

fixing his compensation and the amount of his bond, and repealing ordinance No. 2, entitled "An ordinance fixing the bonds of the treasurer of the Town of Sumpter his compensation and defining his duties, and No. 45 entitled "An Ordinance amending sections 2 and 4 of Ordinance No. 3 entitled "An ordinance fixing the bonds of the Treasurer of the Town of Sumpter, his compensation and defining his duties," be and the same hereby is repealed.

Passed the Council this 29th day of May, 1901.

E. L. MANNING,  
Recorder of the City of Sumpter.  
Approved May 29th, 1901.  
J. H. ROBBINS, Mayor.

**ORDINANCE NO. 104.**

An ordinance prescribing the duties and fixing the compensation of the Marshal of the City of Sumpter, Baker County, Oregon, and repealing Ordinance No. 4, New Series, of the Town of Sumpter, entitled "An ordinance prescribing the duties and fixing the compensation of the Marshal of the Town of Sumpter, Baker County, Oregon and repealing Ordinance No. 4, entitled "An ordinance prescribing the duties and fixing the compensation of the Marshal of the Town of Sumpter, Baker County, Oregon."

THE CITY OF SUMPTER DOES ORDAIN AS FOLLOWS:

Section 1. The Marshal shall be conservator of the peace of the City of Sumpter, Baker County, Oregon, and as such shall perform such duties as are prescribed by the charter and such as may be imposed by ordinance. He shall also when called upon, exercise the authority and jurisdiction of a constable within the corporate limits of the city of Sumpter and shall discharge the duties of said office according to the laws of the State of Oregon.

Section 2. The Marshal shall within five days of his appointment, take and subscribe the oath prescribed by the charter and he shall before entering upon the discharge of the duties of his office, execute a bond in the sum of \$400, with two or more good and sufficient sureties, conditioned for the faithful discharge of the duties of his said office and the prompt paying over to the proper officer or person, all money coming into his hands as such officer, which said bond shall be approved by the Mayor of said City of Sumpter.

Section 3. The Marshal shall receive as compensation for his services the sum of Seventy Five Dollars per month, payable monthly by city warrants, duly drawn, and in addition thereto he shall while acting as constable receive from Baker County or the parties to the action, the same fees as are allowed by the laws of the State of Oregon to constables therein for like services. He shall receive no fees nor compensation whatever from the said City of Sumpter for such services.

Section 4. The Marshal, in addition to the duties required of him by the charter, shall execute all process issued to him by the Recorder of said city of Sumpter or directed to him by any magistrate in the State of Oregon. He must exercise a vigilant control over the peace and quiet of the City of Sumpter. He shall be the keeper of the city prison or jail and shall have supervision of all city property and it is hereby made his duty to preserve the same as far as possible from loss or destruction. He shall collect all delinquent taxes when required by due and regular warrant so to do and also all delinquent licenses and unpaid fines and pay the same to the Treasurer of said city monthly. He must attend regularly upon the sittings of the Recorder's Court and the meetings of the Council of said city and act as Sergeant at Arms of said council. He shall report monthly to the Council of said city as hereinafter prescribed.

Upon organization of a police force within the City of Sumpter, the Marshal shall be chief thereof.

Section 5. Whenever the Marshal shall arrest any person, either with or without a warrant, for violating any city ordinance, he shall forthwith take such person before the Recorder of said city for examination or trial, and he shall, if such arrest be made in the night time or when the Recorder's Court is not in session, confine the person so arrested in the city jail until he can have a hearing, PROVIDED that no person so confined shall be confined for more than one day before his examination or trial shall begin.

Section 6. The Marshal shall have charge of the city prisoners and for the board of such prisoners furnished at his expense, he shall be entitled to such compensation as the Council shall from time to time allow.

Section 7. When any person for the nonpayment of any fine, cost or disbursement shall be adjudged to labor upon the streets or public works of the City of Sumpter, it shall be the duty of the Marshal to cause such person faithfully and diligently to labor thereon not less than seven or more than eight hours per day of every day, except Sunday, for the full term for which said person has been so adjudged to labor as aforesaid.

Section 8. When any person required to perform labor as aforesaid shall refuse to labor as required in Section 7 of this ordinance, or shall attempt to escape from the custody of the officer having him in charge, it shall be the duty of said officer to restrain such person by ball and chain, or such other means as may be necessary for such purpose.

Section 9. If any person, while required to labor under the provisions of this Ordinance or any other Ordinance of the City of Sumpter or by virtue of any order or commitment, made and entered by the Recorder of said city, shall make his escape from the officer having him in charge, he may be retaken wherever found within the corporate limits of said city and confined and secured by manacles until he shall have fully served the time for which he was committed according to the judgment of commitment.

Section 10. The Marshal shall keep a record in which he shall enter the name, age, sex and color of every person confined in the city jail, whether upon commitment or otherwise, together with the date and duration of the imprisonment. He shall likewise enter therein a list of all articles of value found upon the person of such prisoner. He shall also keep a register in which he shall enter the title of every state case in which he has been called upon to act, together with a brief statement of his official acts and also a specified statement of his fees and compensation.

Section 11. Immediately upon receipt thereof, the Marshal shall pay over to the Treasurer of the City of Sumpter, all taxes or other public moneys collected by or paid to him, except moneys collected in connection with prosecutions for violations of city ordinances, and he shall at the time he makes return of any writ or process issued by the Recorder of said City, pay over to the Treasurer all moneys collected by virtue thereof, except as herein otherwise provided, and for all moneys paid over to said Treasurer he shall take duplicate receipts. All moneys collected by the Marshal as fines or otherwise in connection with prosecutions for violations of city ordinances shall be paid by him to the Recorder.

Section 12. The Marshal shall make a report to the Council at their first regular meeting in each month, which said report shall contain, First, the number of arrests made during the month, together with the names of the persons so arrested. Second, the number of persons confined in the city jail during the preceding month, together with the names of the persons and the duration of their imprisonment. Third, the amount and character of work done and performed on the streets and public works by the prisoners, together with a statement of the number of hours each prisoner worked. Fourth, the amount of taxes collected during the month. Fifth, the exact and specified amount of all fees, costs and disbursements paid to him while acting as City Marshal, with the date thereof.

Section 13. The Marshal shall rigidly enforce the provisions of all ordinances of the City relating to the prevention of contagious, infectious and dangerous diseases and the provisions of all ordinances relating to the cleanliness of the City, the draining of sewers and cess pools and the removal of rubbish from the yards and alleys and streets of the town.

Section 14. That Ordinance Number 4, New Series, of the Town of Sumpter, entitled, "An Ordinance prescribing the duties and fixing the compensation of the Marshal of the Town of Sumpter, Baker County, Oregon and repealing Ordinance Number 4, entitled "An Ordinance prescribing the duties and fixing the compensation of the Marshal of the Town of Sumpter, Baker County, Oregon," be and the same is hereby repealed.

Passed the Council May 29th, 1901.  
E. L. MANNING,  
Recorder of City of Sumpter.  
Approved May 29th, 1901,  
J. H. ROBBINS,  
Mayor of the City of Sumpter.

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