W. S. Chisholm

A DIGEST

OF ALL THE

Ordinances of the City of Savannah,

AND VARIOUS LAWS OF THE STATE OF GEORGIA, RELATIVE TO SAID CITY, WHICH WERE OF FORCE ON THE 1st JANUARY, 1858,

TOGETHER WITH AN

APPENDIX AND INDEX:

COMPILED AND ALPHABETICALLY ARRANGED

BY

EDWARD G. WILSON.

SAVANNAH:
John M. Cooper & Co.
1858

TO THE

HON. RICHARD WAYNE, MAYOR,

AND THE

MEMBERS OF THE CITY COUNCIL

FOR THE YEAR 1858,

GEORGE A. GORDON,	JOHN RICHARDSON,
JOHN G. FALLIGANT,	CLAUDIUS C. WILSON,
WILLIAM R. SYMONS,	JAMES B. FOLEY,
NOAH B. KNAPP,	WILLIAM WRIGHT,
THOMAS M. TURNER,	JAMES E. GODFREY,
Dr. JOHN F. POSEY,	FRANCIS BLAIR.

THIS DIGEST

OF THE

Ordinances of the City of Savannah,

IS RESPECTFULLY DEDICATED

BY EDWARD G. WILSON, COMPILER.

MEMORANDA.

The CITY ORDINANCES and STATE LAWS which were altered during the progress of this work could not be placed under their appropriate heads, but may easily be found by referring to the Index and the following list of Corrections.

The volume contains the CITY ORDINANCES and various STATE LAWS applicable to the City of Savannah *in force at this date.*

SAVANNAH, 8th March, 1858.

CORRECTIONS.

On Page 42, omit the word "Incorporations."
" " 71, for "Chatham" read "Calhoun."
" " 103, for "(18)" read "(17.)"
" " 111, for "($)" read "($100.)"
" " 143, for "1st Monday in October," read "2d Monday in October."
" " 244, for "Hull" read "Hall."
" " 275, omit the words "(See Title, "Schools.")"
" " 288, 5th line from the bottom, omit the words "not exceeding."
" " 292, for "(See Title, Streets and Lanes)" read "(See Title, "City Surveyor.")"
" " 316, No. 387, erroneously punctuated, see same article, page 417.
" " 376, for "fifty-one, (See No. 440,)" read "forty-one, (See No. 445.)"
" " 412, for "(See No. 483)" read "(See No. 484.)"
" " 445, 17th line, omit the word "*said.*"

ORDINANCES

OF THE

CITY OF SAVANNAH,

And various Laws of the State of Georgia, relative to said City.

AUCTIONS.

Ordinance 1st July, 1852.

Auction Sales. held by whom.

No. 1. SEC. (1.) It shall not be lawful for any person whomsoever, not being a licensed Vendue Master or a Sheriff, Coroner or Constable, in execution of lawful process, or an Executor, Administrator or Guardian, in the due execution of his trust to hold any public Vendue Sales or Auction whatsoever, or to expose for sale by himself at public outcry any goods, chattels, wares, produce or merchandise, within the limits of the City of Savannah. And if after the passing of this Ordinance any person other than the person hereinbefore named, shall hold any public Auction whatsoever within the limits of the City of Savannah or shall expose to sale by himself at public outcry within the limits of the City, any goods, wares, chattels, merchandise or produce whatsoever, such person so acting or offending shall be subject and liable to a fine for each and every such act or offence of not exceeding Fifty Dollars, to be imposed and recovered on information before the Mayor of said City. Penalty.

Application to set forth place of Auction Business.

(2.) When an application for the office of Vendue Master, shall hereafter be made the applicant shall set forth the store or place at which he intends to conduct or carry on his general Vendue or Auction Business, and no Auctioneer shall hereafter be permitted to hold, carry on or conduct any general Auction or Vendue Business at any other store or house than the store or place so set forth, unless by special permission of Council, and hereafter all licenses shall show the said store or place as set forth by the applicant and such licenses shall not be in any way assignable. *Provided always, (by Ordinance of*

Special Auction Sales.

24*th February*, 1853, "That such license shall authorize said Vendue Master to hold special Auction sales at any point within the City, and at any time during the continuance of said license, for the purpose of selling any goods, wares, merchandise, furniture, vessels, cargoes, or other property and to employ such other persons to sell for them as they may deem necessary for the time being, such sales to be made under the direction of said licensed Vendue Masters in good faith and not with intent to defraud the Corporation of the City of Savannah.")

No person to have any part of profits unless he is a partner.

(3.) No Vendue Master shall hereafter be permitted to use his license in such manner as to allow any person other than such Vendue Master to have any part or share of the commissions or profits, which may be made on the sales of such Vendue Master: *Provided*, That if there be two or there partners and license be granted to one partner the license shall set forth the name or names of the other partner or partners, who may be allowed to receive a share of such profits, and if any licensed Vendue Master shall hereafter use his license, that any person other than the person or persons named in the license shall receive a part or share of the commissions or profits on his sales, such licensed Vendue Master, shall be liable to a fine of One Hundred Dollars, to be recovered on information before the Mayor of the City. And if any Vendue Master, licensed, shall carry on any general Auction or sale at public outcry at any place other than the place named in his license, without special permission of Council, he shall be liable to a fine of one hundred dollars, to be recovered on information before the Mayor of the City.

Penalty.

Tax Ordinance 29th Oct., 1857.

Tax on Auction Sales.

No. 2. (8.) The rates of taxes on sales at auction in this City shall be as follows, to wit: on the gross amount of sales where the sum shall not exceed one thousand dollars, one per centum; where the same shall exceed one thousand dollars, and shall not exceed three thousand dollars one half of one per centum; where the same shall exceed three thousand dollars, one fourth of one per centum; and all Vendue Masters or Auctioneers shall make their returns in the manner, at the times, and under the penalties now prescribed by law.

(*See Title, Vendue Masters.*)

BADGES.

(*See Titles, Drays, Fire, Market, Negroes.*)

Ordinance 29th Dec., 1853.

Badges half price after 1st July.

No. 3. (2.) From and after the passing of this Ordinance, all badges issued, or licenses for vehicles taken out by residents of the City of Savannah, between the first day of July and the thirty-first day of December, shall be issued or taken out, at one half the several sums prescribed for badges, or licenses for vehicles, by the existing Ordinances of the City.

Ordinance 19th Oct., 1854.

(*Price of Badges, including Fees.*)

Price of Badges

Slaves or free persons of color, exercising the trade of cabinet makers, house or ship carpenters, caulkers, brick layers, blacksmiths, tailors, barbers, bakers or butchers, $10.56¼, exercising the trades of coopers, painters, wood sawyers, pilots, fishermen, boatmen and grass cutters, $8.56¼. Female porters or laborers, $3.06¼. Male porters or laborers, $4.56¼. Penalty not exceeding $50.00.

Venders of small wares and hucksters, $8.87½. (Ordinance 2d August, 1839.) Penalty not exceeding $20.00.

Venders of vegetables and grist in the market, and not poultry, $8.87½. (Ordinance 17th December, 1840.) Penalty not exceeding $30.00.

LICENSES ON VEHICLES.

One	horse or mule,	dray or truck,	$10	56¼
Two	"	" "	15	56¼
Three	"	" "	20	56¼
Four	"	" "	30	56¼
One	"	cart or wagon,	8	06¼
Two	"	cart or wagon,	15	56¼
One	"	cab, hack, &c.	15	56¼
Two	"	cab, hack, &c.	25	56¼
Two	"	omnibus,	25	56¼
Four	"	omnibus,	40	56¼

Every break wagon, or wagon for exhibiting horses for sale, $25.56¼. Every horse or mule for loading or unloading vessels, $20.56¼. (Ordinance passed in Council 22d December, 1856.)

Ordinance 16th November, 1843.

Slaves coming into City after 1st January, to pay tax. Non-resident owners of Slaves, to take out Badges.

No. 5. (3.) Every slave coming into the City after the first day of January, and who may be required by the Ordinance to take out a badge, shall be liable to the tax herein assessed, to be paid at the time of taking out said badge. And all slaves whose owners reside out of the City, hired or working in stores or warehouses, or on board Steamboats, Steamboat Companies' wharves, or driving drays or wagons, shall be required to take out a Porter's Badge.

BILLIARD TABLES AND BOWLING ALLEYS.

Ordinance 16th November, 1843.

Billiard Rooms and Bowling Alleys, to close at 12 o'clock at night. Penalty.

No. 6. (5.) It shall not be lawful for the proprietor of Billiard Rooms or Bowling Alleys to permit riotous, disorderly or noisy conduct within their respective premises, or to keep them open after 12 o'clock at night, to the annoyance of the inhabitants residing near such establishments. And for every violation of this Section such keepers or proprietors, shall be dealt with as in other cases of violation of the Ordinances of the City.

Tax Ordinance 29th Oct., 1857.

Billiard Table and Bowling Alley Tax, $100 annually.

No. 7. (8.) Each and every person, who shall keep and use for hire, within said City any Billiard Table or Bowling Alley, shall pay to the City Treasurer annually, for every such table or alley, the sum of one hundred dollars. Each and every such person who shall have paid to the said Treasurer, the said sum of one hundred dollars, before the 1st day of January next, in compliance with the Ordinances of 16th November, 1843, and 29th December, 1853, "imposing a tax on Billiard tables and Bowling Alleys, and for regulating the same," shall be required to pay the like sum at the end of the current year for which the said sum was paid under the said Ordinances, and annually thereafter, so long as such table or alley shall be kept and used for hire, and each

If opened on & after the 1st January, $100.

and every person, who shall put up or open, or cause to be put up or opened, on or after the said first day of January next, any such Billiard Table or Bowling Alley, to be kept and used for hire, shall forthwith, and annually thereafter, so long as such table or alley shall be kept and used for hire, pay to the said Treasurer, the said sum of one hundred dollars, for every such table or alley.

BOARD OF HEALTH.

Ordinance 10th July, 1823.

Board of Health appointed in April of each year.

No. 8. (1.) It shall be the duty of the Mayor, on the first meeting of Council (The ordinance of 10th January, 1856, says "April next, and at the same time in every year thereafter") to appoint two citizens from each ward for the purpose of constituting a Board of Health, whose duty it shall be to meet at least once in each week, after their appointment, until the first meeting of Council in November following.

Duty to inspect Lots, &c.

(2.) It shall be the duty of said Board to visit and inspect each and every lot enclosure and yard in their respective wards, and where any filth or unwholesome collections may be found, the same to have immediately removed by information to the Marshal or City Scavenger, whose duty it shall be to immediately attend to such information, and to have the owner or occupier of such lot, enclosure or yard, summoned before the next Council thereafter, to answer for such neglect. And any person who shall refuse admittance to any members of said Board to visit and inspect such lot, inclosure or yard shall, on conviction thereof be fined in a sum not exceeding thirty dollars.

Marshal or Scavenger.

Refusal to admit Penalty.

Report Filth.

(3.) It shall be the duty of said Board to report all filth or unwholesome collections that may be found in any street, lane or wharf, to the Mayor, whose duty it shall be to have the same immediately removed by the proper officer.

Mayor.

Ordinance 25th Aug. 1823.

Untenanted Buildings to be ventilated.

No. 9. (1.) It shall be the duty of the owner or owners of all untenanted or unoccupied stores, houses, or buildings, within the limits of the City of Savannah, to cause the same to be open-

ed and ventilated at least once in every week, until the tenth day of November next, and once in every week, from the first day of May to the tenth day of November in each and every year afterwards. And that every owner of such untenanted or unoccupied stores, houses, or buildings, as aforesaid, who shall fail or omit to cause the same to be opened and ventilated, as aforesaid, shall, on conviction thereof, before Council, be fined in a sum not exceeding thirty dollars, for each and every failure or omission.

Penalty.

(2.) It shall be the duty of the owner or owners of all untenanted or unoccupied stores, houses or buildings, as aforesaid, to cause the same to be white-washed or cleansed in such manner as the Mayor may direct and order, within five days after he or she, his or her agent or attorney, shall have received a written order to that effect from the Mayor; and that on any such owner or owner's failure or omission to comply with the order or requisition of the Mayor, as aforesaid, he, she or they shall, for each such failure or omission, be fined, on conviction before Council, for each and every such offence, in a sum not exceeding thirty dollars.

White-washed or cleansed.

Penalty.

(3.) It shall be the duty of the Board of Health and the City Marshal, to report to Council all and every person or persons who shall offend against the provisions of this Ordinance; and in case the owner or owners of any such unoccupied stores, houses, or buildings, be absent from the City, and have no known agent or attorney residing within the same, that then and in such case the Mayor is hereby authorized to cause the same to be opened and ventilated as aforesaid, and if the same, in his opinion, require white-washing or cleansing, to direct and require the City Marshal to cause the same to be done, as aforesaid. The expense whereof, shall be paid by the owner of said stores, houses, or buildings.

Absent owners.

Marshal.

Ordinance 20th April, 1827.

No. 10. (1.) It shall be the duty of the Board of Health, when through their ward committee, they shall discover the sink or sinks of any privy or privies to be surcharged, whether offensive or not, to give five days notice, by the Marshal or any City Constable, to the owner or owners, occupier or occupiers of the lot or part of lot, wherein such privy or privies may be located, or his, her, or their agent or attorney, requiring that the evil

Sinks surcharged.

Notice to Owners.

complained of be removed; and if after the expiration of such notice, the direction shall not have been complied with, it shall be the duty of the Marshal or Constable, peaceably to enter on the premises, and with proper aid, to cause the sink or sinks to be either dug out, and the contents buried, or filled up with earth, as the Board of Health may have directed. (See No. 12.)

Marshal's duty.

(2.) Any person or persons owning or occupying any lot or part of lot as a yard, garden, or for any other purpose, shall keep the same clean and free from filth or impurity from animal or vegetable matter; and when such lot or part of lot shall be ascertained by the Board of Health, through their ward committees to be unclean, and in bad order, they shall give one day's notice of the fact by the Marshal or any City Constable, to the owner or owners, occupier or occupiers, pointing out wherein the evil complained of consist, and with direction that it be forthwith removed. If, after such notice, the lot or part of lot, shall continue unclean and in bad order, the Marshal or Constable shall enter peaceably on the premises, and with proper aid, cause the filth or impurity to be removed, ready for the scavenger's carts, or sufficiently covered over with sand or earth.

Yards, &c., to be kept clean.

If unclean.

Scavenger carts

(3.) Any owner or owners, occupier or occupiers of any lot or part of lot, refusing or neglecting to comply with the requisition of the notice served under either of the two foregoing sections, shall be summoned before Council, and on conviction, be fined in a sum not exceeding thirty dollars.

Penalty.

(4.) In all cases arising under this Ordinance, where the Marshal or Constable shall incur reasonable expenses in carrying into effect its provisions, the amount of such reasonable expenses shall be paid out of the City Treasury, and be charged to the owner or owners, occupier or occupiers of the lot or part of lot, and shall be recoverable from such owner or owners, occupier or occupiers, by warrant of distress and sale, issued under the twelfth section of the amended charter of the City: *Provided, always,* That such amount shall have been first passed by Council, and provided also, that the owner or owners, occupier or occupiers shall be, in all cases, entitled, upon demand, to be heard by Council on any objections presented against the reasonableness of such amount.

Expenses charged the Owner.

(5.) In all cases where notice is required, if the owner or owners, occupier or occupiers be absent from the city, without any known agent or attorney, the prescribed notice being pub-

Owners absent from city. Publish.

lished in one of the gazettes of the city, shall be sufficient for the purposes of this ordinance.

Penalty for opposing Committees of Board of Health.

(6.) If any person or persons shall refuse admittance to, or shall oppose or resist the committees of the Board of Health when making inspection, or shall refuse admittance to, or shall oppose or resist the Marshal or Constable in the execution of his duties under this Ordinance, such person or persons shall on conviction before Council, be fined in a sum not exceeding thirty dollars, one half to be paid to the informer, the other half to the Treasury of the City.

Board of Health to continue 12 months.

(7.) It is the true intent and meaning of the first section of the Ordinance passed on the 10th July, 1823, establishing a Board of Health, that the powers of the Board appointed annually at the first meeting of Council in the month of (*now April, see No.* 8,) shall continue and be of full force for the full end and term of twelve months thereafter, with full power in the Chairman of the said Board, to convene the same whenever it may be deemed necessary for any of the beneficial purposes designed by this Ordinance, or by any other, regulating and providing for the said Board.

Ordinance 22d Sept., 1831.

Privy to every tenement.

No. 11. (1.) It shall be the duty of every owner or lessee, or their agents, of every lot within the limits of the city, whereon any dwelling house is or may hereafter be erected, to have attached to every tenement a privy, to be built and sunk according to the prvisions made and provided by the Ordinance on that subject.

Neglect or refusal after 30 days notice

(2.) If any owner or lessee, or their agents, shall refuse or neglect to have a vault and privy sunk and erected within thirty days after notice given by Council, the same shall be done under direction of the City Marshal, who shall collect the amount expended for the same from the owner or lessee, or agent, or upon their refusal to pay, execution may issue to be levied upon the lands and tenements, goods and chattels, of said owner, as is pointed out by other Ordinances, and also, to such fine as Council may impose, not exceeding thirty dollars.

Marshal to erect

Penalty.

Ordinance 20th Oct., 1831.

When not to clean out Sinks Privies or Dry Wells.

No. 12. (1.) By (Ordinance of 10th July, 1856. No Sink, Privy or Dry-well shall be cleaned out within the City limits after the first day of June, of each year, until the first day of

November following, unless by permission from the Mayor;) and any persons violating this Ordinance, shall be fined in a snm not exeeeding thirty dollars, to be collected in the usual manner and appropriated to the use of the Board of Health.

Penalty.

Ordinance 3d Dec., 1839.

Boarding House Keepers to report sick seafaring men or transient boarders. in 12 hours after arrival.

No. 13. (1.) It shall be the duty of every person keeping a Boarding or Lodging House, in the City of Savannah between the thirty-first day of March, and the first day of November in each and every year, to report in writing to the Chairman of the Board of Health, or to the Health Committee of the Ward, the name of every seafaring-man boarder or transient person, who shall be sick in his or her house, within twelve hours after such case of sickness, shall have occurred and for neglecting so to do, and on conviction thereof before Council, he or she shall be fined in a sum not exceeding Thirty Dollars.

Penalty.

To give security to pay expenses in case of death.

(2.) The persons keeping the above mentioned houses, be compelled to give bond and security to the Chairman of the Board of Health, in the sum of Fifty Dollars, for all expenses that might be incurred by the death of such person, if at the recommendation of the Chairman of the Board of Health or Ward Committee, the person so being sick be not immediately sent to the Hospital, and upon neglecting or refusing to comply with the requisitions of this Section, the persons keeping such houses, shall be fined in a sum not exceeding Thirty Dollars.

Penalty.

Ordinance 19th July, 1849.

Negroes sick with contagious diseases, not to be brought within the extended limits.

No. 14. (1.) No person or persons shall bring within the extended limits of the City, any negro or negroes, sick with any epidemical, pestilential, contagious or infectious disease, under penalty for each and every offence for each and every negro so brought of one hundred dollars. Said penalty to be adjudged by Council and enforced in the usual way.

Penalty.

Ordinance 2d Aug., 1849.

Negroes from Plantations to avoid contagious diseases.

No. 15. (1.) No negro or negroes shall be brought within the extended limits of the City from any of the neighboring plantations, for the purpose of avoiding any pestilential, epidemical, contagious or infectious disease, under penalty of Fifty Dollars in each and every case, and for each and every negro so brought in. Said penalty to be adjudged by Council and enforced in the usual way.

Penalty.

BONDS.

Ordinance 2d Aug., 1849.

South Western Rail Road Co. Subscription $150.000.

No. 16. (1.) His honor the Mayor of the City be, and he is hereby authorized and directed to subscribe, in behalf of this corporation, for Fifteen Hundred Shares, of one Hundred Dollars each, in the South-Western Rail Road Company.

(2.) There shall be issued in the Bonds of the City of Savannah, One Hundred and Fifty Thousand Dollars, to pay for such subscription. The bonds shall be issued in sums of One Thousand Dollars each, bearing interest at seven per cent. per annum, the interest payable semi-annually in New-York, the principal payable at the end of twenty years at Savannah. There shall be attached to each Bond coupons or interest warrants for each half yearly sum of interest. The Bonds shall be in the following or similar form:

STATE OF GEORGIA, }
Chatham County. }

Know all men by these Presents, That the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, acknowledge to owe to the South-Western Rail Road Company the sum of One Thousand Dollars, lawful money of the United States of America, which sum the said Mayor and Aldermen of the City of Savannah and the Hamlets thereof, do hereby promise for themselves and their successors, well and truly to pay to the said the South-Western Rail Road Company, or to the bearer thereof on the day of

Each Bond $1000.

Payable in 1869, at Savannah.

One Thousand Eight Hundred and Sixty-Nine, at the Treasury in the City of Savannah, and the said the Mayor and Aldermen of the City of Savannah and Hamlets thereof, for themselves and their successors, do hereby engage to pay an interest on the said sum of One Thousand Dollars, at the rate of seven per cent. per annum, in the City of New-York, to wit: On the first day of Eighteen Hundred and Fifty, and on the first days of , and in each and every year thereafter, upon the delivery of the coupons severally annexed, until the payment of the said principal sum.

7 per cent. interest, payable semi-annually in New York.

In testimony whereof, the Mayor and City Treasurer have signed these presents and caused to be hereto affixed the seal of said City this day of 1849.

Bonds signed.

The Bonds shall be signed by the Mayor and Treasurer, and have attached thereto the seal of this corporation, with the attestation of the Clerk of Council, and the coupons or interest warrants shall be signed by the City Treasurer.

No. and register.

(3.) The Treasurer shall number and keep a register of said Bonds.

Delivery of Bonds.

(4.) The Mayor shall deliver the said Bonds to the President of the South-Western Rail Road Company, in payment of said subscription, on the receipt of scrip for the stock subscribed for and on the delivery of the bonds of the South-Western Rail Road Company to this corporation, in the penalty of One Hundred and Fifty Thousand Dollars, with condition that the proceeds of said Bonds be expended for Iron Rails, Chains and Spikes, for the South-Western Rail Road, and that this corporation shall have a lien on the same, until actually laid down on the Road, as aforesaid, for use as security for the debt created by the Bonds hereby authorized.

Proceeds expended for Iron Rails, &c.

Lien.

Ordinance 17th Jan., 1850.

Augusta and Waynesboro' Rail Road Co. Subscription $200,000.

No. 17. (1.) His Honor the Mayor of the City be, and he is hereby authorized and directed to subscribe in behalf of this corporation for Two Thousand Shares, of One Hundred Dollars each, in the Augusta and Waynesboro' Rail Road Company.

(2.) There shall be issued in Bonds of the City of Savannah, Two Hundred Thousand Dollars, to pay for such subscription. The Bonds shall be issued in sums of Five Hundred Dollars each. (The balance of this and Sec. 3, the same as Sec. 2 and 3 of No 16, except that the Bond is for $500 and is payable in 1870.)

Each Bond $500.

Payable in 1870 at Savannah.

Interest payable in New York.

Delivery of Bonds.

(4.) The Mayor shall deliver the said Bonds to the President of the Augusta and Waynesboro' Rail Road Company, in payment of said Subscription from time to time, as the instalments on the said stock are called in.

Ordinance 10th June, 1850.

Springfield Plantation.

No. 18. (1.) His Honor the Mayor of the City be and he is hereby authorized and directed to purchase from N. A. Hardee, R. W. Adams, and F. H. Welman, Trustees of the minors of the late Joseph Stiles, the tract of land known as the Springfield Plantation, at the rate of Twenty-nine Dollars per acre.

Each Bond $500 payable in 1875, at Savannah.

(2.) There shall be issued, in Bonds of the City of Savannah, a sum sufficient to pay for such purchase. The Bonds shall be issued in sums of Five Hundred Dollars each. (The balance of this and Sec. 3, the same as Sec. 2 and 3 of No. 16, except that the Bond is payable in 1875, the interest and principal payable in Savannah.

Delivery of Bonds.

(4.) The Mayor shall deliver the said Bonds to the Trustees aforesaid, in payment of said purchase.

Ordinanee 29th Aug., 1850.

The Bonds authorized by the second section of the above recited Ordinance (of 10th June, 1850,) shall have attached coupons or interest warrants for each half yearly sum of interest, which said coupons shall be signed by the City Treasurer.

Ordinance 10th April, 1851.

Muscogee Branch Rail Road.

No. 19. (1.) His Honor the Mayor of the City be, and he is hereby authorized and directed to subscribe in behalf of this corporation, for One Thousand Shares, of One Hundred Dollars each, in the South-Western Rail Road, to be expended

Subscription $100.000.

in the construction of the Twenty-One Miles of Road from Fort Valley to the Eastern terminus of the Muscogee Rail Road.

(2.) There shall be issued in Bonds of the City of Savannah, One Hundred Thousand Dollars, to pay for said subscription.

Bonds $500 each Payable in 1876. Interest payable in Savannah.

(The balance of this and Sec. 3, the same as Sec. 2 and 3 of No. 16, except that the Bond is for $500, payable in 1876, interest payable at City Treasury.

Delivery of Bonds or money

(4.) The Mayor shall deliver the said Bonds or their equivalent in money, at the option of the Mayor, to the President of the South Western Rail Road Company, in payment of said subscription, from time to time, as the instalments on the stock are called in.

Ordinance 17th January, 1852.

S. & O. Plank Road. $5000.

No. 20. (1.) There shall be issued Bonds of the City of of Savannah to the amount of Five Thousand Dollars, to pay for the City's subscription to the Savannah and Ogeechee Plank

Interest, &c.

Road Company. The said Bonds shall be payable in ten years, with interest at the rate of seven per cent. per annum; the interest payable semi-annually, according to coupons to be annexed to the Bonds.

Ordinance 1st July, 1852.

Water Works Site. $22.000.

No. 21. (1.) There shall be issued Bonds of the City of Savannah to the amount of Twenty-two Thousand Dollars, to pay for a lot of land purchased for the site of the Water Works of the City, from Messrs. Amos Scudder, Alexander A. Smets, Robert Lachlison and James Lachlison. The said Bonds shall be payable in twenty years, with interest at the rate of seven

Interest, &c.

per cent. per annum; the interest payable semi-annually, according to the coupons to be annexed to the said Bonds.

Ordinance 27th Jan., 1853.

Construction of Water Works $200.000.

No. 22. (1.) There shall be issued Bonds of the City of Savannah, to the amount of Two Hundred Thousand Dollars, to pay for the construction of the Water Works for said City. The said Bonds shall be payable in Twenty-five years, with interest at the rate of seven per cent. per annum; the interest

Interest &c.

payable semi-annually, according to the coupons to be annexed to the Bonds.

Ordinance 10th Feb., 1853.

Gas Light Co. $5000.

No. 23. (1.) The Mayor be, and he is hereby authorized, for and in behalf of this corporation, to subscribe for Two Hundred and Twenty-five Shares of the extended stock of the Savannah Gas Light Company, being the amount which falls to the City in the apportionment of said stock.

(2.) The Mayor be, and he is hereby authorized to issue Bonds of the City, in the usual form, to the amount of Five Thousand Dollars, bearing interest at the rate of seven per cent. per annum,

Interest, &c.

and payable thirty years after date; the proceeds of said Bonds, to be applied in payment for the new subscription to the Gas Stock.

Ordinance 2d June, 1853.

River Bonds.

