

Sylvia Murphy

From: ARCHIVES Reference <reference.archives@state.or.us>
Sent: Thursday, February 16, 2017 8:24 AM
To: Sylvia Murphy
Subject: Incorporation inquiry
Attachments: Sherwood.pdf

Ms. Murphy:

Per your voice mail inquiry, please see the attached pages from the "Special Laws of Oregon," 1893.

Sincerely,

Todd Shaffer
Reference Archivist

Sec. 112. At the next regular meeting after the expiration of the time limited for paying taxes he must return the tax roll to the council, designating thereon the taxes paid and those remaining unpaid.

Section 18. That section one hundred twenty-two (122) of chapter IX. (9) be amended so as to read as follows:—

Sec. 122. Whenever the marshal shall discover or be informed that the recorder has omitted to assess any real or personal property liable to taxation for city purposes, he shall forthwith assess the same and collect the taxes thereon, and he shall return under oath to the council the amount of taxes so collected by him.

Section 19. That sections sixty-eight (68), sixty-nine (69), seventy (70), seventy-one (71), seventy-two (72), seventy-three (73), seventy-four (74), seventy-five (75), seventy-six (76), seventy-seven (77), seventy-eight (78), seventy-nine (79), eighty (80), eighty-one (81), eighty-two (82), eighty-three (83), eighty-four (84), eighty-five (85), eighty-six (86), eighty-seven (87), eighty-nine (89), ninety (90), ninety-one (91), ninety-two (92), ninety-three (93), ninety-four (94), ninety-five (95), ninety-six (96), ninety-seven (97), ninety-eight (98), ninety-nine (99), one hundred two (102), one hundred three (103), one hundred four (104), of chapter VIII. (8), be and the same are hereby repealed.

Section 2. The public good requiring it, this act shall take effect and be in full force from and after its approval by the governor.

Filed in the office of the secretary of state, February 10, 1893.

AN ACT

[S. B. 36.]

To Incorporate the Town of Sherwood, in the County of Washington, State of Oregon.

Be it enacted by the Legislative Assembly of the State of Oregon:

Section 1. That the inhabitants of the town of Sherwood, Washington county, Oregon, are hereby created a body corporate with perpetual succession, by the name of the town of Sherwood, and as such shall have the right to sue and be sued, implead and be impleaded, defend and be defended in any of the courts of this state; to hold real and personal property; to sell, lease, use, or otherwise dispose of the same for the common benefit; to borrow and loan money; to have and use a seal, and to alter the same at pleasure.

Section 2. The corporate limits of said town of Sherwood shall be as follows: Beginning at a point 1039 feet east and 443 feet north from the southwest corner of the northwest quarter of section 32 in

township 2 south, range 1 west, of the Willamette meridian, which point is on the south side of the railroad limit; thence south $43\frac{1}{2}$ degrees east 214 feet; thence north $47\frac{3}{4}$ degrees east 292 feet to the line of Dr. Poppleton's land; thence north $12\frac{1}{2}$ degrees west 250 feet to the line of railroad limit; thence north $47\frac{3}{4}$ degrees east 440 feet; thence north $43\frac{1}{2}$ degrees west 872 feet; thence north 24 degrees west 65 feet to the southeast corner of schoolhouse lot; thence north 10 degrees west 170 feet; thence south $46\frac{3}{4}$ degrees west 386 feet; thence $43\frac{1}{2}$ degrees east 134 feet; thence south $46\frac{3}{4}$ degrees west 580 feet; thence south $43\frac{1}{2}$ degrees east 932 feet to the place of beginning.

Section 3. The officers of said corporation shall be a president of the council, four councilmen, a recorder, a marshal, and a treasurer, who shall be actual residents and legal voters and taxpayers of the town.

Section 4. Said officers shall be elected annually by the qualified voters of said town on the first Monday of January of each year, and shall assume the duties of their respective offices on the second Monday of January ensuing, and shall hold their offices for one year, or until their successors are elected and qualified.

Section 5. The president of the council shall have power to call meetings of the council, shall preside at their meetings, and when there is a tie in the council shall vote. He shall sign all ordinances and all warrants on the treasurer or warrants for the collection of town taxes. He shall make a yearly report of the condition, financial and otherwise, of the city, and shall recommend such measures for the peace, health, and prosperity of the city as he may deem expedient.

