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Portage Des Sireux was
Incorp started 1834

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Collector may bring suit Dec 6

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sec. 18.

An Ordinance to provide for
levying, assessing, and collecting the
revenue in the Town of Portage des Sioux,
and prescribing the duties and fixing
the compensation of the Assessor and
Collector.

Be it ordained by the Inhabitants
of Portage des Sioux, acting by or through a
Board of Trustees, as follows:

Section 1st.

To defray the expenses of the government
of the Town, for the improvement of the
streets, and for the advancement of the
Public interest an annual tax of one
half of one per centum of the assessed
value of them shall be levied on all
the lands and lots in the Town,
including the houses and improvements
on them; provided no tax shall be
levied on any property exempted

Tax one half
of one per cent

Exempt from
Taxation

from taxation by the second section
of the first article of the law of the
State of Missouri, entitled, "An act
to provide for the levying, assessing
and collecting the revenue", approved
March 27th, 1845.

Section 2^d

Tax on
Drum Shops
and
Licences

The rate of taxation on licences to
Drum-Shop Keepers shall be ten dollars
for six months, for each drum shop
kept in the Town; and every person who
shall keep a drum-shop, without having
first obtained a licence therefor, shall
forfeit to the Town the sum of twenty
five dollars for each and every offence.

Section 3^d

Tax on
Dogs

The rate of taxation on Dogs shall
be twenty five cents each per year for
every dog over six months old, owned
and kept in the Town; And every dog
hereafter running at large in the Town

which shall not be claimed by any person, or for which the owner shall refuse, or neglect to pay the tax assessed is hereby declared a nuisance, and as such subject to be killed.

Dogs shall be killed when.

Section 4th The Assessor, and Collector before entering on the duties of their respective offices, and within twenty days after their appointment, shall each take the oath and oath prescribed by the Constitution of the State; and the Collector shall Bond moreover give bond with security to the Inhabitants of the Town for the faithful performance of his duties.

Section 5th The Bonds of the Collector shall be in Bond, a sum not less than two hundred Amount, dollars, and signed by not less than Securities, two securities, and shall be approved by the Board of Trustees, and deposited

+0.

4
with the Clerk of the Board.

Section 6th. The Assessor and Collector shall hold their respective offices until their next regular election of Trustees and until their successors are appointed and qualified; unless sooner removed for cause by the Board, and shall deliver on going out of office, to the Board all papers, money or other property of the Corporation, at the time in their hands.

Section 7th. The Assessor shall commence on the first day of January to assess to the persons appearing to be the owners at the time of assessment, all the lands and lots subject to taxation in the Town, and return a correct list of the same to the Board of Trustees on or before the regular day of meeting of

When

the Board in the month of March of the same year. He shall also, at the same time, assess to the owners twenty five cents for every dog taxable in the Town, and return a correct list of the same.

Assess

Days.

Section 8th

The Assessor shall receive for his services two dollars.

Section 9th

The Board of Trustees at their regular meeting in the month of March of every year, on the return of the tax lists by the Assessor, shall hear, and determine all appeals from the valuation of property assessed, and correct and adjust the lists accordingly.

Appeals

heard

When

Section 10th

As soon as the Collector is appointed, after the assessment is made, and returned by the Assessor, the Clerk of the Board of Trustees shall deliver to

him a correct list of the assessment, and take a receipt for the same, specifying the amount, to be by him preserved with the Town papers.

Section 11th
Duty of Collector.

The Collector shall diligently endeavor and use all lawful means to collect all the taxes specified in the tax lists, or any other moneys which may be due to the Corporation; and if necessary may bring suit in the name of the Corporation for the recovery of the same.

Suit.

Sec. 10th
Money shall be deposited in Treasury

The Collector shall deposit the moneys when collected into the Treasury of the Town after deducting his commission, and take receipts from the Treasurer for the same; and at the regular meeting of the Board of Trustees in the month of December of every year, shall return the tax lists, and make a

Return Tax list when.

1853 Settlement of his accounts with the Board.

Mch. 5th Be it ordained by the Inhabitants of Portage des Sioux acting by or through a Board of Trustees, as follows:

Sec. 1st. The second section of an Ordinance entitled, "An Ordinance to provide for levying, assessing, and collecting the revenue in the Town of Portage des Sioux and proscribing the duties and fixing the compensation of the Assessor and Collector" is hereby repealed.

Repeal.

Sec. 2nd In future the rate of taxation on licences to draw-shop keepers shall be not less than ten nor more than thirty dollars per annum for each dram shop kept in the Town. And every person who shall keep a dram-shop without having first obtained a licence therefor from the President of

Sec. 2nd
Dram Shop
licences

1853 Settlement of his accounts with the Board.

Wch. 5th Be it ordained by the Inhabitants of Portage des Sioux acting by or through a Board of Trustees, as follows:

Sec. 1st. The second section of an Ordinance entitled, "An Ordinance to provide for levying, assessing, and collecting the

Repeal. revenue in the Town of Portage des Sioux and proscribing the duties and fixing the compensation of the Assessor and Collector" is hereby repealed.

Sec. 2nd In future the rate of taxation on Dram Shop licences to dram-shop keepers shall be not less than ten nor more than thirty dollars per annum for each dram shop kept in the Town. And every person who shall keep a dram-shop on this side having first obtained a licence therefor from the President of

1853

Settlement of his accounts with the Board.

Wch. 5th

Be it ordained by the Inhabitants of Portage des Sioux acting by or through a Board of Trustees, as follows:

Sec. 1st

The second section of an Ordinance entitled, "An Ordinance to provide for levying, assessing, and collecting the revenue in the Town of Portage des Sioux and proscribing the duties and fixing the compensation of the Assessor and Collector" is hereby repealed.

Repeal.

Sec. 2nd

Dram Shop
licences

In future the rate of taxation on licences to dram-shop keepers shall be not less than ten nor more than thirty dollars per annum for each dram-shop kept in the Town. And every person who shall keep a dram-shop on this town having first obtained a licence therefor from the President of

June 1853
July 16

The Board of Trustees shall forfeit to the Town the sum of Twenty five dollars for each and every offence.

Be it Ordained by the Inhabitants of Postage des Sioux acting by or through a Board of Trustees:

That from and after the passage of this Ordinance all persons are prohibited from shooting with fire-arms within the limits of the Corporation; and any person so offending shall pay one dollar for each and every offence.

Be it ordained by the Inhabitants of Postage des Sioux acting by or through a Board of Trustees:

That from and after the 15th day of August 1853 all the dogs which are assessed and allowed to run at large in the Town shall wear a

Time for shooting fire-arms.

Dogs shall wear collar.

60 killed
1853
July 17th

collar: and every dog running at large without such collar shall be liable to be killed.

Be it Ordained by the Inhabitants of Postage des Sioux acting by or through a Board of Trustees.

Sec. 1st.
Authorized to lease the Commons.

That the President of the Board of Trustees be and is hereby authorized and required in the name of the Inhabitants to lease the Commons of this Town of Postage des Sioux to the highest bidder in lots according to the subdivisions thereof as surveyed by the County Surveyor of St. Charles County in the year 1854.

Sec. 2nd

The said lots shall be offered to purchasers in this Town at the house of John Packard on a time on the 20th day of March next, provided that

if they be not all disposed of on that day. the sale may be continued from day to day. until the whole of them be sold.

Sec 3^d
Perpetual
Lease at
6 per cent.
in advance.

Each lot shall be given on a perpetual lease to the highest bidder. he paying to the collector or other authorized Agent of the Town, in advance, on the 20th day of March for each year, a rent of six per centum on the value thereof, during the continuance of the lease.

Sec. 4th
Revaluation
by
County Assr.

At the end of Twenty years from the 20th of March 1855 and at the end of each period of Twenty years thereafter, the said Lots shall be revalued at the price assessed upon them by the County Assessor, or other officer of the State, in his assessment of property for taxation of the previous year: and

from that time, the purchasers or their legal representatives shall pay six per centum annually in advance on said appraisement until the next period of twenty years; and so on during the continuance of the lease.

Sec. 5
Lots bound
for rent.

The said Lots shall be held and remain forever bound for the punctual payment of the rent, into whosoever hands the same may be transferred; and in case of failure to pay the rent when demanded by the proper officer or agent of the Town, (who shall give public notice where payment shall be made) then, in that case the lease shall be null and void, and the leasee or his assigns liable by suit at law for any damages sustained by the Inhabitants of the Town.

Lease null &
void, when.
Suit for
damages.

Sec. 6 The President of the Board, as soon as may be shall give public notice of the sale by hand-bills and publication in the Saint Charles papers, and such other papers which he may think advisable.

Be it ordained by the Inhabitants of Portage des Sioux acting by or through a Board of Trustees.

Sec. 1st That the President of the Board be authorized and required to procure a Seal for the use of the Town: Said Seal to be two circles with the words 'between the inner and outer circles: "Seal of the Town of Portage des Sioux", and the device inside of the circles, Indians carrying their canoes.

Sec. 2nd Be it further ordained, That in future all deeds, leases, documents, or other official acts of the Corporation.

Deeds etc as well as official and certified copies shall be of records, writings or papers, requiring the stamped Seal of the Town, shall be stamped with said seal.

1857 }
July 19, } Be it ordained by the Inhabitants of Portage des Sioux, acting by or through a Board of Trustees.

Sec. 1st That the President of the Board of Trustees shall on the 2nd day of March 1857, sell, between the hours of Two and Four in the afternoon, at the house of John Packard in this Town, in one piece to the highest bidder the right and title of the Town to all that part of the Commons or continuation at the East of the Town included between the tract of Henry Lesieur on the West, the grant of Daniel Griffith on the East, the

Sale of
Commons
East of Town.

Common Fields, and the grant of
 Alexander Clark on the South, and
 the Mississippi river on the North,
 containing one hundred arpents, more
 or less, for one third cash when the
 land is bid off, one third to be paid
 in six months, the rest in twelve months
 from the day of sale.

Terms
 of Sale

Sec 2. That the Town Collector shall re-
 ceipt to the purchaser for the purchase
 money when it is paid in; and on
 the production of the receipts; and the
 last payment. The President of the
 Board shall make to the purchaser
 a deed relinquishing to him the right
 and title of the Town to the said
 tract of land.

Recd. make
 deed. when.

Sec 3. That the Clerk of the Board put
 up notices of the sale at Three of the

1859

June 6th

Sec 1st.

Street

Inspector.

Oath.

Sec. 2.

most public places in the Town -
 Be it ordained by the Inhabitants
 of the Town of Portage des Sioux, acting
 by or through a Board of Trustees;

That there be appointed one Street
 Inspector, who shall hold his office
 from the time of his appointment until
 the first Monday in April following,
 and until his successor is appointed,
 unless sooner removed by the Board of
 Trustees. Said Street Inspector shall
 before entering upon the duties of his
 office, take an oath to perform the
 duties of said office according to the
 best of his ability, and give Bond
 with sufficient security, in such an
 amount as the Board may determine.

A Tax of one fourth of one per cent.
 on the assessed value of real estate

and improvements thereon which are liable to be taxed, be raised for the purpose of improving the streets.

Sec. 3^d Every white male inhabitant of the Town between the ages of Twenty one, and Fifty five years shall in addition to the tax mentioned in the preceding section, be required to pay a poll of Two dollars per year, for the purpose of improving said streets.