No. 24. (1.) There shall be issued Bonds of the City of Savannah, to the amount of One Hundred and Sixty Thousand Dollars, to be advanced to pay for the improving of the naviga-

($63.000.)

tion of the river and harbor of Savannah, the said Bonds shall be issued in sums of Five Hundred Dollars, payable in thirty

Each Bond $500 Interest, &c.

years, with interest at the rate of seven per cent. per annum, the interest payable semi-annually, according to the coupons to be annexed to the Bonds. The Bonds shall be signed by the Mayor and City Treasurer, and have attached thereto, the seal of this corporation, with the attestation of the Clerk of Council,

and the coupons or interest warrants, shall be signed by the City Treasurer, the City Treasurer shall number and keep a register of said Bonds.

Proceeds expended by the Mayor.

(2.) The proceeds of, or the moneys arising from the sale of said Bonds, shall be expended in such sums, and at the times, and in such manner as the Mayor shall deem most expedient for the purpose of carrying on the proposed improvement. (Only $63.000 issued, the balance $97.000, destroyed by order of Council, Oct., 1857.)

Ordinance 23d Sept., 1853.

Savannah & Albany Rail Road.

No. 25. (1.) That the Mayor is hereby authorized to subscribe One Million Dollars to the Capital Stock of the Savannah and Albany Rail Road Company.

(2.) Bonds of the City bearing seven per cent. interest, shall be issued payable at the City Treasury in Savannah, thirty-five years from the date thereof, for the payment of the instalments upon said subscription of One Million Dollars, as the same may become due. The Bonds shall be issued in sums of One Thousand, and Five Hundred Dollars, one third of the former, and two thirds of the latter; to the Bonds shall be affixed coupons for the payment of semi-annual interest, payable at the City Treasury in Savannah.

Subscription $1.000.000.

Bonds.

Interest payable in Savannah.

Instalments in Bonds or money

(3.) Said instalments, shall be paid in bonds or in money, at the option of the City.

Ordinance 6th April, 1854.

Opelika Rail Road. Subscription $100.000.

No. 26. (1.) There shall be issued Bonds of the City of Savannah to the amount of one hundred thousand dollars, to pay the City's subscription to the Branch Road between Columbus, Ga. and Opelika, the said Bonds shall be payable in twenty years, with interest to the rate of seven per cent. per annum, the interest payable semi-annually according to coupons to be annexed to the Bonds. (By Ordinance of 16th Nov., 1854, the principal and interest is payable at the City Bank, N. Y.)

Interest payable in New York.

Ordinance 4th Oct., 1855.

Market House $50.000

(Bonds not Issued.)

No. 27. (1.) There shall be issued Bonds of the City of Savannah, to the amount of not exceeding fifty thousand dollars, to pay for the construction of a new Market House for the City. The said Bonds shall be payable in twenty years, with interest at the rate of seven per cent. per annum, the interest payable semi-annually, according to the coupons to be annexed to the Bonds.

Ordinance 30th Oct., 1856.

Atlantic & Gulf Rail Road. $200 000.

No. 28. (1.) There shall be issued Bonds of the City of Savannah to the amount of two hundred thousand dollars to pay the City's Subscription to the Atlantic and Gulf Rail Road, made at Milledgeville on the twenty-second day of October, eighteen hundred and fifty-six, the said bonds shall be payable in twenty-five years with interest at the rate of seven per cent. per annum, the interest payable semi-annually, according to coupons to be annexed to the Bonds.

Bonds not issued.

No. 29.

Statement of the Outstanding Bonds of the City of Savannah, on 19th Oct., 1857.

Amount of Bonds Issued.	When Issued.	When Payable.	Where Payable.	Interest, when due.	For What.	Interest.
$150.000 00	1849	1869	New York,	1st May and Nov.,	South Western Rail Road,	$10,500
200.000 00	1850	1870	New York,	1st Feb., and August,	Augusta and Savannah R. R.,	14,000
27.840 00	1850	1875	City Treasury,	14th May and Nov.,	Springfield Plantation,	1,948
100.000 00	1851	1876	City Treasury,	1st June and Dec.,	Muscogee Branch Rail Road,	7,000
5.000 00	1852	1862	City Treasury,	1st June and Dec.,	Ogeechee Plank Road,	350
22.000 00	1852	1872	City Treasury,	7th July and Jan.,	Site of Water Works,	1,540
5.000 00	1853	1883	City Treasury,	1st March and Sept.,	Savannah Gas Light Company,	350
100.000 00	1854	1874	New York,	1st May and Nov.,	Opelika Rail Road,	7,000
200.000 00	1853	1878	City Treasury,	1st Feb. and August,	Construction of Water Works,	14,000
63.000 00	1853	1883	City Treasury,	1st May and Nov.,	Savannah River Improvement,	4,410
1.000.000 00	1853	1888	City Treasury,	1st June and Dec.,	Savannah, Albany & Gulf R. R.	70,000
.....	.....	.....	.....	.....	.....	.....
1.872.840 00			Bonds to be Issued.		Atlantic & Gulf Rail Road.	131,098
200.000 00						14,000
.....	.....	.....	.....	.....	.....	.....
$2072.840 00						$145,098

City Scrip outstanding.....$1.315 00
Corporation Notes outstanding..... 1.957 00
Probably Destroyed.
$3.272 50

BREAD.

Ordinance 8th Feb., 1798.

Quality of Bread

No. 30. (1.) Any Baker, or other person who shall make or bake for sale, or sell, or expose to sale any of the sorts of Bread mentioned in this Ordinance, shall fairly imprint or number, or cause the same to be done, on every loaf of each respective sort of Bread he, she or they, shall make or bake, or sell, or expose to sale, the numbers hereinafter mentioned, that is to say: Upon every loaf of Bread which shall be made, baked, or sold, or exposed to sale, as white Bread, made with flour of the first quality, the number One; upon every loaf of Wheaten Bread the number Two, and upon every loaf of Household Bread the number Three; and every person who shall make or bake for sale, or shall sell or expose to sale any loaf of the different sorts of Bread authorized to be made in pursuance of this Ordinance, which is not numbered agreeably thereto, with the initials of his, her or their name or names on every loaf, every such person or persons, for every time he, she or they offend, in the premises, and be thereof convicted, shall forfeit and pay a sum not exceeding twenty dollars.

Sold.

(Numbering and Initials of names not enforced.)

Penalty.

Bread deficient in weight.

(2.) If any person or persons shall make or bake any Bread for sale or sell, or expose to sale any Bread deficient in weight, according to the assize made and prescribed from time to time, as hereinafter directed, he, she or they so offending in the premises, and being thereof convicted, shall forfeit and pay a sum not exceeding fifty dollars; and for the second and every similar offence, his, her or their name or names, shall be published, at the discretion of the City Council, in one of the gazettes, in addition to the foregoing forfeiture.

Penalty.

Adulterating the purity of Flour.

(3.) If any baker, or other person or persons, do put into any Bread, by him, her or them, sold or exposed to sale, any mixture of other grain than that specified in the first Section of this Ordinance, or who shall in any wise adulterate the purity of the flour, further than what is absolutely necessary to the well making or baking thereof, the person or persons so offending shall forfeit all such Bread and also a sum not exceeding fifty dollars.

Penalty.

Mayor, Aldermen or Magistrates to visit Bakeries, &c.

(4.) It shall and may be lawful at all times during the course of the day for his honor the Mayor or any of the Aldermen of this City, or Magistrates of the County, (and the Mayor

and Aldermen in their respective Wards shall at least once in every month, or as often as they shall think proper,) to enter into any house, shop, stall, bake-house, ware-house, or out-house of or belonging to any baker or Vender of Bread, and there search for, view, try and weigh all or any part of the Bread which shall there be found, and if any shall be discovered wanting in the goodness of the materials of which it shall be made, or deficient either in the baking or in the legal weight, or not truly numbered or fraudulently mixed, in every such case the Mayor or any of the Aldermen of this City, or Magistrates of the County shall seize such Bread so found and send the same to the Poor House for the use of the poor, or make such other charitable distribution thereof, as to him or them shall seem most expedient.

Penalty for refusal of search

(5.) If any baker or vender of Bread, shall refuse such search and seizure to be made, or in any wise hinder or resist the same, he she or they shall, for every such offence, forfeit a sum not exceeding fifty dollars.

City Treasurer's duty, to publish assize of Bread monthly.

(6.) The City Treasurer, or in a case of his absence or sickness the City Clerk, shall, within the last week of every month, from the best information he can procure, make in writing, (upon oath, if thereunto required, to the City Council, if they shall convene, or upon there being no Council, to his honor the Mayor, for the time being,) touching the average price per barrel of one hundred and ninety-six pounds, nett weight, of the several qualities of flour sold within the city, for the then current month, to the intent that all bakers of Bread, if they shall think fit, may attend the setting of the assize, which said average price shall be deemed and taken as the ordinary price of such flour for the ensuing month, to which shall be added the sum of (four dollars and fifty cents, by Ordinance of 27th Nov., 1823,) as a full compensation to the baker, admitting in all cases that each barrel of flour, weighing as aforesaid, will produce two hundred and thirty-eight pounds of well baked Bread, and the assize shall be ascertained and appointed according to the same, agreeably to the table of assize, which shall be notified in the gazettes of the city on the first publishing day of every month, for the information of all concerned, so that notwithstanding any advance or reduction that may happen in the price of flour, no alteration shall be made in the assize for the time being either to raise the same higher or sink the same lower.

Baker's profit.

Form of return

(7.) The form of the return of the certificate of the price of flour shall, from time to time be to the purport or effect as followeth, that is to say:

"The average price of flour per barrel, as sold within the City of Savannah from the day of last to the present day of instant.

The best superfine quality
The second quality
The third quality "

To which return the City Treasurer, or in case of his absence or sickness, the City Clerk shall subscribe his name, and in case the City Treasurer, or in his absence or sickness the City Clerk, shall neglect or refuse to make the same, the person so offending shall forfeit and pay a sum not exceeding fifty dollars.

Penalty.

Ordinance 27th Nov., 1823.

Marshal &c., to inspect Bread once a week.

No. 31. (1.) It shall be the duty of the Marshal, and of the City Constables, to inspect the Bread so exposed for sale at least once in each and every week, according to the Ordinances in such case made and provided.

Ordinance 29th July, 1841.

Assize of Bread

No. 32. (2.) The assize hereafter imposed, shall be on the terms and ratio hereinafter named, viz:

Price of Flour.	Bakers' Profit.	10 Cents Loaf to Weigh.	5 Cents Loaf to Weigh.	3 Cents Loaf to Weigh.
20 Dollars.	4½ Dollars.	1 lb. 0 oz.	0 lb. 8 oz.	4¾ oz.
19 Do	Do.	1 lb. ¾ "	0 lb. 8⅜ "	5 "
18 Do.	Do.	1 lb. 1½ "	0 lb. 8¾ "	5¼ "
17 Do.	Do.	1 lb. 2½ "	0 lb. 9¼ "	5½ "
16 Do.	Do.	1 lb. 3 "	0 lb. 9½ "	5¾ "
15 Do.	Do.	1 lb. 4 "	0 lb. 10 "	6 "
14 Do.	Do.	1 lb. 5½ "	0 lb. 10¾ "	6¼ "
13 Do.	Do.	1 lb. 7 "	0 lb. 11½ "	6½ "
12 Do.	Do.	1 lb. 8 "	0 lb. 12 "	7 "
11 Do.	Do.	1 lb. 9½ "	0 lb. 12¾ "	7½ "
10 Do.	Do.	1 lb. 11½ "	0 lb. 13¾ "	8 "
9 Do.	Do.	1 lb. 13 "	0 lb. 14½ "	8½ "
8 Do.	Do.	2 lb. 0 "	1 lb. 0 "	9¼ "
7 Do.	Do.	2 lb. 2½ "	1 lb. 1¼ "	10 "
6½ Do.	Do.	2 lb. 4 "	1 lb. 2 "	10½ "
6 Do.	Do.	2 lb. 6 "	1 lb. 3 "	11¼ "
5½ Do.	Do.	2 lb. 8 "	1 lb. 4 "	12 "
5 Do.	Do.	2 lb. 10 "	1 lb. 5 "	12¾ "
4½ Do.	Do.	2 lb. 12 "	1 lb. 6 "	13 "

Ordinance 7th April, 1842.

Bakeries to be built of Brick.

No. 33. (1.) No Baker shall carry on his trade within the City of Savannah, in other than a fire proof building.

CANAL BASINS.

Ordinance 6th Dec., 1849.

Ponds or Basins for Saw Mills not to be excavated.

No. 34. (1.) There shall not be excavated or created within the extended limits of this City, any pond or basin for the holding of timber for Saw Mills or for any other purpose whatsoever.

Bed of Basin not to be exposed.

(2.) It shall not be lawful at any time from the first day of May to the first day of December to allow the water to be drained off from any canal or basin within the extended limits of the city, so as to expose the bed thereof, unavoidable accidents and disasters excepted.

Flood-gates. Tide flow in and out.

(3.) The flood gates of any and every canal or basin within the extended limits of the City, or within one mile thereof, shall be so constructed that the tide shall flow in and out of the same for the space of at least one hour at each and every flood and ebb—or in default of such construction, that the flood gates of such canal or basin shall be opened at least once in every twenty-four hours for the space of one hour on the flood and one hour on the ebb of the tide.

Flood-gates opened once in 24 hours.

(4.) Each and every violation of the 2d and 3d Sections of this ordinance, shall be adjudged by Council, and punished by a fine not exceeding one hundred dollars for each offence.

Penalty.

Executive Officers to present as a nuisance.

(5.) In case the authority of Council is disregarded, it shall be the duty of the executive officers of the city to present the various canals and basins, wherein offences against this ordinance are committed, as nuisances, and require their abatement.

Ordinance 30th Jan., 1851.

J. & J. Hine's Lumber Basin.

No. 35. (1.) J. & J. Hines be, and they are hereby permitted to make a lumber basin in the land recently purchased from the city out of the Springfield Plantation: *Provided*, That the same be located and made under the supervision of the Dry Culture Committee of Council, and that all culverts and ditches which the said committee shall deem necessary, by reason of said

Springfield Plantation.

basin, shall be made by the said J. & J. Hines at their own expense.

Ordinance 7th April, 1853.

Canal Company Basin 75 feet wide for timber.

No. 36. (1.) The Canal Company be and is hereby permitted to make a basin seventy-five feet wide for timber, &c., through the land of the Central Rail Road and Banking Company of Georgia, on the Western side of the Canal and connected with the canal, *Provided*, that the same be located under the supervision of the committee on Dry Culture, and that all culverts and ditches which the said committee shall deem necessary by reason of said basin, shall be made by the said Canal Company at its expense.

Savannah Patent Brick Company, basin 40 feet wide for Flat Boats.

(2.) The Savannah Patent Brick Company, be and it is hereby permitted to make a basin forty feet wide, for the reception of flat boats at their wharf on the canal, *Provided*, that the same be located under the supervision of the committee on Dry Culture and that all culverts and ditches which the said committee shall deem necessary, by reason of said basin, shall be made by the said Savannah Patent Brick Company at its expense.

Ordinance 10th August, 1854.

Savannah Lumber Manufacturing & Planeing Machine Company, Timber Basin.

No. 37. (1.) The privilege of constructing a timber basin on the side of the Savannah and Altamaha Canal, directly opposite the Mill of said company, shall be and the same is hereby granted unto the Savannah Lumber Manufacturing and Planeing Machine Company, upon the following conditions:

Conditions.

1st. The Directors of the Ogeechee Canal Company, shall be required to turn off the water on the tide level once in three days.

2d. The written assent shall be obtained of the proprietors of the adjacent dry culture lands.

3d. The city shall receive bonds to indemnify it against damages to the dry culture lands, and against all damages which may be sustained by the city, and against all claims which may be made against the city, in consequence of the erection of the said timber basin.

4th. The basin shall be constructed upon a plan to be approved of by the dry culture committee, and under the superintendence of a person to be appointed by said committee, and paid for his services by the company petitioning for the grant.

Land to be delivered in Dry Culture Order.

5th. That privilege to exist only so long as Council may hereafter deem proper and upon the extinguishment of the privilege, the land to be delivered in dry culture order and the basin to be uniformly well filled with earth.

CATTLE LIMITS.

Ordinance 11th Feb., 1841.

Bull, Ox, Steer and Cow.

No. 38. (2.) It shall not be lawful for any person to keep any bull, ox, steer, nor more than one cow within the limits—(*By Ordinance 10th March*, 1843, "The provisions of the above recited ordinance of 11th Feb., 1841, be so amended and extended as to prevent bulls, cows, oxen, calves and other cattle running at large in the following limits, viz:—Gwinnett street on the South, prolonged East and West to the extended corporate limits of the City of Savannah and the Hamlets thereof, the Savannah River on the North and the corporate limits of the City of Savannah on the East and West,") unless such persons shall keep such cows in a house floored or paved and kept constantly clean and free from dirt, and if more than one cow shall be kept otherwise than is herein provided for, or if the cow-house shall at any time be found otherwise than perfectly clean and free from dirt, the owner or keeper of such cow or cows, shall be liable to a penalty of five dollars, and an additional fine of two dollars for every day such house shall so remain after notice to comply with this ordinance; and it shall be the duty of the City Marshal and any and all City Constables to take up and impound any cow, heifer, ox, bull, steer or calf found so going at large, and there at the pound to keep the same till such penalty, and all expenses of keeping be paid by the owner or his agent not exceeding sixteen cents per day for maintenance, besides costs of advertising and sale, and if the same be not paid within ten days after being taken up, the animal so taken up, shall be sold by the City Marshal, on five days previous public notice to the highest bidder, the funds to be applied to the payment of the expenses of poundage and the penalty aforesaid, and the surplus to be paid over to the owner. *Provided*, nothing herein named shall be so construed as to prevent cows being driven through the streets to pasturage in charge of a competent driver, or with a view to bring them into or removing them from the City, and any slave or free person of color guilty of any of the offences

Limits.

House floored or paved.

Penalty $5.

Duty of Marshal and Constable to take up and impound Cattle going at large. To sell same if penalty and expenses not paid in 10 days.

Persons allowed to drive Cattle to pasturage and back

Penalty on colored persons.

provided for in this Section, failing to pay the penalties prescribed, may be whipped by order of the Mayor or any Alderman and may receive any number of lashes not exceeding twenty.

Penalty $5 on owners.

(3.) The owner or owners of said cattle, shall for each violation of this ordinance, be fined in a sum not exceeding five dollars.

Ordinance 2d Aug., 1839.

Bulls at large to be Killed.

No 39. (11.) Any bull found at large within the limits of the City shall be considered as a nuisance, and may be killed by any person.

CELLARS.

Ordinance 19th Aug., 1839.

Cellars

No. 40. (13.) No person shall be permitted to erect or place any steps, descending into any vault or cellar, underneath any building within the City, and which said steps shall extend beyond the limits of the lot upon which said building is erected, but upon

How built.

the express condition that flag-stones or bricks shall be placed the whole length of said lot or lots, upon which said building shall or may be erected, extending as far into the street as this Ordinance directs in the case of pavements; and the first step of said stairs, descending as aforesaid, shall be laid parallel with the front of said building, and shall not extend into the street, as far as said flag-stones or brick, by eighteen inches; and the cellar door shall be well secured with iron, and the end which extends into the street shall be level with said flag-stones or brick, and the end next to said building shall not be elevated more than two inches above the pavement. And all offenders, opposers, and encroachments against the provisions of this sec-

Penalty.

tion, shall be dealt with as is prescribed in the fifth section of this Ordinance.

Fine not exceeding $100.

(5.) Shall, on conviction, be subject to a fine not exceeding one hundred dollars for each and every offence, if a white person, or corporal punishment if the offender be a slave or free person of color. And in case the person or persons, making, causing, permitting or suffering such encroachments, obstructions, and nuisances as aforesaid, shall refuse or neglect to remove the

same, forthwith, after notice given to him, her or them, for that purpose, then the same (in such cases as will admit thereof,) shall be removed by the Marshal and Constables of the City, or any of them, at the proper expense of the person or persons so offending. And if any person or persons shall molest or trouble the said Marshal or Constables, in the execution of such, his or their duty, such person or persons shall on conviction thereof, forfeit and pay a fine of not exceeding one hundred dollars, if a white person, or corporal punishment if the offender be a slave or free person of color."

Duty of Marshal

CEMETERIES.

Ordinance 14th March, 1839.

Persons Visiting Cemeteries, defacing tombs &c.

No. 41. (3.) All persons visiting any of the Cemeteries shall, whilst within the enclosures, conduct themselves in an orderly and correct manner, and any person behaving otherwise, or defacing any tomb, or headstones, or vaults, or enclosures, or trees, or otherwise injuring them, shall, if a white person, be fined in a sum not exceeding thirty dollars, and if a person of color

Penalty.

shall be subject to the same fine, or be punished with not exceeding thirty-nine lashes.

Disposition of Fines.

(13.) All fines and penalties inflicted by this Ordinance shall be recovered in the usual manner, one half of which fines, when collected, shall go to the informer, the other half to the use of the city.

Ordinance 27th Aug., 1839.

Hebrew Cemetery.

No. 42. (1.) The Hebrew Burial Grounds shall be considered and deemed public Cemeteries of the City of Savannah, and that the first section of the above entitled Ordinance (of 14th March 1839,) be so amended as to include the same.

Ordinance 3d June, 1852.

Springfield Plantation.

No. 43. (1.) So much of the Springfield Plantation as is herein set forth and described, be, and the same is hereby set apart and dedicated as a *Public Cemetery* forever, to be known by the name of *Laurel Grove Cemetery*—that is to say—The

Laurel Grove Cemetery.

parcel of land beginning at the northern fence recently built,

Size.

running across the land purchased from the heirs of Joseph Stiles—between the lands of Dr. Bulloch on the East and the dam of the old rice field on the West, and running Southwardly between said lands of Dr. Bulloch and land of the heirs of Morel on the East and said dam on the West, to the corner of the bank on land of the heirs of Morel on the Eastern side—then from said corner Westwardly, to within sixty feet of the fence now running from a point near said corner in a South-westwardly direction—and thence by said fence and a line in the direction thereof, on the Eastern side, and by the said dam and a line in the direction thereof on the Western side to the Southern line

Kollock Street.

of the said lands purchased from the heirs of Joseph Stiles. And that the space of sixty feet next to said fence and a line in the direction thereof, from said corner to the Southern line of said purchase, shall be a public highway or street forever, and be called by the name of Kollock Street.

Granite pillar at each corner.

(2.) A pillar of granite shall be placed at each of the corners of said land so set apart and dedicated, and a map of the land

Map by Surveyor to be recorded

so set apart and designated shall be made by the City Surveyor, and recorded on the County Record, in order that the true location of the said Cemetery may be known and perpetuated.

Plan of James O Morse in the Clerk of Council's Office, confirmed.

(3.) The plan of the interior of said Cemetery, made by James O. Morse, and now in the office of the Clerk of Council, be and the same is hereby declared to be the true plan thereof, and that all the ways, passages, avenues and corners thereon delineated, shall forever be kept free and unobstructed for the use of those who may, at any time hereafter, become owners of lots in said Cemetery, and for the public, *subject* however, at all times to such rules and regulations, as may, from time to time be made by Council for the government of the same.

Health and Cemetery Committee and five Citizens to name the avenues and number the lots.

(4.) The *Health* and *Cemetery* committee, together with a committee of five citizens of Savannah, to be appointed by the Mayor, shall constitute a Board, a majority whereof shall proceed to name the avenues, and also to number the several lots laid out within that part of said Cemetery which is now enclosed by a fence, and that after the said lots shall have been duly

To offer for sale.

numbered for the easy ascertainment of the same, to offer said lots or as many thereof as in their judgment may be proper to the public, in the manner and upon the terms hereinafter mentioned.

(5.) The lots in said Cemetery when offered for sale under

the direction of the said Board, shall each be set up at a valuation of ten dollars, and shall be knocked off to the highest bidder above the valuation: (*By Ordinance of 8th March*, 1855, *the valuation &c., is as follows, viz:*

Valuation $20 for each lot of 12 × 25 feet, fractions not be separate for less than $20.

(1.) "The valuation of lots in said (Laurel Grove) Cemetery, shall hereafter be twenty dollars for each lot of twelve by twenty-five feet, and that no fraction of a lot shall be sold separate for less than twenty dollars, and that no person in his own name shall bid off or purchase more than two of the lots in said Cemetery.

Fractions not sold separate shall be sold with the adjoining lot—prorata valuation of $20.

(2.) All lots having fractions adjoining which are not sold as separate lots, shall be estimated and sold with said lots, at the increased valuation above, according to the proportional number of square feet to said lots and in addition thereto.

Fractions Angles &c., upon the circle before main entrance which have nor been laid off are reserved for public purposes

(3.) All the fractions, angles and parcels of ground bordering upon and about the circle before the main entrance which have not been laid off into lots as yet, be, and the same are hereby forever reserved and set apart for public purposes for the adornment of the grounds and shall not at any time be sold for private use." The time of sale of said lots shall be advertised for at least twenty days in each of the gazettes of the City of Savannah, and the sale shall be at or near the premises. The sales may be closed or continued from day to day, or be adjourned over to any future day, at the discretion of a majority of the said Board.

Sale to be advertised 20 days

Purchasers to receive Title on payment of purchase money to Treasurer and $1 to Clerk. Proviso.

(6.) Purchasers of said lots shall respectfully, on payment of the purchase money to the City Treasurer, and on their paying also one dollar to the Clerk for title, be entitled to receive from Council titles for the same; but upon the express condition that the lot or lots conveyed shall not be aliened or conveyed away by the purchasers or their heirs respectively to any other person or persons whomsoever, provided the purchase money and title fee be paid within ten days from the day of sale; and if the purchase money in any case, be not paid within said ten days, the lots in relation to which the failure shall occur shall revert to the corporation of the City of Savannah. The title to be delivered to purchasers shall have inserted therein a clause of agreement declaring that the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, shall always

Right and Power of Mayor and Aldermen.

have the right and power to regulate the manner of interments on the lots.

Monies from Sales kept separate.

How used.

(7.) All and singular the monies arising from sales of lots in said Cemetery at any time hereafter, shall be kept separate from all other monies in the Treasury and shall be used and expended only for the purpose of enclosing, protecting, furnishing and adorning the said Cemetery, under such regulations as Council may from time to time prescribe.

And Whereas, the crowded state of the Old Cemeteries renders it absolutely necessary that interments therein should cease at as early a day as possible; and whereas, it is the duty of Council to encourage the voluntary removal of remains now within the Old Cemeteries.

No Interment to be made in Old Cemeteries.

(8.) No interment of the body of any deceased person shall be made in either of the present Cemeteries after his Honor the Mayor shall, under the directions of Council, give public notice in all the City Gazettes that Laurel Grove Cemetery is prepared to receive all remains of deceased persons.

Colored Persons

And Whereas, it is the duty of Council, also to provide a suitable place for the interment of deceased free persons of color and slaves.

15 Acres set apart as Colored Cemetery.

(9.) There shall be laid out in the South-western portion of the lands before set apart for the Cemetery *fifteen acres* of ground, which shall be used alone for the interment of the remains of deceased persons of color, under such regulation as Council may from time to time prescribe.

No Interments in other than Laurel Grove and Hebrew Cemeteries.

(10.) From and after the day of publication of preparation of said Laurel Grove Cemetery, shall be made by the Mayor as above provided for, it shall not be lawful to inter any dead body in any other place, within the corporate limits of the City of Savannah, than in the said Laurel Grove Cemetery, and in the present Hebrew Cemetery, and any person who shall so inter or cause to be interred, or be in any manner concerned in intering any dead body within the corporate limits, save in Laurel Grove Cemetery and said Hebrew Cemetery, shall be subject to a fine of five hundred dollars, to be recovered on information before the Mayor of said City.

Fine $500.

Keeper's House, &c.

