

ORDINANCE NO. 18.

Amending Ordinance No. 7, in Regard to City License.

The Mayor and Common Council of the city of Bisbee do ordain as follows: Section 1. Ordinance Seven (7) in regard to the city licenses, is hereby amended to read as follows:

Sec. 2. It shall be unlawful for any person, firm, association, or body corporate to engage in or carry on within the corporate limits of the city of Bisbee any business, profession or occupation, for the transaction or carrying on of which a license is required without first taking out, or procuring the license which by this ordinance required to be had and obtained in the premises.

Sec. 3. No license granted or issued under any of the provisions of this ordinance shall be in any manner assignable or transferrable, or authorize any person other than is therein named to do business, or authorize any other business than is therein mentioned, or authorize the same to be done at any other place than is therein named, as to which said license was issued, without permission of the common council endorsed on such license.

Whenever the common council shall make such endorsement, and grant such permission, it shall at once notify the City Marshal of such fact.

Sec. 4. For the purpose of enforcing the provisions this ordinance, it shall be lawful for the City Marshal to require and obtain from every person, firm, association, or body corporate making application for a license under the provisions hereof, at the time of such application, and before any license shall be issued to the applicant, a verified and sworn statement of and concerning the trade, occupation and business of the applicant, and of the nature and volume of such business, and of the amount of quarterly sales had and made by all persons, firms, associations, and bodies corporate, whose license is based upon, or determined by, as to amount, upon the amount of his, their or its quarterly sales.

Sec. 5. Every person, firm, association or body corporate, making application for license under any of the provisions of this ordinance, is hereby required to make the sworn and verified statement, when requested by the City Marshal so to do, which is provided in Section Four (4) of this ordinance, and no license hereunder shall be issued to any person, firm, association or body corporate, who shall, after such request, fail or refuse to make such verified statement.

Sec. 6. Whenever any person, firm, association or corporation shall willfully make any false statement of or concerning the matters referred to and provided for in Sections Four (4) and Five (5) of this ordinance such person, and the members of such firm, association, or the officers of such corporation, making such false statement, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Three Hundred Dollars, or by imprisonment in the county or city jail for a period of not more than Three Months, or by both, such fine and imprisonment.

Sec. 7. In order to ascertain and determine the amount of quarterly sales of any person, firm, association or body corporate, whose license hereunder, as to amount, is based upon or determined by the amount of quarterly sales of such person, firm, association or body corporate, in addition to the sworn statement, hereinbefore provided for, it shall be lawful for the Mayor and common council at any time, to issue a subpoena, or subpoenas, addressed to any person or persons, having, or deemed to have knowledge in the premises, requiring them to appear before the Mayor and city council at such time and place as shall be specified in such subpoena, and upon the appearance of such person, or persons, the common council and the Mayor shall have the power and authority to first require such person, or persons, to be sworn, (or affirmed) to testify in truth in regard to the amount of their quarterly sales, and such persons may, be by the Mayor and city council required to produce all books of account and other books, records and papers, showing or tending to show the amount of the quarterly sales of such person or persons for inspection and examination by said Mayor and common council.

Sec. 8. Any person who shall fail to appear as directed by such subpoena, or having appeared shall refuse to be sworn, or affirmed, as provided for in Section Seven (7) of this ordinance, or who being, so sworn shall refuse to testify, or shall willfully testify falsely, or who shall willfully refuse, when required by the Mayor and city council so to do, to produce any books, records, files or papers, showing or tending to show the amount of quarterly sales of such person, or of any firm or association of which such person is a member, or of the corporation of which such person is an officer shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not more than Three Hundred Dollars, or by imprisonment in the county or city jail of not more than Three Months, or by both such fine and imprisonment.

Sec. 9. Every license issued hereunder, shall specify the name of the person, firm, association or corporation to whom the same is issued, the business for which the same is issued, and the particular place in the city where such business is to be done or carried on.

Sec. 10. Any person who shall willfully violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than Three Hundred Dollars, or by imprisonment in the county or city jail for a period of not more than Three Months, or by both such fine and imprisonment.