Sec. 4th. The Town Collector shall furnish the Street Inspector with a list of the taxes and the names of the persons charged thereon, within two weeks from the time when the Assessment Roll shall have been completed.

Sec. 5th The Street Inspector on receipt of said tax list or as soon after as he shall deem proper, shall notify the persons charged with said tax, of the time

when, and the place where they will be required to work on said streets.

All persons charged with said tax, shall pay the money to said Inspector or perform the work required by him at the rate of one dollar per day each man, and such amount as the Inspector shall agree on for other services.

Sec. 6th The Street Inspector shall require said work to be done at such places, within the Town, as he may deem proper, unless otherwise ordered by the Board of Trustees, and he shall make his returns to the Town Collector on the first Monday of December in each year.

Sec. 7th The Town Collector, upon receipt of said returns shall proceed to collect the delinquent tax in the manner prescribed by the Ordinance passed by the Board

on the 18th day of December 1852.

Sec. 8th The Street Inspector shall have authority to hire hands to work on the streets, to be paid out of the taxes authorized to be raised by this Ordinance, if any of said taxes remain in his hands.

Said Street Inspector shall be allowed one dollar per day, while attending to the duties of his office, to be paid out of said taxes.

Sec. 9th The Street Inspector shall notify the owners of dead animals, which may be found within the Town, to remove the same without the corporate limits; and if such animals are not removed as aforesaid, within twenty four hours, then said Street Inspector shall remove said animals at the expense of the owners.

Sec. 10th So much of Section 1st of the

Ordinance passed by the Board on December 18th 1852, as authorising the raising of a tax of one half of one per cent. is hereby repealed.

Sec. 11th The time for the Assessor to make his returns by the Ordinance of December 18th 1852 is extended, for the year 1859 to the 1st day of June.

1864 } Be it Ordained by the Inhabitants
Mch. 7th } of Postage des Sirens acting by or through a Board of Trustees:

Sec. 101 A Board is hereby created to be designated: The Board of Health, which shall consist of three citizens of the Town appointed by the President of the Board of Trustees, and who shall hold their office until the first Monday of April next succeeding their appointment, and until their

Successors are appointed.

Sec. 2^d It shall be the duty of the Members of the Board of Health, whenever notified by the Schoolmaster, or other interested person, that any scholar may spread some contagious disease, by reason of his or her being attacked with it, or of too great proximity to the infection; to examine into the case, and if they or a majority of them shall judge that any scholar should be excluded from the school, they shall give notice of it to the parents or guardian of the scholar, and also to the schoolmaster.

Sec. 3^d On receipt of such notice the schoolmaster shall exclude said scholar from the school until he receives a notice from a majority of said Board of Health, to readmit

Said scholar.

1765

July 5

An ordinance fixing the Compensation of Officers, dividing the Town Treasury into divers Funds, and fixing the amount of licenses on dram Shops, and Merchants.

Be it ordained by the Inhabitants of Portage des Sioux acting by or through a Board of Trustees as follows!

Sec. 1 The President of the Town (Board) shall hereafter be entitled to the following fees for attending all regular meetings, twenty five cents; for every day out tending to business for the Town two dollars per day.

Sec. 2 The Collector shall be entitled to the following fee for his services for all money actually collected, five per cent. For all dues for which he will be compelled to bring suit in order to collect

an additional fee of ~~five~~ per cent.

Sec 3. The Assessor shall be entitled to a fee of two dollars per day for every day actually worked in making out the assessment, and copying the same in the Assessment Book.

Sec 4. The Treasurer shall be entitled for his services a fee of two per cent on all money actually come to his hands as Treasurer of the Town.

Sec 5. The Street Inspector shall be entitled for his services a fee of two dollars and fifty cents per day, for every day he actually works in the streets.

Sec 6. Hereafter the Treasurer of the Town shall divide the Treasury into the following funds: Two per cent of all the moneys of the Town to be and constitute the expense fund. Five per cent of all the income

of the Town to be and constitute the Street fund, the remainder of the income of the Town to be and constitute the School fund.

Sec 7. The license on dram shops shall be hereafter, seven dollars and fifty cents per annum, to be paid in advance, on the first day ^{of May} in every year.

Sec 8. The license on Merchant shall be five dollars per annum, to be paid in advance on the first day of May in every year.

Sec 9. This Ordinance to be in force from and after the first day A.D. 1858.

Sec 10. All ordinances or parts of ordinances coming in contact with this Ordinance are hereby repealed.

Approved July 6, 1858.

1871 An Ordinance amending Sec. 3^d of an
Ordinance to provide for the levying, as-
sessing and collecting the Revenue of the
Town &c. =

Be it ordained by the Inhabitants of
Portage des Sioux acting by or through a
Board of Trustees: that Sec. 3^d of an
Ordinance to provide for the levying, as-
sessing and collecting the Revenue of
the Town of Portage des Sioux &c. is here-
by amended so that the rate of taxation
on crops shall read 50 cents instead of
25 cents.

1873
June 2. Sec. 5th of an Ordinance passed July
6th 1865, is hereby amended, so as to
reduce the Fee of the Street Inspector
from \$2.50, to \$2, per day for every
day he actually works on the Streets.

Dec. 2^d of an Ordinance passed June
6th 1859, is amended so as to read
"A tax of one-half of one per Cent"
instead of "one-fourth of one per Cent"
and Sec. 10th of the same Ordinance
is hereby repealed.

1873

July 7. An Ordinance ^{prohibiting} the trans-
action of business on Sunday.

Be it ordained by the inhabitants
of Portage des Sioux, acting by or thro'
a Board of Trustees: That from and
after the first day of August, 1873,
no house of business within the limits
of the Corporation, shall be allowed
to be kept open on Sunday, for the
transaction of business, after the hour
of 9 o'clock, A.M. And every person
who shall violate this Ordinance,

shall be deemed guilty of misdemeanor and fined Twenty Five Dollars for the first offense, Fifty Dolls. for the second offense, and Seventy Five Dollars for the third offense, to be collected according to the provisions of the law.

Sec. 2. The corporate powers ^{of duty} of every Town so incorporated shall be vested in a board of trustees, to consist of five members.

1873

July 7. Be it ordained by the inhabitants of Portage des Sioux, acting by or through a Board of Trustees that all persons are forbidden to ride or lead their horses on the sidewalks, and any person trespassing against this ordinance shall be fined One Dollar for each and every offense.

shall be deemed guilty of misdemeanor
and fined Twenty Five Dollars for the
same.

Sec. 2. The corporate ^{and duties} powers of every town so incorporated shall be vested in a board of trustees, to consist of five members; unless such town shall contain more than twenty five hundred inhabitants, in which case such board shall consist of nine members; the first board of trustees shall be appointed by the county court, at the time of declaring such town incorporated, who shall continue in office until their successors are elected and qualified; and such successors shall be chosen by the qualified electors residing in such town on the 1st. Tuesday of April in every year in the manner heretofore provided.

3. No person shall be a trustee, who shall not have attained the age of twenty-one years; who shall not be a (free) white male citizen of the United States; who shall not be an inhabitant of the town at the time of his election, and reside therein for one whole year next preceding; who shall not be a householder within the limits of such town; and every trustee shall hold his office for the term of one year and until his successor is elected and qualified.

4. Every trustee, before entering upon the duties of his office, shall take an oath prescribed by the Constitution of this State, and that

he will faithfully ~~mean~~ himself in office; and every board of trustees shall assemble within twenty days after their appointment or election, and choose a chairman of their number and some other person as clerk. The board of trustees shall, by ordinance, fix the time and place of holding their stated meetings, and may be convened by the chairman at any time.

5. At all meetings of the Board, a majority of the trustees shall constitute a quorum to do business; a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as the Board of trustees previously by ordinance may have prescribed.
6. The Board of trustees shall judge of the qualifications, elections and returns of their own members, and determine contested elections; they may determine rules of their own proceedings, punish any member or other person for disorderly behavior in their presence, and, with the concurrence of four of the trustees, expel any member, but not a second time for the same cause; they shall keep a journal of their proceedings, and, at the desire of any member, shall cause the yeas and nays to be taken and entered on the journal, on any question

resolution or ordinance; and their proceedings shall be public.

7. Such Board of trustees shall have power to pass by-laws, and ordinances to prevent and remove nuisances, to prevent, restrain and suppress bawdy-houses, gambling-houses and other disorderly houses, within the limits of such town, or any commons attached thereto, to restrain and prohibit gambling, to provide for licensing and regulating dramshops and tipping houses, public shows, circuses, theatrical and other amusements to the distance of one-half mile from the corporate limits of such town; to prohibit the firing of fire-arms, to prevent furious and unnecessary riding or driving of any horse or other animal within such town, or such part thereof as they may think proper; to establish night watches and patrols; to erect and maintain work-houses and hospitals; to prevent and extinguish fires; to prevent the introduction of spreading contagious diseases; to establish and regulate markets; to erect and repair bridges; to erect, repair and regulate wharves and the rates of wharfrage; to regulate the landing and stationing of steamboats, rafts and other water craft; to provide for the inspection of lumber, build

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ing materials and provisions to be used or offered for sale in such town, or to be exported therefrom; to borrow money for the improvement of such town or to supply the same with water; to open and form public squares, avenues, drains and sewers and to keep the same clean and in order; to locate and lay out new streets and alleys and to widen streets heretofore laid out and opened in such town, and to appoint three commissioners to assess the damages done to the property on which such street or alley may be located, deducting from such damages the amount of benefit, if any, such street or alley or the widening the same may be to such party - but all assessments so made by the commissioners shall be reported as soon as may be to the Board of trustees, who may approve or reject the same, and all persons aggrieved by such assessment, may within fifteen days after receiving notice of such assessment, appeal therefrom to the next circuit court of the county, by giving notice of such appeal to said Board of trustees at least fifteen days before the first day of the term to which such appeal is taken, and the circuit court, on such appeal, shall be possessed of

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the case, and proceed therein to final judgment according to law. In all cases of assessment or appeal the land to be used for or occupied by the street or alley, may be taken in possession of for the purpose of establishing and improving such street or alley, as soon as the amount of damages so assessed shall be tendered the owner. Also to open, clear, regulate, grade, pave or improve the streets and alleys of such town; to impose and appropriate fines, forfeitures and penalties for breaking their ordinances; to levy and collect taxes; to regulate the inclosure of any common field belonging to or within the limits of such town and to pass such other bye-laws and ordinances for the regulation and police of such town and commons thereto appertaining, as they shall deem necessary not repugnant to and contrary to the laws of the land.

Sec. 8. Such Board of trustees shall have power to appoint an assessor, collector, constable, or marshal and such other officers, servants and agents as may be necessary; remove them from office, prescribe their duties and fix their compensation; and the chairman of the Board of trustees shall have all the power of a justice of the peace for the trial and punishment

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of offenders against the ordinances of such town.

Sec. 9. All persons residing within the corporate limits of such town shall be exempt from working on roads without the corporate limits of said town, and from the payment of tax or fine relating to the same on property within such corporate limits.

Sec. 10. The constable or marshal appointed by the trustees of the inhabitants of such town, giving bond and ample security for the performance of his duties, is hereby authorized to execute orders and process arising under the ordinances of said town, and who, within the corporate limits of said town, shall have concurrent power with the constable of the municipal township in which said town is situated, to execute all orders, notices, writs and other process and duties that may be executed by the constable of said township, with like effect and shall receive the same fees therefor.