(11.) There shall be erected at, or near the said Laurel Grove Cemetery, a convenient dwelling house, kitchen and stable, and also an out-house for the accommodation of laborers; and at the gate or main entrance to said Cemetery, there shall be erected a Lodge, and within the said Cemetery, there shall be erected a Chapel and a Public Vault, all under the direction

of the Health and Cemetery committee. The dwelling, stable, kitchen and laborers' house, shall be placed in the keeping of an officer to be elected by Council as hereinafter provided. The Chapel shall be for the use of all such as desire to have funeral service therein. The Vault shall be for the temporary keeping of the remains of such persons as are to be carried away from the City. The Lodge shall be for a Porter to attend the gate.

Chapel.

Vault.

Lodge.

Election of Keeper for 3 years.

(12.) Council shall on a day to be fixed by resolution of the Board, elect an officer to be called the Keeper of Laurel Grove Cemetery, to serve until the first regular meeting of Council in January next—and for the term of three years thereafter, and at the first regular meeting in January, 1856, Council shall elect such Keeper to serve three years. It shall be the duty of such Keeper to watch, protect, and keep in good order and condition the said Cemetery and the public property attached to the same; to keep at all times two able bodied laborers to work within the Cemetery grounds—to dig all graves promptly upon the written request of any person or persons—to attend the gate at the main entrance for the purpose of opening the same in the morning and closing it at evening, and to perform by himself and laborers such other service relating to the Cemetery and interments therein as the Health and Cemetery Committee may prescribe. The said Keeper shall have the use of the dwelling, kitchen and out-houses aforesaid, and of half an acre of land for a garden, and shall receive as compensation for all his service, and for the service, hire and maintenance of said two laborers, the sum of one hundred and twenty-five dollars per month during his continuance in office. And the said Keeper, for any failure to prepare a grave for the remains of any white person, at the written request of any inhabitant of the city, shall be subject to a fine not exceeding fifty dollars, to be imposed by the Mayor of the City. It shall also be the duty of such Keeper to keep a plan of said Cemetery, with the lots numbered thereon, and to record all interments by the numbers of the lots; and it shall also be his duty to keep, in a well bound book, a regular record, with correct dates, of all interments made within said Laurel Grove Cemetery—shewing the day of death, age and disease, or accident occasioning the death of the deceased; and it shall be further his duty to send into Council a monthly perfect transcript of such record.

His duty.

To keep 2 able bodied laborers.

Dig graves, &c.

Keeper to have use of dwelling, &c.. and ½ Acre of land for Garden.

Salary $125 per month.

Failure to prepare grave.

Fine $50.

Duty of Keeper to keep plan, record deaths, and send monthly transcript to Council.

(14.) The Keeper of said Laurel Grove Cemetery, shall collect

Keeper to collect fees and pay to Treasurer.

for every grave of a white person which he may dig, and for every vault which he may open, the sum of one dollar and fifty cents, to be paid into the Treasury; and he shall collect a like sum when he may dig a grave for a colored person, or fifty cents for supervising the digging of a grave for a colored person, to be paid in like manner into the Treasury, and added to the fund arising from the sale of lots; but nothing herein contained shall compel the keeper to close a vault unless the actual cost thereof be paid to him.

Vault.

Interments made as the Health and Cemetery Committee prescribe.

(15.) All interments in the said Laurel Grove Cemetery, shall be made in such manner as the Health and Cemetery Committee or any member thereof, may from time to time prescribe.

Any one injuring, defacing, &c., monuments, &c.

Fine from 5 to $100.

(16.) If any white person shall remove, deface, or in any manner injure any monument, railing, enclosure, ornament, tree or plant, within said Laurel Grove Cemetery, such person so offending, shall be subject and liable to a fine of not less than five dollars and not exceeding one hundred dollars, to be imposed by the Mayor of the City, and if any person of color shall be guilty of the like offence, such person of color shall be subject and liable to such fine, not exceeding fifty dollars, and to such corporal punishment as the Mayor of the City may impose or cause to be inflicted. If any white person shall shoot any gun, pistol, rifle or other fire arm, within the said Laurel Grove Cemetery, such person shall be subject to a fine of five dollars, to be imposed by the Mayor, and if any person of color shall commit the like offence, such person of color shall be liable to a like fine, and, moreover, to such corporal punishment as the Mayor may cause to be inflicted. If any person shall place on any part of the ground set apart, as aforesaid, for Laurel Grove Cemetery, or on the City land adjoining, any dead carcass or any putrid or offensive matter whatever, such person shall be liable to a fine of five dollars, to be imposed by the Mayor; and, moreover, such person, if a colored person, shall be subject to such corporal punishment as the Mayor may cause to be inflicted. The nett proceeds of all fines imposed under this section, shall be added to the fund arising from the sale of lots.

Shooting guns, &c.

Fine $5.

Persons placing dead carcasses, &c.

Fine $5.

Fines, how disposed of.

Pauper interments.

(17.) A certain part of the said Laurel Grove Cemetery, shall be designated by the Board named in the fourth section of this Ordinance, for the interment of the remains of persons who may die leaving no effects, and the expense of any such interments shall be paid out of the City Treasury in such manner as Council may by resolution prescribe.

Expenses paid by City.

Strangers, &c., Interments.

(18.) A certain other part of the said Laurel Grove Cemetery shall be designated by the said Board, for the interment of the remains of strangers, non-residents, and persons not buried at the public expense, and persons not owning lots.

Keeper of Old Cemeteries.

(19.) A person shall be appointed by the Mayor of the City, to protect the Old Cemeteries after the first day of January next, and the duty of such person shall be to attend to the opening and closing of the gates, and to the cutting down and removing the grass and weeds, and he shall be paid at the rate of one hundred and fifty dollars per annum, as long as his services may be required.

Yearly salary $150.

Reverted lots.

(20.) The Health and Cemetery Committee shall have power, after the public sales aforesaid shall be finally closed, to sell (now $20 Sec. (1.) page 29) any reverted or unsold lot at private sale, for ten dollars.

Ordinance 10th March, 1853.

Purchasemoney not to be refunded to those who remove remains from Old Cemeteries.

No. 44. (2.) So much of the 8th Section of said recited Ordinance (of 3d June, 1852,) as relates to refunding the valuation money to any purchaser of a lot who may remove the remains of any deceased member or connection of his or her family, from either of the Old Cemeteries into Laurel Grove Cemetery, be, and the same is hereby repealed.

—

No. 45. PROCLAMATION.

Mayor's Office,
SAVANNAH, MAY 9th, 1853.

Mayor's Proclamation closing Old or Brick Cemetery.

WHEREAS, Council at a regular meeting, held on the 27th January, 1853, passed a resolution requiring me to issue my proclamation "closing the Old Cemetery for the purpose of interment after the first of July next:"

Therefore, I do hereby proclaim, that after the first day of July next, the Old or Brick Cemetery, will be closed for the purpose of interment.

R. WAYNE, Mayor.

Attest: EDWARD G. WILSON, Clerk Council.

Ordinance 20th October, 1853.

Undertakers, &c., to keep record of interments made in any other than Laurel Grove Cemetery.

No. 46. (1.) It shall be the duty of each and every person acting in the capacity of undertaker or sexton, superintending a funeral, to keep a correct record in a well bound book, of all interments made by himself or assistants, of the remains of any

deceased person dying in the City of Savannah and interred in any other place than Laurel Grove Cemetery, showing the nativity, age, place of residence, day of death, disease or accident occasioning the death of the deceased, name of attending physician, and place of interment.

To furnish monthly Transcript to Clerk of Council and weekly to Secretary Board of Health.

(2.) It shall be the duty of each and every person so employed as undertaker, or sexton, as mentioned in the aforesaid section, to hand to the Clerk of Council, a regular monthly transcript of the aforesaid record, and to make out and furnish a weekly report of the same to the Secretary of the Board of Health,

And monthly.

whenever said Board holds its meetings weekly, and monthly when its meetings are held monthly.

Clerk of Council to record said transcripts and to notify Council of Sexton's neglect.

(3.) It shall be the duty of the Clerk of Council, to copy the aforesaid monthly transcript into a well bound book, kept for that purpose, and also to copy the monthly transcript of the keeper of Laurel Grove Cemetery, into another well bound book, and it shall be the duty of said clerk, to notify Council of any neglect of any undertaker or sexton, or of any violation of the foregoing section of this Ordinance, and the said clerk shall

Clerk's pay. $2.00 per. an.

receive the sum of two hundred dollars per annum, payable quarterly, for the duties above required to be performed by him.

Penalty on Undertaker for neglect, &c., $30

(4.) Each and every person so acting in the capacity of undertaker or sexton, who shall fail to keep a correct record of all such interments, or to furnish a transcript of the same, as provided for in the foregoing Section of this Ordinance, shall, on conviction before the Mayor, be fined in the sum of thirty dollars for each and every offence, one half the fine for the use of the informer, and the other half for the use of the City.

Duty of head of family, &c., to report to Clerk of Council every burial in any other than L. G. C.

(5.) The head of any family or keeper of a public or private boarding house, or the keeper of any other house, hospital or place, from whose residence a dead body shall be removed for burial in any other than the Laurel Grove Cemetery, and who shall employ no undertaker or sexton for the purpose, shall, within twenty-four hours after such burial, make a report to the Clerk of Council of the particulars, as required by the first section of this Ordinance, and on failure, for each offence shall

Penalty $30.

forfeit and pay the sum of thirty dollars, one half of the fine for the use of the City, and the other half payable to the informer.

Ordinance 17th Nov., 1853.

Hebrew Cemetery.

No. 47. (1.) The portion of Laurel Grove Cemetery lying

south of the present enclosure, adjoining the fence on the one side, and fronting on Kollock Street, containing four acres, more

Four acres.

or less, be, and the same is hereby set apart for the special use of the members of the Hebrew Congregation for Cemetery purposes, on the following conditions—They clearing, preparing,

Conditions.

laying out, and enclosing the ground at their own cost, the fence on the line of Kollock Street, to correspond with the permanent fence when built of the same line of the public Cemetery, namely: a brick base of feet high, surmounted with a substantial iron fence, when the same shall be executed to be agreed upon by the committee on Health and Cemetery.

Exchange of lots by Solomon Cohen (See No. 49.)

(2.) When said portion shall have been surveyed and laid out, that Solomon Cohen be allowed to select the same number of lots, of the same dimensions as he now holds in the present enclosure, and the amount paid by him for the same be taken as so much of the purchase money of the aforesaid parcel on condition of his surrender of the title he now holds, the price of said parcel to be estimated, as nearly as possible, by the proportion of such quality of ground in the portion set apart for Cemetery purposes, valuing it according to the price paid by the City.

Size of Lots 12 × 25 feet.

(3.) The ground thus set apart for the Congregation aforesaid, shall be laid off into lots of similar size, namely: twelve by twenty-five feet, having a border of one foot in width around each lot, and there shall be avenues similar and alleys for convenient access to each lot, and that whenever the present enclosure of Laurel Grove Cemetery shall need be extended, the aforesaid avenues shall be open for the passage of vehicles to other portions of the Cemetery grounds, and the Keeper of Laurel

Keeper of L. G. C's. duty.

Grove Cemetery shall dig all graves, and keep a record of all interments made therein in the same manner and on the same terms as in any other portion of Laurel Grove Cemetery.

Lots sold as in L. G. C.

(4.) The said lots shall be sold on the same terms and under the same limitations and restrictions as the lots in the public cemetery, and that after the fencing and clearing are paid for, the purchase money of all lots shall be paid into the City Treasury.

Ordinance 9th March, 1854.

Keeper of L. G. C's duty as to public vault.

No. 48. (1.) It shall be the duty of the Keeper of Laurel Grove Cemetery, whenever application is made for the deposit

of the remains of any deceased person in said public vault, to require and record, in a book kept especially for that purpose, the name, age, nativity, residence or where brought from, disease and attending physician; also, the time of removal of the same from said vault, and the disposal thereof made; and if interred in said Cemetery he shall record the same as prescribed by existing Ordinances, but no such remains shall be admitted into said vault except in air-exhausted cases, or cases packed in boxes and filled with deodorising powder; and if any deposit in said vault shall at any time become so offensive as to interfere with the free use of the same in the opinion of the Health and Cemetery Committee, or any member thereof, it shall under the direction of the same, be immediately buried, giving due notice thereof to the friends, where circumstances will permit: *Provided,* the body of no person who may have died with the small pox shall ever be deposited in said vault.

No remains admitted except in air exhausted cases, &c.—if offensive to be buried.

No dead body from small pox to be put in vault.

(2.) The Keeper of said Cemetery shall demand and collect the sum of five dollars, for the deposit of the remains of any deceased person in said vault, and an additional fee of twenty-five cents a day for each and every day after the first ten, that such body remains in said vault, but no additional fee for the removal of the same, except when such remains are interred in Laurel Grove Cemetery, or some other vault in said Cemetery, when he shall demand the fee prescribed in the Ordinance regulating the same, and he shall pay over all such fees and charges, when collected into the City Treasury; and no other vault in said Cemetery shall be used for rent or hire; and if any person shall be found receiving rent for the use of his or her vault in said Cemetery, he or she shall, on conviction be fined in the sum of twenty dollars—one half to the informer, the other to the City.

Fee $5 for use of vault and 25 cents a day after 10 days.

No other vault to be rented.

Fine $20.

(3.) Whenever the remains of any deceased person, shall be left in the said public vault one month, it shall be the duty of the Keeper to notify the friends or person who applied for the admission of the same, that it must be removed within the next sixty days; and if it is not removed at the expiration of that time, it shall be the duty of said Keeper to have such remains interred in that portion of the Cemetery grounds allotted to strangers, unless some friend or relative shall provide a lot for the same.

Remains not to be kept in vault over one month.

Keeper's duty.

(4.) Whenever application is made for the temporary deposit

of any deceased person in said public vault, which have been long deposited in any vault in the Old Cemetery and are inoffensive, the said Keeper shall admit the same free from the usual entrance fee, but he shall demand and collect a fee of twenty-five cents a day for each and every case or box for every day they remain in said vault; all of which when collected, shall be paid into the City Treasury.

Temporary deposits from Old Cemetery fee 25 cents a day.

Ordinance 4th May, 1854.

No. 49. (1.) That those sections of the Laurel Grove Cemetery tract, known as numbers (13) thirteen and (17) seventeen, on Morse's plan, be set apart for the burial of such Israelites as may purchase lots therein, and that the margin be reserved for paupers.

Cemetery for the interment of Israelites. (See Hebrew Cemetery No. 44.)

(2.) Said sections shall be separated from the rest of the tract by a light open railing; *Provided,* There be gates at the roads and avenues leading into the same.

(3.) The City Treasurer be authorized to repay to Solomon Cohen all monies expended on the same when he shall produce proper vouchers.

(4.) All the Ordinances applying to Laurel Grove Cemetery shall apply to the above sections.

State Law, Approved March 1st 1856.

No. 50. (1.) It shall be the duty of each and every owner or Keeper of a Cemetery, (other than a private family Cemetery or burial place) within five miles of the extended limits of the City of Savannah, to keep a correct record or registry in a well bound book, of all interments made by him or his assistant or assistants, of the remains of any deceased person, showing the name, nativity, age, place of residence, day of burial, disease or accident occasioning the death of the deceased and the name of the attending physician if any.

Registry of Interments to be kept.

(Catholic and Evergreen Cemeteries.)

(2.) It shall be the duty of each and every person owning or keeping a Cemetery, as mentioned in the foregoing section to make out and hand to the Clerk of Council of the City of Savannah, a regular monthly report of all interments made by him or his assistant or assistants, of all deceased persons dying within the City of Savannah, or elsewhere, and buried as aforesaid, and to make out and furnish a weekly report of such interments to the Secretary of the Board of Health of said City whenever said Board shall meet weekly, and monthly when its meetings shall be monthly.

Monthly reports to Clerk of Council.

Report to Secretary of Board of Health.

(3.) Each and every owner or keeper of a Cemetery as aforesaid who shall refuse or fail to keep a correct record or registry

of all such interments, or to make out and furnish a copy of the same, as provided for in the foregoing sections of this Act, shall on conviction before the Mayor of the City of Savannah be fined in the sum of thirty dollars, for each and every offence, one half of the fine for the use of the informer, and the other half for the use of the City of Savannah, *Provided*, always nevertheless, the Defendant shall on conviction in every case, be entitled to an appeal from the decision of the Mayor, to the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, in Council assembled under the same rules and regulations, as are now provided by Law, or the Ordinances of said City for appeals in other cases.

Defaulters, how punished.

Appeal.

State Law, Approved 4th March, 1856.

No. 51. (2.) The Keepers of the public Cemeteries, known as the Laurel Grove Cemetery and the Catholic Cemetery in and near the City of Savannah, be and they are hereby exempted from service on the Juries of the Superior Court and City Court of Savannah.

Keepers of Cemeteries exempt from Jury duty.

State Law, Approved 27th Dec., 1847.

No. 52. (1.) Incorporates Peter Wiltberger and others, owners of lots &c., in the 70 acres of the tract of land three miles distant from Savannah, known as Bonaventure into a Corporation under the name and style of "The Evergreen Cemetery Company of Bonaventure."

Evergreen Cemetery, Bonaventure. 70 Acres.

(2.) Authorizes said Company to receive and hold said 70 acres in fee simple for a Public Cemetery.

(3.) Appoints the managers of said Company &c., to continue in office until their successors are elected.

(4.) Exempts said Cemetery and the improvements from State and County Taxes, and the individual lots from judgments, levy or sale.

(5.) Any person who shall wilfully or wantonly destroy, mutilate, deface, injure or remove any tomb, monument, grave-stone, or other structure placed in the Cemetery aforesaid, or any fence, railing, or other work for the protection or ornament of the same, or of any burial lot within the limits aforesaid, or shall wilfully or wantonly destroy, remove, cut, break, or injure any tree shrub or plant within the limits aforesaid, or shall shoot or discharge any gun or other fire arms within the limits aforesaid, shall be deemed guilty of a misdemeanor, and liable to indictment therefore and upon conviction shall be punished by a fine not less than five dollars, or more than one hundred dollars or by imprisonment in the Common Jail of Chatham County, or both at the discretion of the Court according to the nature and aggravation of the offence, and such offender shall also be liable in an action of trespass, to be brought against him in any Court of competent jurisdiction in the name of the Evergreen Cemetery Company of Bonaventure, to pay all such damages as shall have been occasioned by his unlawful act or acts, which money when received shall be applied by the said Corporation under the direction of the managers aforesaid, to the reparation and restoration of the property destroyed or injured as above, and in all such suits members of the said Corporation shall be competent witnesses.

Penalty for mutilating or injuring same, &c.

Misdemeanor.

Fine $100.

Jail.

Trespass.

Members competent witnesses

(6.) No street or road shall be hereafter opened through the lands of said Corporation, except by their consent.

State Law, Approved 18th Feb., 1854.

No. 53. (4.) Whereas, a piece of ground, consisting of five acres more or less situated and lying in Chatham County, on the Thunderbolt and Caustin Bluff roads, in the vicinity of Savannah, immediately adjoining the two mile stone on the Caustin Bluff road, has been purchased and set apart for the purposes of a Cemetery for the deceased members of the Roman Catholic Congregation worshiping in the City of Savannah, *and whereas*, it is meet and proper that places set apart for the burial of the dead should be protected from all undue interference.

Catholic Burial Ground, 5 Acres near Savannah.

(5.) It shall not be lawful to open any private or public road through the Cemetery aforesaid, any laws heretofore passed to the contrary notwithstanding.

No public or private way through it.

(6.) If any person or persons shall commit any act of trespass or shall injure or destroy any of the fencing, or injure or deface any of the monuments in the said Cemetery, such person so offending shall be guilty of a misdemeanor, and on conviction be punished by fine or imprisonment, at the discretion of the Court.

Tresspass on it, how punished.

Fine or imprisonment.

CHIMNEY CONTRACTORS.

Ordinance 28th Nov., 1803.

No. 54. (2.) All and every person occupying a building or part of a building, with a chimney or chimneys thereto, in which fire is usually made, shall allow and permit the said contractor to visit, inspect, and cause to be swept the said chimney or chimneys, once in every calendar month, from the first day of October to the first day of April in every year, except kitchens and wash-houses, which shall be swept once in every fortnight throughout the year, (see No. 55,) and he, she, or they shall pay for such sweeping the fees. (See No. 56.) And in case any person shall oppose or prevent the sweeping of any chimney, as

Chimney Contractors to Sweep once a month.

Kitchens and Wash-houses every fortnight.

Pay Fees.

Opposing Sweeping.

before directed, he, she or they, making such opposition, on conviction thereof before the Mayor and Aldermen, shall be fined in a sum not exceeding thirty dollars.

Fine $30.

Neglect of duty by Contractors.

(3.) If the contractor for sweeping shall neglect his duty, in not causing the said chimney to be swept, perfectly neat and clean, or leave any chimney which ought to be swept, unswept for one calendar month, or unswept every fortnight, as hereinbefore directed, said contractor, on information before Council of such neglect, shall, on conviction thereof, be fined in a sum not exceeding fifty dollars. And in case such improperly swept chimney or unswept chimney shall take fire, such contractor shall be liable and obliged to pay all the fines and penalties which, by the Fire Ordinance, are inflicted on the occupier of the house whose chimney takes fire; and the said contractor is hereby made responsible and liable for all said fines and sums of money: *Provided, nevertheless,* That said contractor was not opposed or prevented from sweeping the said chimney.

Fine $50.

If on fire Contractor to pay penalty on occupier.

Proviso.

Contractor give written notice of time of sweeping.

(4.) Said contractor shall give notice in writing to every person, by leaving the same at the house, of the time and hour the chimney or chimneys is or are to be swept, which notice shall be given at least the day before, and such sweeping shall take place at a proper and convenient hour. And such contractor shall always keep an office, entitled a sweep office, where any person sending for a sweep shall be immediately accommodated with one, or as soon thereafter as possible.

Penalty; neglect of Contractor.

(5.) In all cases of neglect of the said contractor, not hereinbefore provided for, on conviction thereof before the Mayor and Aldermen, such contractor shall be fined in any sum not exceeding fifty dollars; and that any sweep boy, sweeping or offering to sweep chimneys in this city, unless requested and licensed by the contractor, shall, if a slave, receive twenty-five lashes, or his master pay a fine not exceeding ten dollars, and if a white boy, be fined in a sum not exceeding twenty dollars.

Sweep Boy.

Penalty.

Ordinance 31st Oct., 1823.

Bake and Cook House to be swept once a week.

No. 55. (1.) Every person or persons who carry on the trade of a baker or keeper of a public cooking house shall be required to have the chimney or chimneys of their bake or cook house, or bake or cook houses swept once in every week, during the period of using the same.

Penalty $30.

(2.) Any person or persons violating the above Ordinance

shall, on conviction, be fined in a sum not exceeding thirty dollars.

Ordinance 9th Feb., 1843.

Fees of Contractor, 6¼ cents each story.

No. 56. (1.) The following fees shall be allowed for sweeping chimneys, viz: Six and a quarter cents for each story.

Demand Fees from Occupants.

(3.) The contractor for sweeping chimneys is hereby empowered and directed to receive and demand his fees from the occupant of the houses in which chimneys are swept, and further, that the said contractor have the city laid off into twelve distinct sections; that the first and second day of each month (provided the same does not fall upon a Sunday) be employed by him in the sweeping of such a section, and so on to the expiration of the month, two days being devoted by him for the sweeping of each section, from one to twelve.

City laid off into 12 Sections.

Two days for each Section.

Ordinance 2d Jan., 1851.

Election of two Contractors.

No. 57. (1.) At the first regular meeting of Council in January, annually, there shall be elected two contractors for sweeping chimneys, the first for all that part of the City lying west of "Bull" (by Ordinance of 12th Jan., 1854,) street, and the second for all that part of the City lying east of Bull street.

Bond.

(2.) Each of said contractors shall give the bond, take the oath, and within his district perform the duties now required and receive the fees now allowed the present contractor for the City, by the various Ordinances thereof.

Owners of Houses to pay when Contractors are unable to collect from the occupants.

Proviso.

(3.) When the contractors are unable to collect the fees for sweeping chimneys from the tenants, they shall be entitled to collect the same from the owners of the house whose chimneys they have swept: *Provided*, they notify the owners or their agents of the delinquency of the tenant within twenty days from the time of sweeping such chimneys, and that all Ordinances or parts of Ordinances militating against the provisions of this Ordinance be, and the same are hereby repealed.

Ordinance 30th Dec., 1852.

Chimneys where Coal is used.

No. 58. It shall be optional with the owners or occupants of houses to have chimneys, wherein coal is exclusively burnt, swept or not.

Ordinance 25th Feb., 1841.

Construction chimney hearth.

No. 59. (1.) It shall not be lawful for any person to lay or caused to be laid a hearth to any chimney now erecting or con-

structing or which may hereafter be made or constructed within the limits of this City, unless said hearth shall be laid upon a brick or stone arch, or on flagging, or on some other incombustible material, and any person violating this Ordinance shall be fined in a sum not exceeding thirty dollars.

Penalty $30.

CHURCHES.

(*See Titles, Incorporations, Lots Exchanged, Lots Granted.*)

CITY CHARTERS.

(*See Appendix.*)

CITY COURT OF SAVANNAH.

Ordinance 8th Dec., 1825.

Clerk & Sheriff of City Court elected.

No. 60. (1.) There shall be elected a Clerk and Sheriff of the Court of Common Pleas and of Oyer and Terminer, for the City of Savannah ("now City Court of Savannah,") on the first regular meeting of Council in January next, who shall hold their offices for the term of three years.

For 3 years.

(2.) The said Clerk and Sheriff aforesaid, shall in future be elected once in three years, and on the first regular meeting in January, who shall hold their said offices, for the term of three years from the period of their election.

Bond with two Securities.

Clerk $3000.

Sheriff $5000.

(3.) The persons elected Clerk and Sheriff of the said Court, shall before they enter upon the duties of their office, give bond with two good and sufficient securities to be approved of by the Mayor or Chairman of Council and the Finance Committee; the Clerk in the sum of three thousand dollars, and the Sheriff in the sum of five thousand dollars, conditioned for the faithful discharge of the duties of their said offices, and which bonds shall be made payable to the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, and the said Clerk and

Sheriff, shall at the time of giving their bonds before the Mayor or Chairman of Council, take and subscribe an oath similar to the oath of the Clerk and Sheriff of the Superior Court of this State, which said bonds and oaths shall be filed with the Clerk of Council.

Oath similar to Clerk & Sheriff Superior Court.

Bond filed.

Ordinance 18th April, 1844.

City Sheriff to make quarterly returns.

No. 61. (1.) It shall be the duty of the City Sheriff to keep a register of all fines, penalties and estreated bonds in the Court of Oyer and Terminer, and to make quarterly returns to Council of the names of all persons, who may have been fined or whose bonds have been estreated.

Sheriff's duty to collect fines, &c. Proviso.

(2.) It shall be the duty of said Sheriff to collect all such fines, penalties or estreated bonds arising from said court—*Provided*, they can be collected, and to make quarterly returns to Council of all fines, penalties and estreated bonds, remaining unpaid, and the condition of said fines, penalties and estreated bonds whether collectable or not collectable, as in his opinion may be; whose duty it shall be to order such further proceedings against any defaulter by resolution as they may deem proper.

Ordinance 19th Sept., 1844.

Monies collected by City Sheriff from fines, &c., paid to City Treasurer, after paying officers' costs.

No. 62. (1.) That all monies collected by the Sheriff of the Court of Common Pleas and Oyer and Terminer for the City of Savannah, from fines, penalties, estreated bonds, or from any other source, arising from the said Court, be, and the same are hereby directed to be paid over to the City Treasurer, after having first deducted from the amount collected, the monies paid on bills which shall have been duly examined, and allowed by the Judge of said Court, in favor of the officers severally entitled to costs, and which, so examined and allowed by the Judge, and by him certified, shall have been left by the officers or officer entitled, or attested copies thereof, in possession of the Sheriff, before each quarterly return.