Sec. 11. Upon the trial of any criminal action brought for an alleged violation of any of the provisions of this ordinance, where the fact of the issuance of a license or not, is an issuable fact, the burden of proof as to such issuable fact, shall be upon the defendant, and in the absence of proof by the defendant of the issuance of such license, it shall be presumed that the same has not been issued.

Sec. 12. If any action brought under or arising out of any provision of this ordinance, the fact that the defendant, represented himself, or herself, as engaged in any business or calling, for the transaction of which a license is by this ordinance required, or that such party exhibited a sign indicating such business or calling, shall be prima facie evidence of the liability of such party to pay a license.

Sec. 13. All license shall be paid for in advance in lawful money of the United States. No receipts for licenses shall be issued by the City Marshal, except upon blanks, received from and signed by the city clerk.

No license receipt shall be sold or used by the City Marshal for any period of time exceeding the time printed or written on the license receipt.

No person required to be licensed shall receive from the City Marshal any license receipt for a longer period than the time printed on said license blank, or pay for any license receipt any greater or less amount of money than the amount printed, or written, thereon.

No person required to be licensed shall pay any sum of money to the City Marshal for a license without demanding and receiving a license receipt, on which is printed or written the time for which said license is issued and the amount paid therefor.

Sec. 14. Any person having a license under the provisions of this ordinance, shall exhibit the same at all times, while in force, in some conspicuous part of his or her place of business and shall produce the same when applying for a renewal, or when required so to do by any alderman or any officer of the license or police department.

Every peddler, while engaged in peddling, shall carry his or her license, and exhibit the same when requested so to do by any municipal officer.

Sec. 15. The several licenses required by this ordinance and the several rates of the same shall be as follows:

1st Class. Those whose quarterly sales amount to Five Hundred Dollars and upwards, shall pay a quarterly license of Two Hundred Dollars.

2nd Class. Those whose quarterly sales amount to less than Five Hundred Dollars and more than Four Hundred Dollars shall pay a quarterly license of One Hundred and Eighty Dollars.

3rd Class. Those whose quarterly sales amount to less than Four Hundred Dollars and more than Two Hundred Dollars shall pay a quarterly license of One Hundred and Fifty Dollars.

4th Class. Those whose quarterly sales amount to less than Three Hundred Dollars and more than One Hundred Dollars shall pay a quarterly license of One Hundred and Twenty Dollars.

5th Class. Those whose quarterly sales amount to less than Two Hundred Dollars and more than one hundred dollars shall pay a quarterly license of ninety dollars.

6th Class. Those whose quarterly sales amount to less than one hundred dollars and more than fifty thousand dollars, shall pay a quarterly license of seventy dollars.

7th Class. Those whose quarterly sales amount to less than fifty thousand dollars and more than thirty thousand dollars, shall pay a quarterly license of forty dollars.

8th Class. Those whose quarterly sales amount to less than thirty thousand dollars and more than twenty thousand dollars, shall pay a quarterly license of thirty-six dollars.

9th Class. Those whose quarterly sales amount to less than twenty thousand dollars and more than ten thousand dollars, shall pay a quarterly license of thirty dollars.

10th Class. Those whose quarterly sales amount to less than ten thousand dollars, and more than five thousand dollars, shall pay a quarterly license of twenty-five dollars.

11th Class. Those whose quarterly sales amount to less than five thousand dollars, and more than one thousand dollars, shall pay a quarterly license of twenty dollars.

12th Class. Those whose quarterly sales amount to less than one thousand dollars, and more than five hundred dollars, shall pay a quarterly license of fifteen dollars.

13th Class. Those whose quarterly sales amount to less than five thousand dollars, shall pay a quarterly license of twenty dollars.

14th Class. Those whose quarterly sales amount to less than ten thousand dollars, and more than five thousand dollars, shall pay a quarterly license of sixteen dollars.

15th Class. Those whose quarterly sales amount to less than five thousand dollars shall pay a quarterly license of ten dollars.

