

27. To impose, collect and appropriate fines, forfeitures and penalties for the breach of any ordinance, but no fine so imposed shall exceed \$100, and the imprisonment shall in no case be imposed for a longer term than fifty days.

28. To provide for the survey of lots and blocks, and streets and alleys within the city, and for making and establishing the boundary line of such lots, blocks, streets, alleys, and for the naming of the streets.

29. To establish and regulate fees and compensations of all officers of the city, except when otherwise provided by law.

30. To regulate and prohibit the carrying of deadly or dangerous weapons in a concealed manner, and to provide for the punishment by fine or imprisonment, or both, of any person carrying a deadly or dangerous weapon in a concealed manner; and to define by ordinance what shall be deemed a deadly or dangerous weapon, and what shall constitute the carrying in a concealed manner.

31. To regulate and prohibit by ordinance the use of guns, pistols, firearms, firecrackers, bombs, and detonating works of all descriptions, and 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.

32. To provide for the purchasing, the city, when sold for city taxes or for any improvement ordered by the city council, and to provide for the sale and disposal of such real property.

33. By ordinance, to tax, license, control and regulate washhouses and public laundries; to define in such ordinance what shall constitute the same; to provide for their exclusion from the city limits or any part thereof, and to provide for the punishment by fine or imprisonment, or both, of any person who shall violate any of the provisions of such ordinance.

34. To provide for the punishment of any person who negligently leaves horses or other animals, with or without carriages or other vehicles attached, in the streets or alleys without being securely fastened; to prevent cruelty to animals, and to define what shall constitute the same and provide for the punishment therefor.

35. To regulate the opening of street surfaces, the laying of gas, water and other mains, the building and repairing of sewers, and the erection of gas, electric and other lights.

36. To permit, allow and regulate the laying down of tracks for street cars and railroads upon such street or streets as the council may designate; to regulate and prevent public criers and advertising noises in the streets, and to control and limit traffic on the streets and avenues and public places; to regulate the use of streets and sidewalks for the use of signs, signposts, awning posts, telegraph, telephone and electric light poles, and other purposes; to regulate and prohibit the exhibition and hanging of banners and placards and flags in or across the street, or from houses or other buildings; to prevent the exhibition of crippled or deformed persons, and to prohibit such persons from begging in the streets or public places; to establish from time to time such police stations as may be necessary; to regulate the numbering on houses and lots on the streets and avenues; to provide for the cleaning and sprinkling of streets and sidewalks, and to prohibit persons from roaming the streets at unreasonable hours. The provisions herein shall be carried into effect by ordinance and ordinances, and the council shall provide for the punishment in such ordinance or ordinances by fine or imprisonment or both of any person who shall violate any of the provisions thereof.

37. To provide for the erection of fire escapes on all buildings at the expense of the owner of the property and to provide for the prevention of the erection of buildings and awnings within the city limits which shall be dangerous to passersby or to adjacent property, and in case any building or awning on any public street shall become dangerous to passersby, the council shall have power to have the same removed or made safe at the expense of the owner of such property; such expense of fire escapes, removing or making safe such property shall be made a lien upon the property, and shall be collected in the same manner

as liens for street improvements.

38. To regulate the use of sidewalks and prevent the extension of building fronts and house fronts within the street line.

39. To license, tax and regulate hacks, cabs, hackneys, carriages, carts, wagons, drays, trucks, bicycles and other vehicles used for the transportation of passengers or any article of trade, building material or other substance, and to fix the rate thereof, whether the same be used for hire or not.

40. To prevent and prohibit the erection and repair of wooden buildings within prescribed limits, to be ascertained and defined by the council, and to restrict and limit the height of buildings within such limits; to determine the number and size of places of entrance to and exit from all public halls, churches and other buildings used for public gatherings and the mode of hanging doors thereat; to tear down, remove or destroy any and all buildings or structures erected in violation of the provisions of any ordinance passed in pursuance of this section, and to collect the costs of tearing down, destroying or removing the same in the same manner as hereinafter provided for the enforcement of liens for street improvements; and to provide for the punishment by fine or imprisonment of any person violating the provisions of such ordinance.

