

peached, but the council shall be and constitute a court to try all cases of impeachment, and may provide the manner of conducting trials of the same.

Section 29. The mayor shall be ex officio the presiding officer of the council and shall preside over its deliberations when it is in session. He shall not be entitled to vote, except in case of a tie vote of the members of the council. He shall also have authority to preserve order, enforce the rules of the council and determine the order of business, subject to such rules as may be prescribed by the council and to an appeal to the council. If the mayor shall be absent from any meeting of the council, that body must appoint one of their own member to act as mayor pro tem, and such member shall have the same powers during the time of his appointment as the mayor has by this act.

Section 30. The majority of the whole number constituting the council is a majority of the council or members thereof, within the meaning of this act, and not otherwise, unless it is expressly so provided. The concurrence of a majority of a quorum is a sufficient majority to determine any question or matter other than the final passage of an ordinance or the appointment or removal of an officer.

Section 31. The council has power and authority within the limits of the corporation.

1. To make bylaws and ordinances not repugnant to the laws of the state of Oregon, or of the United States, or of this act.

2. To assess, levy and collect taxes for general municipal purposes not to exceed ten mills on each dollar of the assessed valuation of all property, real and personal, taxable by law for state and county purposes.

3. To assess, levy and collect a special tax of not to exceed ten mills upon the dollar upon all property assessed by authority of the foregoing subdivision of this section, for any specific object within the authority of the municipal corporation, including the payment of an existing debt; but the ordinance providing therefor must state the object therefor and the estimated amount thereof, and the amount so raised shall not be used for any other purpose, provided, that all assessments for any purpose whatsoever shall not in the aggregate exceed, each year, twenty mills upon the dollar of the assessed valuation of taxable property.

4. To appropriate money for city expenditures and to provide for the payment of the debts of the city; to borrow money on the faith of the city or loan the credit thereof, or both, but in no event shall the credit of the city ever be pledged to an amount that will exceed ten per centum of the assessed value of the taxable property within the city, and provided further, that the interest on any city indebtedness shall never exceed eight per cent per annum.

5. To provide for the issuance of bonds by the city for any specific city purpose, and to designate the manner and time for the payment thereof and the interest thereon. Whenever the city of Sumpter shall contemplate the issuance of bonds for any improvement under this act, the council shall, by ordinance direct the manner in which the estimate of the cost of such improvements shall be ascertained, and such estimate shall be filed with the recorder; and before any indebtedness shall be incurred, the council shall cause to be submitted to a vote of the taxpayers of the city at a special election called by the council for that purpose, to be held after a similar notice is given as in the case of a general municipal election, which election shall be held in a similar manner as a general municipal election, and each person who shall vote for or against the incurring of such indebtedness shall have written or printed upon his ballot, if voting for such indebtedness, "For indebtedness—Yes," and if against such indebtedness, "For indebtedness—No." If at such election the majority of legal votes cast shall be in favor of incurring such indebtedness, then such indebtedness to the amount of the estimated cost of the contemplated improvement, as submitted to the voters, may be incurred unless three-fourths of the members constituting the council at a meeting thereof shall vote against the incurr-

ing of such indebtedness, and provided further, that at such time thereafter as the council may determine, should it be determined to incur such indebtedness, it shall be the duty of the mayor to procure blank bonds of suitable design and cause the same to be properly filled out in amounts of one hundred dollars each or any multiple thereof, up to one thousand dollars each, which bonds shall be made payable in twenty years or less, as the council may by ordinance determine; and said bonds shall draw interest at a rate not to exceed eight per cent per annum, such rate to be fixed by the council by ordinance, and interest on said bonds shall be payable semi-annually. Said bonds shall be placed in the hands of the city treasurer, and said city treasurer shall keep a register in which shall be entered by him, the number and amount of such bonds, the date of the issue thereof, and the name of the person to whom issued. Each of said bonds shall be signed by the mayor and recorder under their name of office, and the council shall also provide for the payment of the expenses of making any estimates thereunder, the time and manner in which any and all improvements thereunder shall be made, and the manner in which said bonds shall be disposed of; and provided further, that at all special elections for the purpose of creating any indebtedness provided for in this section, any person over the age of twenty-one years, who is a citizen of the United States, or shall have declared his or her intention to become such and who has resided in the state of Oregon for six months, and within the corporate limits of the city of Sumpter for three months next preceding such election, and who has property therein, liable for the payment of a state or county tax, and not exempt from taxation by the general laws of the state of Oregon, shall be entitled to vote at such election, and not otherwise.