Sec. 11. It shall be the duty of every justice of the peace living in the same municipal township, in which any incorporated town under this chapter is situated, upon application by the town

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person factually to trial before the justice granting the same, for the breach of any ordinance of said town, if it appear that there is danger of losing any claim, debt or fine, if such warrant be not issued. Every such application shall be sustained by the affidavit of the person making the same.

Sec. 12. Such Board of trustees shall have power to have the streets and alleys opened and repaired, and the footwalks and sidewalks of the streets paved, at the expense of the owners and occupiers of the adjacent lots; and if any such owner or occupier fail to open, repair or pave the same, as required by ordinance, such Board of trustees shall cause the same to be done, and may recover the full expense thereof from such owner or occupier, by civil action in the name of the corporation, before any court of competent jurisdiction; and if any tenant be required to open, repair or pave in front of the property occupied by him, the expense thereof shall be a good set-off against so much of the rent due the owner; but no tenant shall be required to expend more than the rent for the term for which he occupies the property.

of any town upon property therein, in conformity to the laws of the state and the ordinances of such town, shall constitute a lien upon the property upon ^{which} they are levied until paid.

Sec. 15. If any person fail to pay any tax levied on his real or personal property, the town collector may recover the same by civil action, in the name of the corporation, before any court of competent jurisdiction; and such collector may in like manner, collect the amount of taxes due from any non-resident, from any tenant or debtor of such non-resident but no tenant shall be compelled to pay more than the rent of such property, and the amount thus paid by him shall be a good set-off against the owner of the property; and if the said non-resident's taxes be ^{not} otherwise paid, the property may be sold to pay the same, at public sale, in such manner as the Board of trustees shall by ordinance provide.

Sec. 16. All fines and penalties accruing to such town may be recovered by civil action, in the name of the corporation, before any justice of the peace or chairman of the Board of trustees, subject to an appeal to the circuit court of the

county; and persons living in said town shall be competent jurors and witnesses, if in other respects competent and qualified. Upon such recovery by judgment, such justice of the peace or chairman of the Board of trustees may issue an execution against the property of the defendant, and if the same be returned no property found upon which to levy the same, or if such justice of the peace, or chairman of the Board of trustees be satisfied that the defendant has no property upon which to levy such execution, he may commit such defendant to the county jail or town prison, or in his discretion may sentence such defendant to labor on the streets, alleys or roads of such town, in such manner and under such rules and regulations as the Board of trustees may prescribe, until the amount of such fine, penalty and costs are worked out, allowing to the defendant for each day he shall so labor, such sum as such justice or chairman of the Board of trustees may designate, not less than one dollar.

Sec. 17. If any real estate be sold by virtue of any ordinance of such town, the owner thereof may redeem the same at any time within two years ^{from} the day of sale, by paying the purchase

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money and all costs and penalties incurred, together with the interest thereon at the rate of fifteen per cent per annum until paid.

Sec. 18. The chairman of each Board of trustees shall, on the first day of March and September in each year, make out a correct statement of all monies received and expended on account of their respective towns, during the six months next preceding, and shall cause such statement, within ten days thereafter, to be published in some newspaper printed in the same town, if there be any, and if not, then he shall cause copies of such statement to be put up in six of the most public places in such town within ten days.

Sec. 19. If the Chairman of any Board of trustees of any town shall at any time neglect to make and cause such statement to be published as required by this chapter, he shall forfeit for every such neglect the sum of fifty dollars, to be recovered by civil action in any court of records, one half thereof shall be to the use of the town and the other half to the use of any person who will sue

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for the same.

Sec. 20. The Chairman of the Board shall cause to be printed and published the by-laws and ordinances of the Board, for the information of the inhabitants, and cause the same to be carried into effect. He shall remain in office for the term for which he is appointed or elected as a trustee; but in case of his absence at any meeting of the Board, the Board may appoint a chairman pro tempore.

Sec. 21. All vacancies in the Board of trustees shall be filled by a special election, ordered by the Chairman of the Board, after ten days public notice thereof being given (see also sec. 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 & 54 of same chapter, for instruction as to elections, disincorporation and proceeding thereon, constable, marshal, collector and treasurer bonds, finding debts, breaches of trust, fraud or negligence, vacating lot, street, alley, common or public square, change of name, purchase of land etc.)

Rules and order of business of the
Board of Trustees of the town of
Portage Des Sioux

adopted by the Board Sep 4 1873

- Rule 1. Regular meetings of the Board shall be held on the 1st Monday of every month. Notices of special meetings shall be served by the Marshal on each trustee personally or by leaving the same at his usual place of business or abode. The marshal shall have charge of the town hall and give his attendance to the meetings of the Board.
- Rule 2. At the hour appointed for the meeting of the Board the clerk (or some one appointed to supply his absence) shall proceed to call the roll of members, marking the absentees, and announce whether a quorum be present. Upon the appearance of a quorum the Board shall be called to order the chairman taking the chair (in his absence the Board appointing a temporary chairman). The Board shall then proceed to business, which shall be conducted in the following order:

The reading of the minutes of the preceding meeting and amendment or approval of the same.

The presentation of ² petitions and reports of officers.

The reports of standing ³ committees.

Reports of special ⁴ committees.

Communications to the Board, which may be considered at any time ⁵

Unfinished business of preceding meetings. ⁶

Rule 3. All questions relating to the priority of business shall be determined without debate.

Rule 4. The chairman shall preserve order and decorum, and shall decide all questions of order, subject to an appeal to the Board.

Rule 5. While the chairman is putting the question, no member shall walk across or out of the hall.

Rule 6. Every member, previous to his speaking, shall rise from his seat and address the presiding officer as Mr. Chairman but shall not proceed with his remarks until recognized and named by the chairman.

Rule 7. When two or more members rise at once the chairman shall name the member who is first to speak.

Rule 8. No member shall speak more than twice to the same motion.

nor more than once to "a previous question" without leave of the Board; nor more than once in any case until every member, choosing to speak shall have spoken.

Rule 9. While a member is speaking, no member shall entertain any private discourse, or pass between the speaker and Chairman.

Rule 10. A member, on being called to order, shall immediately sit down, unless permitted to explain. If there be no appeal, the decision of the chair shall be conclusive; but if the decision of the chair is appealed from, the Board shall decide on the question without debate.

Rule 11. Every member present when a question is stated from the chair, shall vote thereon, unless excused by the Board or directly interested, in which case he shall not vote.

Rule 12. No motion shall be debated or voted on unless it be seconded. When a motion is seconded, it shall be stated by the chairman before debate; and every such motion shall be reduced to writing, if required by a member.

Rule 13. After a motion or resolution is stated by the chairman, it shall be deemed to be in possession of the Board, but may be withdrawn at any time before a decision or ^{amendment}.

Rule 14. If the question in debate contains several distinct propositions, any member may have the same divided.

Rule 15. When a blank is to be filled, and different sums or times proposed, the question shall first be put upon the largest sum or longest time.

Rule 16. When a question is under debate, no motion shall be received (unless for the "previous question"), to postpone it indefinitely; to adjourn it to a certain day; to lay it on the table; to amend it; or to adjourn the Board.

Rule 17. A motion for the "previous question" to lay the motion on the table, or to commit it shall preclude all amendment and debate of the main question, until that is decided; and a motion to postpone indefinitely or to adjourn to a day certain, until decided, cuts off all ^{amendment} ~~amendment~~ to the main question.

Rule 18. The "previous question" shall be as follows:
Shall the main question now be put?

Rule 19. A motion to adjourn shall always be in order, except when a member is speaking, the yeas and nays are being taken, it has been decided that the

"previous question" shall be taken, or the last preceding motion was to adjourn.

Rule 20. In all cases where a resolution or motion shall be entered on the minutes, the name of the member moving the same shall also be entered on the minutes.

Rule 21. If any member require it, the ayes and noes upon any question shall be entered on the minutes.

Rule 22. All committees shall be appointed by the chairman, unless otherwise directed by the Board, in which case they shall be appointed by ballot.

Rule 23. All committees shall report in writing the facts and their opinion thereon.

Rule 24. All reports of committees shall be addressed "To the Board of Trustees of the Town of Portage Wisconsin in council assembled."

Rule 25. When a member wishes to present a communication, petition or report, he shall rise in his place and address the chairman, and, having briefly stated the subject, ask leave to present the same.

Rule 26. The town clerk shall forward all the papers to the chairman of the appropriate committees within forty-eight hours after reference of the same shall have been made, and it shall be the duty of the Marshal to deliver them.

Rule 27. These rules may be temporarily suspended by unanimous consent of all the members present; but cannot be repealed, altered or amended unless by concurrence of two-thirds of all the members elect.

Rule 28. The standing committees shall consist of members each, of whom the first named shall be chairman, except the committee on finance, whose chairman shall be elected by ballot.

Standing committees

- | | |
|---------------------|-------------|
| 1. Finance | 4. Pensions |
| 2. Ordinances | 5. Claims |
| 3. Streets & Alleys | 6. Relief |

Revised Ordinances of the
Town of Portage Des Sioux

No. 1

An ordinance adopting a common seal for the
Inhabitants of the Town of Portage Des Sioux.
Be it ordained by Board of Trustees of the
Inhabitants of the town of Portage Des Sioux:
sec. 1. That the seal provided and used by the
Inhabitants of the town of Portage Des Sioux

(No. 2.)

An ordinance in relation to the Board of Trustees
 Be it ordained by the Board of Trustees of the
 Inhabitants of the Town of Portage Des Sioux:

Sec. 1. The Board of Trustees shall consist of five
 members, to be chosen on the first Tuesday after
 the first Monday of April in every year, as pro-
 vided by law for incorporation of towns.

Sec. 2. Regular meetings of the Board shall be held
 on the first Monday of each month; and adjourned
 meetings may be held when deemed necessary, such
 meetings to be held at _____ house

Sec. 3. The Chairman of Board shall have power to
 convene the Board at any time by written
 notice served on the members.

Sec. 4. Resignations shall be addressed to the
 Chairman of the Board, and by him laid before
 it at the next meeting.

Sec. 5. Whenever any vacancy shall occur in the Board
 the Chairman shall order a special election to fill the same
 giving ten days public notice thereof.

Sec. 6. Any member of the Board failing to attend
 a regular, adjourned, or called meeting when duly
 notified, without a reasonable excuse to be accepted
 by the Board, shall be fined _____ for every such
 failure.

W. A. Reynal
 Chairman

An Ordinance relating to officers
Art. 1.

Be it ordained by the Board of Trustees of the Inhabitants of the town of Portage Des Sioux:

Sec. 1 - Every person elected or appointed to any office under the town government shall be a free white citizen of the United States, over the age of twenty one years; an inhabitant of the town at the time of his election, and must have resided therein for at least one year next preceding such election or appointment, and moreover be a householder within the limits of said town.

Sec. 2 - No person elected or appointed to any office shall perform the duties thereof until he shall have been duly commissioned and qualified as hereinafter provided.

Sec. 3 - Every person elected or appointed to any office under the town government, shall, before being commissioned, make and subscribe an oath, before some officer authorized by law to administer the same, that he will support the Constitution of the United States and of the State of

Missouri and faithfully and impartially discharge the duties of his office; and, when bond is required he shall give the same, which bond and oath shall be filed by him with the Town clerk.