Sheriff to set forth monies paid by him, and file bills with the Treasurer when paid off.

(2.) It shall be the duty of the Sheriff, in his quarterly return of monies received, to set forth the monies paid by him on the bills examined and allowed by the Judge, and to produce to the Treasurer, to be filed in his office, the bills entirely paid off. And where bills have been paid by him only in part, then to produce the same or the attested copies thereof, and the receipts of the officers or officer for such sums as may have been

paid thereon, copies of which receipts, certified by the Sheriff, and a memorandum of the amount of the unpaid bills shall be taken by and left with the Treasurer for examination from time to time by the Finance Committee.

City Treasurer not responsible for payment of bills of City Court Officers.

(3.) The City Treasurer shall not be responsible hereafter, for the payment of any bills which, according to the fourth section of the fourteenth division of the penal code of this State, or by any other law, are subject to the examination and allowance of the Judge of the said court.

Ordinance 17th April, 1845.

Jury Fine. Petitions.

No. 63. (1.) That petitions for relief from jury fines shall be made to Council before the fines are paid, else Council can take no action upon them.

Ordinance 29th December, 1856.

Salary of Judge, $1500 per year.

No. 64. (1.) The salary of the Judge of the City Court of Savannah, shall be increased to fifteen hundred dollars, per annum, payable in monthly instalments at the office of the City Treasurer.

State Law, Approved Dec. 9th, 1853.

City Court of Savannah.

No. 65. (1.) From and after the first day of January next, the name and style of the Court of Common Pleas, and Oyer and Terminer of the City of Savannah, shall be the "City Court of Savannah."

Jurisdiction, $500. Exclusive of Interest.

(2.) The jurisdiction of the said Court shall, from and after the first day of January next, be extended to the sum of five hundred dollars, exclusive of interest.

Judge. How elected.

(3.) The Mayor and Aldermen of the City of Savannah and Hamlets thereof, shall, at their first meeting in December, eighteen hundred and fifty-six, (but see No. 66,) and every three years thereafter, elect, by ballot, a Judge of said Court, who shall hold his office for three years, unless sooner removed by the Governor on the address of two-thirds of both branches of the Legislature, for that purpose.

Three years. Removal.

Judges Salary.

(4.) The Judge of said Court shall have a salary that shall not be increased or diminished during his continuance in office, which salary shall be fixed and determined by the Mayor and Aldermen of the City of Savannah; *Provided*, the salary shall not be less than six hundred dollars.

Not less than $600.

Commissioned by Governor.

(5.) The said Judge shall be commissioned by the Governor, as now provided for by law, on the proof of his election, under the hand and seal of the Clerk of Council of the City of Savannah.

Solicitor General, pro tem.

(6.) The Judge of the said Court, in the absence of the Solicitor General of the Circuit, shall have the power to appoint a Solicitor General *pro tempore*, who shall receive the same fees as are allowed by law to the Solicitor General in all cases conducted by him.

Fees.

Failure to elect Judge.

(7.) Should the said Mayor and Aldermen fail to elect a Judge according to the provisions of the 5th Section of this Act, it shall be lawful to elect at their next regular meeting.

Attorney's Fee, $5.00.

(8.) That the Attorney's fees in said Court shall be five dollars, to be taxed in the bill of costs.

Vacancies, how filled.

(9.) Should a vacancy occur in the office of Judge of said Court, by death, resignation or otherwise, before the first meeting of the Mayor and Aldermen of the City of Savannah, in December, eighteen hundred and fifty-six, the said Mayor and Aldermen of the City of Savannah shall, at their first regular meeting after such vacancy shall have occurred, proceed to elect a Judge to fill such vacancy; and whenever a vacancy shall occur thereafter, either by death, resignation or otherwise, the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, shall, at their first meeting, elect a Judge to supply such vacancy.

First meeting after a vacancy.

Laws and Officers of Old Court to continue

(10.) That all laws applicable to the Court of Common Pleas, and Oyer and Terminer, for the City of Savannah, not conflicting with this Act, shall be applicable to the "City Court of Savannah," and all officers of said Court now in office, or who may have been elected before the passing of this Act, shall hold their offices as if this Act had never been passed.

State Law, Approved March 1st, 1856.

Election of Judge of City Court. Term of office.

No. 66. (1.) The time for the election of Judge of the City Court of Savannah shall be at the first regular meeting of the City Council of Savannah in January next, and every three years thereafter, instead of the first meeting in December, as is now provided by law, and should there be failure to elect at the time appointed, then at the next regular meeting thereafter of the City Council, and the Judge of said City Court of Savannah shall hold his office in all cases until his successor is elected.

Justice's duty to turn over persons charged with misdemeanor to the City Court

(2.) It shall be the duty of the Justices of the Peace, and other persons exercising the powers of Magistrates within the City of Savannah, to commit or place under bonds all persons charged with *misdemeanors* committed within the jurisdictional limits of the City of Savannah, for trial before the City Court of Savannah, instead of the Superior Court of Chatham County; *Provided*, nothing herein contained shall be so construed as to deprive said Superior Court of jurisdiction over misdemeanors, or to discharge the obligors on any recognizance entered into, to appear before the same for trial.

Proviso.

State Law, Approved March 4th, 1856.

No. 67. (1.) That Grand and Petit Jurors in the City Court

Grand and Petit Jurors in City Court, serve one week.

Court may have Jurors summoned instanter.

of Savannah shall not be compelled to serve longer than one week, except when actually engaged in the trial of a case at the expiration of said week; but the Judge of said Court is hereby authorized to have summoned, instanter, an additional number of Grand and Petit Jurors that in his discretion he may deem necessary to perform the service demanded by the business before the Court.

State Law, Approved Dec. 18th, 1819.

City Tax Fee, $3.

Clerk quarterly returns to City Treasurer.

Penalty 500.

No. 68. (21.) Upon all cases brought in the said Court there shall be assessed the sum of three dollars, to be paid upon the institution of the same, to the Clerk of the Court, who shall make quarterly returns of the fees so received by him and pay over the amount to the Treasurer of the City of Savannah, under the penalty of five hundred dollars, to be enforced by attachment against the Clerk as for a contempt.

State Law, Approved Dec. 7, 1841, and Dec. 27, 1842.

Quarterly Sessions.

No. 69. The sessions of said Court shall be quarterly, namely: on the first Monday of February, May, August and November.

No. 70. *Officers' Fees, Acts of* 1819, 1841, 1847, 1854, *on Cases in the City Court of Savannah.*

If settled before Judgment.		*If settled after Judgment.*	
City tax fee,	$3 00	City tax fee	$3 00
Clerk,	3 12½	Clerk, including ex'on,	5 62½
Sheriff,	1 87½	Sheriff (if no jury trial,)	1 87½
Attorney,	5 00	" $1 more for jury trial.	
		Attorney,	$5 00

If more than one defendant is sued, add for second copy, third, &c., for Clerk, 62½c.; Sheriff, 62½c.

Add for Subpœnas if any.		Sheriff, for the services of each subpœna,	62½
Clerk (writ and ticket,)	32c.		
" " " 2 "	48c.		
" " " 3 "	64c.		
" " " 4 "	80c.		
" 2d " " 1 "	as above.		

Clerk, every commission to take testimony, ... $1 25
" every order of court entered, ... 1 00

Attachment Cases.

City tax fee, (on declaration filed, or in the absence of declaration, when attachment papers are filed with the Clerk,) 3 00
Attorney, ... 5 00
Clerk, before judgment, ... 3 12½
" after judgment, execution included, ... 6 87½
Increased 62½ cents by every defendant over one.

Sheriff, levying attachment, ... $3 12½
Serving each extra copy, ... 62½

Appeal Costs.

Bond, ... $1 25
Clerk, judgment fee, ... 2 50
If settled before judgment, ... 1 25
Sheriff, for verdict, ... 1 00
Commission and subpœna fees as above, for clerk and sheriff.

Garnishment Cases.

Clerk, certified copy of affidavit filed, ... $1 25
Judgment *vs.* garnishee, (with execution,) 2 50
Recording garnishment, ... 1 25
Garnishee's return, under oath, ... 62½
Making out rule against garnishee, in default, ... 1 00
Sheriff, service on garnishee, ... 1 87½
Each copy, ... 62½
Service of rule against garnishee, in default, ... 1 00

Mortgages Foreclosed.

Clerk, including execution, ... $5 62½
Sheriff, ... 1 87½
for levy, besides commissions and all expenses of advertising, storing, &c.

Honest Debtors or Insolvents.

Clerk, filing papers, docketing and administering oath, ... $1 00
Trial of issue, fraud or no fraud, ... 5 62½
Order, ... 1 00
Copy of Order, ... 50
Entering order and judgment against principal and security, with execution, ... 5 62½
Sheriff, summoning each jury in insolvent cases, ... 5 00
to be paid by creditors requiring issue to be made up.
Sheriff, attending a jury under honest debtor's act, ... 2 00
" every bond estreated, ... 2 50
" receiving from security any principal, ... 1 87½
Subpœnas, (Clerk and Sheriff,) as in other cases.
Sheriff, for attendance on judge to draw jury (especial court,) 1 00
Sheriff, for service of petition or order, &c., on each party to attend special court, ... 1 00
Sheriff, for summoning grand jury, special court, ... 4 00
" " " petit jury, " " 4 00
" " attending each case tried at " " 1 00
" " bringing each person from jail, ... 1 25
" " carrying sentence of court into execution, ... 1 25
" " estreating a bond (special court,) 50
" " serving a bench warrant, ... 2 50

Criminal Cases.

For sheriff's fees, each case, (without subpœnas,) tried or settled.	$4 75
Subpœnas, for each witness,	62½
For clerk's fee, (without subpœnas,)	3 75
" " " subpœna writ,	31¼
" " " each ticket,	16

Miscellaneous Fees.

Commissions of clerk on moneys received and paid over by order of court, 2½ per cent for receiving, and 2½ for paying out.

Clerk for order of court,	$1 00
" " a bond	1 25
" " a commission,	1 25
" " every certificate and seal,	1 25
" " citizen's certificate,	5 00

CITY DOMAIN.

Franklin, Warren and Washington Wards Laid Off.

Ordinance 28th Sept., 1790—J. Houston, Mayor.

AN ORDINANCE, for laying off into Lots certain parts of the Common appurtenant to this City, and for disposing of the same.

Whereas, public utility requires that certain parts of the common be laid out and disposed of.

Franklin, Warren and Washington Wards, laid off into 120 Lots, each 60 ft. in width and 90 ft. in depth.

No. 71. (1.) All that part of the east and all that part of the west common situate and lying between the Bay and Broughton Streets, extending eastwardly to a public street of one hundred feet in width, and westwardly to a public street of the same width, be, on or before the first day of November next, ensuing, laid off into one hundred and twenty lots: that is to say, eighty lots on the east, and forty lots on the west common, each lot to contain sixty feet in width and ninety feet in depth, with certain squares, streets and lanes, in and between the same, agreeably to the plan marked No. 1, (one,) hereunto annexed, and being so laid off, the said lots, or as many of them as can be, shall be sold and disposed of on the terms and conditions hereinafter mentioned; that is to say, the said lots shall be valued according to

the estimate or schedule marked No. 2, (two,) hereunto annexed, from one hundred and sixty pounds, to forty pounds lawful sterling money, inclusive, and the ground rent of the same shall be in proportion and after the rate of five pounds per annum on every hundred pounds value, and it shall be in the option of the purchaser either to pay down the said valuation money or else to hold his or her purchase on ground rent, payable quarterly, as hereinafter mentioned.

(2.) Said lots shall be put up at auction in arithmetical progression, beginning at Number one, (1,) in each ward, and so proceeding upwards, until they shall be all disposed of, (except as hereinafter excepted,) or until so many of them shall be disposed of as there appear bidders for; and the said lots shall be respectively set up at the valuation contained in the said schedule annexed, and whatever sum or sums shall be bid upon the said valuation at the time of the sale of the said lots shall be considered as *increase money*, and shall be paid down in cash, and the person bidding most of such *increase money* shall be deemed the purchaser of the lot then under sale; and in regard to the said valuation money, it shall be in the option of the purchasers either to pay the same down in cash, or else to retain the same in their hands and the hands of their heirs and assigns forever, on a ground rent, which ground rent shall be at and after the rate of five pounds, by the year, for every hundred pounds value of the purchase, and so in proportion for any greater or lesser sums, payable in four equal quarterly payments into the City Treasury; but it shall, nevertheless, at any time thereafter, be in the power of such purchasers, or their heirs and assigns, to pay in the said valuation money, with what rent may be due up to that time, in full discharge and extinguishment of the said ground rent.

Valuation and increase money.

Increase money payable in cash.

Valuation money payable in cash, or in ground rent at 5 per ct. per year payable quarterly.

(3.) A deed, by way of bargain and sale, shall be made to all and every purchaser or purchasers of the said lots, under the seal of the City, signed by the Mayor and a majority of the Aldermen for the time being, and attested by the clerk, who shall enter a docket or abstract of such conveyance in a book to be provided and kept for that purpose, and a note or memorandum of such docket or abstract, shall be marked on the said deed. And the said bargain and sale shall vest either an absolute or conditional estate in the purchaser according to circumstances, that is to say, an absolute one if the valuation money shall be

Title.

Absolute if valuation paid.

Conditional if not paid.

paid down, or a conditional one if the said valuation money shall not be paid down, this latter also to become absolute, if and when the said valuation money shall at any future time be paid into the Treasury, and an acknowledgment thereof under the seal of the City, signed by the Mayor and a majority of the Aldermen for the time being, and attested by the City Treasurer, shall be indorsed on such deed. And the said conditional estates shall amount to this: that the use and occupation of the premises are forever secured to the purchaser, and others claiming under him or her on payment of the ground rent, but on failure therein for the space of fifteen days after the same shall become due, the said premises are to revert to the Corporation, who shall immediately thereafter possess the power of re-entry, and having by means of their proper officer exercised such power and given a notice thereof, in writing posted on the premises, the lot or lots so entered upon with all improvements thereon, are to be considered at the expiration of ten days thereafter as absolutely revested in the Corporation, and the said conditional estate therein determined, to all intents and purposes as fully as if the same had not been bargained for, or purchased, any sale or incumbrance or other act, made or suffered by the purchaser or purchasers or others under him, her or them to the contrary thereof, in anywise notwithstanding.

On failure to pay ground rent for 15 days after the same is due, premises to revert.

Re-entry after 10 days notice.

Purchasers to give bond.

(4.) Every purchaser in the class of those taking conditional estates shall at the time of receiving his or her deed of bargain and sale, give bond to the Mayor and Aldermen of the City of Savannah for the time being, with at least one good and sufficient security joined therein, to be approved of in the City Council, in the penal sum of four times the annual ground rent of his or her purchase, conditioned for the payment of such rent quarterly, during the continuance of said conditional estate, without fraud or further delay; and also that in case of a re-entry made by the Corporation or their officers as aforesaid, such purchaser shall and will forfeit and pay on the determination of said conditional estate into the City Treasury at the rate of ten per cent. on the valuation money of his or her purchase, if there shall be no buildings erected thereon to the value at least of twenty pounds sterling; but if there shall be any such buildings erected thereon to that value, then the same shall excuse the party from the said forfeiture of ten per cent. And in all cases the said buildings

Penal sum of 4 times the annual ground rent.

If ground rent is not paid a forfeiture of 10 per cent. unless 20 pounds sterling of improvements.

shall be appraised and valued by two or three citizens appointed by and sworn before the City Council.

Buildings valued by two citizens.

(5.) All lots, from time to time, re-entered upon by and revested in the Corporation in the manner before mentioned, within the space of five years from the first sales, shall be sold out again, on the same terms and conditions as the said lots are now directed to be sold and let out, upon a reasonable addition being made to the respective valuations, for any buildings or improvements that may be made on the said lots, respectively.

All lots re-entered in 5 years to be again sold.

Addition to valuation made for improvements.

(7.) Not less than three months notice shall be given of the intended sale of the said lots, and such sale shall commence on the twelfth day of January next, at the vendue house in the said City, and continue from time to time until the said lots are all disposed of, as there appear bidders for, and the same shall be conducted by three or more commissioners, duly appointed by order or resolution of the City Council, for that purpose to be made and passed.

3 months notice of sale of lots.

Sales to be conducted by 3 Commissioners.

(8.) The County Surveyor, or any other Surveyor, duly appointed and qualified, shall be, and he is hereby authorised and required to survey, mark and lay out the said lots, under the inspection and direction of the said commissioners, to be appointed as aforesaid, or a majority of them, agreeably to the plan marked Number one (1,) hereto annexed.

County Surveyor to lay out the lots.

Ordinance 12th Jan., 1791—Samuel Stirk, Chairman.

(1.) The seven lots known by the numbers two, three, four, five, six, seven and eight, on the west common, at present fooling the Bay, and by the above mentioned Ordinance laid out into lots, shall be sold on these terms, that is to say, that the purchasers thereof, respectively, and their heirs and assigns shall be entitled to claim no more than a street of forty-six feet in front of their lots, and all the rest of the ground, after leaving the said forty-six feet for a street extending therefrom to the bluff, shall be liable to be laid out and disposed of by the Corporation of the City at some future time, as shall be thought best.

7 lots on the Bay in Franklin Ward, how sold.

Street not more than 46 feet in front of lots.

(2.) The names of the several squares and streets in the east and west parts of the common, by the above mentioned Ordinance laid out into lots, shall be as follows, that is to say: The square on the east common, which lies nearest to the trustees' gardens, shall be called Washington Square; the other square on the said last common shall be called Warren square; and the square on

Wards and Squares named Washington, Warren and Franklin.

the west common shall be called Franklin square; and the several wards of said ground laid out into lots, shall take their names respectively from the squares to which they belong, agreeably to the plan of the City, and the addition thereto made; and the names of the several streets within the ground so laid out, as aforesaid, shall be as follows, that is to say—The street running north and south on the outer part of the east common, and separating that from the trustees' gardens, shall be called East Broad street; the next street running parallel thereto on the same common, shall be called Houston street; the next parallel street, Price street; the next parallel street, Habersham street, and the next parallel street, which is the one between the old limits and the present additions on the said east common, shall be called Lincoln street; and the street running in the same direction of north and south, on the outer part of the west common, and separating that from Yamacraw and St. Gaul's lots shall be called West Broad street; the next street running parallel thereto, on the same west common, shall be called Montgomery street; and the next parallel street, which is the one between the old limits and the present addition on the said west common, shall be called Jefferson street; and all the streets which run through the said west common, by the said Ordinance, annexed to the City, in a direction of east and west, shall take their names from, and be called after the streets of the City as contained in the original plan of the town of Savannah.

Streets named.

East Broad st.

Price street.
Habersham st.

Lincoln street.

West Broad st.

Montgomery st.

Jefferson st.

CITY DOMAIN.

Columbia, Greene and Liberty Wards Laid Off.

Ordinance 30th May, 1799—Matthew McAllister, Mayor.

Columbia, Greene and Liberty Wards laid off into 120 lots, each 60 feet in width and 90 feet in depth.

No. 72. (1.) All that part of the east, and all that part of the west common situate and lying between Broughton Street and the southern boundary line of this City, extended, and between East Broad street and the City, and the City and West Broad street be, on or before the tenth day of June next, ensuing, laid off into one hundred and twenty lots, that is to say: eighty lots on the east, and forty lots on the west common, each lot to contain sixty feet in width and ninety feet in depth, with certain squares, streets and lanes, in and between the same,

corresponding with the plan of this City; and being so laid off, the said lots, or so many of them as can be, shall be sold and disposed of on the terms and conditions hereinafter mentioned, that is to say: the said lots shall be valued according to the estimate or schedule hereunto annexed, from six hundred to two hundred dollars, and the ground rent of the same shall be in the proportion of five per cent. per year, and it shall in the option of the purchaser, either to pay down the said valuation money, or else to hold his, her, or their purchase on a ground rent payable quarter yearly as hereinafter mentioned.

Lots how sold.

(2.) The said lots shall be put up at public auction in numerical succession, beginning with No. 1 (one,) in each ward (except as hereinafter excepted,) or until so many of them shall be disposed of as there appear bidders for; and the said lots respectively, shall be set up at the valuation contained in the said annexed schedule, and whatever sum or sums shall be bid over the said valuation, at the time of the sale of the said lots, shall be paid down in cash, and the highest bidder shall be the purchaser of the lot then sold; and in regard to the said valuation money, it shall be optional with the purchasers either to pay the same down in cash or else to retain the same in their hands, and the hands of their heirs and assigns forever, on a ground rent, which ground rent shall be at the rate of five per cent. per year, payable in quarter yearly payments, into the City Treasury.—But it shall nevertheless, at any time thereafter, be in the power of such purchasers, or their heirs or assigns, to pay the amount of the said valuation money, with whatever rent may be due at that time, in full discharge and extinguishment of the said ground rent.

Annual ground rent 5 per cent. payable quarterly.

(*Sections* 3, 4, 5, *are alike Sections* 3, 4, 5, *of No.* 70, *except* 20 *days in lieu of* 15 *days, and* $100 *in lieu of Twenty Pounds Sterling.*)

Title.
Bond for payment of rent.
Re-entered lots how sold.

(7.) The several squares and wards to be laid out under and by virtue of this Ordinance, that is to say—The square and ward between the City and West Broad Street, shall be known by the name of Liberty; the square and ward adjoining the City on the east common, shall be known by the name of Columbia; and the square and ward adjoining East Broad Street, shall be known by the name of Greene.

Wards and Squares named.

Liberty

Columbia.

Greene

CITY DOMAIN.

Elbert Ward Laid Off.

Ordinance 20th April, 1801—T. Gibbons, Mayor.

Elbert Ward laid off into 40 lots, each 60 feet in front and 90 feet in depth.

No. 73. (1.) All that part of the Southwest common, situate and bounded as follows, to the North by Liberty ward, to the South by the five acre lots, to the East by Jefferson Street, and to the West by West Broad Street, be laid off into forty lots, each lot to contain sixty feet in width and ninety feet in depth, with certain squares, streets and lanes in and between the same, corresponding with the plan of this City; and being so laid off, the said lots, or so many of them as can be, shall be sold and disposed of on the terms and conditions hereinafter mentioned, that is to say—The said lots shall be valued according to the estimate or schedule hereto annexed from six hundred to seven hundred dollars, and that the said lots be set up at the original valuation, and the increase money bid thereon, shall be added to the same, and that the purchaser shall pay down in *three days* from the day of sale, ten per cent. on the whole amount and the balance to become the valuation money of the said lots; and the ground rent of the same, shall be in the proportion of five per cent. per year; and it shall be in the option of the purchasers either to pay down the said valuation money, or else to hold his, her, or their purchase on a ground rent payable quarter yearly as hereinafter mentioned.

Lots how sold.

(2.) The said lots shall be put up at public auction in numerical succession, beginning with No. 1 (one,) or until so many of them shall be disposed of as there appear bidders for, and the highest bidder shall be the purchaser of the lot then sold, and in regard to the said valuation and increase money, it shall be optional with the purchaser, either to pay the same down in cash, or else to retain the same in their hands and the hands of their heirs and assigns forever, on a ground rent which ground rent, shall be at the rate of five per cent. per year, payable in quarter yearly payments into the City Treasury. But it shall nevertheless at any time thereafter be in the power of such purchasers, or their heirs or assigns to pay the amount of the said valuation and increase money, with whatever rent may be due at that time, in full discharge and extinguishment of the said ground rent.

Annual ground rent 5 per cent.

Title.

(3.) A deed by way of bargain and sale, shall be made to all and every purchaser or purchasers of the said lots under the seal of the City, signed by the Mayor and a majority of the Aldermen for the time being, and attested by the Clerk, who shall enter a docket or abstract of such conveyance in a book to be provided and kept for that purpose, and a note or memorandum of such docket or abstract shall be marked on said deed. And the said bargain and sale shall vest either an absolute or conditional estate, in the purchaser according with circumstances, that is to say: an absolute one if the valuation and increase money shall be paid down, or a conditional one, if the said valuation and increase money shall not be paid down—this latter also to become absolute if, and when the said valuation and increase money, shall at any future time be paid into the Treasury, and an acknowledgment thereof under the seal of the City, signed by the Mayor and a majority of the Aldermen for the time being, and attested by the City Treasurer, shall be endorsed on such deed; and the said conditional estates shall amount to this: that the use and occupation of the premises are forever secured to the purchaser and others claiming under him, her, or them, on payment of the ground rent; but on failure herein for the space of *Twenty Days* after the same shall have become due, the said premises are to revert to the Corporation, who shall immediately thereafter possess the power of re-entry, and having, by means of their proper officer, exercised such power, and given a notice thereof in writing, posted on the premises, the lot or lots so entered upon, with all improvements thereon, are to be considered at the expiration of ten days thereafter, as absolutely revested in the Corporation; and the said conditional estate therein determined to all intents and purposes as fully as if the same had not been bargained for or purchased, any sale or incumbrance, or other act made or suffered by the purchaser or purchasers, or others under him, her, or them, to the contrary thereof in anywise notwithstanding.

Absolute estate

Conditional.

Failure to pay rent for 20 days.

10 days notice for re-entry.

Bond for payment of quarterly rent.

(4.) Every purchaser in the class of those taking conditional estates shall at the time of receiving his or her deed of bargain and sale, give bond to the Mayor and Aldermen of the City of Savannah for the time being, with at least one good and sufficient security joined therein, to be approved of in the City Council, in the penal sum of four times the annual ground rent of his or her purchase, conditioned for the payment of such rent

quarterly, during the continuance of said conditional estate, without fraud or further delay; and also that in case of a re-entry made by the Corporation or their officers as aforesaid, such purchaser shall and will forfeit and pay on the determination of said conditional estate into the City Treasury at the rate of ten per cent. on the valuation money of his or her purchase, if there shall be no buildings erected thereon to the value at least of one hundred dollars; but if there shall be any such buildings erected thereon to that value, then the same shall excuse the party from the said forfeiture of ten per cent. And in all cases the said buildings shall be appraised and valued by two or three citizens appointed by and sworn before the City Council.

Forfeiture of 10 per cent. if value of buildings under $100.

Buildings valued by 2 or 3 citizens.

(5.) All lots, from time to time re-entered upon by and revested in the Corporation in the manner before mentioned, within the space of five years from the first sales, shall be sold out again, on the same terms and conditions as the said lots are now directed to be sold and let out, upon a reasonable addition being made to the respective valuations for any buildings or improvements that may be made on the said lots, respectively.

Sales of re-entered lots after 5 years.

Addition for improvements.

(6.) The said square and ward laid out under and by virtue of this Ordinance shall be called and known by the name of Elbert square and ward, and the names of the several streets within the ground so laid out, as aforesaid, shall be as follows—That is to say, the street running east and west on the outer part of the south common, and separating that from the five acre lots, shall be called and known by the name of Liberty street; the next street running parallel thereto shall be called and known by the name of Wilkes (now Perry by Ordinance 19th July, 1815,) street; the next parallel street shall be called and known by the name of Screven (McDonough by Ordinance 19th July, 1815,) street; the next parallel street shall be called and known by the name of Chatham (Hull by Ordinance 19th July, 1815,) street; and the next parallel street, which is the one between the limits of Liberty ward and the present addition on the said south common, shall be called and known by the name of South Broad street, and all the streets which run through the said south common, by this Ordinance annexed to the City, in a direction north and south, shall take their names from, and be called after the streets of the City as contained in the plan of Franklin and Liberty wards.

Square and Ward named Elbert.

