

O R D I N A N C E N O. 8.

An Ordinance defining certain public offences and providing penalties for the violation of the same.

Be it ordained by the council of the City of Polson.

Section 1. Every person who, within the corporate limits of the City of Polson, deals, plays, carries, on, opens or causes to be opened, or who conducts or causes to be conducted, either as owner or employee, any game of monte, lansquenet, rouge-et-noir, rondo, tan fan-tan, percentage or stud-horse poker, craps or percentage game, or any game commonly known as a surething game, for money, checks, credits or any representation of value, or for any property or thing whatever; any peeposcope or nickel-in-the-slot machine exposing to view indecent or obscene pictures, shall be deemed to have committed a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than three hundred dollars

Section 2. Every person who, within the corporate limits of the City of Polson, carries on, opens or causes to be opened, or who conducts or causes to be conducted any game of fan, roulette, draw-poker, stud-horse poker, or what is commonly called around-the-table poker, or solo, or any game of chance, played with cards, dice or any device whatever, or who runs or conducts any nickel-in-the-slot machine, or permitt the same to be run or conducted for money, checks, credits or anything represenative of value, or for any property or thing whatsoever, and any person owning or in charge of any saloon, beer hall, bar room, cigar store or other place of business where drinks are sold or served, who permits any of the game mentioned in this section to be played in or about such saloon, beer hall, bar room, cigar store or other place of business or place where drinks are sold or served, shall be deemed to have committed a misdemeanor, and upon conviction thereof shall be fined in a sum not less than ten dollars nor more than three hundred dollars.

Section 3. The Chief of Police and every patrolman of the City of Polson, shall have authority, and it shall be their duty, upon receipt of information that any house, room, tent or apartment is being conducted as a house, room or apartment for any of the game mentioned in the two foregoing sections, to break open any door or opening into any such house, room, tent or apartment, with or without a warrant of arrest, for the purpose of arresting such offenders.

Section 4. Every person who shall wilfully and maliciously disturb the peace or quiet of any neighborhood, street,

family, or person within the City of Polson, by loud or unusual noises, or by tumultuous and offensive conduct, threatening, traducing, quarreling, challenging to fight, or fighting, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding one hundred dollars.

Section 5. Every person who shall, within the limits of the City of Polson, abuse another by using menacing, slanderous or profane language, or who by the use of insulting, filthy or opprobrious epithets, or by any words, signs or gestures, provoke or attempt to provoke another to commit an ~~assult~~, an assault and battery, or other breach of the peace, or who shall, within the hearing of two or more persons, profanely curse and swear, or use indecent, obscene or vulgar language, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars.

Section 6. Every person who shall within the City of Polson, assault or interfere with or use any insulting, filthy or opprobrious epithets or profane or indecent language toward any officer of the city while in the discharge of his duties, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding one hundred dollars.

Section 7. Every person who shall within the limits of the City of Polson, make false alarms by crying "fire", or who shall committ an assault, or an assault, and battery, or who shall be found drunk or intoxicated in any street or public place, or who shall intrude himself upon private premises against the consent of the occupant, or who shall annoy and frighten passerby on the streets or sidewalks, or who shall sleep in any public place within the City, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not exceeding one hundred dollars.

Section 8. Every person who shall within the limits of the City of Polson, wantonly disturb any religious or other lawful assemblage, whether at church, or any public hall, or private house, by day or by night, by rude, profane, offensive or improper behavior, or other wise shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars.

Section 9. Every person who shall within the limits of the City of Polson, appear 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 or filthy act in any public place in the City, or shall utter any lewd and filthy words, or shall ^{make} any obscene or indecent gesture to or about any other person publicly, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding one hundred dollars.

X Section 10. Any person who shall inhumanely, unnecc^{ess}arily or cruelly beat, injure or otherwise abuse any dumb animal, or overload any team, or expose any calves or sheep upon the streets or sidewalks with their legs tied, or by unnecessarily failing to provide for any animals in his charge or custody, as owner or otherwise, with proper food or shelter, shall be deemed guilty of a misdemeanor and on conviction shall be fined in any sum not exceeding one hundred dollars.

✓ Section 11. Any person who shall immoderately ride or drive any team or single animal through the streets or alleys of the City or shall so ride or drive as to endanger or terrorize people passing along, or crossing such streets or alleys, shall be deemed guilty of a misdemeanor, and on conviction shall be fined in any sum not exceeding fifty dollars, and it is hereby made the duty of the Chief of Police, and all policemen to stop any such driving or riding forthwith and arrest the offender.

X Section 12. No person within the limits of the City, shall leave standing, unfastened, or without being securely fastened (with out some suitable person of proper age and disc^{re}tion in full control of the same), any horse, or other animals, single or in team, in harness, attached to a wagon, sleigh or other vehicle, nor shall any person allow any of the same to pass through or be in any of the streets of the City without a suitable harness and driver, or person in charge of same. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding fifty dollars.

X Section 13. It shall be unlawful for the owners or drivers of teams or single animals to obstruct the crossings of the streets or alleys of this city by halting or hitching such teams or animals across the same. It is hereby made the duty of the Street Commissioners and the Chief of Police and policemen to see the provisions of this section enforced, and after notice and proper request to any person so obstructing the streets or alley to remove such team or single animal, and if such person shall continue to so obstruct the street or alley, he shall be deemed guilty of a misdemeanor, and on

conviction thereof shall be fined in any sum not exceeding fifty dollars.

