

Ordinance No. 188

An Ordinance relating to Cattle and  
Prohibiting their running at large within  
the City limits.

made  
Copy

The People of the City of Albany do ordain as  
follows:

Section 1. No. Cow, bull, Steer, heifer, Calf or cattle of  
any kind shall be allowed to run at large,  
or to be herded in or upon any of the streets,  
alleys, parks or public places in the corporate  
limits of the City of Albany or upon any private  
premises therein, except those of the owners of  
such animals, (unless when being driven through  
the City for shipment or other purposes) unless  
the owner or owners, or person having in charge such  
animal or animals shall first obtain permission  
of the owner, or agent, or occupant of said private  
premises, and then such animals must be  
securely fastened with a rope or herded in  
such a manner as to prevent them from getting  
upon or feeding from the sidewalk.

Section 2. Any of the animals described in section (1)  
one of this ordinance found running at large  
within the corporate limits of the City of Albany,  
shall be taken up by any Police officer, or  
by any person, and delivered to a police officer,  
and kept in a good and safe place, and such  
animal so taken up shall be provided  
with proper food and water while so confined.

Section 3. It shall be the duty of the marshal after the  
taking up of any of the above named animals,  
to immediately post up printed or written  
notices in at least three public places in the City of  
Albany for five successive days, giving as correct



description as may be of such animal, including natural or artificial marks thereon, and its color, size, and probable age, such notice shall also state the time, place, and terms, when, where and upon which such animal will be sold, if not claimed within the time and upon the terms hereinafter provided for by section (4) four of this Ordinance; provided further that such sale shall not take place within less than six days from the date of posting such notice.

Section 4. If at any time previous to the sale provided for in section (3) three of this Ordinance the owner shall prove the animal or animals so taken up to be his property, he shall be entitled to the same upon paying to the Marshal the charges thereon which shall be one dollar for taking up each animal, seventy-five cents per day for keeping the same, and his legal fees for posting the notices required in section 3 of this Ordinance.

Section 5. If the animals or animals so taken up remain unclaimed previous to the sale, or if the owner thereof fail or refuse to pay to the Marshal the charges against the same as provided for in section 4 of this Ordinance the Marshal shall then proceed to sell such animal or animals at public Auction to the highest bidder for cash in hand on the day of sale, and at the time and place specified in the notice, and after deducting his legal fees, and all costs and expenses of taking up keeping and selling the same, shall pay the remainder of the proceeds of such sale into the City Treasury, and shall make a report <sup>thereof</sup> with a description of the animal sold, and file the same with



the City Recorder.

Section 6. If the owner of any animal sold under the provisions of this ordinance shall at any time within one year from the date of such sale, make satisfactory proof of his ownership of such animal to the city Council, he shall be entitled to receive the net proceeds of such sale on deposit in the city Treasury; But if no such proof be made within one year from the date of such sale, the proceeds derived therefrom shall become the property of the city.

Section 7. It shall be the duty of the city Marshal and the police Officers of this city, and they are hereby required to strictly enforce the provisions of this ordinance.

Section 8. This ordinance shall take effect and be in full force from and after the first day of July 1889.

Section 9. All ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed.

Passed by the Council June 11<sup>th</sup> 1889.

Approved by the Mayor June 17<sup>th</sup> 1889.

Attest:

S. M. J. Henton,

Recorder of the City of Albany,

J. L. Corran  
Mayor.

State of Oregon } ss.  
County of Linn }

S. M. J. Henton, Recorder of the  
City of Albany Linn County Oregon, do hereby



that ~~the~~ foregoing Ordinance No 188, has been  
by me carefully compared with the original  
Ordinance bill no. 194 on file in my office,  
and that it is a true and correct copy of all  
and the whole of said bill, as passed by  
the Council, the 11<sup>th</sup> day of June A. D. 1889.

In testimony whereof I have herewith  
set my hand, and affixed the seal of the  
City of Albany this 17<sup>th</sup> day of June A. D. 1889.

W. J. Hester.

Recorder of the City of Albany.

