

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 permit the same to be run or conducted for money, checks, credits or anything representative 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.

Section 27. If any person or persons shall engage as principal, in any prize fight, boxing match, fight or contest, with or without gloves, he or they shall upon conviction be deemed guilty of a violation of this section, and shall be punished by a fine of not less than twenty-five dollars nor more than three hundred dollars PROVIDED HOWEVER, that upon written application to the Mayor, and City Council, a permit may issue to hold scientific sparring matches under the auspices of any reputable athletic club within the limits of the city of Polson.

Section 28. If any person shall engage, be concerned in or attend any such fight, contest or match as described in Section ~~27~~²⁷ of this article, as backer, trainer, second, umpire or assistant, every person so engaged, attending or concerned shall be deemed an accessory, and shall be fined in any sum not exceeding three hundred dollars.

Section 29. If any person shall hereafter expectorate upon upon any sidewalk, hallway of office or public building, floor of public conveyance or street car, or stairway of public office or office building, in the city of Polson, he shall be deemed guilty of a misdemeanor, and upon conviction thereof be fined in a sum not less than one dollar nor more than one hundred dollars.

Section 30. If any person shall, within the limits of the City of Polson, commit an assault upon the person of another, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum of not less than five dollars nor more than fifty dollars.

Section 31. If any person shall, within the limits of the City of Polson, commit an assault and battery upon the person of another, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not less than ten dollars nor more than one hundred dollars.

Section 32. Any person or persons having in his or their possession any nippers of the description known as burglar's nippers, pick-lock, skeleton key, key to be used with a bit or bits, jimmy or other burglars instruments or tools of whatsoever kind or description unless it be shown that such possession is innocent or for a lawful purpose, shall be deemed guilty of a violation of this ~~Article~~^{Ordinance}, and upon conviction thereof shall be fined in any sum not exceeding two hundred dollars.

Section 33. No person shall hereafter expolde, burn or

fire off any rockets, fire-crackers, roman candle, torpedo or other species of fireworks or pyrotechnic display containing any substance of an explosive nature within the corporate limits of the City of Polson, nor shall any person fire off, discharge or explode any gun, pistol or other weapon, except as provided in this ~~ordinance~~, within the city limits; Provided, that the Mayor may by proclamation permit the use of fireworks on the Fourth of July, and on such other days as he in his discretion may deem proper.

Section 34. Any person, corporation or association desiring to fire any salute or exhibit any display of fireworks within the limits of said city, on any day or days for which no proclamation has been issued by the Mayor, as provided in the previous section, shall obtain permission of the city council or Mayor of said city to the firing of such salute or displaying of such fireworks, which permission shall be in writing and shall designate the place where and the time when such salute shall be fired or such display of fireworks shall take place.

Section 35. Any person who engages or aids in any game, device, trick or scheme designed or intended to cheat, swindle or defraud any one out of money or property, or who shall attempt or aid in attempting to cheat or defraud any one of any money or property by any game, trick, scheme or device, or who has in his or their possession in the city anything, token or device used in any game of chance, sleight-of-hand, trick or scheme calculated or intended to cheat, swindle or defraud any one out of any money or property, shall be deemed guilty of a misdemeanor, and upon conviction thereof be fined in any sum not exceeding two hundred dollars.

Section 36. No person shall sell, loan or furnish to any minor, any gun, pistol, fowling piece or other firearm, within the limits of the city, under a penalty of fifty dollars for each offense.

Section 37. All idle persons who, not having visible means of support, live without lawful employment, all persons habitually idle, loitering about or wandering about and visiting and staying about cigar stores, groceries, drinking saloons, houses of bad repute gambling houses or railroad depots, or lodging in any outhouse, market place, shed car or other structure, or in the open air, and not giving a good account of themselves; all persons wandering about and begging, or who go from door to door, or place themselves in the streets or other public places to beg or receive alms, shall be deemed vagrant, and upon conviction shall be fined in a sum not more

than one hundred dollars.