6. To prevent, remove and abate nuisances by general ordinances, to define what shall constitute a nuisance, and to make the expense of removing or abating such nuisance a lien upon the property where such nuisance exists, when the owner or occupant thereof is the author or continuer of such nuisance; and to provide for the filling or draining of any lot where stagnant water stands; and to make the cost thereof a lien upon the property.

7. To prevent the introduction into the city of contagious or other diseases, and to establish regulations for the preservation of the general health of the inhabitants of the city.

8. To license, tax and regulate all business and professional occupations and callings, and to define what shall constitute the same.

9. To license, tax, regulate and restrain theatricals, shows and other exhibitions.

10. To suppress and prohibit dancehouses where dancing is permitted or carried on, independent of or taking and holding of real estate by other business, and declare by general ordinance what shall constitute the same; also to punish by fine or imprisonment, or both, any person owning or controlling any house or building who uses the same or knowingly permits it to be used as a public dancehouse.

11. To suppress, restrain and prohibit bawdy and assignation houses, houses of ill-fame and prostitution, gaming and gambling houses, and all shows of an immoral nature, and to define and declare by ordinance what shall constitute the same; to punish by fine or imprisonment or both, any person who, owning or controlling or being in possession of any house or building, or room or rooms therein, uses the same or any part thereof, or knowingly permits the same or any part thereof to be used as a bawdy or assignation house or house of ill-fame, or prostitution, a gaming or gambling house, or any show of an immoral nature; to punish by fine or imprisonment or both, any and all persons who occupy, visit or resort to such house or houses, and to punish by fine or imprisonment or both, any person or persons who engage in gaming or gambling, as the same may be defined by ordinance.

12. To tax, license, regulate, restrain and prohibit the sale of spirituous, vinous or malt liquors, bars, bar-

rooms, drinking shops, and tipping houses, billiard tables, pool tables, pigeon-hole tables or any table where balls and cues are used, bowling alleys, shooting galleries and nickel-in-the-slot machines; and to provide for the exaction of bonds for the conducting of an orderly house by an applicant for a license before the issuing of such license; provided, that no license for the sale of spirituous, malt or vinous liquors shall be issued for a sum less than is prescribed by the general laws of the state; provided further, that no license shall be issued for less than three months nor more than one year; provided further, that no license to sell spirituous, malt or vinous liquors shall be granted to any woman, or to any minor, or to any person who shall permit any woman or girl, or male minor to frequent his place of business, either as guest, servant, waiter, waitress, dancer, singer, actor or musician; and provided further, that if, after license to sell spirituous, malt or vinous liquors shall have been granted, the person to whom it has been granted or any one in his employ shall give or sell any such liquor to any common drunkard or to any intoxicated person or to any woman or girl or to any minor or to any Indian or halfbreed Indian, or shall permit any woman or girl or minor to frequent, visit or loiter around his place of business, either as guest, servant, waiter, waitress, dancer, singer, actor or musician; or shall be found guilty before any court having jurisdiction thereof of violating any of the provisions of any ordinance that now or hereafter may be passed in this behalf, or the provisions of this act, the council may in its discretion by ordinance revoke the license of such person or persons; provided further, that the revocation of the license shall not in any manner operate to relieve the person or persons to whom the same has been granted from such penalty or punishment as may, by ordinance, be prescribed for the violation of any of the provisions of this act, or such ordinance; to provide by general ordinance for the punishment by fine or imprisonment, or both, of any person who shall sell, give away or in any manner dispose of any spirituous or malt liquor within the corporate limits without first having obtained a license therefor from the city, as hereinbefore provided; to provide by ordinance for the punishment by fine or imprisonment, or both, of any person who shall sell, give away or in any manner dispose of any spirituous or malt liquor to any common drunkard or to any intoxicated person, to any woman or girl, or to any minor, or to any Indian, or halfbreed Indian, or who shall permit or allow any woman or girl or minor to frequent, visit or loiter around the place where such spirituous or malt liquor is sold or kept for sale, either as guest, servant, waiter, waitress, singer, dancer, actor or musician.