Streets named.

Liberty.

Perry.

McDonough.

South Broad.

AND WHEREAS, it is necessary to ascertain the description of the lots in Oglethorpe ward:

(7.) *And be it further ordained*, That all that part of Oglethorpe ward from the river back to Joachim street, shall be called and known by the name of the first tything in the said ward; that all that part from Joachim street back to Pine street, shall be known by the name of the second tything; that all that part of Pine street back to the north line of Ewensburg shall be known by the name of the third tything; that all that part called Ewensburg shall be known by the name of the fourth tything; that all that part called New Leeds shall be known by the name of the fifth tything, (and that all that public lot of sixteen acres at the Spring Hill shall be known by the name of the sixth tything. And the names of the streets in the sixth tything, lately laid out into lots, shall be as follows—That is to say, the street running east and west, bounded by the main road to the south, shall be called Liberty street; the next parallel street Spring street; and the next parallel street, which is the one that separates that from New Leeds, shall be called Oak street; and the street running north and south, crossing Spring street, shall be called Franklin street.)

Oglethorpe Ward. Joachim Street Pine Street.

(Now closed by Central Railroad Depot.)

CITY DOMAIN.

New Franklin Ward Laid Off.

Ordinance 27th June, 1803.—Charles Harris, Mayor.

No. 74. (1.) All that space of ground situate and being on the Bay, bounded to the eastward by lots of Edward Telfair and Joseph Clay, Esqrs., to the southward by Bay street, to the westward by West Broad street, and to the northward by the strand as lately laid off into lots, each lot containing sixty feet in width and ninety feet in depth, according to the plan hereto annexed, be sold and disposed of on the terms and conditions herein mentioned, that is to say—The said lots shall be valued according to the estimate or schedule hereto annexed, from one thousand five hundred to two thousand dollars, and, being so valued, the same shall be put up at public auction in numerical succession, unless otherwise ordered by Council, beginning with the number one, until the whole, or so many of them as there

New Franklin Ward laid off into lots, each 60 feet in width and 90 feet in depth.

(For terms of sale see page 59, Sec. 1.)

shall appear bidders for, shall be disposed of; and the said lots shall be put up at the valuation aforesaid, and the highest bidder shall be declared the purchaser, and the increase money which shall be bidden on the same shall be added to the said valuation money, and the purchaser or purchasers shall, within three days after the sale, pay into the hands of the City Treasurer ten per cent. on the whole sum, which shall be deducted therefrom, and the balance thereof shall be thereafter deemed the valuation money, which said valuation money shall forever be irredeemable and remain a lien on the said lot for securing the payment of the interest, or ground rent, hereafter mentioned, which ground rent or interest shall be five per cent. per annum on the said valuation money, and shall be paid quarterly into the City Treasury.

10 per cent. paid in cash.

Balance on annual ground rent 5 per cent., payable quarterly.

Title.

(2.) A deed, by way of bargain and sale, shall be made to all and every purchaser and purchasers of the said lots, under the seal of the city, signed by the Mayor and a majority of the Aldermen for the time being, and attested by the Clerk, who shall enter a docket or abstract of such conveyance, in a book to be provided and kept for that purpose, and a note or memorandum of such docket shall be marked on the said deed; and the said bargain and sale shall vest the use and occupation of the said premises forever in the purchaser or purchasers, his, her, or their heirs and assigns, subject nevertheless, to the payment of the interest or rent, and provisoes, clauses and conditions of this Ordinance contained; and on failure of such quarterly payment of ground rent aforesaid, for the space of twenty days after the same shall become due, the said premises are to revert to the Corporation, who shall, immediately thereafter, possess the power of re-entry, and having, by means of their proper officer, exercised such power, and given a notice thereof, in writing, posted on the premises, the lot or lots so entered upon, with all improvements thereon, are to be considered, at the expiration of ten days thereafter, as absolutely revested in the Corporation, and the said conditioned estate therein, determined, to all intents and purposes, as fully as if the same had not been bargained for or purchased; any sale, incumbrance, or other act, made or suffered by the purchaser or purchasers, or others under him, her, or them, to the contrary thereof, in anywise notwithstanding.

Failure to pay rent for 20 days.

Re-entry upon 10 days notice.

(3.) All lots, from time to time re-entered upon and revested in the Corporation in the manner before mentioned, shall be sold

Sales of re-entered lots.

out again on the same terms and conditions as the said lots are now directed to be sold and let out upon a reasonable addition being made to the respective valuations for any buildings or improvements that may be made on the said lots respectively.

Addition to valuations for improvements.

(4.) All and every, the sum and sums of money arising from the sale of the said lots, that is to say, as well the said ten per cent., so to be paid down as aforesaid, as the interest or ground rent, which shall become due on the same, is and are hereby pledged, and shall be appropriated and applied as a separate fund, to and for the purchase of lamps and other materials for lighting the City, as heretofore mentioned, and to and for no other use or purpose whatsoever.

(Monies from sales and rents pledged. For lighting the City—repealed 16th Jan., 1851.)

Ordinance 22d March, 1819—James M. Wayne, Mayor.

(1.) All that surplus piece of ground situate and being on the Bay in New Franklin Ward, bounded westwardly by West Broad street, southwardly by a street to be forty feet wide, eastwardly by a street running between said surplus ground and the back line of the wharf lots Nos. 10, 11 and 12, owned by the Steam Boat Company, and according to a plan of the same, be sold and disposed of.

New Franklin Ward.

(2.) The said lots shall be valued, and, being so valued, shall be put up at public auction in numerical succession, beginning with lot No.——, until the whole or so many of them as there shall appear bidders for, shall be disposed of.

(Surplus ground how valued. How sold, see lower part of this page.)

(3.) The aforesaid lots shall be sold agreeably and subject to the same terms and conditions as are prescribed by an Ordinance passed 27th June, 1803, for laying off a certain space of ground situate on the Bay, and known as New Franklin Ward.

(4.) The same lots shall hereafter be considered as part of the aforesaid Ward and included in the same for all the purposes of residence and other requisitions of locality as are required by law or Ordinance.

Lots considered a part of New Franklin Ward.

Ordinance 16th Jan., 1851—R. Wayne, Mayor.

(1.) The City lots in New Franklin Ward be hereafter sold on the following terms—the purchasers shall pay to the Treasurer of the City, within ten days, after the sale, twenty per cent. on the valuation and increase money bid thereon, and an annual interest on the balance of said valuation and increase money of seven per cent. payable quarterly.

Sales of lots in New Franklin Ward.

(2.) The monies to arise from such sale or sales, and the an-

Proceeds of sales, how appropriated.

nual interest to accrue upon the balances remaining unpaid shall constitute a part of the general fund of the City, subject to be disposed of in the same manner as the other funds, and that all Ordinances or parts of Ordinances appropriating the proceeds of said lots to any special purpose be and the same are hereby repealed.

CITY DOMAIN.

Brown and Jackson Wards Laid Off.

Ordinance 19th June, 1815—Thomas U. P. Charlton, Mayor.

Brown and Jackson Wards, 106 lots, each 60 by 90 feet.

No. 75. (1.) All that part of the south common, situate and bounded as follows: That is to say, on the north by South Broad street, on the south by Liberty street, on the east by the public burying ground, and on the west by Jefferson street, be laid off into one hundred and six lots, each lot to contain sixty feet in width and ninety feet in depth, with two wards two squares, and certain streets and lanes, in and between the same, agreeably to the plan of the City.

Lots how valued.

(2.) The said lots shall be valued by three inhabitants or lot-holders of the City, nominated and appointed by the Mayor, associated with two Aldermen, who, or a majority thereof, are hereby authorized to value and appraise the said lots, and so soon as the said inhabitants, lot-holders and Aldermen, or a majority thereof, shall have valued and appraised the said lots, a schedule shall be returned to the Clerk of Council, subject to the revision and approbation of the Mayor and Aldermen.

How sold.

(3.) If the valuation and appraisement returned as aforesaid should be approved of by Council, the said lots shall be sold by the Marshal under the direction of the City Treasurer, he giving such public notice as may be directed by Council.

(4.) The said lots shall be sold in numerical succession, and agreeably to the valuation affixed thereto as aforesaid, and the increase money bid thereon shall be added thereto, and the purchasers of said lots shall pay to the Treasurer of this City, within thirty days after said sale, twenty per centum on the original valuation and increase money aforesaid, and balance of said valuation and increase money shall become the amount of the consideration money of the said lots sold under and by virtue

20 per cent. paid in cash.

Balance on annual ground rent rate of 6 per cent. payable quarterly.

of the authority aforesaid: *Provided nevertheless,* That it shall be at the option of the purchaser or purchasers to pay down the whole of the valuation money if no more shall be bid, or if more, the increase money and valuation, or to hold the purchase upon a ground rent at the rate of six per centum on said valuation, payable quarterly as hereinafter directed.

Titles. Bond. Re-entry.

(*Section 5th, is the same as 2d, 3d and 4th Sections of Ordinance of 20th April,* 1801.)

Wards named Brown and Jackson.

(6.) The said lots shall constitute two wards and squares to be called and named the westward, Jackson Ward and Orleans Square, the eastward, Brown Ward and Chippewa Square; and the names of the several streets within the parts of the common so laid off, shall be as follows, that is to say: the street running parallel to Liberty street, as named in the above recited Ordinance, shall be called Perry street. The next parallel street shall be called McDonough street. The next parallel street shall be called Hull street.

Squares named Chippewa and Orleans.

Streets named Perry, McDonough and Hull.

Ordinance of 3rd November, 1853,—R. Wayne, Mayor.

Addition to Brown Ward.

(1.) All that portion of the City domain bounded north by South Broad street, south by Liberty street lane, east by Abercorn street, and west by a street laid off in the accompanying map, and designated as Floyd street, and containing thirty-seven and a half feet in width, shall be and the same is hereby attached to Brown Ward, and laid off into lots known by the numbers 67, 68, 69, 70, 71, 72 and 73, each lot being of the following size and description: lots numbers 67, 68, 71, and 72, containing fifty-five feet in front and eighty-three and a half feet in depth, lots numbers 69 and 70 contain sixty feet in front by eighty-three and a half feet in depth, lot number 73 contains ninety feet in front and eighty-three and a half feet in depth, and is known as the Firemans' Hall lot.

Floyd street 37½ feet in width.

Firemans' Hall.

Lots how sold.

(2.) The said lots, the laying off whereof is above provided for, be valued in the usual manner, and sold in the usual manner, under the direction of the committee on public sales and City lots, at such time or times, as to said committee shall seem expedient and proper; the terms of sale to be twenty (20) per cent. cash on the aggregate of valuation and increase money, and interest on the balance of the purchase money, to be paid quarterly at the City Treasury, at the rate of six (6) per cent. per annum, with the privilege to the purchaser, his or her heirs,

20 per cent. cash.

Balance on annual ground rent at 6 per cent., payable quarterly.

executors, or administrators, or assigns, of paying into the Treasury the balance remaining unpaid of the purchase money, and all interest due thereon up to the time of said payment, receiving, upon said payment, a fee simple title.

Titles.

(3.) Same as 3d Sec., Ordinance of 20th April, 1801.)

CITY DOMAINS.

Jasper and Pulaski Wards Laid Off.

Ordinance 3d Feb., 1837—John C. Nicoll, Mayor.

Lots 60 by 100 feet.

No. 76. All those portions of the south common delineated as within the lines (shaded red) on the plan hereto annexed be laid off into lots with such streets and lanes as are laid down on said plan, and that each one of said lots be sixty feet in front, and, (*by Ordinance of 28th March, 1837, one hundred feet in depth,*) or nearly as can be to correspond with the rest of the City.

Jasper, LaFayette and Pulaski Wards.

(2.) The said lots so to be laid off, between Abercorn and Drayton streets continued, shall form part of a Ward to be called LaFayette Ward. The lots laid off and to be laid off between Drayton and Whitaker streets continued, shall form part of a Ward to be called Jasper Ward; and those lots to be laid off between said Whitaker street continued and a line to be drawn parallel to and sixty-eight feet to the eastward from the eastern line of Curry Town, shall form part of a ward to be called Pulaski Ward. The street running south of the southern range of all the said lots and parallel to Liberty street, shall be called and known by the name of Harris street; and the street of sixty-eight feet, next to Curry Town shall be called and known by the name of Tattnall street.

Named.

Names of Streets.

Harris street.

Tatnall street.

(3.) The said lots so to be laid off, shall be numbered as follows; Those in LaFayette Ward from No. (1) one to No. (10) ten, inclusive; and those in Jasper Ward from No. (1) one to No. (10) ten inclusive; and those in Pulaski Ward from No. (1) one to (10) ten, inclusive.

Lots numbered.

(4.) All the said lots so to be laid off, shall be valued separately by a committee of Council and a committee of three citizens, owners of real estate in the City, to be appointed by the Mayor, and such valuation shall be returned ot this Corporation in writing under the hands of said committees or a majority

of them. The said lots shall be set up at the valuation so made, one at a time, at public outcry, to be made by the Marshal of the City, under the superintendence of the committee on sales on the first Tuesday in April next, and whatever amount shall, at the sale, be bid over the valuation of a lot, twenty per cent. upon the aggregate of such increase and of the valuation money shall be paid into the City Treasury in cash, and the highest bidder shall be the purchaser of the lot then sold. In regard to the residue of said valuation and increase money, it shall be optional with the purchaser to pay the same in cash or else to retain the same in his or her hands, receiving, in the latter case, a deed from the Mayor and Aldermen of the City of Savannah and the hamlets thereof, on condition of the quarterly payment of an annual ground rent to this Corporation equal to the interest on the amount of the said residue, at the rate of six per centum, and on such further conditions and limitations as are hereinafter set forth or referred to. But it shall nevertheless, at any time hereafter be in the power of the purchaser, his or her heirs, executors, administrators, or assigns, to pay into the City Treasury the said residue to be thereafter discharged from the payment of said ground rent.

20 per cent. payable in cash.

Balance on annual ground rent, at 6 per cent., payable quarterly.

(5.) Same as 3d Sec. of Ordinance of 20th April, 1801.)

Title.

Ordinance of 28th March, 1837.

(1.) The width of Liberty street except that portion of it which lies between Bull street and Drayton street continued, shall be one hundred and thirty feet.

Width of Liberty Street 130 feet.

(2.) The lane between Harris and Liberty streets shall be of the width of 22½ feet, and that Harris street shall be of a width not less than 60 feet.

Lane between Harris and Liberty streets 22½ feet wide.

(3.) The first Section of the Ordinance whose title is above recited, be amended so as to read as follows, to wit: Each of said lots shall be sixty feet in front and one hundred feet in depth.

Harris street 60 feet wide.

Lots 60 by 100 feet.

CITY DOMAIN.

Parts of Jasper and LaFayette Wards Laid Off.

Ordinance of 14th March, 1839, M. Hall McAllister, Mayor.

AN ORDINANCE, To be entitled an Ordinance to carry into effect the Act of the General Assembly of the State of

Georgia, passed in December, 1838, and to extend the jurisdiction and limits of the City of Savannah, to define the names of certain streets and to lay off into lots certain parts of the common appurtenant to this City, and for disposing of the same.

WHEREAS, by an Act passed by the General Assembly of the State of Georgia at its last session, the limits of the City of Savannah were extended.

Jurisdiction extended over Currie Town.

No. 77. (1.) The jurisdiction and Ordinances of the City of Savannah be extended according to the provisions of said Act, and be of force in the said extended limits and that all persons and property in said extended limits be subject to the laws of the City (except otherwise provided) in the same manner as if the said persons resided, and the said property was situate within the old limits of the City.

(2.) The streets in Curry Town shall take their names and be called after the streets running in said Curry Town from the other parts of the City and common.

AND WHEREAS, a doubt exists as to the proper names of certain streets, in consequence of the numerous and discrepant Ordinances relating thereto:

Continuation of streets to take names of original streets.

(3.) The continuation of Abercorn, Drayton, Bull, Whitaker and Barnard streets, from South Broad street to the southern line of the extended limits of the City, shall respectively retain the said names of Abercorn, Drayton, Bull, Whitaker and Barnard streets, and that the said streets shall retain the same name, from the Bay to the said southern line of the City.

Lots 60 by 100 feet.

(4.) All those portions of the south common, lying south of Harris street, as are delineated within the lines (shaded red) on the plan hereto annexed, be laid off into lots, with such streets and lanes as are laid down on said plan, and that each one of said lots shall be sixty feet in front, and one hundred feet in depth: *Provided*, Nothing herein contained shall authorize any present interference with the jail enclosure.

Jail enclosure.

Part of LaFayette and Jasper Wards.

(5.) The said lots, to be laid off between Abercorn and Drayton streets, continued, shall form parts of the Ward called LaFayette Ward: and the lots to be laid off between Drayton and Whitaker streets, continued, shall form part of the Ward called Jasper Ward; and those lots to be laid off between said Whitaker street continued and Tattnall street, shall form part of the Ward called Pulaski Ward; and that the first street running

Pulaski Ward.

south of Harris street, and parallel thereto, between the trust lots shall be sixty feet in width, and shall be called and known by the name of Macon street; and that the next street running parallel therewith, and fronting on the squares, be also sixty feet in width, and be called and known by the name of Charlton street; and that the street running south of the southern range of lots, and parallel with Harris street, be also sixty feet in width, and be called and known by the name of Jones street; and that the lane between Charlton and Jones street shall be of the width of twenty-two and a half feet; and that the square in Jasper Ward shall be called and known by the name of Madison Square, and that the square in Pulaski Ward shall be called and known by the name of Pulaski Square.

Harris street.

Macon street.

Charlton street.

Jones street.

Width each 60 feet.

Lane 22½ feet.

Madison and PulaskiSquares.

Lots numbered.

(6.) The said lots so to be laid off (including the jail enclosure) shall be numbered as follows—Those in LaFayette Ward from number (11) eleven to number (24) twenty-four, inclusive; those in Jasper Ward from number (21) twenty-one to (48) forty-eight, inclusive; and those in Pulaski Ward from number (17) seventeen to number (38) thirty-eight, inclusive.

Lots how valued and sold.

(7.) All of the said lots so to be laid off, (exclusive of those situate within the jail enclosure,) shall be valued separately, by a committee of Council and a committee of three citizens, owners of real estate in the City, to be appointed by the Mayor, and such valuation shall be returned to this Corporation, in writing, under the hands of said committee or a majority of them; the said lots (exclusive of the jail enclosure) shall be set up at the valuation so made, one at a time, at public outcry, to be made by the Marshal of the City, under the superintendence of the Committee on Sales, and whatever amount shall, at the sale, be bid over the valuation of a lot, twenty per cent. upon the aggregate of such increase and of the valuation money, shall be paid into the City Treasury in cash, and the highest bidder shall be the purchaser of the lot thus sold. In regard to the residue of the said valuation and increase money, it shall be optional with the purchaser to pay the same in cash, or else to retain the same in his or her hands, receiving in the latter case, a deed from the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, on condition of the quarterly payment of an annual ground rent to this Corporation equal to the interest on the amount of the said residue, at the rate of six per cent. per annum, and on such further conditions and limitations as are

20 per cent. in cash—balance on annual ground rent.

At rate of 6 per cent. payable quarterly.

hereinafter set forth and referred to, but it shall, nevertheless, at any time after said sale, be in the power of the purchaser, his or her heirs, executors or administrators or assigns to pay into the City Treasury the said residue, and be thereafter discharged from the payment of such ground rent, *Provided however*, that the valuation and sale of said lots, as specified in this section, shall not be made until Council shall hereafter direct by resolution or otherwise.

Title. (8.) (*Same as 3d Sec., of Ordinance of 20th April*, 1801.)

CITY DOMAIN.

Crawford Ward Laid Off.

Ordinance 11th Feb., 1841—Robert M. Charlton, Mayor.

Crawford Ward. No. 78. (1.) All that portion of the south common delineated as within the lines (shaded) on the plan hereto annexed, and bounded on the south by Liberty street, east by the Thunderbolt road, north by South Broad street, and west by Habersham street and the Old Cemetery, be laid off into eighty-six lots with such streets and lanes as are laid down on said plan, and that the same shall be called Crawford Ward.

86 lots.

How valued and sold. (2.) All the said lots shall be valued separately, by a committee of Council and a committee of three citizens, owners of real estate in the City, to be appointed by the Mayor, and such valuation shall be returned to this Corporation in writing, under the hands of said commissioners or a majority of them. *The said lots (reserving every other one of them to the City) shall be set up alternately* (repealed by 1st Section of Ordinance passed 2d November, 1843, page 67) with the exception of two lots heretofore granted to the Widows' Society and the Female Asylum (the lots granted to the Female Asylum are in Jasper Ward—see Ordinance passed 23d February, 1839) at the valuation so made, one at a time, at public outcry, to be made by the Marshal of the City under the superintendence of the Committee on Sales *on the second Tuesday in May next*, (repealed—see 2d Section of Ordinance passed 2d November, 1843, page 67) and whatever amount shall, at the sale, be bid over the valuation of a lot, twenty per cent. upon the aggregate of such increase and of the valuation money, shall be paid into the City Treasury in cash,

20 per cent. cash—balance on annual ground rent.

and the highest bidder shall be the purchaser of the lot then sold. In regard to the residue of said valuation and increase money, it shall be optional with the purchaser to pay the same in cash, or else to retain the same in his or her hands, receiving in the latter case, a deed from the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, on condition of the quarterly payment of an annual ground rent to this Corporation, equal to the interest on the amount of said residue, at the rate of six per centum, and on such further conditions and limitations as are hereinafter set forth or referred to. But it shall, nevertheless, hereafter, at any time, be in the power of the purchaser, his or her heirs, executors, administrators or assigns, to pay into the City Treasury the said residue, and to be thereafter discharged from the payment of such ground rent. *And be it further provided*, That the proceeds of the sale of these lots shall be exclusively applied to the extinguishment of the City Bonds, now in existence, and issued for the debts now due for monies obtained from several banks of this City, to pay for the subscription, by the City, to the Central Railroad, and for no other purpose whatsoever.

At rate of 6 per cent., payable quarterly.

Proceeds applied to payment of City Bonds for Central Railroad Stock.

Title. (3.) (Same as the 8th Section of No. 77, Ordinance passed 14th March, 1839.)

Ordinance of 2d Nov., 1843—Wm. Thorne Williams, Mayor.

Alternate sales repealed. (1.) So much of said recited Ordinance as requires the alternate sale of the lots in Crawford Ward, reserving every other one of them to the City, be and the same is hereby repealed.

Lots in Crawford Ward, how sold. (2.) The sale of the lots in said Ward take place under the valuation heretofore placed upon the same, or under such valuation as may hereafter be made by the Committee on Public Sales and City Lots and three freeholders, to be appointed by the Mayor, at such time as shall be deemed advisable by the Mayor and the Committee on Public Sales and City Lots; the said sale to be made under the superintendence of the Committee on Public Sales and City Lots, by the Marshal of the City at public outcry.

Ordinance 10th June, 1847.

(1.) The above recited Ordinance (of 4th April, 1844,) be and the same is hereby repealed.

Re-value 5 lots in Crawford Ward. (2.) The Committee on Public Sales and City Lots proceed to re-value said lots and sell under the existing Ordinances.

Ordinance 19th Aug., 1847.

For LaFayette read Crawford, and for Crawford read LaFayette.

(1.) The above recited Ordinance (of 22d July, 1847,) be and the same is hereby amended as that the word "LaFayette," whenever the same occurs in the title and body of said Ordinance, shall read "Crawford," and the word "Crawford" is hereby substituted therein in the place of the word "LaFayette."

9 Lots South of Old Cemetery attached to Crawford Ward.

(2.) The third Section of the Ordinance granting to Charles B. Cluskey on ground rent five lots south of the Old Cemetery; to attach the said lots and others to Crawford Ward, and to prohibit the future purchasers and owners of certain other lots from building thereon in wood—passed 4th April, 1844,—be and the same is hereby revived.

NOTE.—The 3d Section of the Ordinance entitled an Ordinance granting to Charles B. Cluskey on ground rent, five lots south of the Old Cemetery; to attach said lots and others to Crawford Ward, and to prohibit the future purchasers and owners of certain other lots from building thereon in wood, passed April 4th, 1844, and which is revived by the 2d Section of the above Ordinance, passed 19th August, 1847, is in the following words:

(3.) The said lots, numbered 69, 70, 71, 72, and 73, and also the lots separated from the same by Lincoln street, and numbered 65, 66, 67, and 68, be, and the same are hereby attached to, and made parcel of Crawford Ward.

CITY DOMAIN.

Chatham and Monterey Wards Laid Off.

Ordinance 4th March, 1847—H. K. Burroughs, Mayor.

Chatham and Monterey.

No. 79. (1.) All that portion of the south common lying between Tattnall and Drayton streets, extending southward three streets from Jones street, be laid off into lots, with such streets and lanes as are laid down on the maps of the City, with the exception of the street dividing lots known in the plan of the City as trust lots, which street is abandoned, (see Wayne street, page 71,) and that each one of said lots be sixty feet in front and one hundred feet deep, (Sec. 2, page 69,) as nearly as can be to correspond with the other portions of the City.

Lots 60 by 100 feet.

Chatham Ward.

(2.) Said lots, to be laid off between Tattnall and Whitaker streets, continued, shall form a Ward, to be called Chatham, and those lots to be laid off between Whitaker and Drayton streets, continued, shall form another Ward, to be named Monterey.

Monterey Ward.

Taylor street.
Gordon street.
Gaston street.

The first street south, and running parallel with Jones street, be named Taylor; the second street running parallel with Jones street be named Gordon, and the third street be named Gaston.

No. of lots 48.

The said lots, to be laid off, be numbered, in each ward from one to forty-eight.

Lots how valued.

(3.) All those lots so laid off, shall be valued separately, by a committee of three members of Council and three citizens, freeholders, or a majority of said committee, to be appointed by the Mayor, and that such valuation as may be affixed to each lot returned to this Corporation, in writing, under the hands of said committee, or a majority of them, shall be the valuation at which said lots shall be set up at public sale by the City Marshal, under the superintendence of the committee on Public Sales and City Lots, on the second Tuesday in April next, or at such other time as may be ordered by Council.

Ordinance 4th August, 1848.

How sold.

(1.) The fourth and fifth sections of the above recited Ordinance of 4th March 1847, be, and the same are hereby repealed, and that the said lots, specified in the said Ordinance, shall be sold upon the terms and conditions prescribed for the sale of other portions of the City domain, by existing Ordinances; *Provided*, Nevertheless, that nothing herein contained shall effect any contracts of sales where the titles have passed under the provisions of the above recited Ordinance.

Ordinance 23d Nov., 1848.

Former purchasers of lots in Monterey Ward to have new titles.

(1.) The persons who have heretofore purchased lots in said Ward (Monterey) may, at their option, comply with the terms of the said Ordinance, or may surrender their titles and have new titles executed for the same upon the terms and conditions prescribed for the sale of other portions of the public domain: *Provided*, If any of said purchasers have paid less than twenty per cent. of the amount of purchase money, they shall, before changing their titles, pay up to that amount, and if any purchaser shall have paid more than twenty per cent. of the purchase money, no part of that excess shall be refunded, but the annual ground rent shall be assessed upon the amount remaining unpaid of the said purchase money.

Cash, 20 per cent.

Ground rent 6 per cent.

Ordinance of 11th Oct., 1849—R. Wayne, Mayor.

Trust lots in Monterey and Chatham to be 60 feet wide.

(2.) The lots heretofore commonly called trust lots shall, in both Monterey and Chatham Wards, have a width of sixty feet, and the streets between them shall be 60 feet wide, and the streets north and south of them shall also be sixty feet wide, so as to conform to the plan of Jasper Ward.

Streets 60 feet wide.