Sec. 4 - Official bonds shall be made to the Inhabitants of the Town of Portage Des Sioux, and shall be conditioned for the faithful performance, by the officer, of all acts and duties required of him in his office by any law of the State of Missouri or ordinance of the town in force during his term of office.

Sec. 5 - Such bonds shall be presented to the chairman for ^{of the form thereof} approval; and if approved by him, such approval shall be endorsed thereon in writing, after which the Board shall pass upon the sufficiency of the security, and if approved by the Board, the town clerk shall receive, file and record the same.

Sec. 6 - Upon such oath and bond being filed with the clerk, he shall deliver to the person elected or appointed a commission in the name of the town and signed by the chairman and attested by the clerk under

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the seal of the town, authorizing and empowering such person to perform and discharge all the duties of such office for the term for which he has been elected or appointed and until his successor shall have been duly commissioned.

Sec. 7 - If any officer of the town shall leave the same with the intention of residing beyond its limits, or shall be absent therefrom thirty days without the consent of the Chairman or Board of Trustees, the office shall be deemed vacant, and filled as other vacancies.

Sec. 8 - Every officer shall, upon going out of office, deliver to his successor all books, papers, furniture and other ^{things} appertaining to his office, and such books, papers and furniture shall at all times, when required, be submitted to the inspection of any person authorized to inspect the same.

Sec. 9 - No officer of the town, or any deputy of such officer shall directly or indirectly, for his own use or the use of others, deal in, or purchase town warrants, certificates, bonds or other obligations of the town

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at less than the fair value thereof.

Sec. 10 - All officers entitled to receive fees or commissions for their services, shall report to the Board quarterly the whole amount of fees and commissions received by them respectively during the three preceding months.

Sec. 11 - Any officer of the town who shall refuse, or wilfully neglect to perform any duty enjoined on him by law or ordinance; or shall in the discharge of his official duties, be guilty of any fraud, extortion, oppression, favoritism, partiality or wilful injustice shall forfeit and pay to the town a sum not exceeding \$25. dollars, to be collected as other fines and penalties, and on conviction of such offence may be removed from office by resolution of the Board of Trustees.

Sec. 12 - All reports which officers are required to make to the Board of Trustees, and all other official communications shall be spread at large on the records of the Board.

Sec. 13 - The term Officer, whenever used in the ordinances of the town, shall include all persons elected or appointed under the town government.

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Article 2.

Of removal and suspension of officers.

Sec. 1. - The Board of Trustees shall have power to remove from office any officer, who shall wilfully violate any of his official obligations.

Sec. 2. - Such removal shall be made by order, on investigation of the charges preferred, notice of such charges having been served on such officer at least ten days prior to such investigation; and such officer shall not exercise any of the duties of such office, after notice of such order of removal, under a penalty of _____ dollars, to be recovered as other fines and penalties.

Sec. 3. - Upon the report of the Chairman or other officer (accompanied by specific charges) to the Board, that any officer, has wilfully violated any of his official obligations, the Board shall appoint a committee to inquire into the truth of such charges; and if such committee deem them well founded and so report, the Board shall appoint an early day for the hearing and determination of the same.

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Sec. 4. - Such investigations shall be governed, so far as may be, by the regulating trial before Justices of the peace, the Chairman of the Board presiding and determining the competency of witnesses and the Relevancy of testimony.

Article 3.

The officers of the town shall consist of a Board of Trustees, Chairman, clerk, collector, ~~aldermen~~ ^{Street Inspector} Treasurer, and Police and such other agents as may be appointed.

Article 4.

Sec. 1. - All officers required to give bond to the town, shall give the same in such sums, and furnish such security as may be ordered by the Board, or required by ordinance or resolution.

Sec. 2. - Until otherwise ordered by the Board the bonds of the following officers shall be in the following sums to-wit: The Marshal \$ _____, The Treasurer, \$ _____, the Collector \$ _____, and the Clerk \$ _____.

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Article 5.

Salaries and compensations

Sec. 1. The Chairman shall be allowed for his services for attending all regular meetings each \$ for each day he may be employed in attending to other town business, the sum of dollars per day

The Collector shall be entitled to five per cent on all moneys on all monies collected, and an additional five per cent on all moneys collected by suit.

The Assessor shall be entitled to dollars per day for each and every day he may be engaged in the duties of his office.

The Treasurer shall be entitled to a commission of $2\frac{1}{2}$ per cent on all moneys which may come into his hands officially.

The Street Inspector shall be entitled to dollars per day for every day actually engaged in his official duties

The Clerk shall be entitled to 1.00 dollars per day for for each day actually employed in attendance on the

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sessions of the Board, making up the records and copying same under any or order or resolution of the Board together with such other fees as may be allowed by ordinance for other official duties. He shall be entitled to receive ten cents per hundred words and figures for all copies of records and fifty cents for affixing the Town Seal to all certificates to be paid by the party ordering the same.

Each member of the Board of Trustees shall receive a salary of dollars per annum.

The Marshal shall be entitled to an annual salary of dollars.

W. A. Deynall
Chairman

An Ordinance relating to town elections.

Be it ordained by the Board of Trustees of the inhabitants of the town of Portage Des Sioux:

Sec. 1. All elections for town officers shall be held at such places or place as the Chairman may direct, and according to the regulations hereinafter contained.

Sec. 2. All free white male inhabitants, over the age of twenty one years, who are entitled to vote for state officers, who shall have resided in the town six months next preceding the election, shall be entitled to vote for all town officers.

Sec. 3. The Board of Trustees shall appoint annually three judges of elections for each precinct or ward, to act as judges of all town elections held in their precincts for the year succeeding their appointment.

Sec. 4. The judges of elections shall be citizens of the United States, and shall have resided in the town at least one year next preceding their appointment, and shall have power to appoint clerks of elections, and call to their

aid, when necessary; any peace officer within the town, but no person shall act as judge or clerk of elections, who is a candidate for office at that election.

Sec. 5. If from any cause, any judge of election be not present, a majority of the voters at the place of voting may elect a qualified person or persons to act as judges of that election.

Sec. 6. If any judge or clerk has entered on his duties, and he becomes sick, or from other personal disability be unable to act, another may be appointed in his place, if a judge, by a majority of the voters present - if a clerk, by the judges.

Sec. 7. The Judges and clerks of elections, before entering on their duties, shall take and subscribe an oath or affirmation, which shall be attached to the returns and may be in the following form to-wit: We do solemnly swear that we will support the Constitution of the United States and the Constitution of the State of Missouri and will impartially discharge the duties of judges of the present election according to law to

the list of magistrates; and that I will not receive nor permit to be received, the vote of any person whose name is not duly registered according to law, so help me God; and the ^{oath} for clerks may be as follows, to-wit: I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of New Jersey and that I will faithfully record the names of all the voters.

Sec. 8. At all town elections the polls shall be opened at 7 o'clock in the forenoon and continue open until 6 o'clock in the afternoon.

Sec. 9. The town clerk shall, at least three days before the day of election, notify the Judges of election of the day of election, to one of whom he shall deliver a ballot box and blank poll books with the necessary qualifications in blank.

Sec. 10. The Judges shall carefully examine into the qualifications of each person offering to vote, and may if they think proper, and shall upon the demand

of any person who has voted at such election, examine such person, offering to vote upon oath touching his qualifications to vote, and such examination shall be noted on the poll book opposite his name.

Sec. 11. The judges shall receive the ballot of each person qualified offering to vote, placing thereon the number of the ballot and, pronouncing in an audible voice the name of the voter, deposit such ballot in the ballot box, which shall not be opened until the polls are closed, and the clerk shall enter in the poll book in a plain hand, the name of every person voting, recording opposite each name the number of the ballot; also the name of every person whose vote shall be rejected and opposite thereto note the fact of such rejection.

Sec. 12. The Judges shall have power to preserve order at the polls, and to command the officer in attendance to arrest and take before the Chairman of the Board of Trustees, any person who shall by violent and turbulent

conduct, or in any other manner interfere with, hinder, obstruct or delay the Judges or clerks in the discharge of their duties, or any voter exercising the privilege of voting; and for any such offence, the person so offending shall be fined a sum not less than three, nor more than ten dollars.

SEC. 13. - If any ballot box be seized and carried away, so that the ballots therein cannot be counted, the whole election shall be void, and a new election ordered.

SEC. 14. - At the close of the polls, the judges shall proceed to call out the ballots, and ascertain the number of votes given for each person voted for, and shall continue the counting of the ballots, without intermission until all are counted, when they shall certify the aggregate number of votes given for each person, and this certificate shall be attested by the clerks.

SEC. 15. - The judges, in case of a tie, shall determine the election between the persons so having an equal number of votes, by lot, and the judges shall make

out and deliver to each person elected as trustee a certificate of his election.

SEC. 16. - The ballots as they are counted, shall be strung by one of the Judges on a strong twine or wire, and at the close of the count, shall be securely sealed up and delivered to and returned by one of the Judges deputized for that purpose to the town clerk, and shall not be opened, except in case of contested elections.

SEC. 17. - In case of the failure of an election of Trustees, a majority of the Trustees then in office may cause the election to be held on any other day.

SEC. 18. - In all cases the person receiving the highest number of votes for any office, shall be declared to be elected to such office.

SEC. 19. - No Judge or clerk of election shall examine or suffer any one to examine the ballot of any person voter handed in, before the same is deposited in the ballot box; or allow any one except a Judge of election to handle a ballot box under a penalty

of not less than five or more than ten dollars.
Sec. 20. — When the election of a Trustee shall be contested, it shall be before the Board of Trustees, at the first regular session after such election shall be held, and the person contesting such election shall give notice to the opposite party, in writing at least ten days before said meeting, specifying therein the grounds, on which he expects to contest such election, and shall also file with the clerk a copy of the same.

Sec. 21. — On such contest the Board of Trustees shall proceed to recount all the votes cast for each candidate respectively, and shall carefully make an aggregate of the same. They shall then proceed to hear and determine the objections to the qualifications of any votes, upon the oral and written testimony of witnesses produced or examined by either party; and if it appears that any person has voted who was not legally qualified, they shall take his number on the poll-book and shall find the corresponding ballot, and

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make a minute of the same, together with the name of the person for whom he voted and shall make an abstract of the same, after having thus proceeded through the poll-book noting each unqualified voter and the person for whom he voted. They shall then proceed to hear all and every other ground of contest, and shall, by resolution award a certificate of election or commission to that person who is in every respect eligible; and who shall have received a plurality of all the legal votes so found to have been cast at such aforesaid election; provided said Board shall have power to continue said contest for good cause shown.

Sec. 22. — Either party may give notice thereof to the other to take depositions to be read as evidence on the trial; and both parties shall have the privilege of examining the poll-books and ballots, for the purposes of such contest.

Sec. 23. — The chairman shall have power to administer oaths to witnesses in all trials before the Board.

Sec. 24. — Each Judge and clerk shall receive as compensation for his services in holding an election, counting ballots and making certificates the sum of _____ dollars, provided that

The Judge deputed to make said returns shall receive
dollars.

W. A. Pymal
Chairman.

(No. 5)

An ordinance relating to the Town Clerk.
Be it ordained by the Board of Trustees of
the inhabitants of the Town of Portage Des Sioux:

Sec. 1st. The Board of Trustees at its first regular meeting,
or as soon thereafter as may be, shall elect a clerk, who
shall attend all the sittings of the Board and make and
preserve an ample record of its proceedings.

