

Sec. 11. This act shall take effect and be in force from and To take effect
—when
after its passage.

Approved, Dec. 25, 1868.

LARAMIE CITY—INCORPORATION.

CHAPTER 38.

AN ACT TO INCORPORATE LARAMIE CITY.

*Be it enacted by the Legislative Assembly of the Territory of
Dakota:*

Section 1. That all that portion of Territory surveyed, laid out and platted as a townsite, known as Laramie City, situated on the Union Pacific railroad, near the point where it crosses Laramie River, is hereby made a corporation which shall be known as Laramie City. Corporation as
Laramie city

Sec. 2. The government of said city, shall be vested in a mayor and four aldermen, one of whom shall be elected from each ward, to be known and called "the Council of Laramie City," and by that name shall have perpetual succession, may sue and be sued, plead and be impleaded, complain and defend, in all courts of law or equity, may have a common seal and alter the same at pleasure, may take, purchase, hold, lease, convey and dispose of any real, personal or mixed estate, and have and enjoy all the powers, privileges and responsibilities usually incident to municipal corporations. Government of
said city, in
whom vested

Sec. 3. The council of Laramie City shall have power by ordinance: Powers of coun-
cil by ordinance

1, To organize a police force and make all needful rules and regulations concerning the same;

2, To organize fire companies, and hook and ladder companies, and to take any other measures to secure the inhabitants against fire ;

3, To declare what shall constitute a nuisance, and to prevent, abate, and remove the same ;

4, To restrain, prohibit and suppress the keeping of houses of ill fame, riots, gambling, drunkenness, indecent behavior in public places, and other disorderly conduct ;

5, To license regulate or restrain public exhibitions, shows, theatrical performances, auction establishments, traveling peddlers, billiard table halls, ten-pin alleys, shooting-galleries or other saloons ;

6, To license and regulate the retailing of intoxicating liquors ;

7, To divide the city into wards, and change such division at pleasure ;

8, To lay out, open, grade and otherwise improve the streets, alleys, side-walks and crossings, to keep them in repair and vacate the same ;

9, To purchase, lay out and regulate parks, cemeteries and other public grounds ;

10, To regulate the keeping and sale of gunpowder, direct the location of slaughter-houses, and establish and regulate markets and market houses ;

11, To levy and collect annual taxes on all property subject by law to taxation ;

12, To make all necessary provisions for the safety, good order and prosperity of the city, the health, morals, and convenience of the inhabitants, and to impose penalties for the violation of its ordinances, not exceeding one hundred dollars for each offense.

Council to hold
meetings, when,
quorum

Sec. 4. The council shall hold regular meetings once in each month, and whenever special meetings may be called by the mayor, a majority shall constitute a quorum for the transaction of business. It shall be judge of the qualification and election of its members ; it may determine the rules of its proceedings, and compel the attendance of its members, and may fill all vacancies in the city offices until the ensuing annual election.

Sec. 5. No member of the council shall be eligible to any office in the gift of the same, during the term of office for which he is elected, or be interested directly or indirectly in the profits of any contract, job, work or services to be performed for the city.

No member of council eligible to any office during term for which he is elected, nor interested in profits of any work contract &c.

Sec. 6. It shall be the duty of the mayor to preside at all meetings of the council, to keep a record of its proceedings and all ordinances, rules and regulations adopted by the council, in a book to be kept for that purpose, which shall be open at all times to public inspection, and to perform the duties commonly appertaining to the office of city clerk, to receive, file, and preserve all public papers of which he is the proper custodian, to sign and issue all permits, licenses, and commissions granted by the council or authorized by its ordinances, to make a monthly statement of his receipts for fines, &c., on behalf of the city, and of the amounts due him from the city, and pay over the balance to the treasurer, to see that the laws and ordinances of the city are executed and their violation punished, and to hold a court for the trial of all offenses against the same, and to perform such other duties as usually appertain to the office of mayor, or may be lawfully imposed by the ordinances of the council.

Mayor to preside at all meetings. Other duties of.

Sec. 7. The mayor shall be a conservator of the peace, and *ex officio* a justice of the peace, and have original jurisdiction for the trial of all offenses against the city laws and ordinances. He shall not be disqualified from acting in such judicial capacity by any proceedings in the name or on behalf of the city. In case of his death, resignation, or inability to serve, a majority of the aldermen shall designate a mayor *pro tem*. In case of his temporary absence or sickness, he may designate some justice of the peace, who shall have all the jurisdiction of the mayor over offenses against the city laws and ordinances.

A conservator of the peace, ex officio justice of the peace, not disqualified, when. In case of death, temporary absence.

Sec. 8. In addition to a mayor and aldermen, there shall also be elected a treasurer and marshal.

Additional officers.