Ordinance of 31st July, 1851—Robert H. Griffin, Acting Mayor.

Purchasers of lots on Gaston street to have 20 feet added to their lots.

WHEREAS, the purchasers of lots heretofore sold on Gaston street have applied to Council to add twenty feet to the front of each of said lots, making the depth of the same one hundred and twenty feet, upon condition that twenty per cent. be added to the appraised value of each of said lots, upon which additional value each lot holder shall pay at the rate of six per cent. per annum, in quarterly payments. Therefore:

Gaston street to be 75 feet wide.

Depth of lots 120 feet.

(1.) The width of Gaston street be reduced to seventy-five feet, and the depth of the lots fronting south on Gaston street be increased to one hundred and twenty feet.

Conveyance.

Annual ground rent, 6 per cent. payable quarterly.

(2.) The depth of the lots heretofore sold on Gaston street, (extending from Drayton street to Tattnall street,) be added twenty feet in front, and a conveyance be made to each lot holder, upon condition that said lot holder pay at the rate of six per cent. per annum, in quarter yearly payments, on a sum equal to twenty per cent. of the appraised value of such lot, said quarter yearly payments to be due and payable at the same time that the regular ground rent on said lots falls due.

Endorsement on conveyance for 20 feet.

(3.) An indorsement on the conveyance heretofore made of any of said lots signed by the Mayor or Acting Mayor, shall be a sufficient conveyance to said additional twenty feet, in front of each lot, if in substance as follows:

WHEREAS, under and by virtue of an Ordinance, passed 31st July, 1851, upon the application of lot holders on Gaston street, twenty feet was added to the front of each of said lots between Drayton and Tattnall streets, upon condition that twenty per cent. be added to the appraised value of each of said lots, and each lot holder pay at the rate of six per cent, per annum, in quarter yearly payments, on said additional value of twenty per cent., said quarter yearly payments to be due and payable at the same time that the regular ground rents on said lots fall due. *Now, know all men by these presents*, That the Mayor and Aldermen of the City of Savannah and Hamlets thereof, for and in consideration of the premises and of the quarter yearly payments to be made by the within named owner of lot No. on Gaston street, have bargained and sold, and by these presents do bargain and sell unto the said heirs, and assigns that lot of land sixty feet in front and twenty feet in depth, immediately in front of said lot No. on Gaston

street. To have and to hold said addition of twenty feet by sixty feet unto the said heirs, executors, administrators and assigns forever as part of the original lot, upon the express condition, nevertheless, that the said heirs, executors, administrators, and assigns, shall, every year, by four equal quarter yearly payments, pay or cause to be paid into the City Treasury of Savannah, the additional sum of as ground rent for the use and occupation of the same, at the same time and on the same terms as in the original lease of the original lot, and in case of failure to pay the whole ground rent on said lot so added to, for the space of twenty days after it is due, then said lot shall revert to the Corporation who shall proceed to re-enter in the manner pointed out in the conveyance of said lot No. .

In witness whereof, by the direction of the Mayor and Aldermen of the City of Savannah and Hamlets thereof, the Mayor hath hereto set his official signature, and caused the seal of the City to be affixed.

CITY DOMAIN.

Chatham, Troup and Wesley Wards Laid Off.

Ordinance 13th March, 1851—R. Wayne, Mayor.

Part of LaFayette Ward.

No. 80. (1.) All that part of the City domain lying north of Gordon street and east of Drayton street, be laid off into lots by the City Surveyor, under the superintendence of the Committee on Public Sales and City Lots, that as many of said lots as may be necessary to complete the plan of LaFayette Ward be added to that Ward, and that the remainder be classed into three new Wards.

Calhoun, Troup and Wesley Wards named. Calhoun, Troup and Whitfield Squares named.

(2.) The new Ward between Liberty street on the north and Jones street on the south, and the square appurtenant to said Ward, be named and called Troup Ward and Troup Square; and the new Ward immediately to the south of Troup Ward, with its appurtenant square, be named and called Wesley Ward, Whitfield Square; and the new Ward immediately to the west of Wesley Ward, with its appurtenant square, be named and called Calhoun Ward, and Calhoun Square; and that the street

Wayne street. between Taylor and Gordon streets be named and called Wayne street, and that all the new streets connecting with and continuing old streets already named, be considered as part of said streets respectively, and distinguished by the respective names already in use.

How valued and sold. (3.) The said lots, the laying off whereof is above provided for, be valued and sold in the usual manner, under the direction of the Committee on Public Sales and City Lots, at such time or times as to said committee shall appear expedient and proper; the terms of sale to be twenty (20) per cent. cash, on the aggregate of valuation and increase money, and interest on the balance of the purchase money, to be payable quarterly at the City Treasury, at the rate of six (6) per cent. per annum, with the privilege to the purchaser, his or her heirs, executors, or administrators, or assigns, of paying into the Treasury the balance remaining unpaid of the purchase money and all interest due thereon, up to the time of said payment, receiving, after such payment, a fee simple title.

20 per cent. in cash.

Balance on annual ground rent at 6 per cent., payable quarterly.

Title. (4.) (Same as 3d Sec., Ordinance 20th April, 1801.)

Ordinance 9th March, 1854—John E. Ward, Mayor.

Part of Calhoun Ward. (1.) All that part of the City domain lying north of Gaston street, south of Gordon street, and east of Drayton street, be laid off into lots by the City Surveyor, under the supervision of the committee on Public Sales and City Lots, and that the same be added to Calhoun Ward.

How valued and sold. (2.) The said lots, the laying whereof is provided for, be valued in the usual manner and sold in the usual manner, under the direction of the Committee on Public Sales and City Lots, at such time or times as to said committee shall appear expedient and proper. The terms of sale to be twenty (20) per cent. cash on the aggregate of valuation and increase money, and interest on the balance of the purchase money to be payable quarterly at the City Treasury at the rate of six (6) per cent. per annum, with the privilege to the purchaser, his or her heirs, executors, or administrators, or assigns, of paying into the Treasury the balance remaining unpaid of the purchase money, and all interest due thereon up to the time of said payment, receiving after such payment a fee simple title.

20 per cent. in cash.

Balance on annual ground rent at 6 per cent. payable quarterly.

Title (3.) (Same as 3d Sec., Ordinance 20th April, 1801.)

CITY DOMAIN.

Springfield Plantation Laid Off.

Ordinance 16th Jan., 1851—R. Wayne, Mayor.

Lots Nos. 1 to 18 of Springfield Tract laid off. No. 81. (1.) All that portion of the Springfield tract of land numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, in the Maps drawn by William Hughes, Surveyor, be laid off into lots, with the numbers and boundaries described in said map.

Lots how valued and sold. (2.) All the lots so laid off shall be set up for sale at public outcry by the Marshal of the City, at the valuation made by the committee appointed by Council, on the 5th December, 1850, under the superintendence of the Committee on Public Sales and City lots, and whatever amount shall, at the sale, be bid on the valuation of a lot, twenty per cent. upon the aggregate of said increase and the valuation, shall be paid into the City Treasury in cash, and the highest bidder shall be the purchaser of the lot then sold. In regard to the residue of the said valuation and increase money, it shall be optional with the purchaser to pay the same in cash, or else to retain the same, or any portion thereof unpaid, in his or her hands, twenty-four years from day of sale, receiving in the latter case, a deed from the Mayor and Aldermen of the City of Savannah and Hamlets thereof, signed and sealed by the purchaser also, on condition of the quarterly payment of an annual interest, to this Corporation, equal to the interest on the amount of the said residue at the rate of seven per cent. and on such further conditions and limitations as are herein set forth and referred to, and with such covenants as are necessary to secure the purchase money and interest, to be expressed in the deed. But it shall, nevertheless, at any time hereafter, be in the power of the purchaser, his or her heirs, executors, administrators, or assigns to pay into the City Treasury the said residue and interest.

20 per cent. in cash, balance on annual ground rent for 24 years, at rate of 7 per cent. per year, payable quarterly.

10 feet width of lots reserved for ditch. (3.) Ten feet in width of said lots on their southern boundary is hereby reserved by the City for a ditch, to answer as a common drain for all of said lots.

(Ordinance of 13th Feb., 1851, says, "That the third section of the above recited Ordinance, reserving ten feet wide for a ditch be, and the same is hereby repealed, so far as regards lots 15, 16 and 17, providing a ditch giving a free flow of water and

full drainage is made through said lots 15, 16 and 17, in lieu of said ten feet reservation; said ditch to be made under the superintendence of the Committee on Dry Culture.")

Title.

Sales already made are confirmed.

(4.) (Same as section 3d of Ordinance of 20th April, 1801.)

(5.) The sales of a portion of said lots, already made at public outcry, on the 9th January, 1851, are hereby confirmed and made valid, and that deeds be executed for said lots upon the terms and condition herein expressed.

Ordinance 13th March, 1851.

Lots 19 and 20 of Springfield Tract laid off into lots.

All that portion of the Springfield tract of land numbered 19 and 20 on the map drawn by William Hughes, Surveyor, be laid off into lots with the numbers, letters and boundaries, as described on the subsequent map, drawn by said Surveyor, dated 3d February, 1851.

Numbering from 1 to 26.

(2.) All that portion of the Springfield tract of land laid out into lots by the said Surveyor on the 3d February, 1851, and numbered from one to twenty-six, inclusive, be laid off into lots and re-numbered 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, with the boundaries described in said map, dated February 3d, 1851.

Balance of Springfield Tract to be laid off and sold when the Dry Culture Committee deem proper.

(3.) The balance of the said Springfield tract of land be laid off into lots, with such numbers and boundaries, and valued and sold at such times and in such manner as the Committee on Dry Culture may by resolution of Council hereafter to be obtained deem proper and expedient.

Lots how valued and sold.

(4.) (This section is the same as the 2d section of No. 81.)

Ditches and drains.

(5.) The ditches and drains now constructed for the purpose of draining the low grounds of the Springfield Plantation, are hereby reserved to the City.

Title.

(6.) (This section is the same as the 4th section of No. 81.)

Former sales confirmed.

(7.) The sales of a portion of said lots already made at public outcry, on the 3d March, 1851, are hereby confirmed and made valid, and that the deeds be executed for said lots upon the terms and conditions herein expressed.

CITY DOMAIN.

—

Forsyth Ward Laid Off.

Ordinance 24th April, 1851—R. Wayne, Mayor.

Forsyth Ward.

No. 82. All that portion of the City domain lying between Gaston street on the north, the southern boundary of the City on the south, (leaving forty feet for a new street,) Abercorn street on the east, and Barnard street on the west, be, and the same is hereby made a Ward, to be called and known as Forsyth Ward.

Forsyth Place.

(2.) All that portion of said Ward lying between Gaston street on the north, Drayton street on the east, a new street on the south, and Whitaker street on the west, as delineated on the plan accompanying this Ordinance be, and it is hereby forever set apart as a public place to be called and known as Forsyth Place.

Lots how valued and sold.

(3.) The lots in said Ward be laid off under the supervision of the Committee on Public Sales and City Lots in conformity with the plan above mentioned, and that they be valued and sold in the usual manner, at such time or times as to said committee shall appear expedient and proper—the terms of the sale to be those prescribed in the third section of an Ordinance for laying off and selling the part of the City domain north of Gordon street and east of Drayton street, passed March 13th, 1851. (See No. 80.)

(Section 4, same as 3d Section, Ordinance 20th April, 1801.)

CITY DOMAIN.

—

Charlton Ward Laid Off.

Ordinance 9th March, 1854—John E. Ward, Mayor.

Charlton Ward laid off into lots.

No. 83. (1.) All that part of the City domain lying south of Gaston street, west of Barnard street, north of Gwinnett street, and east of Tattnall street, be laid off into lots by the City Surveyor, under the superintendence of the Committee on Public Sales and City Lots, and be called Charlton Ward.

How valued and sold.

(2.) The said lots, the laying whereof is above provided for, be valued in the usual manner, and sold in the usual manner, under the direction of the Committee on Public Sales and City

20 per cent. in cash, balance on annual ground rent at 6 per cent., payable quarterly.

Lots, at such time or times as to said Committee shall appear expedient and proper; the terms of the sale to be twenty (20) per cent. cash on the aggregate of valuation and increase money, and interest on the balance of the purchase money to be payable quarterly, at the City Treasury, at the rate of six (6) per cent. per annum, with the privilege to the purchaser, his, or her heirs, executors or administrators or assigns, of paying into the Treasury the balance remaining unpaid of the purchase money, and all interest due thereon up to the time of said payment, receiving after such payment a fee simple title.

Title.

(3.) (Same as Sec. 3d of Ordinance 20th April, 1801.)

CITY LOTS.

(*See Titles, City Domain, Half Lots, Ground Rents, Lots exchanged, Lots granted, Third Lots and Sales.*)

CITY MARSHAL.

Ordinance 2d August, 1839.

City Marshal's duties.

Attend Council, Mayor or Aldermen.

Give informations.

Enforce Ordinances.

Account and pay over public monies to City Treasurer.

No. 84. (1.) The City Marshal shall regularly attend the City Council at all stated and other meetings, and at the Police Court; and also the Mayor or any Aldermen whenever required so to do, and execute their orders and precepts. He shall give information of all offences committed against any of the Ordinances of the City which may come within his knowledge; and shall attend to the enforcement of all the Ordinances which may be of force at any time; and he shall perform all the duties which may be prescribed by any Ordinance now of force or which may hereafter be ordained. And the said Marshal shall account for and pay into the hands of the City Treasurer, when required by the City Council or any Ordinance whatever, all public moneys he may have received.

Make return on Fines and executions every 2 weeks.

(6.) It shall be the duty of the City Marshal to make a return on each execution and pay over to the City Treasurer the money by him received thereon, at or before the second regular

meeting of Council after such execution shall have been issued, except tax executions.

Salary and fees.

(20.) Salary, six hundred dollars per annum; and the following fees of office to be paid by the person requiring the service or liable for the same, viz:

For the commitment of any person, for every copy of a mittimus, for every discharge of a prisoner, for serving a summons or order of Council, for apprehending negroes without badges or tickets, for each act as aforesaid—thirty-one and a quarter cents.

For making a levy—Sixty-two and a half cents.

For all goods sold under execution, and all sales at the pound—Five per cent. for the first seventy-five dollars, and for all above, two and one half per cent.

For taking up a fugitive seaman—Two dollars sixty-two and a half cents.

For executing a warrant and returning the same—Sixty-two and a half cents.

For a re-entry on each lot in arrears—One dollar; and a commission of one per cent. on the money paid into the Treasury on all sales of City lots.

Ordinance of 11th Jan., 1855.

Marshal's duty as City Purveyor. No one else to purchase articles for use of the City, unless directed by the Mayor. Duty to see Streets, &c., kept in good order.

No. 85. (1.) It shall be the duty of the Marshal to contract for and superintend the purchase of all articles to be used by the City, and shall be purveyor of the City, and no other officer shall be authorized to make any purchase for the City except when expressly directed so to do by the Mayor, and to superintend all public works, especially the works upon the streets, lanes, and public places of the City, and to see that the streets, lanes and squares are kept in good order by the superintendent or person contracting with the City so to keep them, and shall report the same to the Mayor, at least once in every week, and he shall have full power to enter peaceably any yard or enclosure within the limits of the City to ascertain the condition of the same, and to remove therefrom any rubbish, filth or offensive matter, or abate any nuisance therein, the same to be removed at the expense of the owner or occupier of the premises, to be enforced and collected in the manner prescribed by the existing Ordinances of the City, and any one opposing or resisting him in the discharge of such duty shall be dealt with as provided in the 6th section of an Ordinance passed 20th April, 1827, (see page 12.)

Enter yards.

Remove filth, &c

Marshal or Deputy to attend Market.

(2.) It shall be the duty of the Marshal, or his Deputy, to be in the market every morning from the rising of the sun until nine o'clock A. M., and on Saturday afternoon from three o'clock until the ringing of the bell, to see that the Ordinances of the City are not violated, and to preserve good order and government in the market.

Attend Fires.

(3.) It shall be the duty of the Marshal and his Deputy, in all cases when an alarm of fire may be given, and in all cases of

Riots.

riots, immediately to repair there, and to be present at all

Elections.

elections, to aid and assist the police in the preservation of good order; and on all such occasions they shall be under the direction of the Mayor.

Election of Deputy Marshal 1st regular meeting in January, annually.

(4.) (By Sec. 2d of Ordinance of 10th January, 1856—"It shall be the duty of the Mayor and Aldermen of the City of Savannah, and Hamlets thereof at the first regular meeting in the month of January on each and every year to elect a Deputy Marshal, whose duties shall be such as are now laid down by Ordinance.")

Duties.

Bond $2,000.

(5.) After such Deputy shall have been elected, he shall enter into bond with one or more security to be approved of by the Mayor—to the Mayor and Aldermen of the City of Savannah, and the Hamlets thereof, in the sum of two thousand dollars, faithfully to discharge all the duties which may be required of him, either by existing Ordinances or by any Ordinance which may be hereafter passed by the Mayor and Aldermen.

Duties same as Marshal, except, however, the powers conferred on the Marshal in the 1st Section.

(6.) The Deputy Marshal so elected shall be vested with all the powers and liable to perform all the duties which by the existing Ordinances of the City belong to the office of Marshal. *Provided*, nothing in this Ordinance shall be so construed as to vest in Deputy Marshal, the powers conferred upon the Marshal in the first section of this Ordinance.

Annual salary $1,000, (and no fees,) payable quarterly.

(7.) The salary of the said Deputy shall be one thousand dollars to be paid quarterly, and that he shall not be entitled to any other fees or perquisites of office.

Ordinance of 27th Nov., 1856.

Rent Market Stalls on 1st Wednesday in December to highest bidder—except public Stalls.

No. 86. (2.) The City Marshal, shall on the first Wednesday in December next, offer all the Stalls (the Public Stalls excepted) at public outcry, setting them up at stated prices viz:

Price of Stalls.

(1.) ("Each corner beef stall at $57 per annum, each other beef stall at $52, each corner small meat Stall at $28 50, each other small meat Stall at $23 50, each vegetable Stall inside the Market at $25 per annum, those outside of the Market at $15 per annum, all Stalls used for selling Coffee and other food in the centre passage way at $60 each per annum, those at the eastern and western sides of western area at $50, all others at $20 each;") and that each Stall shall be knocked down to the highest bidder, but in no instance, shall he receive the bid of a person who is not a butcher, or vender of meats, provisions or vegetables, or owner of a slave who is a butcher, provided, that nothing herein contained shall be construed to prevent the guardian of any free person of color who may be a butcher, or vender of meat, provisions or vegetables, from purchasing a Stall or Stalls.

The bid of no one to be received unless he is a butcher or vender of meats, provisions, vegetables, or owner of a slave who is a butcher, or guardian of a free colored person who may be a butcher or vender as aforesaid.

Ordinance of 29th Oct., 1857.

Marshal's or Deputy's duty to collect tax executions, levy on property, advertise and sell, as at Sheriff's sales.

No. 87. (22.) It shall be the duty of said Marshal, or the Deputy, upon receiving any execution for taxes under any of the provisions of this Ordinance, from the said Treasurer, to proceed forthwith to execute the same by levying on any property, real or personal, belonging to the person, or persons, or Corporation, against whom the same may have been issued, to be found within the said City, whether such property be, or be not itself, subject to taxation, and he shall advertise and sell the property so levied on in the manner prescribed for Sheriff's sale under the laws of this State; and in all cases, the amount to be collected on any such execution so placed in his hands as aforesaid, shall include interest at seven per cent. thereon from the first day of June next preceding the date of such execution, (unless such execution shall have been issued at some other time under some one of the provisions of the 8th section of this Ordinance, in which case interest shall be computed from the time when the tax, for which such execution shall have been issued became due and payable) and such costs as may be allowed thereon by this Ordinance; and the said Marshal, or Deputy, shall be allowed the sum of fifty cents on every Execution placed in his hands as aforesaid and such commissons upon sales as are allowed to Sheriffs under the laws of the State. And it shall further be the duty of the said Marshal, or his Deputy to pay and account for all moneys collected upon such execution in the manner and at the time prescribed in the Ordinance, passed 25th of June, 1857, entitled "An Ordinance to regulate the keeping and pay-

To collect interest at 7 per cent.

Allowed 50 cents on each execution, and commissions on sales as the Sheriff.

Pay over the moneys collected every fortnight. Return to the Mayor all insolvent Executions in 3 months and receive credit therefor.

ing over the public moneys," and at the same time to return such executions to the said Mayor, with an account of his actings and doings thereon. And in all cases of insolvency, or where no property can be found of the person or persons or Corporation, against whom any execution shall have been issued and placed in his hands, it shall be his duty to return the same to the Mayor within the time prescribed in the next section of this Ordinance, and he shall be credited therewith on his receipt to the Treasurer as aforesaid.

Default or neglect of Marshal or Deputy to make return on tax executions in 3 months, liable to the City for the amount uncollected and interest, with power to collect the same out of the persons within the time prescribed by law.

(23.) If the Marshal or Deputy, shall neglect or refuse to make a satisfactory return, according to the provisions of the foregoing Section, on any execution for taxes placed in his hands by the Treasurer as aforesaid, within three months from his receipt of the same, the said Marshal or Deputy, and their surety or sureties, shall be held liable to the City for the amount due on such execution, including interest and costs; *Provided, nevertheless*, That the said Marshal or Deputy shall be at liberty to proceed to collect the same from the person or persons or Corporation against whom such execution may have been issued, within the time allowed by law.

Other duties.

Synopsis of the Other Duties Prescribed for the Marshal and his Deputy.

(In almost every penal Ordinance their duties are laid down. See all such Ordinances.)

Bread.

To inspect bread exposed for sale at least once in each and every week.

Unoccupied Buildings.

Open and ventilate.

To report to Council all persons who own unoccupied stores, houses or buildings, and who do not open and ventilate the same once a week from the 1st day of May to the 10th day of November in each year.

Whitewashed or cleansed.

To report all persons who own unoccupied stores, houses or buildings, and who do not cause the same to be whitewashed or cleansed in such manner as the Mayor may direct and order.

5 day notices for Board of Health as to privies. Privy sinks.

To serve 5 day notices for the Board of Health relative to surcharged privies. To empty sinks and have contents buried in case owners and tenants neglect the same.

1 day's notice for unclean lots.

To serve 1 day notices for said Board, relative to lots unclean and in bad order, and if the lots are unattended to by the owners or occupiers,

then to enter the premises with proper aid and cause the filth or impurity to be removed, ready for the Scavenger carts, or sufficiently covered over with sand or earth. The reasonable expenses incurred by the Marshal to be paid out of the City Treasury and charged to such owners or occupants.

Vault and Privy sunk where none.

To have a vault and privy sunk and erected in case owners, lessees or their agents do not within 30 days—the amount to be collected from them or execution to issue.

Not to clean out Sinks after 1st July until last of October, without Mayor's order.

Not lawful for the Marshal to clean out sinks or privies after the 1st June until 1st day of November, unless directed by the Mayor.

Impound and sell cattle at large.

To impound any cow, heifer, ox, bull, steer or calf going at large, and sell the same on 5 days notice if the fine and costs be not paid within 10 days after being taken up.

Bond $5000.

To give bond in the penal sum of $5,000 for the faithful performance of the duties of his office.

Returns of moneys collected every fortnight.

To make returns of moneys collected every fortnight.

Advertise and sell City lots.

To advertise and sell such City lots as Council or the Committee on Public Sales and City Lots may direct.

Re-enter lots after 10 days notice.

To re-enter lots after 10 days notice, in case ground rents are not paid when due.

Kill Dogs.

To kill and destroy dogs going at large whenever the Mayor issues his orders in writing.

Report Dogs not returned.

To ascertain all persons who have failed to return their dogs for City taxation.

Disperse audience and arrest performers without license

To disperse the audience and arrest and imprison the performers, at each theatrical or musical entertainment, circus, concert, show or exhibition without license, upon receiving a warrant from the Mayor or either of the Aldermen.

Vessels. Fires unless in a covered Caboose. Bond.

To compel persons making fires (unless in a covered caboose,) on board of any boat or other small craft to give bond and security to appear before Council, whenever he receives a warrant from the Mayor.

Council.

To summons the owners or consignees of the boat or the lessee of the wharf before Council relative to the fires; also in case such boats obstruct the wharf or discharges or takes in cargo in violation of Ordinance to summon the captain, manager, owner or consignee of such vessel or boat.

Obstructing Wharf.

Discharging Guns, &c.

To inform against all persons "discharging or attempting to discharge any guns, pistols or other fire arms, crackers or any other combustible preparation."

To take an account of slaves and free colored firemen in Jan. and July.

In January and July, annually, to take an account of the colored and negro firemen between the ages of 15 and 60, (to be subject to the orders of the Fire Company in managing the fire apparatus,) and make a return thereof to the Chief Fireman.

Make return to Chief Fireman.

Execute the Chief Fireman's warrants.

To execute the warrants of the Chief Fireman in case the free men of color and free negro firemen are fined for disobedience

against slaves, &c.,

or neglect to obey orders or for failure to attend at fires or the monthly drill.

Arrest persons at fires who refuse to aid in filling Engines.

To arrest at fires any person or persons who shall fail to obey the commands of the Chief Fireman or any of the members of the Fire Company to aid and assist in filling the engines with water, &c.

Attend Fires with his Staff and report to Mayor, &c., obey orders, remove idlers.

To attend at the fire with his staff of office and report to the Mayor, Chairman or such Aldermen as may be present, and obey his or their orders and directions, to remove all idle suspected persons or others that may not be actually and usefully employed in extinguishing the fire.

Remove Gunpowder & hemp.

To remove all gunpowder, hay, straw, fodder, pitch, tar, rosin, turpentine, hemp, oil, tallow, unpacked cotton, or other combustible material, upon receiving the written orders of the Mayor or any three Aldermen.

Pull down Buildings, &c.

By order of Council to pull down, alter or remove any chimney that the Firemen or any three of them may think dangerous or that fire may be communicated thereby.

Arrest persons pulling down when not ordered.

By order of the Chief Fireman to arrest any person or persons who shall aid or assist in any manner to pull down or blow up or shall proceed with such purpose to injure in any manner any house or houses during the progress of a fire, and bring him or them before the Mayor or any of the Aldermen.

Bring before Mayor, &c.

Arrest persons using fire plugs, apparatus, &c.

By order of the Chief Fireman or such person as may be acting in his place, to arrest and bring before the Mayor any person who shall (except under the direction, management and control of the Savannah Fire Company through its acting Chief,) use at any fire, any cistern, engine house, engine, fire plug, fire hooks, buckets or axes, or any other property or apparatus used for extinguishing fires, and any person who shall refuse or neglect to obey any command of such Chief Fireman or acting Chief.

And who disobey the Chief or acting Chief Fireman.

Drain, &c., low lands.

To cause the low lands or any part of them within the City limits to be drained, to cause to be opened, cut and dug, such canals, ditches and drains as are necessary, &c., in case the owner or owners do not do so.

Notify owners of dry culture lands, when not drained, &c.

To notify the owner or owners of low lands to remedy the evil complained of within 15 days whenever the Dry Culture Inspector reports the low lands to be not well drained, the ditches and drains to be foul or requiring repair, &c., in case the owners do not remedy the evil, then it is the Marshal's duty to do so, the moneys expended by the Marshal to be recovered by distress and sale.

Destroy Rice growing on dry culture lands.

To remove the rice and destroy the same effectually, wherever it may be planted or growing on the said Dry Culture Contract; *Provided*, he is so ordered by the Mayor and Aldermen.

Serve Subpœnas.

To serve subpœnas on informers and witnesses to attend the Police Court or Council.

Weigh Hay.

To weigh hay, under the Ordinances of 15th March, 1827, and 4th Sept., 1845, upon receiving the Mayor's order.