41. To provide by ordinance for the appointment by the mayor of such officers and employees of the city in addition to those otherwise in this act provided for as the council may deem expedient, and to provide for and fix the compensation of all officers and employees of the city not otherwise provided for.

42. To appoint fire wardens; to appoint property guards, prescribe their duties and provide for their compensation; and, by ordinance, to compel any person present, to aid in the extinguishment of fires and in the preservation of property exposed to danger in the time of fire; and, by ordinance, to exercise such other power as may be necessary for such occasions.

43. To provide for the making, cleaning and repairing of sidewalks at the expense of or by the owners of adjacent lots; and to provide for the making of such expense a lien upon such adjacent lots to be collected in the same manner as liens for street improvements.

44. To provide by ordinance for the punishment by fine or imprisonment or both of any person or persons who shall cause or continue any nuisance within the city limits, or suffer any nuisance to exist upon any property occupied or controlled by such person or persons within the city limits, or in any street or alley contiguous to such property where the owner or occupant of such property is the author or continuator of such nuisance; to define what shall constitute a nuisance within the meaning of this section or of such ordinance.

45. To provide for the punishment by fine or imprisonment of any person or persons who shall sell or offer for sale any unwholesome or adulterated provisions, or unwholesome or diseased meats, and to define what shall constitute such unwholesome or adulterated provisions or unwholesome or diseased meats.

46. To provide by ordinance for the manner and place of construction, regulating and removing of privies and cesspools; to provide by ordinance for the connecting of privies and cesspools with the sewers of the city now constructed, or which may hereafter be constructed, at the expense of the owner of the property upon which such privy or cesspool is situated; and to provide for the making of such expense a lien upon such property, to be collected in the same manner as liens for street improvements.

47. To exercise all such power as may be given to the council by this act and such additional power and authority as may be necessary and proper to carry into effect the provisions of this act, and to pass all ordinances necessary therefor; and to provide for the punishment of any violation of any ordinance passed pursuant to this act, and to make all regulations and pass all ordinances not inconsistent with the constitution or the laws of the state of Oregon, and the provisions of this act, as the council may deem necessary for the welfare of the city and

the regulation thereof and the preservation and protection of the health, person and property of the residents and inhabitants of the city of Sumpter.

THE MAYOR—HIS POWERS AND DUTIES.

Section 48. The mayor is the chief executive of the municipal corporation and must exercise a careful supervision over its general affairs and subordinate officers. It is his duty, at the annual meeting of the council appointed by this act, to communicate by message to the council a general statement of the condition and affairs of the city, and to recommend the adoption of such measures as he may deem expedient and proper, and to make such special communications to the council from time to time as he may think proper or useful. He shall preside over the council when it is in session and shall have authority to preserve order, enforce the rules of the council and to determine the order of business, subject to such rules and to appeal to the council. He shall not be entitled to a vote except in case of a tie vote by the council when he shall have the casting vote; he shall appoint all standing and other committees.

Section 49. He shall take and approve and after approval, retain as custodian all official undertakings which the ordinances of the city may require any officer to give as security for the faithful performance of his duty, or any undertaking which may be required of any contractor for the faithful performance of his contract.

Section 50. He shall perform such other duties and exercise such other authority as shall be prescribed by this act, or by any city ordinance or by any law of the United States or of this state.

Section 51. No ordinance passed by the council shall go into effect or be of any force until approved by the mayor, except as provided in section 53 and 54 of this act.

Section 52. Upon the passage of any ordinance, the enrolled copy thereof, attested by the recorder, shall be submitted to the mayor by the recorder; and if the mayor shall approve the same, he shall write upon it "Approved," with the date thereof, and sign it with his name of office; and thereupon, if not otherwise provided therein, such ordinance shall become of force and effect.

Section 53. If the mayor does not approve of an ordinance so submitted, he must within ten days from its receipt return the same to the recorder, with his reasons for not approving it; and if the mayor does not so return it, such ordinance shall become a law as if he had approved it.

Section 54. Upon the first meeting of the council after the return of an ordinance from the mayor not approved, the recorder shall deliver the same to the council, with the message of the mayor which must be read; and such ordinance shall be put upon its passage again, and if three fourths of all of the members constituting the council vote in the affirmative it shall become a law without the approval of the mayor, and not otherwise.

