

Ordinance No. 23055

An Ordinance authorizing the Mayor and Auditor to draw a warrant on the General Fund in favor of M. O. Wilkins, Assignor of Gus Franso, and declaring an emergency.

WHEREAS, Gus Franso paid to the Municipal Court on December 8, 1910, as a fine, the sum of \$96.00; and,

WHEREAS, upon a writ of review to the Circuit Court the judgment of the Municipal Court was set aside on the ground that said court had no jurisdiction as a trial court to try the defendant for the offence alleged to have been committed; therefore,

The City of Portland does ordain as follows:

Section 1. That the Mayor and Auditor be and are hereby authorized to draw a warrant on the General Fund, chargeable to the appropriation for Relief of Certain Persons, in favor of M. O. Wilkins, Assignor of Gus Franso, to provide for the repayment of the sum of \$96.00 paid as a fine in the Municipal Court in a case wherein the said court exceeded its jurisdiction to impose a fine.

Section 2. That said warrant shall not be drawn and delivered until such time as the said M. O. Wilkins, Assignor of Gus Franso, shall file in the office of the Auditor of the City of Portland a release from the defendant direct to the City of Portland, and an assignment prepared in proper form, approved by the City Attorney.

Section 3. Whereas there is an immediate necessity that this ordinance shall take effect upon its approval by the Mayor, an emergency is hereby declared and said ordinance is hereby declared to be necessary for the immediate preservation of the health, peace and safety of the people of the City of Portland for the following reasons: The amount refunded by this ordinance is on account of a fine imposed without jurisdiction and should be returned without delay. Therefore this ordinance shall take effect and be in force from and after its approval by the Mayor.

Passed the Council, Mar 22 1911

A. L. BARBUR
Auditor of the City of Portland.

Submitted to the Mayor, Mar 23 1911

Approved, March , 1911.

Mayor.

The foregoing ordinance was submitted to the Mayor March 23, 1911, and he having returned the same March 28, 1911, without his approval or disapproval, the same therefore becomes a law under the provisions of Section 50 of the City Charter, April 28, 1911.

A. L. BARBUR
Auditor of the City of Portland.