2. Every wholesale dealer in spirituous, vinous or malt liquors, shall pay a quarterly license of forty dollars.

3. Every retail dealer in spirituous, vinous or malt liquors shall pay a quarterly license of thirty dollars.

4. Every person, firm, association or corporation having his or its principal place of business within the territory of Arizona, but without the city of Bisbee, who or which is or shall be engaged in dealing in spirituous, vinous or malt liquors, who shall sell or deliver in the city of Bisbee, any spirituous, vinous or malt liquors in quantities in excess of one quart, shall for the purposes of this ordinance, be deemed and held to be wholesale liquor dealers, and shall pay a quarterly license of forty dollars.

5. Every brewer, distiller or manufacturer of wine shall pay a quarterly license of fifty dollars.

6. Every manufacturer or bottler of mineral water, soda water or like beverages of a non-alcoholic character, commonly known as "soft" drinks, shall pay a quarterly license of twenty dollars.

7. Every person, firm, association or corporation, using or permitting to be used, in their or its place of business, or in connection therewith, or on their or its premises, any gambling or games of chance, commonly known as "banking games," or "percentage games," and every keeper or proprietor of a gambling house or room where the following gambling tables or apparatus are used, operated or kept for use, to-wit: Monte, taro, pass taro, roulette, twenty-two, keno, dice, red and black, lasquetto, tan stud-horse poker, or any banking or percentage game played for money, checks or credit, or any other representative of value of whatever name or kind, shall pay a monthly license of fifteen dollars for each table or apparatus in use for any gambling game in use in such house, room, place of business or premises.

8. Every person, firm, association or corporation, maintaining, keeping or using any billiard or pool table or tables for profit, or public use, shall pay a quarterly license of five dollars for each billiard or pool table so kept, maintained or used.

9. Every person, firm, association or corporation, who shall keep, maintain or use, for profit or public use, any pin alley, shall pay a quarterly license of five dollars.

9. Every person, firm, association or corporation, who shall keep, maintain or use any shooting gallery, shall pay a monthly license of five dollars.

10. Every auction establishment and every auctioneer, shall pay a monthly license of twenty-five dollars.

11. Every person, firm, association, or corporation, carrying on or conducting the business of a restaurant, shall pay a quarterly license of thirty dollars for each restaurant so carried on or conducted.

12. Every person, firm, association or corporation carrying on or conducting a boarding house, as distinguished from a restaurant, having more than twelve boarders, shall pay a quarterly license of fifteen dollars.

13. Every person, firm, association or corporation carrying on or conducting a boarding house, having twelve or less boarders, shall pay a quarterly license of one dollar.

14. Every person, firm, association or corporation, carrying on or conducting a hotel or inn, shall pay a license as follows:

1st Class. Those whose minimum charge for lodging and meals is three dollars per day, shall pay a quarterly license of fifty dollars.

2d Class. Those whose minimum charge for lodging and meals is less than three dollars per day, shall pay a quarterly license of thirty-five dollars.

15. Every person, firm, association or corporation, carrying on or conducting the business of a lodging house, as distinguished from a hotel or inn, having more than six rooms, shall pay a quarterly license of fifty cents for each and every sleeping room.

16. Every person, firm, association or corporation carrying on or conducting a lodging house, as distinguished from a hotel or inn, having six rooms or less, shall pay a quarterly license of fifty cents.

17. Every person, firm, association or corporation furnishing board or meals to the public, at lunch counters, lunch stands, booths, etc., as distinguished from what are known as restaurants, and who does not pay a license as a keeper of a restaurant, shall pay a quarterly license of fifteen dollars.

18. Every insurance agent shall pay a quarterly license of ten dollars.

19. Every pawnbroker shall pay a monthly license of ten dollars.

20. Every person, firm, association or corporation, carrying on or conducting a livery and feed stable, having six vehicles or over, for hire, shall pay a quarterly license of thirty dollars.

21. Every person, firm, association or corporation, carrying on or conducting a livery and feed stable, having less than six vehicles for hire, shall pay a quarterly license of fifteen dollars.