Section 6. The president and councilmen shall perform such other duties as may be hereinafter prescribed, and before entering upon the duties of their office shall file with the recorder an oath to well and faithfully perform the duties required of them by this charter.

Section 7. The recorder shall have the jurisdiction of a justice of the peace in the corporate limits in civil and criminal proceedings, and his court shall be governed as far as applicable by the general laws under which justice courts are conducted. He shall be *ex officio* clerk of the common council, and shall preside in the absence of the president, and shall keep a journal of the proceedings of the board of councilmen. He shall also be city assessor, and his duties as assessor and clerk shall be prescribed by the common council.

Section 8. The marshal shall execute all processes directed to him by the recorder or any legal authority. He shall be a con-

servator of the peace, and shall arrest all persons guilty of a breach thereof, or the violation of a town ordinance, by warrant or otherwise, and take them before the town recorder for trial; and may, as collector, enforce the collection of town taxes as the collection of county taxes are enforced, and shall make monthly returns of all moneys collected to the treasurer, and shall take his receipt for the same. He shall attend upon the meetings of the common council, and shall perform such other duties as the council may require.

Section 9. The treasurer shall receive and disburse all moneys coming into his hands. He shall pay no orders for moneys unless they are signed by the president and recorder, and shall make quarterly reports of the town finances to the common council, and shall be governed by such other rules as the council may provide.

Section 10. The recorder, marshal, and treasurer shall each give a bond in the sum of five hundred dollars, to be approved by the common council, for the faithful performance of their duties, which amount may at any time be increased by order of the common council.

Section 11. The president and councilmen shall receive no pay for their services, and the president and councilmen shall not, directly or indirectly, be interested in the proceeds of any contract to be paid out of the treasury.

Section 12. The recorder and marshal shall be entitled to the same fees as are now or may be provided by law for the justices and constables.

Section 13. The said corporation shall not create any debts or liabilities which in the aggregate shall exceed the sum of ——— thousand dollars.

Section 14. Within three days after the passage of an ordinance copies of the same shall be posted in three public places in said town, and all such ordinances shall take effect within five days after such notices have been posted, unless otherwise ordered.

Section 15. The board of common council shall have power within the corporate limits,—

1. To make bylaws and ordinances not in conflict with the laws of this state, or of the United States, and all necessary provisions for carrying them into effect.

Section 16. The president and councilmen shall compose the common council, and at any meeting shall have exclusive power to provide for the election and qualification of officers, and for filling all vacancies in office; to fix the time and place of their meeting (they shall meet as often as once in three months); to levy and collect taxes for town purposes, not to exceed one half of one per cent per annum on property in said town taxable for county purposes;

provided, no deduction for indebtedness shall be made from any assessment upon any person or property for city purposes; to establish hospitals; to prevent and remove nuisances; to provide water; to license, tax, regulate, restrain, or prohibit the sale of spirituous, vinous, or malt liquors; *provided, however*, that no license or tax for the sale of spirituous, vinous, or malt liquors shall be issued for a sum less than is prescribed by the general laws of the state for the license of the sale of spirituous, vinous, or malt liquors in force at the time of the issuance of such license; to license, tax, and regulate auctioneers, taverns, peddlers, brokers, hacks, carriages, wagons, carts, drays, and omnibuses, and to fix the rate for carrying persons or property; to license, tax, and regulate barrooms, billiard tables, theatricals, and other shows, exhibitions, and other amusements; and to prohibit bawdy houses, beer gardens, dance-houses, and gambling houses, and gaming; *provided*, the town council shall have exclusive control of all licenses, and that no part thereof shall go to the county; *and provided further*, that any person having paid a tax or license herein provided for to the town shall be exempt from paying any license to the county for the purpose for which the same shall have been granted by said city; to establish and regulate market houses; to establish fire companies, and provide for the prevention and extinguishment of fire; to appoint fire wardens and prescribe their duties, and property guards; to compel any person or persons present to aid in the extinguishment of fire, and by ordinance to prescribe such other powers as may be necessary on such occasions; to establish and regulate a police and nightwatch; to impose fines, penalties, and forfeitures; to provide for the construction, cleaning, and repairing of sidewalks, crosswalks, and gutters; also for the grading, paving, or planking, or otherwise improving, repairing, and cleaning of streets, alleys, and walks, by or at the expense of the owner or owners of the lot or lots facing such improvements; to erect and keep in repair public bridges; to regulate the storage of gunpowder and other combustible materials, and the use of candles, lamps, and other light in shops, stables, and other places; to regulate or prevent the running at large of animals, and the discharge of firearms in said town; to appropriate money for any item of town expenditures, and to provide for the payment of debts and expenditures of the town; to appoint a town attorney and prescribe his duties; to change and make new wards and change the number of councilmen as the interests of the town may require; to provide for the removal of standing water and unwholesome and offensive substances; to carry into effect the provisions of this charter, and to secure the health, peace, and improvement of said town; and to provide for the violation of town ordinance by fine or imprisonment,

