

Ordinance No. 8.

Relating to Offences Against the City Ordinances.

Be it ordained by the Mayor and Councilmen of the City of Wathena:

Section 1. That any three or more persons who shall, in this City, assemble together with the intent, or being assembled, shall mutually agree to commit an unlawful act, with force and violence, against the property of the citizens of Wathena, or the person or property of any other person or persons, or against the peace or the terror of any of the inhabitants of any of the inhabitants of said City, and shall make any movement or preparation therefor, shall be deemed guilty of a misdemeanor and shall on conviction be fined in a sum not less than one dollar, nor more than one hundred dollars.

Section 2. That all persons at such meeting or assembly, and knowing the intentions of such persons to commit an offense, who shall fail to try to prevent or assist in the prevention of such offense, shall be deemed parties to the commission of such offense, and shall be fined as in the preceding section provided therefor.

Section 3. That whoever shall in this City willfully disturb the peace or quiet of others by any violent, tumultuous, offensive or outrageous conduct or by loud or unusual noise, or shall use towards any other person any indecent, profane or offensive language, calculated to provoke a breach of the peace, shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than one dollar nor more than one hundred dollars.

Section 4. That any person who shall, in this City, assault, strike, beat, bruise or in anywise injure another, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not less than one dollar nor more than one hundred dollars; Provided, that both or all parties engaged in the offence described in this section may, at the discretion of the Police Judge be fined in a like sum.

Section 5. That any person or persons who shall in this City disturb or disquiet any congregation met for religious worship, or any religious or moral lecture or any public exhibition of a moral or religious nature, by making a noise, or by rude or indecent behavior, or profane discourse, within the place of worship or assembling or so near the same as to disturb the solemnity and quiet of the same, shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in a sum not exceeding one hundred dollars.

Section 6. That any person in this City who shall willfully make or proclaim a false alarm of fire shall upon conviction be fined in a sum of not more than one hundred dollars.

Section 7. That any person who shall upon any street, alley, or public place in this City employ any device, speech, loud talk, noise or performance tending to gather a crowd of persons so as to obstruct such street, alley or other public place, shall be deemed guilty of a misdemeanor and upon conviction shall be fined at the discretion of the Police Judge, not exceeding one hundred dollars.

Section 8. That if any person in this City shall be drunk or in a state of intoxication to the annoyance of any person or persons he shall be deemed

guilty of a misdemeanor and upon conviction shall be fined in a sum of not more than one hundred dollars.

Section 9. That if any person in this city on any street, alley or other public place of the same, shall ride or drive any team or beast of burden in a violent or furious manner, or shall ride or drive any such animal or vehicle so as to come in collision with any other animal or team to run away or escape, he shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum of not more than one hundred dollars.

REPEALED BY ORDINANCE #234

Section 10. That in all cases, persons meeting on the streets or alleys of this city with teams or vehicles, each party shall pass to the right; and any person violating the provisions of this section, to the injury of any person or property shall be guilty of a misdemeanor and upon conviction shall be fined in a sum not exceeding one hundred dollars.

REPEALED BY ORDINANCE # 234

Section 11. That any person or persons in this city who shall on the streets, alleys, or sidewalks, play at any game of amusement, or engage in any sport or exercise likely to scare horses or mules, injure passengers, or embarrass the passage of vehicles or persons shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum of not more than one hundred dollars.

Section 12. That any person who shall in this city hitch any horse, mule or any other animal to any post, fence or shade or ornamental tree not his own without the owner's or occupant's consent, shall be deemed guilty of not more than one hundred dollars.

Section 13. That any person in this city who shall be found carrying on his person any deadly weapon, concealed from public view, such as slingshot, knuckles of lead, brass or toher metal, revolver or other pistol, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not exceeding on hundred dollars; Provided that this Section does not apply to duly elected and qualified officers of the law, in the discharge of their respective duties.

Section 14. That any person or persons who shall appear in any public place in this city in a state of nudity or in a dress not belonging to his or her sex or in any indecent or lewd dress, or shall make any indecent exposure of his or her person, or be quilty of any indecent act or behavior, or shall exhibit, sell, or offer for sale any indecent or lewd picture, book, or other thing, or shall exhibit or perform any indecent, immoral or lewd play or other representation shall be deemed quilty of a misdemeanor and upon conviction shall be fined in a sum not exceeding one hundred dollars.

Section 15. That any person in this city who shall bathe or swim in any creek, branch, pond or pool during daylight, without being properly clothed so as to prevent indecent exposure of his or her person shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not exceeding one hundred dollars.

Section 16. That any person who shall interfere with or resist the City Marshal or any other officer of this city in the discharge of any duty imposed on him or them by any ordinance of the city, shall be deemed quilty

of a misdemeanor and upon conviction shall be fined in a sum not exceeding one hundred dollars.

~~Section~~ Section 17. That any person ~~or persons~~ who shall in this city set up or keep any gambling house, table or device at which any game of chance shall be played for money or property shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not exceeding one hundred dollars.