22. Every owner of any hack kept for public use, or used as a public conveyance, shall pay a monthly license for public use, or used as a public conveyance by him and so kept or used.

23. Every person, firm, association or corporation, keeping or using any vehicles other than hacks, whether connected with a livery stable or not, within the city of Bisbee, for the purpose of carrying persons from one place to another, through or in said city to places, without the same, or from places without the said city to any place within the same for hire, paid to such person, firm, association or corporation, or to any agent or driver thereof, shall pay a quarterly license of seven dollars and fifty cents for each and every vehicle so used.

24. Every person, firm, association or corporation, owning or using any dray, express or transfer wagon, shall pay a quarterly license of five dollars for each dray, express or transfer wagon owned or used by such person, firm, association or corporation, and at the time of issuing the license, there shall be issued to such person, firm, association or corporation, by the city marshal, numbers in consecutive order, which shall be placed in a conspicuous place on each of said drays, express or transfer wagons. All vehicles used for private purposes shall not be deemed to be within the provisions of this section.

25. Every proprietor or keeper of a laundry shall pay a quarterly license of fifteen dollars.

26. Every real estate agent shall pay a quarterly license of ten dollars. Every person engaged in buying and selling real estate or houses, or collecting rents, shall be deemed real estate agents under this section.

27. Every money broker shall pay a quarterly license of thirty dollars.

28. Every person, firm, association or corporation being or acting as commission agent, shall pay a quarterly license of ten dollars.

29. Every hawk or peddler (except of fruit or vegetables) shall pay a monthly license of thirty dollars, or in lieu thereof, shall pay a daily license of five dollars.

30. Every manufacturer and dealer in ice, who sells the same within the city, shall pay a quarterly license of fifteen dollars.

31. All persons engaged in traveling throughout the country, who shall sell or offer for sale, from any vehicle, box or stand, or otherwise, upon any of the streets, alleys, public grounds or vacant lots within the city, any article of whatsoever kind or character, or who shall be in any manner engaged in the business commonly known as that of "street fakir," or who shall upon any of the streets, alleys public grounds or vacant lots of said city, conduct any wheel of fortune, ring throwing, knife gambling, or any game or device of any similar character, shall pay a license of ten dollars per day.

32. Every proprietor, manager or lessee of any theater opera house, or place of public entertainment and amusement, shall pay a quarterly license of thirty dollars, provided that when no quarterly license has been paid, for any given quarter of the year, there shall be paid for each show or performance given during such quarter the sum of ten dollars; provided further, that this section shall not apply to any performance given by the residents of Bisbee for charitable purposes.

33. Every circus or menagerie shall pay a license of twenty-five dollars for each exhibition.

34. Every side show connected with a circus or menagerie shall pay a license of fifteen dollars per day.

35. Every person, firm, association or corporation, operating any street railway within the city of Bisbee, shall pay a quarterly license of five dollars for each car used in operating such street railway.

36. Every person, firm, association or corporation, engaged in the business of abstracting, and furnishing abstracts of title, shall pay a quarterly license of ten dollars.

37. Every person engaged in the business of collecting bills and claims on commission, shall pay a quarterly license of five dollars.

38. Every person, firm, association or corporation, engaged in conducting an electric light business or company, a gas business or company, a water business or company, or a sewer business or company, shall pay a quarterly license of twenty dollars.

39. Every bill poster shall pay a quarterly license of ten dollars.

40. Every painter and dealer in painter's materials, shall pay a quarterly license of fifteen dollars; provided, this shall not apply to journey-men painters.

41. Every sewing machine agent shall pay a quarterly license of ten dollars.

42. Every person, firm, association or corporation, doing business as merchant tailors, shall pay a quarterly license of ten dollars.

43. Every dyer and cleaner, shall pay a quarterly license of five dollars.

44. Every person, firm, association or corporation dealing in pianos, organs or other musical instruments and every agent or dealer in the same, shall pay a license of ten dollars per month.

45. Every person, firm, association or corporation, doing a banking business, shall pay a quarterly license of fifteen dollars.