Sec. 2. The clerk shall have the custody and safely keep
the Town seal, the public records, the original roll
of ordinances and resolutions of the Board, and such
other records, documents and other papers as may be
delivered into his custody, he shall affix the town
seal to all public instruments or official acts of the
chairman, which by law or ordinance are required
to be so attested and countersign the same; and shall
affix the seal to and certify and documents, copies of

records or papers in his office, required for individual
use, or by any officer of the town, and shall furnish
the Town Attorney any record or document in his
office, which he may call for to be used in any court,
taking his receipt therefor.

Sec. 3. He shall prepare all commissions and other official documents
required to issue, and shall countersign and affix the
Town seal thereto, and shall keep a register of all such
commissions and documents.

Sec. 4. The Clerk shall procure, sign and affix the Town
seal to all licences for all purposes for which a licence
is required to be issued, and shall deliver to the collector
any number thereof required, of which he shall keep an
account to whom delivered, and shall take duplicate
receipts therefor from the officer to whom delivered, one
of which shall be delivered to the chairman to be charged
by him to the officer giving the same.

Sec. 5. The clerk shall procure stationery, books and other
necessary articles for the Board, together with all
books, blanks and stationery needed in the several de-

partments of the town government, and keep an accurate account of the same and shall pay all postage or other necessary expenses upon any official documents received or sent by him.

Sec. 6. The Clerk shall render his account, with the proper vouchers to the Board who shall settle and adjust the same.

Sec. 7. We shall cause the proceedings of the Board and the ordinances of the Town to be published, as required by the Act of incorporation, and shall superintend the printing thereof and correct the proof sheets.

Sec. 8. We shall record all the town ordinances, and register the official bonds of all town officers and all other bonds executed to the town and placed in his custody in books kept for that purpose, and shall neatly file and label for safe keeping, the original roll of all ordinances and resolutions of the Board, and such other papers and documents as may be delivered into his custody.

Sec. 9. We shall issue all bonds to persons desiring to procure a licence from the town, and for which licence a bond

is required; and he shall have for each bond so issued the sum of fifty cents, and for each licence the sum of twenty five cents, and for all services required of him for individual use and benefit the same fees as are allowed to clerks of courts of record for the same services.

Wm. Signal
Chairman

No. 6
An ordinance prescribing the duties of Marshal

Be it ordained by the Board of Trustees of the inhabitants of the Town of Portage Des Sioux:

Sec. 1. It shall be the duty of the Marshal, in addition to the duties of serving all writs and process to him directed by the Chairman, and for which she shall receive the same fees therefor as constables; and attending all sessions of the Board, and serving notices of special meetings, to report to the Chairman for prosecution all persons who shall violate any ordinance, and all information and facts coming to his knowledge, having reference thereto.

Sec. 2. - To repair without delay to any part of the town, in day or night, when he has reason to believe, or is advised that any breach of the peace, or any violation of ordinance is about to be or has been committed, and forthwith arrest any person or persons, whom he may find engaged in the commission of any breach of the peace, or in the violation of any ordinance.

Sec. 3. - He shall be authorized to take such person or persons into his custody and immediately take him before the Chairman, if the arrest be in the day time; and if in the night, he shall confine him in town to the town prison until the next day, when he shall be taken before the Chairman as aforesaid.

Sec. 4. - Whenever he may deem necessary, he may call to his assistance such number of persons as may be needed to aid in making such arrests, and every person, who upon being so summoned by said Marshal, shall neglect or refuse to aid in making such arrests, shall be guilty of a misdemeanor, and shall be fined for such negligence or refusal not less than five nor more

than twenty five dollars.

Sec. 5. - To keep accurate accounts, in suitable books of all process coming into his hands, where the town is a party and upon which money is to be collected.

Sec. 6. - To report to the Board, on the last day of each month, a statement under oath, of all executions and fee-bills, where the town is a party, which have come into his hands during the month ending that day, specifying the title of each case and the amount of fines and costs separately, and what executions and fee-bills have been paid, and what remain unsatisfied, and the reason thereof, the amount of fees the town is bound to pay and to whom they are to be paid.

Sec. 7. - To see that no nuisances or trespasses are committed upon the property of the town.

Sec. 8. - To keep safely all money and property found in the possession of or claimed by any person arrested for misdemeanor, and to pay out and deliver the same as ordered by the Chairman, having reported the same at the time of so taking possession thereof.

Sec. 8 - To attend upon the Chairman's court and sittings of the Board and preserve order therein, and to execute such orders and process as they may direct, and take good care of the rooms in which the same are holden, and provide such seats and fuel, lights and water, as may be required for their accommodation.

Sec. 9 - Marshal by virtue of his office shall be chief of police.

J. H. Reynal
Chairman
(No. 7)

An ordinance prescribing the duties of town attorney ordained by the Board of Trustees of the inhabitants of the Town of Portage Des Sioux:

Sec. 1 - It shall be the duty of the town attorney to prosecute and defend all suits and actions originating or pending in any court in this state, to which the town is a party, or in which the interests of the town are involved by the official acts of any of its officers, agents or servants; second - To advise the Board or committee

or any town officer on such legal questions as may arise in relation to the business of the town; to write all deeds to be executed or contracts entered into by the town, when requested so to do by the Chairman, or so directed by order or resolution of the Board; to advise with the Board as to the legality and proper phraseology of any existing or contemplated ordinances; and generally to do and perform every description of legal service for and in behalf of the Town.

Third - He shall keep an account of all claims placed in his hands for collection and all money received by him for and on account of the town.

Fourth - To prosecute an appeal in any case in which the town is concerned, when he shall deem it proper and advisable so to do, and make the necessary affidavits therefor, and execute the necessary bond in the name of the town.

Sec. 2 - The attorney shall receive in addition to his regular salary, the following fees; in every case of conviction before the Chairman for any violation of any city ordinance relating to gambling, gambling houses or devices or in any jury

trial a fee of ³ dollars; and in all other cases a fee of ² dollars, to be taxed and collected as costs

(No. 8)
G. W. Reynal
Chairman

An ordinance in relation to Street Commissioners

Be it ordained by the Board of Trustees of the inhabitants of the Town of Portage Des Sioux:

Sec. 1. That at the time of the appointment of other officers, the Board of Trustees shall appoint a suitable person to act as Street Commissioner, who shall report his action to the Board monthly.

Sec. 2. It shall be his duty to observe and report to the Board all obstructions in any street, alley, road or avenue within the corporate limits of the town; to report to the Chairman for prosecution, the names of all persons obstructing or injuring any street or sidewalk, road or avenue, with the facts of his own knowledge, and the names of witnesses by whom he thinks the facts can be established, and the probable cost of repairs.

To give notice to those known to have caused such obstructions, to remove the same and make the requisite repairs
To notify the owners or occupiers of property fronting thereon, to repair side-walks and to cause them to be kept free from obstructions

To make or cause to be made, by and with the advice of the Board, any repairs on any street, alley, road, alley or any property of the town, and to make report thereof in writing to the Board

To report to the Board monthly the condition of the streets, alleys, avenues and side-walks.

Sec. 3. There shall be allowed and paid to the Street Commissioner, to be taxed as other costs, a fee of fifty cents on each conviction before the Chairman for the violation of any ordinance relating to streets, alleys, avenues, side-walks, pavements or nuisances, whereof the information, prosecution or conviction were had upon the report of such Street Commissioner.

G. W. Reynal
Chairman

An ordinance regulating the Treasury Department

As ordained by the Board of Trustees of the inhabitants
of the Town of Portage Des Sioux.

Sec. 1. — At the times of the appointment of other officers
the Board shall appoint a Treasurer, whose duty
it shall be

First — To receive and keep all moneys of the town
which may come into his hands and disburse the same
upon warrants legally drawn.

Second — To keep a full and accurate account of moneys
received and disbursed by him in behalf of the town,
specifying the times of receipt and disbursement, from
whom received, and to whom disbursed, and on what
account received and disbursed.

Third — To keep an accurate of each fund or appropriation
and the debts and credits belonging thereto.

Fourth — To keep a register of all warrants paid into the
Treasury, describing such warrants by their date, number,

amount and the name of the payee, and specifying the time
of the receipt thereof, from whom received and on what account
and cancel and file all such warrants.

Fifth — To deliver to every person paying money into the town
Treasury a duplicate receipt therefor, specifying the date
of payment, upon what account paid, and whether paid
in money or warrants.

Sixth — To settle quarterly with the Board.

Sec. 2. — If the Treasurer shall apply any money or warrants
in his possession as town Treasurer, to his own use and
benefit, his office shall thereby be vacated; and it shall
be the duty of the town attorney, to proceed immediately
against him and his sureties on his official bond for
the collection of the amount so applied.

E. W. A. Reynal
Chairman

Ordinance in relation to Revenue

Bill ordained by the Board of Trustees of the inhabitants of the town of Portage Des Sioux:

Article 1.

Sec. 1. For the support of the Town government, payment of the town debts and improvement of the town, a poll tax of one dollar, upon all male persons over twenty one years of age, who shall have resided within the town six months and a tax of $\frac{1}{2}$ of 1 percent per centum upon all property, real and personal, within the limits of the town and not exempt from taxation under the laws of the state, shall be annually levied.

Article 2.

Sec. 1. The Assessor shall be annually appointed by the Board of Trustees and qualified as other officers.

Sec. 2. Within ten days after said appointment the clerk shall deliver to the assessor the assessment lists of the previous year and a map of the town, showing as far as practicable, the lots, blocks and tracts, with

the subdivisions thereof, and the owners names, as far as ascertained, with such other information as the clerk can give, or the Board may order.

Sec. 3. Immediately after the receipt of such lists and map, the Assessor shall proceed to assess all taxable property and persons. He shall make out a list, in alphabetical order, of all persons subject to the payment of tax and under the name of each person he shall describe the real and personal property of such person in appropriate columns. Real estate shall be described by the number, if any, of the lot, block or tract of land, and outlots by their number and quantity of acres as marked on the map of the town. All fractional parts of lots shall be described by notes and bounds - that is, shall begin at some point to be distinctly stated in the description, and show the courses and distances round to the place of beginning. Where ground is not laid off into lots, it shall be described by notes and bounds as aforesaid, and shall show the section, township and range, or number of survey, and amount of acres as near as may be; and in all cases the ground and improvements

- thereon shall be assessed separately, and all changes of ownership since the last assessment shall be noted.
- Sec. 4. All property shall be assessed at its cash value.
- Sec. 5. The Assessor, after assessing persons and their property as aforesaid, and carefully entering the same in his book with descriptions as aforesaid, shall cause each person respectively, his, her or their agent or attorney, to make oath before the Assessor that said entry contains a full and complete list of his, her or their taxable property in said town.
- Sec. 6. If any person, his agent or attorney shall fail or refuse, within ten days after demand made by the Assessor, to name to him all his taxable property or that of the person, whom he represents, and to mention all changes of ownership since the last assessment, and to swear to the same as aforesaid, the person so failing or refusing shall be deemed guilty of a misdemeanor to be punished as in other cases of misdemeanor, unless such failure shall have been caused by sickness or other unavoidable cause. And in all such cases the Assessor

may proceed to assess such persons and their property and the property they represent, according to the most correct information he can obtain.