Section 18. That any person who shall be lawfully confined in the city prison or shall be in custody of the City Marshall or in the custody of any officer of the city, for any cause whatever, who shall attempt to break there from, or shall attempt by force or violence to escape, and any person or persons who shall aid or assist any such person to escape or attempt to escape shall be deemed guilty of a misdemeanor and shall, on conviction be fined in a sum not exceeding one hundred dollars.

Section 19. That any person who shall in this city ride, drive, lead or force any horse, mule or other animal over or upon or drive a team, wagon or other vehicle upon, across, or over any sidewalk on any street or alley of this city, except at regular crossings shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum of not more than one hundred dollars.

REPEALED BY ORDINANCE #234

Section 20. That any person or persons who shall tear up or injure any sidewalk, or any cross-walk, or shall obstruct any cross-walk by leaving animals or vehicles standing or remaining on the same shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not more than one hundred dollars.

REPEALED BY ORDINANCE # 234

Section 21. That any person who shall in this city break or injure any door, window, or any other part of any unoccupied house, barn, or other building, or shall break, pull down, or injure any fence, gate or other inclosure or shall in any manner damage the building of any other, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum of not more than one hundred dollars.

Section 22. That the owner or possessor of any animal which may die within the city shall, within twelve hours thereafter, cause the carcass to be removed beyond the limits of the city and cause the same to be buried. Any person violating this section shall be deemed to be guilty of a misdemeanor and upon conviction, fined in a sum of not more than one hundred dollars.

Section 23. That any person, the owner or possessor of any building, lot or other place within this city who shall keep the same in such condition as to create unwholesome smells, or in any way injure or endanger the health of the neighborhood, or create what is commonly called a nuisance, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not more than one hundred dollars.

Sect. 24 That all persons who shall permit their horses and mules to run at large within the limits of this city shall, upon conviction, forfeit and pay a fine of not less than one nor more than ten dollars; Provided

that horses or mules escaping from their owner without his fault and that may be immediately taken up by him or her shall be exempt from the provisions of this section.

Section 25. That any person or persons who shall be found loitering or rambling about or staying in saloons, groceries, or drinking houses, or railroad depots, or who shall be found trespassing in the night time upon the premises of any citizen of this city, or being on any street or alley to beg or ask for alms, or disturb any place where public or private schools are held, shall be deemed a vagrant and upon conviction shall be fined in a sum of not less than one dollar nor more than one hundred dollars.

Section 26. That any person who shall fire off any cannon, gun, pistol or firearm of any description, or fire, explode, or set off any Chinese or other fire-work, or any squib, fire-cracker, or other combustible material, or who shall sell to any person to be so exploded in the city limits, any such Chinese fire-work, cracker, or other combustible material, without the consent of the Council or written consent of the Mayor, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than one dollar nor more than one hundred dollars.

Section 27. That no boy under the age of eighteen years, shall be permitted to wander around or about the city with loaded guns, fowling-pieces, or pistols but if intending to go hunting shall straightway go outside of the city limits. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than one dollar nor more than one hundred dollars.

Section 28. That any liquor dealer in this city who shall harbor or entertain any minor, knowing or believing him to be such, or give, sell or deliver to him for his use or consumption, any intoxicating liquor or permit the same to be done on his premises, without the consent of his parents or guardian, shall be deemed guilty of a misdemeanor and shall, upon conviction, forfeit and pay a fine of not less than five dollars nor more than one hundred dollars.

Section 29. That any person or persons in this city, who shall allow or permit any minor to play at any game of cards, billiards, ten-pins, or any other game on his or their premises, without the consent of his parents or guardian shall be deemed guilty of misdemeanor and upon conviction shall be fined in a sum of not less than one dollar nor more than one hundred dollars.

Section 30. That any persons, firms, companies, corporations or copartnerships doing business or carrying on any business, trade or profession or required to pay any tax or taxes in the City of Wathena, provided for by an ordinance of this city now in force, or that may hereafter be passed by the Mayor and Council of said city, who shall do business or carry on any such trade or profession in this city without having first obtained a license therefore, and paid into the city treasury the amount required to be paid therefore, or fail to pay any tax required by said ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than five dollars nor more than one hundred dollars.

Section 31. That any person who shall in this city start or operate or carry on any gift enterprise, or play at a game commonly called three-card

monte, craps or any game with cards or other device for the purpose of swindling any person or persons shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in a sum of not less than ten dollars nor more than one hundred dollars.

Section 32. That any person or persons who shall in this city engage in the keeping of a house of ill-fame, bawdy-house, or house of any kind for the purpose of prostitution or shall entice or take into any such house for the purpose of seduction or prostitution, any female shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than twenty-five dollars nor more than one hundred dollars.

Section 33. That any person or persons who shall open any gate or other opening, or tear down any fence or enclosure around any place made or adopted by the city authorities as a city pound, or take out or carry away any stock there impounded by any city officer, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than one dollar nor more than ten dollars.

Section 34. That any person who rides a bicycle upon any sidewalk of this city shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not exceeding twenty-five dollars.
REPEALED BY ORDINANCE # 234

Section 35. This ordinance shall take effect and be in force from and after its publication in pamphlet form.

Passed by the Council August 12, 1898.
Approved by the Mayor August 12, 1898.

J. F. Harpster, Mayor

Attest: W. T. Stewart, City Clerk.