Sec. 9. The treasurer shall be *ex officio* assessor. It shall be his duty to assess all property in the city liable to taxation under such rules and regulations as the council may prescribe, and to make return of his assessment roll to the council on or before the last day of April in each year. Upon the levy of

Treasurer ex officio assessor. His duty.

the tax by the council, he shall within two weeks thereafter, compute and set opposite the name of each person taxed, the amount of tax assessed against him, make duplicate copies of such tax list, and deliver one to the marshal, and file the other in the office of the mayor. He shall receive and receipt for all moneys that may be paid him by the marshal, the mayor, or any other person, for taxes, licenses, fines, &c., and make a monthly statement of his cash on hand, and of all his receipts and disbursements on behalf of the city, and file the same with the mayor, on or before the regular monthly meeting of the council. He shall make payment of any sum in his hands when required by the ordinance of the council and the warrant of the mayor.

Marshal shall
act as chief of
police

Sec. 10. The marshal shall act as chief of police under such regulations as the council may prescribe; he shall also be a conservator of the peace, and shall serve all process directed to him by the mayor or any justice of the peace exercising jurisdiction under the ordinances of the city, and shall have all the common law and statutory power of constables in making arrests, suppressing riots and breaches of the peace, and executing process.

Marshal ex
officio collector.
His duty

Sec. 11. The marshal shall be *ex officio* collector. It shall be his duty to collect the taxes on the duplicate given him by the treasurer, and pay over the same to the treasurer under such rules and regulations as the council may prescribe, and make a monthly statement to the council of all moneys received by him, and from whom received, and shall be governed in other respects by the same rules and regulations as county collectors, and shall have authority in like manner to collect by distress and sale, and to make conveyances of real estate sold by virtue of such sale, which shall be at the door of the usual place of meeting of the council.

All deeds and
conveyances for
lands so sold for
taxes, prima
facie evidence
of validity

Sec. 12. All deeds and conveyances for lands so sold for taxes, shall be *prima facie* evidence of the validity of such purchase; *Provided*, That any real estate sold by virtue of this act, shall be redeemable under the same regulations and restrictions as real estate sold for county and territorial taxes is made redeemable; all moneys for the redemption of such real estate shall be paid to the treasurer.

Sec. 13. The treasurer and marshal shall each give bonds to the council, with good security, in such sum as the council may direct, conditioned for the faithful performance of his duty.

Treasurer and
marshal to give
bond

Sec. 14. The mayor, aldermen, treasurer and marshal, shall respectively take an oath to support the Constitution of the United States and the laws of the Territory, and faithfully and impartially to perform their duty to the best of their knowledge and ability. Other officers shall qualify in such manner as shall be prescribed by the council. The oath of office may be administered by the mayor when he is qualified.

Mayor, Alder-
men &c Oath of

Sec. 15. The mayor, treasurer and marshal shall each receive a salary of six hundred dollars, and the aldermen shall receive five dollars each for every prompt attendance at the meetings of the council. The mayor shall also receive the fees usually allowed to justices of the peace; *Provided*, That where the costs are taxed against the city, his fees shall not amount to more than three dollars in each case. The marshal may receive such further compensation as the council may deem proper.

Salary of

Sec. 16. The election for city officers shall be held annually on the last Monday of December of each and every year, beginning with the year 1869, and the officers elect shall qualify and enter upon the discharge of their duties, on the first Monday in January thereafter; *Provided, however*, That if the last Monday in December should be the twenty-fifth of said month, the election shall take place on the Tuesday following. The mayor shall appoint the judges of election, and give public notice of the election at least ten days before the time it is to be held. In case the mayor fails to give notice and appoint judges of election, the by-standers may appoint them as in county elections.

Election for
city officers
when held.
Provided

Sec. 17. Every legal voter of the Territory, who shall have been a resident of the city thirty days next preceding a city election, is declared a citizen of said city, entitled to vote at all the elections thereof, and eligible to any elective office.

Qualification of
voters

Sec. 18. M. C. Page as mayor, Edward Ivinson, C. A. Wright, M. L. Ohr, and W. S. Walker, as aldermen; J. W. Donnellson as treasurer, and John LaFaver as marshal, are

Are appointed
officers of said
city. Whom

hereby constituted and appointed as the officers of said city, who shall hold their respective offices until their successors are elected at the regular election in 1869, and qualified.

Act declared a
public act

Sec. 19. This act is hereby declared to be a public act, and may be read in evidence in all courts of law and equity without proof, and all ordinances of the council may be proved by the book referred to in this act.

Act to take effect
and be in force
—when

Sec. 20. This act shall take effect and be in force from and after its passage and approval.

Approved, Dec. 16, 1868.

LARAMIE COUNTY—FEES.

CHAPTER 39.

AN ACT TO INCREASE THE FEES OF COUNTY OFFICERS IN LARAMIE COUNTY.

Be it enacted by the Legislative Assembly of the Territory of Dakota :

Commissioners
shall have power
to increase fees
of officers.

Section 1. The County Commissioners of Laramie county, shall have power at any regular meeting of the Board, to increase the fees of county officers: *Provided, however,* That the fees of said officers shall not be increased more than four times what it is now allowed by law.

Act to take effect
—when

Sec. 2. This act shall take effect and be in force from and after its passage and approval.

Approved, Dec. 25, 1868.