- Sec. 7. If the Assessor find property in the town with no known agent or owner, he shall so state on his book, describing said property aforesaid and stating therein its cash value. And if he shall find that said property or any part thereof shall not have been assessed for one or more previous years, he shall note said years on his book, together with its cash value for said years respectively.

Sec. 8. The assessment under this ordinance shall take place on the first day of June in each year.

Sec. 9. The assessment books, maps and papers with his full assessment complete shall be returned by the Assessor within ninety days after his receipt of the assessment books in each year hereafter.

Sec. 10. Upon the receipt of said lists, the Clerk shall notify the Chairman of the Board, who shall thereupon ~~with~~ give ten days notice by handbills posted up at the town

Hall and at least three other public places in the town, of the times place in the town, at which the Board of Trustees will sit as a court of appeals, to hear and determine all appeals from the assessment of the Assessor, and to correct all errors that may be found on his lists.

Sec. 11. All appeals to said court shall be made in writing, and state specifically the grounds of appeal and the matter or thing complained of, which shall be determined by the court in a summary manner, correcting all errors which shall appear on his assessment lists and increasing or diminishing the same, as to them shall seem just.

Sec. 12. When said lists shall have been corrected and adjusted, the Chairman shall so certify the same and return them to the Clerk, who shall thereupon extend the same and enter in proper columns the amount of tax due from each person and immediately make out and deliver to the collector all accounts for taxes assessed in the town, taking his receipt for the aggregate amount thereof and charging the same to him.

Sec. 13. Any errors which at any time shall be discovered in the extension of said lists may be corrected by the clerk either before or after the collection of the erroneous account.

Sec. 14. When any property shall have been assessed in conformity with the provisions of this ordinance, such assessment shall be a valid lien upon the property so assessed, and such lien shall carry with it all interest and costs that may accrue.

Sec. 15. The Assessor shall receive for his services such compensation as the Board may from time to time fix by resolution.

Article 3.

Sec. 1. The Collector shall be appointed annually by the Board and qualified as other officers of the town.

Sec. 2. It shall be the duty of the Collector to pay to the Treasurer on the last day of each month all money or town warrants collected by him taking duplicate receipts therefor, one of which he shall file with the Chairman of the Board.

Sec. 3. The Collector may within ten days after receipt of account for taxes, and after demanding payment thereof and the same be not paid, levy upon and seize a sufficiency of personal property to satisfy said taxes and costs and in

ten days thereafter sell the same at public auction for cash, first giving at least ten days notice of the time, place, terms and property to be sold by handbills posted in six public places in the town.

Sec. 4. The collector shall report on oath to the Board a list of delinquent taxes, at its regular meeting in each year, stating therein what part is due on personal and what on real property; and the Board may thereupon credit the collector with the amount due on personal property.

Sec. 5. The collector shall on or before the first day of May annually, return to the county collector a list of lands and lots on which the taxes or special assessment levied by the town, remain due and unpaid, for collection under the provisions of the general law of the State of Missouri providing for the assessment and collection of Revenue, Approved March 20th 1872, taking duplicate receipts therefor one of which of which shall be filed with the Chairman of the Board of Trustees.

Sec. 6. The collector shall be entitled to such compensation as the Board of Trustees may from time to time determine by ordinance, or resolution, when the same is not fixed by ordinance.

W A Reynal
Chairman

(No. 11)

An ordinance relating to Dram Shops.

Be it ordained by the Board of Trustees of the inhabitants of the Town of Portage Des Sioux:

Sec. 1. No person or co-partnership of persons shall in this town, directly or indirectly, in person or by another, sell, barter or deliver, or permit to be sold or delivered, for or on his, her or their account any wine, spirituous or fermented liquors, without a license first obtained under the provisions of this ordinance.

Sec. 2. Any person wishing to keep a dram shop in this town shall make application to the Board of Trustees thereof for permission to do so, by application in writing signed by the applicant, which shall set forth particularly the place at which the applicant desires to keep a dram shop; and on such application

the Board shall consider the character of the applicant for honesty and sobriety, and if they shall consider him a proper person to keep a dram-shop, they may cause an order to be entered on the record allowing such person to keep a dram-shop at the place designated after having complied with the provisions of this ordinance.

Sec. 3 - No person shall be licensed as a dram-shop keeper until he has first given bond, payable to the Town in the sum of _____ dollars, conditioned that such applicant will keep an orderly house during the continuance of his licence, that he will not sell liquors to any person while in a state of intoxication, and that he will not knowingly permit any person to bet or play any unlawful game in his house, and that he will otherwise comply with the provisions of this ordinance; such bond to be signed by the applicant with two responsible securities and be approved by the Chairman.

Sec. 4 - There shall be levied and collected for ~~town~~ purposes, on such dram-shop licence the sum of _____ dollars for every twelve months, and the sum of _____ dollars for six months, but no such licence shall be issued for a shorter time than six months.

Sec. 5 - When the applicant for a dram-shop licence shall have given the bond required by ordinance, and shall have filed the same with the clerk, the collector shall give him a licence upon his paying said collector therefor the sum specified in the preceding section.

Sec. 6 - Any licence given as hereinbefore named, shall authorize the person receiving the same, to sell wines and spirituous, liquors and fermented and intoxicating liquors in quantities less than a quart, to be drunk at the place where sold.

Sec. 7 - Each and every licence given by the collector, pursuant to this ordinance, shall specify the place at which a dram-shop is to be kept in the town, which place shall be the same as that specified in the application, and no person, by virtue of such licence shall sell liquors at any place in the town than that specified in his licence.

Sec. 8 - Whoever shall violate any of the provisions of this ordinance, shall forfeit and pay to the town a fine of not less than _____, nor more than _____ dollars, such fine or fines to be collected as other fines and forfeitures.

Sec. 9. — Any keeper of a dram shop, licensed under this ordinance, may also sell at such ~~at~~ such dram shop, beer, ale, cider and fermented liquors less than a quart.

Sec. 10. — No dram-shop keeper by virtue of this ordinance, or otherwise, shall sell any spirituous, fermented or intoxicating liquors on the first day of the week, usually called Sunday, nor shall any dram-shop keeper keep open his, her or their shop on the day of any election, whenever the Chairman of the Board by proclamation shall order the same closed, nor shall any licence allowed by this ordinance be assignable or transferable.

Sec. 11. — Each and every security, whose name is signed to any bond required by this ordinance shall be liable to the town for the payment of any fine or penalty imposed against the principal therein for any violation of this ordinance; such bond to be sued on before any court of competent jurisdiction.

E. W. Reynal
Chairman

An ordinance relating to side-walks and alleys.

Ordinance by the Board of Trustees of the inhabitants of the Town of Portage Des Sioux:

Sec. 1. — There is hereby established on both sides of streets in the town, wherever no sidewalk is already established by ordinance, a side-walk 4 feet wide, and a strip of ground of that width on and along any street or parts of streets, where a sidewalk is established under this ordinance, is hereby required to be appropriated to public use for the purpose of widening such street for the establishment of such sidewalk.

Sec. 2. — Whenever so ordered by the Board of Trustees, the marsh shall proceed to obtain a relinquishment of such strip of ground for such sidewalk from the owners thereof, and in case of a refusal by any owner or owners to relinquish the same, said marsh shall immediately proceed to have the same condemned as provided for by ordinance for the condemnation of private property for public use.

Sec. 3. — Whenever the curbing and guttering of any street is ordered by the Board, the curbstones shall not be less than four inches

in thickness and shall be set in the ground at least twelve inches below the bottom of the guttering. The guttering shall be, at least thirty inches wide and the sidewalks paved with good pavement brick or flat stones not less than three inches thick. No sidewalks shall have a greater fall towards the street than one-half inch to the foot.

Sec. 4. The owners and occupiers of the adjacent lots shall pay for the cost and expenses of condemning the ground and of all materials and the cost of constructing the sidewalk, curbing and guttering; and if any such owner fail to pay, repair or pave the same, as required by ordinance, the Board of Trustees shall have the same done, and if the cost and expense thereof be not paid on presentation, may recover the same of such owner or occupier by civil action before any court of competent jurisdiction; provided that no tenant shall be required to expend in such construction or repairs more than the rent of the term for which he occupies the property, such payment by such tenant being a set-off against the rent due the owner.

Sec. 5. If any non-resident fail to open, pave or repair, when required as aforesaid, such Board of Trustees may cause such lot or lots such lot or lots to be sold to defray the expenses of such improvement.

Sec. 6. Such cost and expenses shall be a lien on such property until the same be paid.

Sec. 7. No porch, gallery, platform, steps, pumps or other fixtures shall hereafter be made so as to extend into or over any part of any sidewalk, except awning posts placed close to the curb, the height of which shall not be less than eight feet from the pavement, and the awning shall extend entirely over the sidewalk; nor shall hereafter any sports be made so as to extend more than six inches on or over any such pavement.

Sec. 8. Whoever shall violate any of the provisions of the preceding section shall be deemed guilty of a misdemeanor and subject to a fine of not less than 200 ^{more} than 500 dollars.

W. A. Reginal
Chairman

An ordinance concerning streets and alleys.

Be it ordained by the Board of Trustees of the inhabitants of the Town of Portage Des Sioux:

Sec. 1. Whenever the Board of Trustees shall deem it proper and necessary to open or macadamize any street or part thereof, they shall direct such street to be so opened and Macadamized, and notify the Street Inspector thereof, who shall without unnecessary delay make the necessary estimates and let and contract for the same.

Sec. 2. All costs of grading and Macadamizing of any street or part thereof, together with the cost of paving, guttering and curbing shall in all cases be paid by the owners and occupiers of the adjacent lots.

Sec. 3. The letting of all contracts under this ordinance, together with the time when the work has to be completed, shall be advertised by at least ten handbills, put up in as many public places in the town, at least one week before the bids are received.

Sec. 4. All contractors shall, when their contracts amount to

more than one hundred dollars, within ten days after said bid or bids are accepted, enter into a written agreement with the town and give bond with good and sufficient securities to be approved by the Board, in at least double the amount contracted for, conditioned that such contractor will faithfully comply with the conditions of said contract, and that for each day he should fail to comply with all the conditions of such contract and complete such work after the time specified in such contract, the Board shall have the right to deduct as liquidated damages for such delay one-fourth of one per cent off the amount to be paid to said contractor for such work.

Sec. 5. Whenever the owner of any lot fronting on any side-walk is ordered to be made, intends to pave said side-walk on his own account, he shall notify the Street Inspector, within three weeks after the first publication of such ordinance, ordering such work to be done, and such work shall be done under the direction of the Street Inspector and to be approved by him.

Sec. 6. - Whenever any such work of opening any street or alley or Macadamizing and street or part thereof or the making of any curbing or guttering or for the pavement of any side-walk, the Board shall compute the cost thereof and apportion the same as a special tax against the adjoining property fronting on such improvement in proportion to their respective fronts; a certified copy of which apportionment against the lot of ground chargeable with the work done, in the name of the owner thereof shall be made out by the clerk and delivered to the contractor, who shall proceed to collect the same by ordinary process of law.

Sec. 7. - The certified bill shall be prima facie evidence that the work and materials charged in such bill have been furnished, and of the liability of the person therein named as the owner or occupier of such property, and shall be a lien against the lot of ground therein described and shall bear interest at the rate of ten per cent per annum.