13. To prevent, prohibit and suppress the keeping of places, houses or rooms where either males or females, adults or minors, are permitted to indulge in the smoking of opium, and to provide by ordinance for the summary closing of such houses, places or rooms and the punishment by fine or imprisonment, or both, of the person or persons occupying or keeping such houses, rooms or places for such purpose.

14. To provide the city with good and wholesome water, and to provide for the lighting of the city with gas, electricity or other lighting, and for the erection of such works within or without the city limits as may be convenient or necessary therefor; to provide a fund for constructing and defraying of the expenses of same; provided, that the council may grant the privilege of franchise for the furnishing of such water and the lighting of the streets to any private corporation, person or company of persons upon such terms and conditions as may be just; but no such grant shall prohibit the council from granting the same privileges and franchises to others. To fix rates at which water or light may be furnished within the limits of the city by any private corporation, person or company of persons.

15. To define what shall constitute vagrancy, and to provide for the support, restraint, punishment and employment of vagrants and paupers; to

prevent the sale of, circulation and disposition of obscene literature, including books, papers, prints, pictures and the like, and to punish any person who sells or offers for sale or who circulates or who disposes of any such literature, books, papers, prints, pictures and the like, and to define and declare from time to time what, if any, books, papers, prints, pictures and the like are obscene within the purpose and province of this provision.

16. To provide and maintain both a day and a night police.

17. To provide for the removal of all obstructions from the public highways, streets and crosswalks, alleys, gutters and sewers, and to provide for the construction, repair and cleaning of the same.

18. To regulate the speed upon railroads within the corporate limits of the city and to prevent fast or furious driving or riding upon the streets and alleys therein, and to define what shall constitute the same.

19. To compel all prisoners in the city jail who may be imprisoned for vagrancy or for violation of any city ordinance, to work upon the public streets and public grounds of the city during the term of such imprisonment, under the control and direction of the marshal or superintendent of streets, and to provide for the punishment of any person sentenced to imprisonment who shall refuse to work when ordered.

20. To prevent, restrain and punish by fine or imprisonment, or both, intoxication, fighting and quarrelling, assault and battery, assault of officers, resisting officers, or preventing or attempting to prevent an officer from discharging his official duty, and any riot, noises and disturbances or disorderly assemblage in any street, house or place within the corporate limits; and any and all indecent or unlawful practices, vulgar, indecent, profane, abusive and obscene language, and to define what shall constitute the same.

21. To regulate the storage of blasting and gunpowder, giant powder, dynamite, nitroglycerine, coal oil, gasoline, coal tar, pitch, resin, and all other explosive and combustible material, and the use of candles, coal oil, gasoline, gas, electric and other lights and lamps, in streets, stores, shops and other places; to suppress, remove and secure and provide for the manner in which the same shall be constructed, any stove, fireplace, chimney, oven, boiler or other apparatus that may be dangerous in causing fires, and to prevent by all possible and proper means danger or risk or injury or damage by fire arising from carelessness, neglect or otherwise, and to establish fire limits within the city and designate the material with which and the manner in which buildings erected within the said fire limits shall be constructed or erected.

22. To provide for the establishment of market houses and places, and regulate the location and management of market houses and places, and of slaughter houses and hogpens, and to suppress and prohibit the slaughtering of and keeping of animals within the city limits, and to provide for the punishment by fine or imprisonment or both, of any person or persons who shall violate any of the provisions of such ordinance.

23. To license, tax, regulate, restrain and prohibit by general ordinance all car, stage, hotel or other runners within the city limits, and to provide for the punishment by fine or imprisonment, or both, of any person or persons who shall violate any of the provisions of such ordinance.

24. To tax horses and other domestic animals kept for breeding purposes, regulate and prohibit animals running at large within the city limits, and regulate, prohibit and restrain the driving of stock through the streets; to provide for taking up and selling horses, cattle and other domestic animals found running at large within the city limits, and the time and manner of such sale and the disposition of the proceeds thereof.

25. To tax dogs and regulate their running at large within the city limits, and to provide for impounding and killing the same, and define what shall constitute a running at large.

26. To prohibit officers of the city from purchasing demands against the city, or orders drawn on the treasurer thereof, for a less amount than that expressed on the face of such demand or order.