**CHAPTER VI.
OF THE POWERS AND DUTIES OF
THE OFFICERS OF THE CORPORATION.**

Section 55. The recorder is the judicial officer of the corporation, and shall hold a court therein at such place as the council shall provide, which court shall be known as the recorder's court; and he shall be appointed and hold his office as in this act hereinbefore provided. He is also ex officio clerk of the council, and with him must be filed all claims and accounts against the city. He shall keep accurate minutes of all of the proceedings of the council, and a correct record of judicial business transacted by him. It is his duty to also file every paper presented to him officially, and to take charge of and safely keep all the papers and records of the corporation unless otherwise provided for.

Section 56. He shall have jurisdiction of all crimes and offenses defined and made punishable by any ordinance of the city, and of actions brought to recover or enforce any forfeiture or penalty declared or given by any ordinance, which actions shall be tried without the intervention of a jury. He shall be ex officio justice of the peace and shall have the authority and

jurisdiction of a justice of the peace for the county of Baker, within the limits of the city of Sumpter, in both civil and criminal matters, and said recorder when acting as justice of the peace, and all proceedings in his court shall be governed and regulated by the general laws of the state applicable to justices of the peace and justices' courts in like manner or similar cases. When acting as justice of the peace he shall receive the same fees as other justices of the peace in Baker county.

Section 57. The office of recorder shall be deemed vacant whenever the person appointed thereto shall fail to qualify as in this act provided, or whenever the incumbent shall be absent from the city for a period of more than ten days without the consent of the council first had and obtained, except in case of sickness. In the absence of the recorder the mayor may appoint some suitable person who shall be a resident and qualified elector of the town of Sumpter, to preside over the recorder's court.

Section 58. The recorder shall make out and present to the council a quarterly statement of all moneys received or collected by him for the city and of all licenses issued and all warrants drawn on the city treasury.

Section 59. All fines imposed by said recorder, and all penalties recovered before him for violation of a city ordinance shall, when received, or collected be forthwith paid by him to the city treasurer, who shall give him duplicate receipts therefor, one of which shall be filed in the recorder's office. All fines and penalties for the violation of state laws shall be disposed of by said recorder as provided by the general laws of the state.

Section 60. All demands and accounts against the city shall be presented to the recorder with the necessary evidence in support thereof, and he shall report them to the council at its next meeting after being so presented to him, together with any suggestions and explanations which he may deem proper and pertinent. All such demands and accounts shall lie over from the meeting at which they are presented until the next regular meeting when the council shall vote direct whether the same shall be paid in whole or in part, as they may deem just and legal; provided, the same be for corporate purposes and none other.

Section 61. When the council orders any account or demand to be paid, the recorder must draw a warrant on the treasurer for the amount ordered paid, which order or warrant when so drawn shall be signed by the mayor and attested by the recorder.

Section 62. The recorder's name of office, whether acting as recorder or as clerk of the council, is "Recorder of the city of Sumpter."

Section 63. The recorder must issue all licenses authorized by city ordinances upon the delivery to him of the receipt of the city treasurer for the amount of the money for such license; provided, that in such cases as the council by the provisions of this act or any ordinance, are, or shall be required to make a special order, license shall be issued only upon such special order.

Section 64. The recorder must keep books of account, showing therein receipts and disbursements and all sums appropriated, the date thereof, the date and amount of all orders or warrants drawn upon the treasurer, and to whom payable, and all such other matters and things as may be prescribed by ordinance or to be proper or necessary to a correct understanding of the city finances.

Section 65. The recorder is authorized to administer any oath authorized or required to be taken by any law of this state of any city ordinance.

Section 66. The marshal shall be conservator of the peace and in addition to the authority vested in him by the ordinances of the city of Sumpter and by this act, shall have the authority and jurisdiction of a constable within the city limits and shall discharge the same according to the statutes of the state. He shall arrest all persons guilty of a breach of the peace or violation of any city ordinance, and take them before the recorder for trial. He shall enforce the collections of all fines and all taxes, except as hereinafter provided, and shall pay over all moneys collected to the city treasurer, taking duplicate receipts therefor, one