Sec. 8. - All ordinances and parts of ordinances conflicting herewith are hereby repealed.

W. A. Rynd
Chairman

Ordinance to license and tax merchants.

Be it ordained by the Board of Trustees of the inhabitants of the Town of Portage Des Sioux:

Sec. 1. - Every person or copartnership of persons, who shall deal in the selling of goods, wares and merchandize, at any store, stand or place occupied for that purpose is declared to be a merchant.

Sec. 2. - No person or copartnership of persons shall deal as a merchant in this town, without having first have obtained a licence therefor in conformity with this ordinance.

Sec. 3. - There shall be levied and paid to the town collector on every such licence the sum of _____ dollars, in addition to the fee due the clerk for issuing the same, before the delivery of such licence to the applicant.

Sec. 4. - Any person or persons engaging in business as a merchant between the times of the annual town apportionment, and who shall have not been assessed an ad valorem town tax for that year, shall pay to the town collector as a licence tax the sum of _____ dollars per month for the time interven-

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ing between the date of commencing such business and the next annual town adjournment, to be paid monthly.

Sec. 5. No person or copartnership of persons shall be authorized by virtue of such licence, to vend goods, wares or merchandise at more than one place in the town, nor for a longer period than six months from its date, except as provided in section four of this ordinance.

Sec. 6. Such licence shall not be assignable, nor shall it authorize the sale of spirituous or intoxicating liquors in less quantities than one gallon for any purpose whatsoever, unless required for medicinal purposes.

Sec. 7. Whoever shall violate any of the provisions of this ordinance shall forfeit and pay to the town not less than nor more than dollars.

E. W. Reynal
Chairman

An ordinance in relation to nuisances

Enacted by the Board of Trustees of the inhabitants of the Town of Portage Des Sioux:

Sec. 1. No person shall throw or cause to be thrown into any street, alley, thoroughfare or other public place within the town, any animal or vegetable matter whatever, which may become putrid, offensive or unhealthy.

Sec. 2. No person shall conduct into any highway, thoroughfare or other public place from any kitchen, house or other tenement any filth or unclean water.

Sec. 3. The person in possession of any animal dying within the town, shall, within twelve hours of the death of such animal, remove the at a reasonable distance beyond the corporate limits; and if such animal be not in the possession of any person at the time of its death, and the same be not removed within the said twelve hours, then it shall be the duty of the street

Commissioner to cause the same to be removed at the expense of the town.

Sec. 4. - No person owning, or in possession of any lot, house, building or enclosure, shall suffer to exist on the same any stagnant water, animal or vegetable matter or other substance liable to become putrid and offensive.

Sec. 5. - No person shall keep any manure or sink hole in such place, or in such condition within the limits of the town, as shall be offensive or injurious to the health of those living in the vicinity.

Sec. 6. - Whenever, in the opinion of the town physician and the Board of Health, the security of the public health may require any lot or lots in the town to be filled, the Board shall cause the owner or agent of said lots, to fill, or cause to be filled, said lot or lots in such manner and within such time as the Board may direct.

Sec. 7. - Immediately after the failure or refusal of such owner or agent to fill such lot or lots, as required by said notice, the street commissioner shall have such lot or lots filled by contract, as provided for streets and sidewalks, and

such delinquent owner or owners shall pay all the costs and expenses of such filling, to the town, to be recovered by action of debt against such delinquent, in any court of competent jurisdiction.

Sec. 8. - All privies within the town shall be kept clean, and free from all offensive smell; and so enclosed as to prevent the indecent exposure of the contents thereof.

Sec. 9. - Whenever the street commissioner is satisfied of the existence of any nuisance, he shall give notice to the person or persons causing the same, or on whose premises the same may exist, to remove such nuisance forthwith, and immediately report the facts and his action in the premises, to the chairman of the board.

Sec. 10. - Whoever, on notice thereof, shall fail or refuse to abate any nuisance, shall, in addition to the cost of the removal thereof, forfeit and pay to the town the sum of dollars to be recovered as other fines and penalties.

W. A. Reynal
Chairman

An ordinance concerning misdemeanors.

Be it ordained by the Board of Directors of the inhabitants of the Town of Portage Des Sioux:

SEC. 1. — Any three or more persons, who shall, in this town, assemble together with an intent, or being so assembled shall agree to do any unlawful act with force or violence against the property of the town, or the person or property of others, or to the terror of others, or shall make any movement or preparation therefor; and any present at such assembly, who shall not endeavor to prevent the commission of such unlawful acts, shall be deemed guilty of a misdemeanor.

SEC. 2. — Whoever, in this town, shall disturb the peace of others by violent, tumultuous or offensive conduct, or by loud or unusual noises, or by unseemly, profane, obscene or offensive language calculated to provoke a breach of the peace; or by assaulting, fighting or striking another; and whoever shall, in this town, permit any such conduct in or about ^{about} his house or premises under his management or control, so that others in the vicinity are disturbed thereby, shall be

deemed guilty of a misdemeanor.

SEC. 3. — Whoever shall in this town, disturb or disquiet any congregation or assembly, met for religious worship, by making a noise, or by rude and indecent behavior, or by profane discourse within their place of worship, or so near the same as to disturb the order or solemnity of the meeting, shall be deemed guilty of a misdemeanor.

SEC. 4. — Whoever shall, in this town, disturb any lawful assemblage of people, by rude and indecent behavior or otherwise, shall be deemed guilty of a misdemeanor.

SEC. 5. — Whoever shall, in this town, give or make a false alarm of fire, shall be deemed guilty of a misdemeanor.

SEC. 6. — Whenever there shall be found on the person of any one, in this town, who has been found guilty of a breach of the peace, or of conduct calculated to provoke a breach of the peace, any stung shot, colt or knuckles of brass, or other metal; or when on the trial, it shall appear from the evidence that such weapons were in the possession of any one while in the act of commission of the act aforesaid, such person shall, on conviction thereof forfeit and pay to

to the town a sum of money not less than twenty nor more than one hundred dollars.

Sec. 7. - Whoever shall be found in a state of intoxication in any highway, thoroughfare or public place in this town, shall be deemed guilty of a misdemeanor.

Sec. 8. - Whoever shall appear, in this city, in any public place in a state of nudity or in a dress not belonging to his or her sex, or in an indecent or lewd dress; or shall make any public, unusual or indecent exposure of his person, or be guilty of any lewd or indecent act or behavior; or shall exhibit, sell or offer for sale any indecent or lewd book, picture or other thing; or shall exhibit or perform any indecent, immoral or lewd play or other representation, shall be deemed guilty of a misdemeanor.

Sec. 9. - Whoever shall bathe in the Mississippi river, between one hour before sunrise and one hour after sunset, being naked or not sufficiently clothed to prevent improper exposure of his person within the limits of the town, shall be deemed guilty of a misdemeanor.

Sec. 10. - Whoever shall, in this town, play on Sunday at billiards, ten-pins or other game, in any saloon or other public place; or shall, on that day, sell or offer for sale any merchandise, or fermented or distilled liquors or wines; or shall keep his, her or their store, shop or other place of business open on that day shall be deemed guilty of a misdemeanor (the provisions of this section not applying to any physician or druggist in the legitimate pursuit of his business).

Sec. 11. - Whoever shall, in this town, set up or keep any gaming table or gambling device, at which any game of chance shall be played for money or anything representing money or property; or shall at any such game of chance bet, win or lose any money any money or property; or shall suffer any such table to be set up, or game of chance to be played in any tenement in his possession or under his control, shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the town a sum of not less than fifty dollars.

Sec. 12. - Whoever shall, in this town, keep a bawdy house or house of ill-fame or assignation, or shall knowingly permit any tenement in his possession, or under his control to be

any person, or attempt to rescue any person from the custody of any officer, shall be deemed guilty of a misdemeanor.

Sec. 19. - Whoever shall be convicted of a misdemeanor, under any of the provisions of this ordinance, in which no specific penalty is prescribed, shall forfeit and pay to this town a sum not less than 1.00 nor more than one hundred dollars.

W. A. Reynal
Chairman

An ordinance relating to the enforcement of ordinances and regulating proceedings therein.

Be it ordained by the Board of Trustees of the inhabitants of the Town of Portage Des Sioux:

Sec. 1. - That there shall be and is hereby established a court in the Town of Portage Des Sioux, to be called the Police Court, which shall be held by the Chairman of the Board of Trustees, or in case of his absence from the Town, or sickness or other inability to serve, by and Justice of the Peace for Portage Des Sioux Township, who shall, for the time being, possess all the powers and perform all the duties conferred by law ^{or} ordinance on the Chairman of the Board for the enforcement of ordinances and the collection of fines and penalties.

Sec. 2. - The said court shall have jurisdiction of all suits for the recovery of any fines, forfeitures or penalties, imposed for the violation or breach of any ordinance, which said suits and the proceedings therein, shall be in the nature of a civil action; and no suit shall be commenced, except in cases hereinafter provided, until a statement shall be filed with

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the court, signed by the town attorney or person acting
in his stead, which statement shall be in form substantially
as follows:

Town of Portage Des Sioux 18.
to the town of Portage Des Sioux debts to
dollars for a violation of an ordinance of the Town of Portage Des
Sioux, entitled an ordinance
afforded this day of A.D. 18, in this to-wit:
The said in the town of Portage Des Sioux, between
the day of A.D. 18 and the day of
A.D. 18 did (here set out the full particulars complained of)
Town Attorney

Sec. 3. - The said statement may include several persons, where
charged with the same offence, but if they so elect they may be tried
separately; and no suit shall be dismissed for any formal
defects in the statement of the attorney, if the nature of the
offence is substantially charged.

Sec. 4. - Upon the above statement being filed, the Chairman
or magistrate shall issue a warrant thereon, returnable
forthwith, which shall be delivered to the Marshal, who

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shall forthwith proceed to execute the same according to the
command thereof, which warrant shall be substantially as
follows:

The State of Wisconsin to the of the Town of Portage Des Sioux
Greeting;

These are to command you forthwith to arrest
and bring him without delay before the undersigned
Police Magistrate of the town of Portage Des Sioux, at his
office in said town, to answer the complaint of said town
for a violation of an ordinance entitled (insert title of ordinance)
and have you then and there this writ, with your doings thereon.
Given under my hand, at the town of Portage Des Sioux
this day of 18

Police Magistrate
Sec. 5. - Upon the return of said writ by the Marshal duly
executed according to the command thereof, the Police Magistrate
shall be fully apprised of the cause, and shall proceed to hear
and determine the same; and to that end, said court shall
be held daily (Sunday excepted) and shall issue subpoenas
and attachments for witnesses, and other summary process

to compel their attendance.

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Sec. 6. - No warrant shall be issued against any person lawfully arrested by any town officer, but the attorney may file a statement as provided by ordinance, setting forth the nature of the offence with which such prisoner is charged, and for this purpose reasonable time shall be allowed the prosecuting attorney.

Sec. 7. - Officers making arrests shall attend as witnesses against persons, whom they have arrested, without being subpoenaed, and shall be allowed fees as other witnesses; and if such officer fail to appear at the time of trial, he may be attached and fined for contempt.

Sec. 8. - Continuances may be granted on the application of either party, for like causes and in like manner as continuances are granted in trials before justice courts; but no continuance shall be for a longer time than thirty days, unless by agreement of parties.