46. Every person, firm, association or corporation, carrying on or conducting a printing or newspaper office, shall pay a quarterly license of fifteen dollars.

47. Every person, firm, association or corporation, conducting or carrying on a blacksmith or wheelwright shop, shall pay a quarterly license of five dollars for each forge operated and used in such business.

48. Every person, firm, association or corporation, owning or conducting a barber shop, shall pay a quarterly license of one dollar and fifty cents per chair for each chair in use in said shop.

49. Every person, firm, association or corporation, carrying on or conducting the business of an undertaker or undertaking establishment, shall pay a quarterly license of thirty dollars.

50. Every person, firm, association or corporation, carrying on or conducting the business of a photographer, or photographic gallery, shall pay a quarterly license of five dollars.

51. Every fortune teller or palmist shall pay a daily license of one dollar.

52. Every person, firm, association or corporation, owning or conducting the business of a jeweler or jewelry store, shall pay a quarterly license of fifteen dollars.

53. Every person, firm, association or corporation carrying on or conducting the business of a druggist, or of a drug store, shall pay a quarterly license of twenty dollars.

54. Every porter or runner for stage coaches and public houses, shall pay a quarterly license of twenty-five dollars.

55. Every keeper or proprietor of a bawdy house, or house of prostitution, within the city, shall pay a monthly license of thirty dollars.

56. Every keeper or proprietor of a millinery establishment shall pay a quarterly license of two dollars and fifty cents.

57. Every dealer in second-hand goods, shall pay a quarterly license of fifteen dollars.

58. Every person, firm, association or corporation, conducting or operating a telephone business, or telephone company, within the city of Bisbee, shall pay a quarterly license of twenty-five dollars.

59. Every person, firm, association or corporation, conducting or operating the business of a telegraph company within the limits of the city of Bisbee, shall pay a quarterly license of fifty dollars.

60. Every person, firm, association or corporation, engaged in carrying on or conducting the business of a tin-smith or plumber, shall pay a quarterly license of fifteen dollars.

Section 16. Every person, firm, association or corporation engaged in the business of selling spirituous, vinous or malt liquors in quantities in excess of one quart are wholesale liquor dealers within the meaning of this ordinance, and every person, firm, association or corporation, engaged in the business of selling spirituous, vinous or malt liquors in quantities of one quart, or in any less quantity or quantities, is a retail liquor dealer within the meaning of this ordinance.

Section 17. When a license tax is made payable quarterly, it shall be paid in advance on the first day of January, April, July and October of each year; when payable monthly, it shall be paid on the first day of each and every month in advance, and license shall only be issued for the term prescribed by this ordinance; provided, however, that when the application for license is made during the term, the license shall be apportioned and a license issued to the expiration of the term.

Section 18. No license shall be issued to a keeper or proprietor of any saloon or gambling place, whose establishment is visited by women, or in which they are employed in any capacity, and if after a license shall be issued, such place is so visited or frequented by women, or they are employed in any capacity therein, such license shall at any time be revoked by order of the common council, and in case of revocation, all unearned license money shall be forfeited.

Section 19. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 20. This ordinance shall take effect, and be in force from and after its passage and publication as required by law.

Passed by the Mayor and Common Council, this 1st day of July, A. D., 1902.

J. J. MUIRHEAD.
Attest: W. D. KINSEY.

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Passed by the Mayor and Common Council, this 1st day of July, A. D., 1902.

J. J. MUIRHEAD.
Attest: W. D. KINSEY.

HERE IS A CHANCE FOR A CHEAP RIDE.

The Santa Fe will sell daily during June, July, August and September special tickets to principal points in Michigan, Minnesota and Wisconsin at one fare plus \$2 for the round trip. This rate will apply from either Deming or El Paso, final limit October 31st. For particulars write agent at Deming or Geo. F. Roe, G. F. & P. A., El Paso.

DORFLINGER'S GACKET STORE

ICE CREAM AND SODA WATER.

Notions and Stationery, Confectionery and Sweet Cream, Cigars and Tobacco, Orckery.