declaring the probable costs of improving West Eighth street, Approved August 5th, 1891.

I have this day levied upon said above described property, and on Tuesday, March 20th, 1894, at 2 o'clock p. m. of said day, in front of the Court House door, in said City of Astoria, County of Clatsop and State of Oregon, will sell said property to the highest bidder therefor, to pay said assessment, together with costs and expenses of sale. Dated Astoria, Oregon, February 19th, 1894.

C. W. LOUGHERY, Chief of Police for the City of Astoria.

CHIEF OF POLICE SALE.

Notice is hereby given that by virtue of a warrant issued by the Auditor and Police Judge of the City of Astoria, to me directed, dated the 20th day of January, 1894, and against Z. ANSTINSON,

Commanding me to levy upon the south 130x50 feet of lot No. 12, in block numbered 58, assessed to Z. Anstinson, a that portion of said City of Astoria which was laid out and recorded by John M. Shively, in Clatsop county, Oregon, upon which an assessment of \$4.86 is unpaid, assessed for the improvement of that portion of West Eighth street, in said city, between the south side of Water street and the southern limits of the city, approved March 11th, 1891, which assessment is declared and assessed upon said lot by Ordinance No. 1433 of said city, entitled in Ordinance declaring the probable costs of improving West Eighth street, Approved August 5th, 1891.

I have this day levied upon said above described property, and on Tuesday, March 20th, 1894, at 2 o'clock p. m. of said day, in front of the Court House door, in said City of Astoria, County of Clatsop and State of Oregon, will sell said property to the highest bidder therefor, to pay said assessment, together with costs and expenses of sale. Dated Astoria, Oregon, February 19th, 1894.

C. W. LOUGHERY, Chief of Police for the City of Astoria.

CHIEF OF POLICE SALE.

Notice is hereby given that by virtue of a warrant issued by the Auditor and Police Judge of the City of Astoria, to me directed, dated the 20th day of January, 1894, and against G. W. LOUNSBERRY,

Commanding me to levy upon lot No. 1, in block numbered 8, assessed to G. W. Lounsberry, a that portion of said City of Astoria which was laid out and recorded by John M. Shively, in Clatsop county, Oregon, upon which an assessment of \$931.80 is unpaid, assessed for the improvement of that portion of West Eighth street, in said city, between the south side of Water street and the southern limits of the city, approved March 11th, 1891, which assessment is declared and assessed upon said lot by Ordinance No. 1433 of said city, entitled in Ordinance declaring the probable costs of improving West Eighth street, Approved August 5th, 1891.

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C. W. LOUGHERY, Chief of Police for the City of Astoria.

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ASTORIA, - OREGON.

CHIEF OF POLICE SALE.

Notice is hereby given that by virtue of a warrant issued by the Auditor and Police Judge of the City of Astoria, to me directed, dated the 20th day of January, 1894, and against MARY MORGAN,

Commanding me to levy upon lot No. 7, in block numbered 59, assessed to Mary Morgan, in that portion of said City of Astoria which was laid out and recorded by John M. Shively, in Clatsop county, Oregon, upon which an assessment of \$934.40 is unpaid, assessed for the improvement of that portion of West Eighth street, in said city, between the south side of Water street and the southern limits of the city, approved March 11th, 1891, which assessment is declared and assessed upon said lot by Ordinance No. 1433 of said city, entitled in Ordinance declaring the probable costs of improving West Eighth street, Approved August 5th, 1891.

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C. W. LOUGHERY, Chief of Police for the City of Astoria.

CHIEF OF POLICE SALE.

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Commanding me to levy upon lot No. 7, in block numbered 59, assessed to Mary Morgan, in that portion of said City of Astoria which was laid out and recorded by John M. Shively, in Clatsop county, Oregon, upon which an assessment of \$988.00 is unpaid, assessed for the improvement of that portion of West Eighth street, in said city, between the south side of Water street and the southern limits of the city, approved March 11th, 1891, which assessment is declared and assessed upon said lot by Ordinance No. 1433 of said city, entitled in Ordinance declaring the probable costs of improving West Eighth street, Approved August 5th, 1891.

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C. W. LOUGHERY, Chief of Police for the City of Astoria.

STREET BONDS FOR SALE.

Notice is hereby given that sealed proposals will be received by the Auditor and Police Judge of the City of Astoria, Clatsop county, Oregon, until March 1st, 1894, at 2 o'clock p. m., for the sale of Astoria street bonds, in the sum of \$2,000,000, at 6 per cent interest, for Ten Years. For full particulars address K. Osburn, Auditor and Police Judge, Astoria, Oregon.

The right to reject any and all bids is hereby reserved. By order of the Common Council. Attest: K. OSBURN, Auditor and Police Judge. Astoria, Oregon, Feb. 16, 1894.

To add Digestion take one Small Blue Bean three times a day, per bottle.

CHIEF OF POLICE SALE.

Notice is hereby given that by virtue of a warrant issued by the Auditor and Police Judge of the City of Astoria, to me directed, dated the 20th day of January, 1894, and against MARY MORGAN,

Commanding me to levy upon lot No. 6, in block numbered 59, assessed to Mary Morgan, in that portion of said City of Astoria which was laid out and recorded by John M. Shively, in Clatsop county, Oregon, upon which an assessment of \$811.00 is unpaid, assessed for the improvement of that portion of West Eighth street, in said city, between the south side of Water street and the southern limits of the city, approved March 11th, 1891, which assessment is declared and assessed upon said lot by Ordinance No. 1433 of said city, entitled in Ordinance declaring the probable costs of improving West Eighth street, Approved August 5th, 1891.

I have this day levied upon said above described property, and on Tuesday, March 20th, 1894, at 2 o'clock p. m. of said day, in front of the Court House door, in said City of Astoria, County of Clatsop and State of Oregon, will sell said property to the highest bidder therefor, to pay said assessment, together with costs and expenses of sale. Dated Astoria, Oregon, February 19th, 1894.

C. W. LOUGHERY, Chief of Police for the City of Astoria.

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Commanding me to levy upon lot No. 6, in block numbered 59, assessed to Mary Morgan, in that portion of said City of Astoria which was laid out and recorded by John M. Shively, in Clatsop county, Oregon, upon which an assessment of \$1,296.00 is unpaid, assessed for the improvement of that portion of West Eighth street, in said city, between the south side of Water street and the southern limits of the city, approved March 11th, 1891, which assessment is declared and assessed upon said lot by Ordinance No. 1433 of said city, entitled in Ordinance declaring the probable costs of improving West Eighth street, Approved August 5th, 1891.

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C. W. LOUGHERY, Chief of Police for the City of Astoria.

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