

ORDINANCE NO. 2.

An Ordinance Entitled "An Ordinance Defining the Duties and Fixing the Compensation of the Recorder of the Town of Hood River, and Regulating Proceedings in the Recorder's Court".

Be it Ordained by the Common Council of the Town of Hood River:

Section 1. The recorder's style of office, whether acting as recorder or clerk, shall be "Recorder of the Town of Hood River". He shall keep proper records and books of accounts showing all his acts and doings, and shall keep and preserve all books, papers and documents which may come into his hands officially. He shall keep a record of all licenses, in which shall be recorded the name of the licensee, the date and duration of the license, and the character of the license. He shall be present and act as clerk at the meetings of the council, and shall keep a book in which he shall enter a true and correct record of its proceedings, which shall be known as the council journal. He shall preserve and file ~~all~~ in his office all original ordinances. He shall also keep a record of all warrants issued, upon what funds drawn, and of warrants redeemed, showing the date, number, amount, and amount of interest paid on each warrant; such records shall be _____ kept so that a balance may be made at any time.

Section 2. The amount of the bond given by the recorder as required by law, shall be Two Hundred and Fifty Dollars.

Section 3. In all actions for the violation of any town ordinance, the process issued by the recorder shall run in the name of the Town of Hood River, and shall be dated the day it is issued, signed by the recorder, and directed to the marshal. Provided, That if the office of marshal shall be vacant, or such officer shall be unable to make due service thereof, then it may issue to the sheriff or any constable of Wasco County. The form of the warrant of arrest to be issued in such cases, may be substantially as follows:

State of Oregon

County of Wasco, Town of Hood River } s.s.

To the Marshal of the Town of Hood River:

Whereas, ----- has this day complained in writing, under oath, to the undersigned, recorder of the Town of Hood River, that on the --- day of ----- A.D. 18-- , in said town, one ----- did violate ordinance No.-- of said

Town of Hood River, you are hereby commanded to forthwith apprehend the said -----, and bring him before me to be dealt with according to law.

Given under my hand and the seal of the Town of Hood River, this -- day of -----, 18--.

(Seal)

Recorder of the Town of Hood River

Section 4. In all prosecutions for the violation of town ordinances, if the defendant is acquitted, and it shall appear that the complaint was malicious and without probable cause, the recorder shall enter judgment against the complainant in favor of the Town of Hood River for the costs and disbursements of the action, and unless such ~~action~~ complainant shall execute an undertaking to the town of Hood River with one or more good and sufficient sureties, to pay such judgment within thirty days from the date of the entry thereof, execution shall issue therefor. Provided, That if a complainant who has failed to appear and prosecute, shall, within thirty days, appear before the recorder and show good and sufficient cause for not appearing to prosecute, the recorder may relieve him from the judgment against him. In all cases of acquittal, and in all cases of conviction where the defendant is unable to pay the costs and disbursements, and has no property subject to execution, the town shall pay the same.

Section 5. In all cases of conviction the recorder, in addition to the fine imposed, may enter judgment against the defendant for the costs and disbursements of the prosecution.

Section 6. In all actions for the violation of town ordinances in the recorder's court, the same fees and compensation shall be allowed the recorder, marshal, ~~witnesses~~ and jurors, as are allowed by the laws of Oregon for similar services in justices courts. All fines and costs and disbursements shall be paid to the recorder, who shall forthwith pay over all such fines to the town treasurer, and take duplicate receipts therefor, one of which shall be filed in the office of the recorder. All costs and disbursements collected by the recorder shall be paid over by him to the persons in whose favor they were taxed.

Section 7. The recorder shall make a report to the council at the regular

meeting in each month, which shall contain:

1. The title of all actions in which the town is a party entered in his docket during the month, the cause of action in each, the name of the complaining witness or officer making the arrest, the result of each case, the penalty imposed and disposition thereof.
2. The amount, with date of all fines ~~imposed~~ paid to him.
3. An account of the costs and disbursements in each town case.
4. A statement of the cash received for the town from all sources, as shown by the treasurers receipts filed with him, and the reports of the treasurer.

Section 8. The recorder shall receive as compensation for his services, as clerk, five per cent. of all license fees paid into the hands of the treasurer, and shall have the free use of the council chamber for his office.

*Passed the Common Council of the town of
Good River March 4th 1895 and approved by
me this 5th day of March 1895*

*A. H. Holcomb
Mayor.*

Attest:

C. P. Heald

Recorder.