Sec. 9. - A person in the custody of any city officer, or in the custody of the court, when for any cause the trial cannot be had at the time, may be released by executing a bond to

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the town in the sum of one hundred dollars, condition that he will appear at the Police court in said town on a day therein named, and answer the complaint of the town, and will not depart from said court but await his trial on the charges preferred against him.

Sec. 10. - Such bond shall be filed forthwith in the Police court and approved by the magistrate, town ^{inspected} or attorney or any member of the Board ^{whereas proper} of Trustees.

Sec. 11. - If the defendant fail to appear according to the conditions of said bond, or having appeared, shall leave court without awaiting his trial, the court may declare the bond forfeited and render judgment thereon for the amount of the penalty; or proceed to hear and try the case and render judgment by default for the penalty under the ordinance, as the magistrate may deem just; provided, that in no case shall in no case shall judgment be rendered against the defendant, until satisfactory proof has been

to the court, of the truth of the allegations preferred in the complaint.

sec. 12 - Judgments, rendered under the preceding section, may be set aside by the court, if, within three days after rendition, the defendant shall appear in person, pay all cost that has accrued, and show good and sufficient by affidavit for setting the same aside.

sec. 13 - When any statement, filed by the town attorney, shall be adjudged insufficient, and the suit thereupon dismissed, the defendant, if under arrest, may be detained in custody until a new statement be filed; provided such detention for such purpose does not exceed two hours.

sec. 14 - All motions for dismissal on account of informality or insufficiency of the allegations in the complaint, and all other pleas must be made and filed in writing, and argued when the case is called up for trial.

sec. 15 - When any defendant has been in custody of the marshal, and released on his promise to attend at the court when the case may be called for trial, and fails to appear, the court shall proceed to hear and examine the testimony offered, and render such judgment as he may deem just.

sec. 16 - When any defendant has been brought into court and departs the same without leave of court, the same proceedings may be had as provided in the preceding sections.

sec. 17 - Judgments rendered under the two preceding sections may be set aside on application, made within three days after rendition, and a new trial granted by the court, provided by affidavit of ^{defendant} ~~himself~~ or some other person. ~~He~~ show good cause therefor and pay all costs accrued.

sec. 18 - The court may punish for contempt in like manner as justices of the peace are authorized to do by the laws of the state.

sec. 19 - Depositions taken in conformity with the laws of the state, may be read on the trial, where the witness is dead, or by reason of sickness or other physical disability.

or absence from the town without collusion of the party offering the same, is unable or cannot safely attend the trial, or where both parties agree to the reading thereof.

sec. 20. - When the testimony of females is required in the trial of a case, and either party requests it, their depositions may be taken in the manner provided by law, and such depositions shall be received and read in evidence; provided that this section shall be so construed as to prevent females as aforesaid from attending such court and giving their testimony as other witnesses.

sec. 21. - All process and notices, which it may be necessary to serve ~~on~~ the town, shall be served on the town attorney or the person acting in his stead.

sec. 22. - In the absence of the town attorney, or other person prosecuting in his stead, the court may appoint some one to prosecute in behalf of the town, during which time he shall possess all the powers of the town attorney.

sec. 23. - A jury, to consist of six persons, qualified to act as jurors under the laws of the state, shall be summoned, whenever either party demand it; but the parties may

agree on a less number, unless in cases where the number is fixed by the laws of the state.

sec. 24. - When the Marshal is of kin to the prosecutor or defendant or the defendant shall file an affidavit that the is so prejudiced against him that justice may not be done in the selection of a jury, the magistrate may issue the venire to some disinterested person, who before executing the same shall be sworn to faithfully and impartially execute the same; and for such services he shall receive the same compensation allowed the Marshal for similar services.

sec. 25. - Jurors shall be sworn to try the matter in issue between the parties and a true verdict render according to the law and evidence.

sec. 26. - Persons jointly accused shall be tried separately, if demanded by either party before going into trial or empanaling the jury.

sec. 27. - If the jury find the defendant guilty, their verdict shall be in the following form,

"We, the jury, find the defendant guilty as alleged against him, and we do assess that he pay a fine

of dollars."

If they find the defendant not guilty, the form of the verdict shall be as follows:

"We, the jury, find the defendant to be not guilty as alleged against him."

sec. 28. — When the jury find a defendant guilty, they shall assess the penalty, when the same is not fixed by ordinance at a given sum; when a defendant is acquitted, the informant or prosecutor may be adjudged to pay the costs, if it appears to the court that the prosecution was instituted maliciously, vexatiously or without probable cause; and in case the informant or prosecutor be not an officer of the town, and fail to appear and prosecute the complaint, after having been duly subpoenaed, the costs shall be adjudged against him.

sec. 29. — Whenever the attorney is not satisfied that the complaint or information of the violation of an ordinance is made for the purpose of public justice, he may require the informant, before commencing any

proceedings, to give bond to secure the costs, in case the allegations are not sustained; and the court may at any time after the filing of the complaint and on the motion of the defendant sustained by the affidavit of two other persons alleging the existence of ill feeling between the prosecutor or informant and the defendant, require the security aforesaid.

sec. 30. — An appeal from the judgment of the court to the circuit court of the county of St. Charles shall lie; upon the appellant complying with the provisions of the state law regulating appeals from justices of the peace.

sec. 31. — The foregoing section shall not be so construed as to require of the town any bond, when it is party appellant.

sec. 32. — Upon an appeal being perfected the Police Magistrate shall make out and certify to the appellate court a full transcript of the proceedings in the case, and file the same in the office of the clerk of the Circuit Court, in which the cause shall be tried de novo, as in cases of appeals from justices of the peace; and for making out such transcript the magistrate shall be entitled to same fees as justices of the peace for similar services.

Sec. 33. - If the defendant fail to perfect his appeal or otherwise relieve himself from the custody of the court, he shall be committed to the workhouse, there to remain until such judgment be paid, or he be otherwise released by due course of law.

Sec. 34. - No appeal shall be granted, unless the same be applied for and perfected within ten days after the rendition of the judgment.

Sec. 35. - If the defendant fail to pay the judgment or secure the payment thereof by bond and security for double the amount payable in thirty days; or deliver to the Marshal sufficient amount of property to satisfy the same, or perfect an appeal as hereinbefore provided, the magistrate may issue an execution against the goods and chattels of defendant in the ordinary form, returnable within thirty days; or an execution in the following form

The State of Wisconsin

To the _____ of the town of Portage Des Sioux,

Greeting: Whereas the Town of Portage Des Sioux hath this day obtained judgment before the undersigned, against _____ for a violation of an ordinance of said town, for the sum of _____ dollars, together with

dollars for costs in this behalf; these are therefore to command you to take the body of the said _____ into custody and convey and safely keep in the workhouse in said town, until said judgment and costs have been paid by work at fifty cents a day not exceeding ninety days, or until he shall be otherwise discharged by due course of law. And you are also commanded to make return of this execution, with your return thereon stating how you have executed the same.

Given under my hand at the Police Court in the town of Portage Des Sioux this _____ day of _____

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Police Magistrate

Sec. 36. - Upon the issuing of an execution as aforesaid, and the delivery thereof to the Marshal, he shall take the body of the defendant and convey him to the town workhouse, there or elsewhere in the town to be kept at such labor as he may be directed to perform each day, not exceeding ninety days on any one judgment; and such defendant

shall be allowed fifty cents per day as a credit on such judgment.

Sec. 37. Parties in custody of the Marshal may procure their discharge by paying judgment and costs, or by delivering to him property sufficient to pay the same, or by executing bond and security in double the amount payable in thirty days, after rendition of judgment.

Sec. 38. Any one in custody of the Marshal as aforesaid who shall make his escape before the payment of the judgment and costs, if again arrested shall be fined double the amount.

Sec. 39. The Police Magistrate and Marshal in all matters pertaining to their respective offices, concerning which there is no provision by ordinance, shall be governed by the laws of the State, regulating proceedings in justice courts, and the duties of justices of the peace and constables so far as the same may be applicable.

Sec. 40. The Police Magistrate shall preserve accurate minutes of all proceedings had before him, and shall sign all writs, process and other court documents as "Police Magistrate."

Sec. 41. All executions issued in favor of the town shall be returnable within thirty days.

Sec. 42. The town attorney may, in any case take an appeal in behalf of the town, he making the affidavit required by law.

Sec. 43. When an affidavit is necessary on the part of the town, it may be made by any one having knowledge of the facts.

Sec. 44. Witnesses duly summoned and attending in the Police Court shall be entitled to the same fees allowed for attendance on justice courts.

Sec. 45. Jurors serving in the Police Court shall be allowed the same fees as are allowed for similar service in justice court.

Sec. 46. All fees not called for within sixty days shall be paid in to the town treasury by the

Sec. 47. Whenever any person shall be convicted of the breach of a town ordinance, where no penalty is fixed by such ordinance, the jury or magistrate may order the amount at not less than one nor more than one hundred dollars.

sec. 48. The Police Magistrate and shall be entitled for their services, to such fees as are allowed to justices of the peace and constables for similar services under the state laws, to be taxed against the losing party.

sec. 49. All bonds payable to the town on account of any fine, penalty or forfeiture, shall be approved by the magistrate, and all securities shall be either of personal property of twice the value of the amount of the fine and costs, or some responsible owner of real estate in the county; a memorandum of all such bonds received by the court having been entered in the docket, they shall be delivered to the , on the 1st day of each month he delivering those not cancelled to the attorney

sec. 50. It shall be the duty of the Police Magistrate on the 1st day of each month to report to the Board of Trustees a statement of the amount of fines imposed during the preceding month, how disposed of, whether paid in money, by bond or by commitment; and also at the same time shall report

of the amount of all monies received during the preceding month and whether received from fines other source.

(1879)

An ordinance concerning the condemnation of private property for public use.

Enacted by the Board of Trustees of the inhabitants of the town of Portage Des Sioux:

sec. 1. Whenever the Board of Trustees shall order the opening, widening or altering of any street, avenue, alley, wharf or public square, and it becomes necessary to take private property for the same, the street ^{commissioner} shall survey or cause to be surveyed the property making a plot of the same, showing the names of the owners and the number of front feet owned by each on said proposed improvement; and also the names of persons owning property and the number of front feet owned by each, who are likely to be benefited thereby;

Sec. 2. The Board shall appoint three disinterested persons to act as commissioners to assess the damages done to such property upon ^{which} such street or alley may be located, deducting from such amount of damages the amount of benefits, if any, such street or alley or the widening thereof may be to such property; but no appointment of commissioners ^{shall be made until} the Board has endeavored to agree with the owners as to the amount of compensation to be paid such owners on account of damages accruing from such proposed improvement. If such owners are known residents and capable of contracting,

Sec. 3. The commissioners, having viewed the land, shall, under oath, report to the Board the amount of damage assessed in favor of each owner; which report the Board may accept or reject.

Sec. 4. If the Board accept the report of the commissioners, they shall forthwith notify the owners of such assessment; who, if aggrieved by such assessment, shall within fifteen days after receiving notice thereof, appeal therefrom to the next circuit court of the county, by giving notice of such appeal to said Board,

and, the Circuit Court on such appeal shall be possessed of the case, and proceed therein to final judgment. If such notice of appeal be less than fifteen days before the first day of the term, the case shall be returnable to the second term.