but no fine shall exceed one hundred dollars, no imprisonment more than sixty days, and shall have power to prevent the introduction and spread of diseases in the town; to prevent and restrain any riot, noise, or disturbance, or disorderly assemblage in any street, house, or other place in the town.

Section 17. Every ordinance and regulation to be effective shall be passed by a vote of the majority of all the members elected to the board of councilmen, and the vote shall be by yeas and nays, and the name of every member voting for or against every ordinance and regulation shall be entered on the journal; and the style of the town ordinance shall be as follows: "The people of the town of Sherwood do ordain as follows."

Section 18. All demands and accounts against the town shall be audited by the common council and paid by the treasurer on the warrant of the president of the council, attested by the clerk.

Section 19. A majority of all the councilmen elected shall constitute a quorum to do business, but a less number may meet and adjourn from time to time.

Section 20. Every ordinance which shall have passed the council shall, before it becomes a law, be presented to the president; if he approves he shall sign it "Approved," giving the date thereof; but if not he shall veto the ordinance, stating his reasons to the council therefor. If, after such veto, two thirds of the members of the council present shall agree to pass the ordinance it shall become a law without the approval of the president.

Section 21. The town council shall make all necessary rules and regulations for conducting elections, except as hereinafter provided for; *provided*, no person shall be allowed to vote at any municipal election who is not a legal voter in this state, or who has not resided within the corporate limits thirty days next preceding said election, or who has refused to pay any town fine or tax legally assessed against him, or who does not own \$100 worth of taxable property in said town.

Section 22. The town council shall have power to remove, repress, or prevent anything which would be detrimental to the health or morals of the town, and to prevent or restrain obscene language, cursing, swearing, drunkenness, or disorderly conduct within the corporate limits; to erect, establish, and keep in repair a town jail; to provide for the restraint and employment of vagrants, and to provide for working any person sentenced to imprisonment upon the streets of the town during the term of their imprisonment.

Section 23. The town council shall have power and is authorized, whenever it deems it expedient, to lay out and open streets and alleys, and to establish the grade of the same.

Section 24. A special election for the officers provided for in this act shall be held in the town of Sherwood on the third Monday in March, 1893, between the hours of 2 o'clock and 6 o'clock P. M. of said day, by the qualified electors of said town, and the officers so elected shall hold until the next regular election, and until their successors are elected and qualified. The judges for said special election shall be J. C. Smock, C. G. Reisner, and John Iler, and the clerks of said special election shall be H. H. Eyman and J. E. Young, and in case either of said persons cannot or will not act as judge or clerk, the remaining judges or judge shall choose from said city suitable persons to fill the vacancies caused thereby. The said special election shall be so held by said judges and clerks at some convenient place in said town, and they shall issue a certificate of election to the persons elected on said day to the various offices provided, and upon filing such certificates with the oath of office thereon or affirmation with the person who shall then be county clerk of Washington county, said persons so elected shall be deemed and considered the duly elected officers of said town, and the bond of any officer that may be necessary shall be filed hereafter with the common council and approved thereby.

Section 25. Inasmuch as it is necessary for the further protection of property other than can be afforded by the general laws of this state, this act shall take effect from and after its approval by the governor.

Filed in the office of the secretary of state, February 10, 1893.

AN ACT

[H. B. 87.]

To Incorporate the Town of Lakeview, Lake County, Oregon.

Be it enacted by the Legislative Assembly of the State of Oregon:

ARTICLE I.

Incorporation and Boundary.

Section 1. That the inhabitants of the town of Lakeview, within the limits hereinafter set forth, shall be and they are hereby constituted a body politic and corporate in fact and in law, and declared to be a municipal corporation by the name and style of "The town of Lakeview," and by such name shall have perpetual succession, shall contract and be contracted with, sue and be sued, implead and be impleaded, defend and be defended in all courts of justice, and in all actions, suits, and proceedings whatsoever; may