Enter shops one hour after bell ring and commit to Jail negroes found without tickets.

To enter the shops or enclosures of retailers of liquor one hour after the ringing of the guard-house bell, and commit to jail such negroes or persons of color as may be there without written tickets from their owners or guardians.

Seize articles exposed for sale without license.

To seize as forfeited to the use of the City, all articles which may be exposed for sale by venders of small wares without the the proper license, and to immediately expose such articles for sale at the market, by order of the Mayor or any one of the Aldermen.

And sell them at Market.

Notice Transient Dealers.

To notice all transient retail merchants or shop keepers, or dealers in all articles whatever, without license; all persons offering for sale silk or fancy goods, jewelry or other finery, at any Boarding or other house, without license.

Seize Street Pedlars without license.

To seize all street pedlars of whatever kind or degree without license.

To ride during divine service, apprehend offenders, enter liquor shops, cook shops, houses or enclosures wherein they hear any riot, noise, &c. If refused entrance, apply to Mayor, &c., for order to break open door and enter.

The Marshal, attended by two or more constables, is required, on every Sunday, during divine service, to walk or ride through the City and Hamlets, to observe, suppress, and apprehend all offenders whatsoever, who shall be found acting contrary to the intent and meaning of the Ordinance, and to enter into any public house, tippling house, dram shop, negro cook shop, or other house or enclosure, wherein they hear any riot, noise, or indecent behavior, or wherein they suspect any assembly of disorderly persons or negroes for the purpose of suppressing the same and apprehending the offenders. And in case admittance or entrance be refused, then the said Marshal or Constables are required to apply to the Mayor or either of the Aldermen, or to any Magistrate of the City, for a warrant or order to break open any of the doors of the said house or enclosure, and enter therein. And any person or persons who shall refuse entrance to the officers aforesaid, shall, for every such offence, be liable to a fine not exceeding thirty dollars.

Penalty $30 on such refusal.

Take all negroes to Jail found in liquor.

If there shall be found in the shop or enclosure of any retailer of spirituous liquors, or any negro cook shop within the juris-

or cook shops or enclosures on the Lord's day, provided, they are not owned by the keeper of such place. $30 fine on harborer.

dictional limits of the City on the Lord's Day, any negro or negroes, not the property of the owner of said cook shop, or retailer of liquors, the Marshal or Constable may enter the premises and take such negroes to jail, and the person or persons so harboring and entertaining such negroes shall be fined in a sum not exceeding thirty dollars.

Arrest and report all offenders of the Sabbath Ordinance.

It shall be the duty of the Marshal, City Sheriff, and Constables to arrest and report all offenders of this Ordinance to the Mayor, whose duty it shall be to fine or punish all such in his judgment and wisdom as shall seem equitable and just as violations of other Ordinances for the good order, peace and dignity of the said City and Hamlets thereof.

Not lawful for slaves or free colored persons to ride on horseback on Sundays, without written permission on particular business.

It shall not be lawful for any slave or free person of color to ride on horseback through the streets of the City of Savannah or Hamlets thereof, on the Sabbath day, without written permission from their owner, or guardian, on business of necessity to be specified in said written permission.

Public Crier at sales of Market Stalls. Furnish statement and pay moneys to Treasurer.

To attend and act as public crier, under the direction of the Market Committee, whenever the market stalls are rented out, and immediately thereafter to furnish the Treasurer with a statement of said sales and pay over the amount received. (See No. 86.)

View unwholesome meat, &c., exposed for sale in Market.

To examine, upon complaint being made, or upon his own view, any blown, puffed up or unwholsome meat or provisions of any kind, exposed or offered for sale in the market, and if he condemns the same or considers the same as a nuisance, then he is to have the same buried under ground, burnt or otherwise destroyed, and to have the offender fined.

Bury or destroy the same and have offender fined.

Order removal of butter, &c., not the growth, &c., of this State or So. Ca., also, Codfish, Mackerel or Salmon where no license.

To order any one to withdraw and remove from the market any butter, vegetables or other similar articles of consumption not the growth or manufacture of this State or South Carolina, exposed to sale at the market; also any codfish, mackerel or salmon, unless a special license has been obtained for such codfish, mackerel or salmon. In case of neglect or refusal of any person to withdraw and remove such articles, such articles shall be seized and forfeited and disposed of by said Marshal.

Seize and dispose of such articles if not removed.

Forfeit meat, poultry, &c., bought at Market and sold again, &c. Also report the sellers for fine.

To forfeit any meat, fish, or poultry, game or wild fowl, eggs, fish, vegetables or provisions of any kind usually brought to the market, if the same are bought at the market and again sold or exposed for sale at the market or at any other place within the City; also to report the sellers or offerers for sale for fine therefor.

To enforce the orders of Market Committee relative to vehicles, animals, &c., near the Market.

To enforce and carry into effect any order of the Market Committee respecting the rules and regulations of the Market, relative to any person keeping any cart or other vehicle, horse, mule, ass, or ox, nearer the Market or for a longer time than authorized by said Committee or Clerk of the Market. Also,

Or animals being fed there.

relative to any person feeding with grain or forage, any horse, mule, ass, or other animal at the Market, or within the limits prescribed by the Committee or Clerk, to enforce any execution issued against any person for violating the above Market regulations, and sell at the Market on five days notice, any property levied on under said execution.

Executions for violations of regulations.

5 days notice before sale.

Attend market at sun rise, &c.

To attend at the Market every day at sun-rise and continue his attendance thereat, until 9 o'clock, A. M., and also on every Saturday Afternoon until the closing of the Market, for the purpose of aiding and assisting the Mayor or any Alderman, or Clerk of the Market in the performance and execution of any of the duties devolved on any, or either of them under any Market Ordinance. In case of neglect, &c., fine not exceeding $30.

Aid and assist Mayor, &c., in the performance of their duties.

Neglect, fine $30

Take up sleepers on the stalls. Execute warrants for market fines.

To take up any person sleeping or lying down upon the Market Stalls in the night or day time. To execute all warrants for Market fines under the hand of the Mayor with the Seal of the City, directed to the Marshal of the City, or any Constable of the same.

To give every slave 39 lashes for working or vending without badges, unless he pays $3.

By order of the Mayor, Chairman or any two Aldermen, to give any slave 39 lashes on the bare back who is found working or vending without having his badge suspended and exposed to public view on his breast whilst at work or vending. Such slave shall be exempt from corporal punishment upon paying $3.

Apprehend slaves and free negroes if more than 7 in number, and no white person present, except at funerals or public worship on Sunday during day time.

To apprehend all slaves and free persons of color, more than 7 in number, who shall assemble or meet together, either in any house, building or lot within the City, unless some white person is present or stays on the premises, or in any street, lane, alley, or other public place of the City, unless some white person is with them; (except when attending funerals or public worship on Sunday, between the rising and setting of the Sun, or on any other occasion provided for by the City Ordinances) for the purpose of apprehending such persons, the Marshal is authorized and required to enter into any house, building or lot in the City, where such illegal assemblage is, and to have the

Enter houses, &c., where illegal assemblage.

Confine the persons in jail until they are brought before the Mayor, &c.

persons confined in Jail, until they are brought before the Mayor, Chairman, or any two Aldermen, who may adjudge and order such corporal punishment (or fine) or either for the said offence, as he or they in his or their discretion, may deem proper.

Enter premises where slaves and free colored persons are dancing, &c., without the Mayor's, &c., orders, and carry them to the guard house or jail.

If permission is granted, the dancing, &c., must cease at 11 o'clock at night.

To enter upon the premises where slaves or free persons of color are dancing or having other merriment, without a written permission from the Mayor or Chairman or any two Aldermen, and to carry every such negro or person of color to the Guard House or Jail, to be there confined and proceeded against as all negroes or persons of color are, when taken up after the ringing of the Bell. When permission for such dancing or other merriment is granted, the same shall cease at 11 o'clock, at night if after that, they are to be taken up just the same as if permission had not been granted.

Take up plantation slaves if more than 2 on same day or night from same place.

To take up all negroes or other slaves more than two in number, who shall come from the same plantation on the same day or night, and keep them in custody until the usual fees and costs are paid.

Arrest slaves and free colored persons playing or betting at cards, &c.

To arrest any slave or free colored person engaged in playing or betting at any game of cards, dice, checks, dominoes, or billiards, or by or with any other instrument, article or articles, thing or things whatsoever, at any time heretofore used or which may be hereafter used for the purpose of playing or betting upon, or winning or losing money or any other article or thing of value whatever.

Arrest slaves and free colored persons quarrelling or fighting or disturbing the public peace or decency and bring them before the Mayor, &c.

To arrest any slave or free person of color found quarelling or fighting in the public streets, squares, alleys, or lanes of the City, or otherwise disturbing the public peace or decency, and to bring them before the Mayor or any Alderman who shall sentence said slave or free person of color to such number of lashes as he may think just and proper.

Arrest slaves, &c., following parades or processions.

(Exceptions.)

Moderate chastisement.

To arrest and confine or disperse all slaves or free persons of color who may follow, precede or in any manner attend any military or civic parade or procession (excepting always musicians or others in actual employment in such parades or processions, servants sent on business to some person in such parades or processions, slaves of deceased persons decently attending the funerals of such persons, and badge-women at any place of military drill provided with their usual articles of sales,) and to inflict any moderate chastisement on any such slave or free person of color.

Arrest free negro or colored seamen from places in other States found on shore or holding communication with persons of color in this State; also the persons communicated with, and bring before the Mayor.

To arrest at all times of day or night any free negro or negroes or free persons of color arriving from any port or place in any other State or any foreign country employed as servants, mariners or in any other capacity, or as passengers, on board of any ship or vessel, coming into this port by sea, and found on shore, or who shall have had any communication with any person of color residing in this State, and bring him, her or them before the Mayor who shall thereupon commit such free negro or negroes to jail to be detained until the vessel in which he, she or they arrived, shall be ready to proceed to sea. And it shall likewise be his duty to arrest every negro or person of color, who shall have any communication whatever with any free negro or person of color, so arriving in any ship or vessel and bring him, her or them before the Mayor who shall sentence the said negro to be whipped, not exceeding thirty-nine lashes.

Arrest persons appearing naked or making indecent and public exposure of his, her or of any other person.

To arrest any person who shall appear in any of the public streets, lanes, squares or docks in this City, in a state of nakedness, or who shall wilfully make any indecent and public exposure of his or her person or of any other person.

Take up and impound all cattle running at large, and sell on 5 days notice unless fine and expenses are paid, if sold surplus goes to the owner.

To take up and impound any cow, heifer, ox, bull, steer or calf found going at large, and there at the pound to keep the same till such penalty, and all expenses of keeping be paid by the owner or his agent, not exceeding sixteen cents per day for maintenance, besides costs of advertising and sale, and if the same be not paid within ten days after being taken up, the animal so taken up, shall be sold by the City Marshal, on five days previous public notice to the highest bidder, the funds to be applied to the payment of the expenses of poundage and the penalty aforesaid, and the surplus to be paid over to the owner.

Take up horses, &c. at large where the owner is unknown and impound the same until fine and costs are paid, if animal not claimed in 10 days then to sell on 5 days notice and pay nett proceeds, after fine and costs are paid into the City Treasury. Council may pay the owner the same.

To take up any horse, gelding, mare, colt, filly, mule or jackass running or going at large in the City, if the owner thereof is unknown, and impound the same until the said fine and costs are paid: and if the said animal be not claimed in ten days, it shall be the duty of the City Marshal to sell the same at the pound, giving at least five days notice in one of the gazettes of the City, of the description of the animal and the time and place of sale, and he shall pay the net proceeds, after deducting the fine and costs, into the Treasury of the City subject to the order of Council, who may and shall cause it to be paid to the owner of such animal so sold, when required.

Remove all animals who appear offensive to the sight from poverty, sickness or sores. Persons resisting fined not exceeding $50.

To remove from the City, at the expense of the owner or owners thereof, any horse, mare, gelding, colt, mule, ox, cow, or calf, or any other animal of like kind, found at large in the City whose appearance shall be offensive to the sight from its poverty, sickness, or sores, and if any person shall resist or oppose any officer in the discharge of such duty, he or she shall be fined a sum not exceeding fifty dollars.

Remove hides offensive or injurious to the health of the City in case the owner, &c., does not after 6 hours notice. Owners, &c., fined $50, if a slave to be whipped.

To require the removal of any hides, cured or not, which may be offensive or in the opinion of the Health Officer injurious to the health of the City, and should the owner, possessor, or claimant of such hides neglect or refuse to remove the same within six hours from the period of his or her being so required by the Marshal, the removal shall then be made by the Marshal or any City Constable at the expense of the owner, possessor, or claimant, who shall, in addition thereto, for each and every such refusal or neglect, be fined in a sum not exceeding fifty dollars, or if a slave or free person of color, may be fined in a like manner or be whipped at the discretion of the Mayor, Chairman, or any two Aldermen.

Remove rice chaff when exposed to the influence of sun and rain.

To remove to a proper distance, at the expense of the owner or agent, the chaff produced by a steam rice mill, when exposed in a large heap or any other manner, to the influence of the sun and rain, within the distance of half a mile from the present corporate limits of the City.

Remove offensive hides in case the owner does not after 24 hours notice.

To cause the owner or occupant of lots 34 and 35, Mill street, to remove all hides deemed offensive by him, within 24 hours after notice given.

See that railroad iron, &c., are carried on vehicles lengthwise and not crosswise, and that vehicles keep to the right.

To see that the provisions of the Ordinance of 24th Feb., 1853, are strictly enforced against all persons transporting iron, boilers, hoop poles, timber, plank, board and lumber, crosswise and not lengthwise upon their vehicles; also relative to vehicles keeping to the right in passing over the plank road.

Summon before the Police Court all violators of City Ordinances.

To summon before the Mayor or Chairman, during the hours prescribed for holding Police Court, all persons offending against the Ordinances of the City.

Impound any animal hitched to a tree, fence, railing, gate, enclosure, pump or lamp post. Inform against the owner, rider or driver. Keep the animal in the

That it shall be the duty of the Marshal, City Constables or other public officer, discovering any animal hitched as is hereinbefore prohibited, viz: to any tree planted as aforesaid, or to any part of the fences, railings, gates or enclosures of the public squares, places or buildings or to any one of the public pumps or lamp posts, not only to file an information against the owner,

rider or driver of such animal, but to take the animal itself and impound it, until the payment of all fines and costs which may fall upon the offender, as well as the expenses of impounding or until good and sufficient security shall be given for the payment of such fines, costs and expenses.

Pound until fine and costs are paid.

Arrest and take to the guard house any person defacing, &c. any public or private building or injuring any tree, pailing, bench, boxes or other City property, or throwing stones, &c., in the squares, &c., or at or against trees, boxes, &c.

To immediately arrest and take to the guard house, there to be detained until discharged by the written order from the Mayor or any one of the Aldermen of the City of Savannah, any person in any manner defacing, or writing or causing to be written, any marks or letters with any materials whatsoever, upon any public or private building, or cutting, destroying or injuring in any manner any of the public trees, pailings, benches, boxes, any other City property, or casting, throwing or flinging any stones, brickbats or any other thing in the squares, streets, lanes or alleys, or in any other public place in the City of Savannah, or in, or at or against any of the trees or boxes around the trees in said City.

Summons persons mooring rafts, &c., longer than 4 days. Levy on such rafts and sell after 2 days advertising in case fine and costs are not paid in 12 hours after conviction.

To serve summons on persons confining, keeping or mooring, any lumber rafts, wood or timber, at any point or place (other than the raft limits,) in the Savannah front river, for a longer period than 4 days after the same has been brought into the Savannah river within the City limits; also, by virtue of an execution issued by the Clerk of Council, to levy upon said raft or rafts of lumber, wood or timber, and sell the same after 2 days advertising, in case the fine and costs are not paid within 12 hours after the same have been imposed. In case such rafts are moored as above longer than 4 days and no person appears to be the owner or have charge thereof, then the Marshal shall seize such rafts and report the facts to the Police Court, and after receiving the written order and direction of the person holding the Police Court and advertising the sale for 2 days, he shall sell such rafts, pay the fine, costs and expenses, and the residue, if any, he shall pay over to the owner of the rafts or any one authorized by the owner to receive the same.

In case no owner, &c., Marshal to seize the raft and report to Police Court.

Upon receiving order of Police Court and advertising for 2 days to sell such raft, pay fine and costs, residue to go to owner of raft.

Sell at Court House on the 1st Tuesday all lots, &c., for rents, &c. after advertising for 30 days, (if real estate,) describing situation, &c., name of last owner who paid the rent, &c.

To sell at the Court House in this City, on the first Tuesday in each month, all lots or other property for the collection of rent, taxes, &c., after advertising the same for 30 days, and stating (if real estate) the number of tything, ward, square and street of the said lot or lots, and also the name or names of the owner or owners of the said lot or lots as may appear in the books of the Treasurer from the last person who paid the rent,

Property advertised to be fully described.

taxes or assessments, and in all cases the property so advertized shall be fully described. When he offers to sell he must (in case of real estate advertized for rents, taxes, &c., due to the City,) offer in the most public and audible manner the described premises for lease for one year, and if no bid be given therefor, he must offer the same publicly and audibly for two years, and in the case of no bid then he must offer the premises for lease for ten years, and if no bid be given at a lease of ten years, he shall then offer the same in fee, subject to the conditions of the Ordinances under which the premises are held; and he is authorised to execute a lease or leases or deed in fee simple for the premises sold, under Ordinance of 30th December, 1816. All property advertized under said Ordinance of 30th Dec., 1816, shall be placed in one column of the paper in which they are advertized, headed "City Marshal Sales," and all sales of real estate sold under any City Ordinance, shall be superintended by a special Committee of Council, whose duty it shall be to attend such sales, and direct the Marshal or officer selling, as circumstances may require. In all notices given by the Marshal for the re-entry of lots, the name or names of the owner or owners, or of the person or persons who last paid rent, shall be inserted (with a full description of said lots,) in the advertizement.

Manner of selling real estate, lease of years first.

Lease for ten years.

In fee, subject to the conditions of the Ordinances under which premises were held.

Execute lease or deed in fee.

Property how advertized.

Sales how superintended.

Notices of re-entry must contain name of person who last paid rent, (with full description of lot,) in advertisement.

To collect from the Superintendent of streets and lanes (alias Scavenger) the fees or moneys collected for delivering up impounded cattle or other animals.

Collect from Scavenger the fees or moneys for impounding animals.

To remove from the squares, streets, lanes and alleys, any timber, brick, stones or other materials for building, or fire wood, goods, wares, and merchandize or other bulky thing whatsoever, and any vehicles which may remain there longer than six hours. Also, any booths, tent or other obstructions, erected or placed in any square, street, lane or other place in the City of Savannah, without the written consent of the Mayor and two thirds of the members of the City Council. Also, any hole or pit dug in any square, street, lane or alley, whereby the free passage of persons on foot or on horse-back, or in or with any carriage, may be in any wise obstructed or rendered unsafe, such removal to take place at the proper expense of the person or persons offending, if such person or persons refuses or neglects to remove the same forthwith, after notice given him, her or them, for that purpose. If any person or persons, molest or

Remove from the streets, &c., building materials, goods, &c., vehicles, &c., remaining longer than 6 hours.

Booths, tents, &c., obstructing streets, &c., without consent of Mayor, &c.

Holes or pits dug in the street, &c., obstructing or rendering unsafe the free passage of persons on foot or horse-back or in carriages.

Removed at expense of offenders.

trouble the Marshal, such person or persons shall on conviction, be fined not exceeding $100, if a white person, or corporal punishment if a slave or free person of color. The City Marshal is enjoined to notice and report to the Mayor all encroachments, obstructions and nuisances.

Persons molesting the Marshal fined $100.

Notice and report encroachment, &c.

To employ any number of carts or waggons that may be necessary to remove, at the expense of the persons owning or engaged in repairing any building, all dirt, litter or rubbish, created by the erection or repair of any building, and remove such litter, as shall remain on any of the streets, lanes or squares more than five days, to the place of depositing, the Scavenger's filth, or to such other place as may be pointed out by the Mayor or any of the Street and Lane Committee.

Employ carts, &c, to remove at expense of offender all dirt, litter, &c., created by repairing or erecting buildings, &c., to such place as Mayor, &c., may point out.

When the City Marshal shall be engaged in the removal of any encroachment or obstruction, under any section of the Ordinance of 19th August, 1839, he shall be entitled to receive ten dollars per day, whilst thus employed, and that all other person or persons acting under said Marshal, shall receive such compensation as the Mayor, acting Mayor or Street and Lane Committee shall allow, not exceeding three dollars per day, each, which charges shall be paid by, or recovered against the person or persons interested or concerned in the encroachment or obstruction so removed, and who ought to have removed the same.

Pay of Marshal whilst engaged in removal of obstructions, &c, $10 per day, his assistants to receive $3 per day each.

Whenever the City Marshal is ordered, under the provisions of the Ordinance of 19th August, 1839, to remove or cause to be removed any encroachment or obstruction, the same shall be marked out and directed, under the superintendence of the City Surveyor or the Street and Lane Committee, or a special committee of Council, to be appointed for that purpose, and the said committee or officers, are hereby authorized to call to their aid and assistance the City Watch, who are hereby required and enjoined to aid and assist in the premises.

Encroachments to be removed, when marked out, and under the superintendence of the City Surveyor or Street and Lane Committee, &c., calling to their aid the City Watch.

To remove all steps descending into any vault or cellar underneath any building within the City, which steps extend beyond the limits of the lot upon which the building is erected, and where flag stones or bricks are not placed the whole length of the lot, extending as far into the street as Ordinance of 19th of August, 1839, directs in the case of pavements. (See Title Cellars.)

Remove steps descending into vaults or cellars extending beyond the limits of the lots, where flag stones or bricks are not placed.

To aid the Committee of Streets and Lanes to grade and level the squares, streets and lanes.

Aid Street and Lane Committee to grade.

Remove filth rubbish, &c., thrown in any street, &c., at the expense of the maker of the nuisance.

To remove any dirt, filth or rubbish, or any matter or material whatsoever, therein, in any street, lane or square by which the proper level is destroyed; in case the person making the nuisance refuses or neglects to remove the same forthwith after notice given, such removal to be at the expense of the maker of the nuisance.

See that ballast when landed is removed to where Street and Lane Committee may point out.

To see that when the master, owner or consignee, or any other person concerned, lands ballast from any vessel, he or they shall immediately remove the same to such place as the Marshal or Street and Lane Committee may point out.

See that no damaged cotton, &c., is exposed while in a wet condition, with the Mayor's consent, longer than 3 days

Without the Mayor's consent no such exposure.

No such exposure in lanes.

To see that, with the Mayor's consent, no damaged cotton or any bulky merchandize endamaged by rain or water in its transportation to Savannah, is not exposed while in its wet condition, more than three days in any public place contiguous to the store or warehouse in which it is intended to be deposited when dry; without the Mayor's consent no such exposure can take place at all, whether for three days or less, or longer; also, to see that no such exposure takes place in any of the lanes, nor

Hides, &c., injurious to health &c ,cotton packed in bags.

of any hides or other articles of merchandize whatever, which may be injurious to the health or disgusting to the smell of the citizens, nor of any cotton packed in bags.

See that no person interrupts the free passage of citizens on foot, horseback, or in a carriage. Power.

To see that no person obstructs, blocks up or in any manner interrupts with cotton or other merchandise, the free passage of any citizen on foot or horseback, or in a carriage, through any of the squares, streets or public places. (See title Streets, section 5, of Ordinance of 19th August, 1839, for the power and manner of removal relative to all kind of obstructions, &c., of squares, streets, lanes, &c.)

Report any person digging sand without written authority of Chairman of Street and Lane Committee.

To report any one who shall dig or remove sand or earth, or deposit sand, earth or other material at any point under the bluff or any where else upon the public domain, or in the streets or lanes, without the written authority of the Chairman of the Committee on Streets and Lanes.

Place pavements where owner of lots neglect or refuses after six months notice, at expense of owner of lot, the City Treasurer issuing execution therefor, to be levied and collected by Marshal.

To place a good and sufficient pavement or side walk of first quality of bricks or flag stones, the curb of which shall in every instance be of curb stones, along the whole length and depth of a lot which may front on any street or square of the City, whenever the owner of the lot does not do so after six months notice, said pavement to be of the width prescribed by Ordinance and of the height and level marked out by the City Surveyor, and to be placed at the expense of the owner or lessee of the lot, the

City Treasurer issuing execution therefor against the owner or lessee, which execution the Marshal shall levy and collect as all other executions for taxes, and assessments on real estate are levied and collected.

Repair pavements where owner of lots neglects or refuses after 30 days notice.

To keep in good order and repair all pavements requiring the same, in case the owner of the lot, or his agent does not do so within thirty days after notice given by the Marshal, the same to be done in the manner above pointed out as to pavements.

Work on the streets, &c., free colored persons who do not pay their taxes

To work on the streets or elsewhere for the benefit of the City any free person of color who has no property to satisfy his or her tax, allowing $1 per day for males and 50 cents per day for females, for such work, until the tax is paid.

Work on the streets, &c., non-resident free colored persons who do not pay the $100 tax in 30 days after arrival.

Allowing for such work $1 per day for males and 75c. for females.

To work on the streets or elsewhere for the benefit of the City, each and every free person of color, between the ages of 14 and 60 years, who shall come into this City for the purpose of residing therein, and who shall not have paid to the City Treasurer, within 30 days from the time of his or her arrival, the tax of $100, in addition to such other taxes as may be imposed by the City Ordinances, such work to be done until such tax is paid, allowing for such work, $1 per day for males and 75 cents per day for females.

Non-resident free colored persons going to Liberia or any other place in Africa from this port to pay tax of $200 each, if not paid then the Marshal to proceed as in other cases of default on the part of free colored persons.

To proceed as in other cases of default on the part of free persons of color to pay the taxes required of them, whenever any such free persons shall be brought into the City for the purpose of being transported to Liberia or any other place in Africa, directly from this City, through any other port or place, and such free persons shall neglect or refuse to pay the tax of $200 upon each, on demand; and in case of slaves so brought, and the owners or other person or persons having charge of them shall neglect or refuse to pay such tax of $200 upon each, on demand, then such slave or any other property of such owner, or other person or persons, to be found within the City, shall be levied on, under an execution forthwith issued by the City Treasurer.

Non-resident slaves to pay tax of $200 each.

Levy execution for abducting, &c., articled seamen, &c.

After 15 days advertising to sell,

To levy execution upon the goods and chattels, if any to be found, of such offender or of his security on the appeal, and if none, then upon the lands of said offender or of his security on appeal, and after advertizing the same for 15 days, to sell the same for the payment of the fine (and all costs and expenses) imposed by the judgment and decision of the City Council, against any person or persons who shall abduct, harbor, inveigle,

entice or carry away from on board any ship or vessel, any articled or ordinary seamen, landsman, apprentice or mariner, &c., or who shall aid and assist in such abduction, &c. If no appeal is entered from the judgment and decision of the Police Court, the fine imposed shall be enforced by an execution levied as above, upon the goods of the offender, if no goods, then upon the lands, or by a mittimus directed to the Marshal of said City, or any lawful Constable thereof, and to the Jailor of Chatham County, if such mittimus is necessary to enforce the collection of the fine, &c.

Or by a mittimus, if necessary, to enforce collection of fine, &c.

Levy execution for Harbor fees.

To levy execution against the ship or other vessel, for failure to pay Harbor fees.

Levy execution for violations of Ordinance relative to retailers of spirituous liquors, &c.

Or serve mittimus.