X Section 39. No person shall obstruct or incumber any street corner or other place of the city by lounging in or about the same, and any person so offending who, after being requested to move on by any police officer, fails or refuses to comply with such requests, shall be deemed an idler, and upon conviction shall be fined in a sum not less than ten dollars nor more than fifty dollars.

X Section 40. If any person or persons in the city of Polson or within three miles of the city limits shall, by agreement or otherwise, plan, encourage or permit any cock fight, dog fight, or fight of any kind between any animals, he or they shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than ten dollars nor more than three hundred dollars, and it is hereby made the duty of the Chief of Police and policeman to prevent or stop any such fight and arrest all persons aiding and abetting such fight.

X Section 41. Any person who shall be guilty of making or permitting an indecent exposure or exhibition, within the limits of the City of Polson, of any stallion, jack, bull or other animals, shall on conviction pay a fine of not less than ten dollars nor more than one hundred dollars.

X Section 42. It shall not be lawful for any person to destroy, tear, mutilate, cover over or otherwise deface or injure any bill or poster (posted in such places as may be permitted), descriptive of any performance or entertainment given by any licensed theater or hall, or in pursuance of a license given by the city; and any person or persons violating the provisions of this section shall be subject to a penalty of twenty-five dollars for each and every violation thereof.

X Section 43. No chairs, stools, or seats of any description shall be placed or permitted to remain in or across the lobby, aisle or passageways in any theater, hall or public place, when the same is occupied by the public, under a penalty of one hundred dollars for each and every violation of this section.

X Section 44. It shall be the duty of every owner or lessee of every licensed theater, hall or other building, to keep and preserve the same from danger by fire while occupied by the public, and to that end he shall hire and keep at his own expense a sufficient number of persons for that purpose.

Section 45. That no person owning or occupying any

building or premises shall use the same, or permit the use of same, or rent the same, to be used for any business or employment or for any purpose of pleasure or recreation, if such use shall, from its boisterous nature, disturb or destroy the peace of the neighborhood in which such building or premises are situated, or be dangerous or detrimental to health. +

Section 45. No owner, agent or lessee of any building or any part thereof, shall lease or let or ~~hire~~ out the same or any portion thereof, to be occupied by any person or allow the same to be occupied by any person, or allow the same to be occupied as a place in which any one may dwell or lodge, except when said buildings or such parts thereof are sufficiently lighted, ventilated provided and accommodated, and in all respects in that condition of cleanliness and wholesomeness for which this ~~ordinance~~ or any law of this state provides, or in which they or either of them require any such premises to be kept. +

Section 46. No building, vehicle, structure, receptacle, or thing used or to be used for any purpose whatever, shall be made, used, kept, maintained or operated in the city, if the use, keeping, maintaining or operating of such building, vehicle, structure, receptacle or thing shall be the occasion of any nuisance, or dangerous or detrimental to health.

Section 47. It shall be unlawful for any person, persons, company, corporation or aggregation of people, for the purpose of advertising, selling or giving away any drug, medicine, nostrum or any other substance for the cure or pretended cure of any disease or ailment, to give any public exhibition in any hall or building or tent or upon any street or alley or vacant lot or elsewhere or in any place in the City of Polson, whether the admission to said performance and said exhibition be free or not; and for any person, persons, company, corporation or aggregation of people, by proclamation, public outcry, auction or theatrical performance or show of any kind in any hall, building, tent, or upon any street, alley or vacant lot or elsewhere or at any place in the City of Polson, to sell, barter or give away or offer to sell, barter or give away any drug, medicine or other substance for the cure or pretended cure of any disease or ailment, until such person shall have first procured a city license thereof, and for such license there shall be paid the sum of fifty dollars for each day or part of a day. +

Section 48. Any person violating any of the provisions

of the foregoing section shall be deemed guilty of a violation of this *ordinance*, and upon conviction thereof shall be fined in any sum not less than one hundred dollars nor more than three hundred dollars.

