

any person put under his direction for the purpose of working out any fine or penalty as aforesaid, if such person shall attempt to escape, or shall refuse to obey the directions of the city marshal, and the city marshal is hereby authorized and empowered to use all reasonable and proper means to secure the labor on the streets as hereinbefore provided.

454. Section 7. All fines, forfeitures and penalties for breaches of any ordinance of the city shall, as soon as collected, be paid to the city treasurer, and the officer paying over the same shall take the treasurer's receipt therefor. The city clerk shall keep a correct account of all money thus paid to the treasurer.

For Police Court Proceedings, see Chapter III, Rev. Stat. 1908.

ORDINANCE NO. 3

(Passed February 21, 1871.)

455. Section 1. That whenever any fine, forfeiture or penalty shall be imposed for the breach of the provisions of any ordinance of this city, the same shall be recoverable by suit before the police magistrate or any justice of the peace in the nature of actions for debt.

456. Section 2. Actions for violations of ordinances may be commenced by the filing with the police magistrate or a justice of the peace within and for said City of Golden, or county of Jefferson, a statement or complaint, stating the nature of the offense, signed by the attorney of said city, or the city marshal, or any member of the police, or any responsible citizen of said City of Golden, which statement may be in the following form:

A, B. to the City of Golden, Dr.

To dollars for violation of an ordinance of said city, entitled, (here insert the title and section thereof) passed the day of A. D., in this, to-wit: (here briefly describe the particular breach, in the language of the ordinance,) on the day of A. D.

Provided, however, that a warrant for the arrest of the offender may issue at the first instance upon the affidavit of any person that any such ordinance has been violated, and that the person making the complaint has reasonable grounds to believe the party charged is guilty thereof, and any person arrested upon such warrant shall, without unnecessary delay, be taken before the proper officer to be tried for the alleged offense. It shall be sufficient to state in the complaint or affidavit the number of the section and title of the ordinance violated, together with the date of its passage, without stating said section or ordinance in full or the substance thereof.

See Sec. 6664, Rev. Stat. 1908.

457. Section 3. No action before a police magistrate or a justice of the peace shall be dismissed for any defect of form in said statement or complaint, if it substantially sets forth the nature of the violation alleged, so as to give the defendant notice of the charge he is required to answer, and such statement or complaint may include several persons charged with the same offense.

458. Section 4. Upon the filing of such statement or complaint, the police magistrate or justice of the peace shall enter the case upon his docket in the usual manner required by law, and shall issue a summons returnable forthwith, or at such time, not exceeding ten days, as the magistrate or justice may designate, or warrant, as the case may require. Whenever any person has been arrested on view or otherwise according to law, without

459. Section 5. In case a complaint on oath shall be made, as hereinbefore provided, and the police magistrate or justice of the peace shall be of the opinion that a speedy proceeding is necessary to secure the punishment of the offender, he shall issue a warrant, which may be substantially in the following form:

Police Magistrate, or Justice of the Peace (as the case may be.)

463. Section 9. The police magistrate, justice of the peace and city marshal, in all matters pertaining to their respective duties in their respective offices in judicial proceedings, and concerning which there is no specific

provision by the city charter or by the ordinances of this city, shall be governed by the laws of the state regulating the practice and proceedings in cases before police magistrates, or justices of the peace, and the duties of police magistrates, or justices of the peace, and constables, so far as the same may be applicable.

ORDINANCE NO. 4

(Passed September 2, 1872.)

464. Section 1. That any police magistrate, justice of the peace, constable, city marshal, or other officer, who shall or may have collected any fine, for the City of Golden, shall on the first Monday of each and every month, report to the city clerk the amount of such fine, if not previously reported, stating the date of imposing fine, the date of collecting the said fine, the name of the person fined, and the amount of such fine, and shall at the time of making such report pay said fine to said clerk.

465. Section 2. Any police magistrate, justice of the peace, constable, city marshal, or other officer, who shall neglect or fail so to report and pay over any fine, shall forfeit and pay to the City of Golden a fine of not less than ten nor more than fifty dollars.

ORDINANCE NO. 5

(Passed December 5, 1872.)

466. Section 1. That when any person fined for breach of any ordinance of the City of Golden, shall serve out such fine in jail, or shall work out such fine upon the streets, the police magistrate, or justice of the peace, shall be paid by the city the sum of two dollars for his fees in such case.

467. Section 2. No officer shall receive anything, by virtue of this ordinance, who is in default to the city by reason of non-payment of any fine collected by him.

CHAPTER XIX.

Relating to Railroads

ORDINANCE NO. 37

(Passed January 2, 1900.)

Steam Railroads on Streets.

468. Section 1. It shall be unlawful to obstruct the free passage of any street, public highway or alley across which a steam railroad may be constructed or operated within this city, by means of any railroad car or cars, or locomotive engine or engines, for a period exceeding five minutes of time at any one time. It shall be the duty of every railroad company, or corporation, or engineer, conductor, yardman, switchman, or other person having in charge or under his control the moving of any railroad car or cars, or