Section 14. No owner or occupant of any premises within the City shall leave open any trap door or grating in or upon or so close to any sidewalk that passersby may be liable to fall therein. Any violation of this section shall be deemed a misdemeanor and be punishable by a fine not exceeding three hundred dollars, and the offending party shall further be liable in a civil action for any pecuniary damage that may ensue by reason thereof.

Section 15. No person shall within the limits of the City of Polson, have or keep hay, straw or other combustible fodder in open stack or otherwise than securely covered from fire, nor shall any owner or occupant of any premises within the City, allow piles of open and broken packing boxes, paper or straw to accumulate on any portion of such premises so as to become dangerous to such or adjoining premises. Any violation of the provisions of this section shall be deemed a misdemeanor, and on conviction thereof shall be punishable by a fine in any sum not exceeding one hundred dollars.

Section 16. It shall not be lawful for any person to build bonfires in any public street, alley, square or vacant lot in any part of the City, within the fire limits thereof without written permission from the Mayor, nor without like permit for any torchlight procession to parade the streets of the city; nor for any person to discharge any pistol gun, anvil or firearms, or to set off firecrackers, rockets or other fireworks, except upon legal holidays, without special permission from the Mayor. Any violation of this section shall be deemed a misdemeanor and be punishable by a fine in any sum not exceeding fifty dollars.

Section 17. It shall be unlawful for any person to establish keep, conduct or maintain, within the city or within three miles thereof, any dance house, commonly known or called hurdy house or hurdy-gurdy house, or to allow any dance called hurdy dance or hurdy-gurdy dance upon his premises, or premises leased or occupied by him, or to give, sell or dispose of any malt, vinous, sprituous or intoxicating liquors of any kind whatsoever to any person engaged or participating in any dance commonly known or called hurdy dance, or hurdy-gurdy dance, or knowingly give, sell or dispose of any such intoxicating liquors at intervals between such dances to any person engaged in such dance during the day or night in which the same is carried on. Every person who shall violate any of the provisions of

this section shall be deemed guilty of a misdemeanor, and on conviction thereof shall, for the first offense, be fined in a sum not less than twenty-five dollars nor more than one hundred dollars, and for each subsequent offense shall be fined in a sum not less than one hundred dollars nor more than three hundred dollars, or by imprisonment in the City jail for ninety days, or by both such fine and imprisonment.

Section 18. Any person who shall habitually drink intoxicating liquors to excess, or who shall be found frequently upon the streets or in other public places in a condition of drunkenness or intoxication shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the city jail not exceeding ten days for the first offense, and not exceeding ninety days for such subsequent offense.

Section 19. Whoever shall, upon any street, sidewalk, alley or public square within this city, conduct or carry on, or assist in conducting or carrying on any street exhibition, or any prize or lottery game, or game of chance, or game of fortune, or exhibition, or game of any description whatever, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than twenty-five dollars nor exceeding one hundred dollars.

Section 20. It shall be unlawful for any person to sell, lend, give away, or show or have in his possession, with intent to sell or give away, or to show, or to advertise, or otherwise offer for loan, gift or distribution to any minor child under the age of sixteen years, any book, pamphlet, magazine, newspaper, lewd picture, story paper, or other printed paper, devoted to the publication or principally made up of criminal news, police reports or accounts of criminal deeds or pictures, and stories of lust or crime. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars.

Section 21. It shall be lawful to exhibit upon any street, or highway, or in any place within the view of any minor child under the age of sixteen years, any book, pamphlet, magazine, newspaper, lewd picture, story book, or other paper or publication coming within the description of matters mentioned in the foregoing section, or any of them, and any person violating the provisions hereof shall be deemed guilty of a misdemeanor, and upon conviction thereof shall

be fined in any sum not exceeding one hundred dollars.

Section 22. It shall be unlawful to ~~here~~, use or employ any minor child under the age of sixteen years to sell or give away, or in any manner distribute, or who, having the care, custody or control of any minor child under the age of sixteen years, to permit such child to sell, give away or in any manner to distribute any book phamplet, magazine, lewd picture, newspaper, story paper or publication coming within the description mentioned in Section 19. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars.

Section 23. It shall be unlawful for any boy or girl under the age of sixteen years to loiter in and upon any street or a alley within the city limits after the hour of nine o'clock at night; PROVIDED HOWEVER, that this section shall not apply when a boy or girl is going or returning from some errand for his or her parents or guardian, and who does not linger or loiter on the street. Any violation of this section shall be punished by a fine of not less than one dollar, nor more than twenty-five dollars.

Section 24. Every person who shall wilfully, unlawfully and maliciously destroy, burn/ cut or otherwise injure or destroy any goods, chattels or other property of any description whatever, the property of another, shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars.

Section 25. Every person who shall in the city of Polson, wilfully, unlawfully and maliciously break, destroy or injure the door or window of any dwelling house, shop, store or other house or building, or sever therefrom any gate, fence or enclosure, or any part thereof, or any material out of which it is formed or constructed, or sever from the freehold any produce thereof or anything attached thereto, or pull down, mar, injure or destroy any gate, post rail or fence, or any part thereof, or cut down, lop, girdle or otherwise injure or destroy any fruit or ornamental or shade tree, the property of another, shall upon conviction, be fined not less than five dollars nor more than one hundred dollars.

Section 26. No person shall cut, injure, mark or deface any public building belonging to the city, or any station house or engine house, or any tree, grass, shrub or walk or seat in any square or public park, under a penalty of not less than five dollars for each offense.