X Section 49. No person or persons shall sell or offer to sell, give away or offer to give away, distribute or have in his or her possession with intent to give away, sell or distribute in or upon any street, sidewalk, park or public property of the City of Polson, any book, pamphlet, circular, handbill, advertisement or notice of any kind purporting to treat of or treating of diseases known as "venereal diseases," describing or explaining or purporting to give description, or explain the genital organs, giving or purporting to give the nature and remedies of diseases peculiar to female and uterine diseases, or the nature or causes of nervous debility, impotency, sterility or barrenness, gonorrhoea, gleet, stricture, syphilis, affection of the prostate gland or the remedies thereof, or the cause or remedies for abortion or miscarriage, or articles or means of preventing conception, under a penalty of not more than one hundred dollars for each and every offense and violation of this section.

X Section 50. No person or persons shall sell or offer to sell, give away or offer to give away, sell or distribute in or upon any street, sidewalk, park or public property of the City of Polson, any book pamphlet, circular, handbill, advertisement or notice of any kind giving or purporting to give information from whom or where medicine or anything whatever may be obtained for the cure, prevention or treatment of uterine diseases, or diseases peculiar to female venereal diseases or diseases of the genital organs, or nervous debility, impotence, sterility or barrenness, gonorrhoea, gleet, stricture syphilis, affection of the prostate gland, abortion or miscarriage, or articles or means of preventing conception, under a penalty of not more than one hundred dollars for each and every offense and violation of this section.

X Section 51. No person shall place or post, or cause to be placed or posted in any street or other public place in the city of Polson, any handbill or advertisement giving notice of any person having or professing to have skill in the treatment or curing of any disorder or disease, or giving notice of the sale or exposure to sale of any nostrum.

Section 52. No person shall vend, give or deliver, within

the limits of this city, any deadly poison, knowing the same to be such, without marking the bottle, vial, box or package containing the same, in legible characters, "Poison."

Section 53. Every person who shall kill or wound, or attempt to kill or wound, by the use of firearms, bow and arrow, pelting with stone or otherwise, any bird, within the city limits, or shoot an arrow or throw stones or club or other missile at any bird within any private grounds or public parks, squares or grounds, or enter upon any private inclosure or public ground belonging to the city for the purpose of doing any act prohibited in this section, shall forfeit and pay not less than five dollars nor more than ten dollars for each offense.

Section 54. It shall be unlawful for any person or persons to engage in any game of ball, or throw or bat any ball, or to play at or engage in any other game or games upon the streets of the city of Polson, or engage upon any street of said city in any sport or act or pastime having a tendency to frighten horses or damage any property upon or along said streets.

Section 55. No person shall resist, obstruct or molest any officer of the city in the performance of any duty whatsoever.

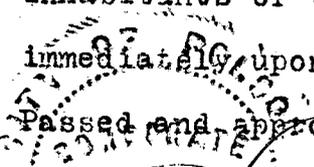
Section 56. No person shall personate a policeman or other officer of the city by wearing a star, badge, uniform or other insignia of officer, or use a police whistle similar to that adopted by regular policeman.

Section 57. Any person or persons, violating any of the provisions of the foregoing sections, wherein the penalty is not heretofore prescribed, shall be deemed guilty of a violation of this ordinance, and upon conviction thereof shall be fined in any sum not less than twenty-five dollars nor more than one hundred dollars and shall be committed until such fine is paid.

Section 58. That all ordinances, orders, resolutions, or parts thereof in conflict herewith, are hereby repealed.

Section 59. Whereas, an emergency exists and it is immediately necessary for the preservation, peace, health and safety of the inhabitants of the city of Polson, this Ordinance shall take effect immediately upon its passage and approval according to law.

Passed and approved this 12th day of July 1910.


[Signature]
City Clerk

[Signature]
Mayor