To levy execution upon the goods and chattels, and if none to be found, on the lands and tenements of the offender, and after advertizing the same for fifteen days, to sell the same for payment of the fine (costs and expenses,) imposed by Council, or Police Court against any person violating the 2d, 3d and 4th Sections of the Ordinance of 26th October, 1826, relative to retailers of malt, vinous or spirituous liquors. If no property, then to serve such mittimus, as may be necessary to enforce the collection of the fine, costs and expenses.

Sell goats impounded.

To sell at the pound all goats impounded by the City Police, upon 3 days notice, and pay the nett proceeds of sale deducting costs, into the City Treasury.

A building passing through the streets.

To remove as a nuisance any building passing through the streets, whenever he receives the written instructions of the Mayor and any two Aldermen.

CITY OFFICERS.

(See their respective Titles.)

Ordinance 2d Aug., 1839.

Salaried officers not to be concerned in contracts.

No. 88. (12.) It shall not be lawful for any officers of Council or any person holding any appointment under Council with any salary annexed thereto, to be concerned directly or indirectly in any contract with the City Council or their agents or officers or in any contract or engagement of a pecuniary character in which the Corporation of the City of Savannah is either directly or indirectly concerned, under the penalty not exceeding one

hundred dollars for every such offence, and the person so offending may also be dismissed from office by the City Council. Penalty.

Election of City Officers first regular meeting of Council.

(13.) The election of all City officers, unless otherwise provided by a law of the State, or an Ordinance of Council of force, or by this Ordinance shall take place on the first regular meeting in January in each and every year, *Provided, always,* That in case any office shall become vacant by death, resignation, removal or disability, or any other cause, the Mayor and Aldermen may proceed to fill said vacancy at any regular meeting, first giving ten days notice of the time at which said election will take place (except in the case of the Mayoralty, which may be filled without any previous notice,) (see Acts of 1843, pamphlet laws, page 67, section 2,) and *Provided, also,* That nothing herein contained shall prevent the said Mayor and Aldermen from filling any vacancy by the appointment of some fit and proper person to hold the same until an election shall have been had upon notice, as aforesaid; and whenever any person shall be elected after said notice has been given, such person shall hold his office until the next regular election and no longer. Vacancy.

Oath of City Officers.

(14.) Unless a different oath has been or shall be prescribed by any Ordinance or law, the following shall be the oath to be taken and subscribed before the Mayor or acting Mayor, by the several officers of the City, viz: "I do swear (or affirm, as the case may be,) that I will well and truly demean myself in the office to which I have been appointed, and to the best of my skill and judgment, discharge the duties of the same, so help me God."

Bonds of City Officers.

(15.) All the officers of the City (except the Mayor) and all others holding appointments or having contracts with the Corporation (unless the case or office shall be specially provided for by some other Ordinance or law in force) shall give bond, with two or more good and sufficient securities, to be approved of by Council or the Mayor, to the Mayor and Aldermen of the City of Savannah and Hamlets thereof, for the faithful performance of the duties of the office to which such officer may have been appointed or for the faithful performance of the contract entered into by him; and the said bond of the Clerk shall be in the penal sum of one thousand dollars; of the City Treasurer in the penal sum of ten thousand dollars; of the City Marshal in the penal sum of five thousand dollars; of each of the City Constables in the penal sum of five hundred dollars; of each Port

Two or more securities.

Clerk, $1,000.

Treasurer, $10,000.

Marshal, $5,000.

Constables, $500.

Port Wardens, $500. Messenger, $500.

Warden in the penal sum of five hundred dollars; of the Messenger of Council in the penal sum of five hundred dollars; and for every other officer not expressly provided for by this or any other Ordinance or law, in such sum not exceeding five thousand dollars, as the Council or Mayor may direct; and the bond of every contractor shall be in double the amount of such contract.

Contractors double amount of contract.

Officers not to be absent longer than 24 hours without permission of Mayor.

(18.) No officer holding any appointment under Council (the Mayor and City Printer excepted) shall absent himself from the City for a longer time than twenty-four hours, without the permission of the Mayor or acting Mayor, and when the absence is to be prolonged beyond thirty days, without the permission of Council; and where such permission is given the said officer shall leave a proper deputy, to be approved of by the authority granting the permission, and the said officer so leaving such deputy, and the securities of such officer are to be held and equally bound for such deputy as for the principal.

Mayor to suspend Officers for flagrant violation of duty.

(19.) The Mayor or acting Mayor shall have power to suspend any officer holding any appointment under Council for any flagrant violation of duty rendering it necessary to take such step, which suspension he shall report to Council within forty-eight hours afterwards, by whom the said alledged offence may be enquired into, and Council shall, at all times, have the power to fine any of their officers for any violation of their duty, or for any misconduct in office, and to suspend and remove any of the said officers from their respective offices, when convicted of any offence or misconduct, which Council may deem a sufficient cause for such removal.

Salaries and fees of City Officers.

(20.) From and after the next election of City officers, (except when otherwise provided herein,) the several officers hereinafter named shall be entitled to, and it shall be lawful for them to demand and receive the several fees and salaries hereinafter set forth and stated for the several services hereinafter enumerated and mentioned, together with such other and further fees or salaries as may in future be prescribed, viz: (See their respective Titles.)

Ordinance 27th July, 1843.

Officers salaries payable monthly.

No. 89. (1.) The salaries of the City officers shall be paid monthly instead of quarterly, as hitherto.

Ordinance 25th June, 1857.

Officers returns every 2 weeks.

No. 90. (1.) Officers elected by Council, who shall be authorised to collect the public money, shall on the Monday preceding the meeting of Council, render to the Mayor in writing a statement of all moneys received during the previous fortnight, and shall at the same time pay over the same to the City Treasurer, who shall each day deposit all public moneys in the Bank selected as the depository.

(See pages 43 and 46 for Clerk and Sheriff, of City Court Returns.)

CITY PRINTER.

Ordinance 26th Jan., 1854.

Election of City Printer first regular meeting in January. Duties.

No. 91. (1.) Council shall at the first regular meeting in every January hereafter, elect a City Printer, whose duty it shall be to publish the minutes of Council, whenever they shall be furnished to him by the clerk and as soon thereafter as practicable, and also to publish all new Ordinances and old Ordinances when required, all notices, orders, proclamations, issued by or under the authority of Council or committees thereof, or the officers thereof, the Mayor, or acting Mayor. And the said City Printer, shall receive therefor the sum of five hundred dollars.

Salary, $500

CITY SURVEYOR.

Ordinance 19th Aug., 1839.

City Surveyor elected 1st meeting of Council in January.

No. 92. (1.) On the first regular meeting of Council, in each and every January, a Surveyor for the City shall be appointed, who shall before he enters into the duties of his office enter into bond with two securities in the penal sum of two thousand dollars, for the faithful and correct performance of the duties prescribed by the Ordinances of the City, and the said Surveyor shall take the usual oath prescribed by the Ordinances of the City to the officers thereof.

Bond $2000.

Oath.

The foundation of no building, &c., to be laid on the line of a lot unless line is first ascertained by Surveyor.

(2.) No lot holder or occupier of any lot, shall lay the foundation of any building or fence on the line of any lot, or part of a lot, owned or occupied by him or her, unless such line is first ascertained by the City Surveyor, and after the line as aforesaid is ascertained, such owner or occupier, shall not place any building, fence or other thing appertaining thereto, so as to effect the right of the City, and unless the said Surveyor is present (except as is hereinafter specified.) And it shall be the duty of the City Surveyor to report to the Mayor or Council, all encroachments by individuals or otherwise that now exist or that may hereafter be made on the public squares, streets, lanes, docks or commons of the City; and it shall also be the duty of the City Surveyor on the application of any lot holder to attend and stake off such lot, within twenty-four hours after such application is made.

No building, &c., to be placed unless Surveyor is present.

Duty of Surveyor to report all encroachments, and on application to stake off lot within 24 hours.

Surveyor's fees.

(3.) The City Surveyor shall be entitled to demand and receive the following fees to wit:

For surveying a lot and finding and placing stakes eighteen inches long at the angles of said lot,.....	$2 00
For attendance and directing the placing a house or fence,	3 00
For sub-dividing a lot already laid off,.....	1 00

Surveyor to keep map of each tything, record site, &c., of buildings, note of delineations and date of attendance.

(4.) It shall be the duty of the City Surveyor to keep a complete map of each tything in this City on a scale of twenty feet to one inch, to be bound in a suitable book, and therein record the site and dimensions of all buildings in such tything, and on the margin and at the foot of such map make a note of such delineations of such buildings or improvements and the date of his attendance; and the said City Surveyor shall when thereto required deliver over to his successor in office all records and documents which relate or appertain to the duties thereof.

Deliver to his successor all records, &c.

Mark out encroachments, obstructions, &c.

(12.) Whenever the City Marshal or City Constables are ordered, under the provisions of this Ordinance, to remove or cause to be removed any encroachment or obstruction, the same shall be marked out and directed, under the superintendence of the City Surveyor or the Street and Lane Committee, or a special committee of Council, to be appointed for that purpose, and the said committee or officers, are hereby authorized to call to their aid and assistance the City Watch, who are hereby required and enjoined to aid and assist in the premises.

(14.) As soon as Council shall deem it expedient, after the passage of this Ordinance, the Committee of Streets and Lanes

shall proceed with the aid of the City Surveyor and Marshal, to graduate and level the several squares, streets and lanes within the City, or such parts thereof as to the said Committee may seem necessary, and to cause the said squares, streets and lanes to be cut down or raised up, as may be necessary, in order to produce a proper level, and the said City Surveyor shall determine the proper standard of elevation, whereby to regulate the same.

Graduate and level squares, streets, lanes, &c.

(15.) No person shall be permitted to increase or lower the height of the side walks in front of his or her lots above or below. (By Ordinance of 2d July, 1840, the following is inserted here, viz: "The level or grade directed by the City Surveyor and a majority of the Street and Lane Committee.") And no person, without the permission of the Street and Lane Committee, shall throw any dirt, filth or rubbish, or any matter or material whatsoever, in any street, lane or square, by which the proper level, as established, may be destroyed. And all offenders and encroachments against the provisions of this Section shall be dealt with as prescribed in the fifth Section of this Ordinance.

Height of side-walks.

The level or grade directed by the Surveyor, &c.

(16.) Whenever any person owning or leasing, or possessing any lot, shall pave or in any manner alter the surface of a public street in front of his lot, he shall be bound to conform to the levels and inclinations. (By Ordinance of 2d July, 1840, the following is inserted, viz: "Marked and prescribed by the City Surveyor,") whose duty it shall be to grade and stake down the place to be paved or otherwise altered both on the line of the lots and the limits hereinbefore determined on the street, driving a stake at every ten feet of line, and the said Surveyor shall attend within five days after he shall be requested to do so. And any pavements hereafter to be made which shall not conform to the provisions of this Section, shall be considered an encroachment and may be removed in the manner specified in the fifth Section of this Ordinance. And the person violating the same, or the owner, lessee or possessor of the lot, may be fined by the Mayor, or acting Mayor, or Aldermen presiding at the Police Court, or by the Council, in a sum not exceeding one hundred dollars, and a like penalty may be inflicted upon any person who shall alter the position of any of the stakes so placed by the City Surveyor.

Paving lots conform to the level and inclinations marked and prescribed by Surveyor.

Surveyor to grade and stake down the place to be paved, &c., within 5 days after notice.

Ordinance 2d July, 1840.

Owners aggrieved by acts of Surveyor have right of appeal to Council.

No. 93. (2.) Any owner of a lot, who shall consider him or herself aggrieved by the acts of the City Surveyor and Street and Lane Committee under the Ordinance (of 19th Aug., 1839,) he or she shall have the right to appeal to Council for its decision.

Ordinance 29th August, 1852.

Surveyor to make surveys of Springfield plantation, all City grades grade pavements.

No. 94. (1.) It shall be the duty of the City Surveyor to make for the City all necessary surveys of the Springfield plantation, and all City grades and other duties required by the different Committees of Council for public purposes, also the laying down of pavements.

Salary, $1,000 per year, with such labor as allowed by Committees.

(2.) The salary of the City Surveyor shall be one thousand dollars per annum, with such labor as the Committees of Council shall allow to aid in the surveys.

Ordinance 29th December, 1853.

Surveyor to superintend and examine public works, improvements, &c., lay out squares and parks, fix position of trees.

No. 95. (1.) It shall be the duty of the City Surveyor, in addition to the duties now prescribed by existing Ordinances under the direction of the Mayor or the Committee on Streets and Lanes, to superintend and examine any public work or improvement in progress in the City, to lay out the public squares and parks, and fix the position of trees to be planted in the squares, parks or streets.

CITY TREASURER.

Ordinance 2d August, 1839.

City Treasurer's office in Exchange.

Hours, 9 to 2.

Duty, to attend Council, &c.

Account for moneys, &c.

No. 96. (3.) The City Treasurer shall also keep his office at the Exchange, and attend thereat daily, (Sundays excepted,) from nine A. M., to two P. M.; and in addition to the other duties which are prescribed by the Ordinances which are now in force or which may be hereafter ordained, it shall be the duty of the said Treasurer to attend the Council, the Mayor, or any of the Aldermen whenever thereto required; and he shall also whenever required by the Council, Mayor, acting Mayor, or Finance Committee, well and truly account for all moneys by him received, and in what manner the same has been expended; and he shall not without the order of the City Council or under

Pay City Watch

the direction of some Ordinance, pay any sum of money out of the Treasury except the pay-roll of the City Watchmen, or the orders of the Mayor or acting Mayor in favor of the City Watchmen; and he shall keep just, regular and fair books of account and other books necessary to carry out the provisions of any Ordinance passed in reference to his office or duties; and he shall furnish to the Committee of Finance a balance sheet of his ledger monthly.

Furnish Finance Committee monthly balance sheet.

Salary.

(20.) Salary twelve hundred dollars per annum, payable quarterly, (by Ordinance of 20th April, 1854,) but he shall receive no commissions on any public moneys which shall pass through his hands.

Fees.

For completing the City Digest, two hundred and fifty dollars, and the following fees, to be paid by the person requiring the service, or liable for the same, viz:

For filing every bond—Thirty-one and a quarter cents.

For receiving application for each license—Ninety-three and three-quarter cents.

On every negro badge—Twenty-five cents.

For every search—Eighteen and three-quarter cents.

For every certificate or extract—Thirty-one and a quarter cents.

Ordinance 1st Dec., 1831.

Treasurer to collect rates for landing goods, &c., on Canal lots, also for goods shipped therefrom

No. 97. (1.) The Treasurer shall receive for the use of the City, the several rates hereinafter mentioned and referred to for the landing of produce and other goods, at the lots belonging to this Corporation situated on the Canal at the western section of this City, for shipping of the same, and for storage thereof to-wit:

For wood twenty-five cents per cord; lightwood posts, cedar posts, and other logs each one half cent. And on all other produce or goods the same rates as are established by an Act of the Legislature, passed on the twenty-second of December, eighteen hundred and twenty-nine; entitled "An Act to establish rates of dockage, wharfage and storage in the City of Savannah, and to repeal all laws or parts of laws militating against the same, for shipping of produce and goods the same rates as for landing goods or produce lying on a lot longer than two nights after two working days, and also for every week thereafter, shall be subject to the payment of landing rates.

(2.) If any person or persons shall ship from, or land at, or

Persons shipping or landing wood, &c., to return same to City Treasurer in 48 hours.

cause to be shipped from, or landed at, or suffer to remain on any or either of the said Canal lots within the City of Savannah, any fire-wood, lumber, rice, cotton or any produce or merchandise whatever, subject to the payment of the foregoing rates he, she or they, as the case may be, shall make a return thereof under oath within forty-eight hours after the charges shall have been incurred to the City Treasurer; and any person or persons refusing or neglecting to make return as is herein required, shall for each offence on conviction before Council, be fined in a sum not exceeding thirty dollars.

Penalty for not making return, $30.

Ordinance 19th Feb., 1857.

Duties.

No. 98. (1.) It shall be the duty of the City Treasurer, to deposit all the money or other funds of the City, which shall come to his hands, in such Bank or Banks in said City, as shall from time to time, be designated or selected by the Mayor of said City.

To deposit in the Bank selected by the Mayor.

Tax Ordinance of 29th October, 1857.

To take Tax Returns on or before 1st February.

No. 99. (14.) Each and every person, white or free colored, and each and every corporation, subject to taxation in this City, or owning, or having possession or charge of property subject to taxation in this City, in his, her or their own right, or in the right of any other person or persons, as Parent, Guardian, Executor, Administrator, Trustee, Agent, or in any other manner whatsoever, shall make a return thereof to the City Treasurer on or before the first day of February, in each and every year; and the returns of corporations shall be made by some officer thereof.

Manner of making Returns.

(15.) Each and every such return shall contain a full, true and particular account of all the property real and personal, as defined in this Ordinance of every kind and nature whatsoever, except such property, real or personal, as may be exempt from taxation under any of the provisions of this Ordinance, and except such property, real or personal, as is required to be returned at some other time or in some other manner, by any of the provisions of this Ordinance which the said person or persons, or corporation, making such return, owned, or had possession or charge of, on the first day of January in such year, in his, her, or its, or their own right, or in the right of any other person, or persons, or corporations, as Parent, Guardian, Executor, Administrator, Trustee, Agent, or in any other manner whatsoever; and all such property, real, and personal, shall be set out in such returns as nearly as possible according to the classification made in the 3d and 5th Sections of this Ordinance, and all articles of property upon which any specific tax may be imposed by this or any other Ordinance, shall also be particularly set forth; and all property mentioned, as aforesaid, in said return, except real property, and property specifically taxed, shall be returned at the current or market value thereof, on the first day of January next preceeding the time of such return.

To be made as of 1st day of January, describing particularly.

All property, except real property and property specially taxed, to be returned at the current or market value on 1st January.

(16.) The person making such return, either for him or herself, or as agent for any other person or persons, or for any corporation, shall be required, on making the same, to take and subscribe the following oath or affirmation, viz: "I (A. B.) do solemnly swear (or affirm) that the return I now give in is a full, true, and particular account of all the property, real and personal, subject to taxation within and under the Ordinances of the City of Savannah, except such as I have been required to return at some other time, which I owned, or had charge of, or possession of, on the first day of January of the present year, in my own right, or in the right of any other person or persons, or corporation, as Parent, Guardian, Executor, Administrator, Trustee, Agent, or in any other manner whatsoever; and that the property to which I have been required to affix a value in said return, is not worth more than the value I have therein affixed to it, to the best of my knowledge and belief, "so help me God;" and in all cases where a return of any property, profits, income, or calling, or occupation whatever, is required to be made at any other time than the time prescribed in the 14th Section of this Ordinance, the person making such return, whether he or she make such return in his or her own name, or as agent of any other person or persons, or of any corporation, or as a presiding officer of any corporation, shall, in like manner, be required to swear to the truth of such return.

Oath of the person making the return, take and subscribe.

(18.) It shall be the duty of the City Treasurer to preserve all such returns, and to keep an alphabetical digest of all persons and property subject to taxation under this Ordinance, arranged according to the classification hereinbefore prescribed, with the value thereof, where the value is required, whether such value be determined by assessors, as hereinbefore prescribed, or by the oath of the party returning the same, and with the name of

Treasurer to preserve returns and keep an alphabetical digest, &c

the person returning the same; leaving a column in which shall be set down the amount of tax that each person shall be required to pay; and such digest shall include all specific taxes whatsoever, at whatever time such specific taxes may be required to be paid; and it shall be the duty of the said Treasurer to have the said digest completed on or before the 1st day of March in each year, and to return the same forthwith to the Mayor of said City; and upon returning the same he shall take and subscribe the following oath or affirmation, viz: "I do solemnly swear (or affirm) that the foregoing digest is true and correct, and fairly and honestly made up from the returns given in to me, so help me God."

Digest to be completed on 1st March to be returned to the Mayor and to be sworn to.

(19.) It shall be the duty of the said Treasurer within ten days after the confirmation or ratification of such assessment by the said Mayor and Aldermen, to complete his digest by inserting therein the amount of taxes to be paid by each and every person or persons, and corporation; and immediately upon the completion of the same to give public notice, by advertisement in all the public gazettes of the City, of the rate per centum of the ad valorem tax, and of the time when his office will be open for the receipt of taxes.

Within 10 days after digest is ratified by Mayor, &c., the Treasurer shall insert the amount of taxes and give notice of the rate of ad valorem tax assessed, and when his office will be open for receipt of taxes.

(20.) All taxes due to the City of Savannah, unless required to be paid at some other time by this or some other Ordinance, shall be paid to the said Treasurer on or before the 1st day of May, in each and every year.

All taxes to be paid by 1st May.

(21.) It shall be the duty of the said Treasurer, immediately after the said first day of May in each year, to issue executions against all persons, or Corporations, who may have neglected or refused to pay their said taxes, for the amount of taxes due by him, her, or them, and he shall deliver all such executions to the Marshal of said City, or the Deputy, taking his receipt for the same, in which said receipt shall be specified the name, or names of the person or persons, or Corporation, against whom the said execution shall be issued, and the date thereof, and the amount due on the same, and he shall deliver such receipt to the Mayor, and the Treasurer shall be entitled to receive the sum of fifty cents for every such execution, from the person or persons, or Corporation, against whom the same shall be issued, and he shall also be entitled to receive the sum of fifty cents for every execution issued by him under the provisions of the 8th section of this Ordinance, from the person or persons, or corporation, against whom the same shall be issued.

Treasurer to issue executions if taxes not paid by 1st May, and deliver such executions to the Marshal or Deputy, taking his receipt therefor, to be delivered to the Mayor.

Treasurer's fee. 50 cents on each execution.

Synopsis of Treasurer's duties not above mentioned—viz:

Treasurer's other duties.

To receive from the Clerk of Council all accounts passed by Council, register and pay the same.

Accounts.

Within the last week of every month to make a report in writing to the Mayor of the average price per barrel of 196 lbs., net weight, of the several qualities of flour sold within the City for the then current month; and on the first publishing day of every month to notify the assize or price of bread in the gazettes of the City.

Assize of Bread.

To give bond in the penal sum of $10,000 for the faithful performance of his duties.

Bond.

To sign all City bonds and coupons when issued. To number and keep a register of such bonds. To pay the bonds and interest coupons when due at his office in Savannah, and those due in New York to remit the money therefor.

Bonds and Coupons.

To receive the purchase money from the purchasers of lots in Laurel Grove Cemetery, and keep such money separate from all other money in the Treasury, to be used only for adorning, &c., said Cemetery. Every two weeks to receive from the keeper of said Cemetery the fees for digging graves, opening vaults, and the fees and charges for the public vault, and all other public moneys, and add the same to the fund arising from sales of lots.

Cemeteries.

To receive from the Clerk of the City Court his quarterly return of City tax fees, and from the City Sheriff his quarterly return of jury and other fines, estreated bonds, &c.

City Court.

To receive from purchasers of City lots the 20 per cent. of valuation and increase money bid therefor, and give receipt therefor endorsed on the title. To collect from owners of City lots their quarterly payments of ground rents (which quarterly payments are by custom paid semi-annually.)

City Domain.

To collect from the owner or keeper of a dog the tax of $2, and in taking tax returns to administer the oath relative to dogs.

Dogs.

To license all vehicles for hire and receive the price of the license. (The Clerk of Council, by custom, attends to this business.)

Drays, &c.

To receive from the Harbor Master, every two weeks, a full and formal report (together with the moneys,) of harbor fees received by him, (the names of the vessels and the charges against each to be specified.)

Harbor Master.

Every two weeks to receive the returns and payments from

Jailor

the Jailor of all sums received by him as Jailor, and preserve the returns on file in his office.

Measurers and Inspectors.

To receive for the City's use the license fee of $10 from each measurer and inspector of lumber, $5 from each measurer of wood, $5 from each measurer of grain, $10 from each weigher of cotton, rice, tobacco and hay, $15 from each inspector and guager of liquors, besides 50 cents for his own fee and $1 for the Clerk of Council.

License for curing hides.

To receive from the curer of hides on lots 34 and 35, Mill street, the license fee of $25.

License to retail spirituous liquors, &c.

To make a fair and just entry in a book to be kept by him for the purpose, of the names and places of abode of all persons obtaining licenses, the names of their securities, the class of license granted, and of the sum received for the same. Class No. 2, price, including fees, $104 44; Class No. 1, price, including fees, $54 44.

Licenses for Transient Dealers.

To receive $500 from each transient retail merchant, shop or store keeper, who contemplates residing in this City less than 12 months, same to be paid in five days from the time of opening such store, or pay double the amount under execution. When such transient dealer stays the 12 months the amount of tax over the amount paid by permanent citizens to be refunded by the City Treasurer. Any person offering for sale silk or fancy goods, jewelry or other finery, at any boarding or other house, come within the above provisions.

Licenses for Dealers from vessels or wharves.

To receive $50 and the usual license fees, from any person selling goods, &c., from on board any vessel or from any of the wharves of the City brought into the City by such vessel, a new license to be obtained for every new or different cargo if exposed for sale on board vessel or wharf; fine $100, one-half to informer. The productions of Florida or South Carolina, tropical fruits, apples and cabbages, are exempt from such license when brought by vessel into this port.

Market Stalls.

To receive from the City Marshal a statement of the rents or sales (together with the moneys,) of market stalls, and every two weeks to receive from the Clerk of the Market all moneys which he may receive as such Clerk, less $900 salary, also from any person selling codfish, mackerel or salmon in the market the sum of $15 for a special license for one year.

Market fees.

Officers

Every two weeks to receive from the City Marshal and Clerk of Council all public moneys collected by them.

Pavements.

To issue executions for the amount of costs and charges against the owner or lessee of a lot, where the Marshal has had the pavement laid or repaired.

Police and Watch.

To pay the pay rolls of the City Police and City Watch on the first day of each month.

VendueMasters.

To receive from each auctioneer his license tax and fee of $104 44 and his quarterly returns of dues and taxes.

Water Works.

To receive from the Secretary or Water Registrar every two weeks all water rents collected by him, and to keep an account current with the Water Works, of receipts and expenditures—and to place to the credit of the Water Works all fines received for penalties, under the Ordinances relating to the Water Works.

Yearly Balance Sheet.

To make out and hand to the Mayor a yearly balance sheet or statement of all monies received and paid through the City Treasury from the 1st of October to the 30th of September, inclusive—so as to enable the Mayor to make his annual report on the second Monday in October.

(*See Title Taxes*—Gross Sales by Commission—Life Insurance Offices, or Agents—Income and Commission Tax—Specific Taxes—Real Estate Assessments.)

CLERK OF COUNCIL.

Ordinance 2d August, 1839.

Clerk of Council, office in Exchange—hours, 9 to 2 o'clock.

No. 100. (2.) The Clerk of Council or City Clerk shall keep an office in the Exchange, which office he shall attend from nine o'clock A. M., to two o'clock P. M., (Sundays excepted,) and to which all persons having business with him in the line of his duty may repair, and in addition to the duties which are prescribed by the various Ordinances which are now in force or which may hereafter be ordained, it shall be the duty of the said Clerk to receive all applications and petitions, and to lay the same before the Mayor or acting Mayor, if immediate necessity require, or the City Council at the next regular meeting thereof. And he shall keep true and fair copies of the proceedings of said Council, and of all Ordinances passed by them, which shall be registered and remain of record in books to be kept for that purpose.

Duty.

Proceedings of Council. Ordinances.

He shall also furnish to the City printers copies of every

Fine Docket. Ordinance passed by Council within one week after the final passage thereof, and he shall keep a docket, wherein shall be inserted the names of persons fined, offences, amount of fine, when inflicted, and returns of Marshal thereon, to be laid before Attend Council. Council at each regular meeting. And the said Clerk shall attend the Council at all regular and extra meetings thereof, and he shall also attend the Mayor, Chairman or any of the Aldermen Records. when any business shall require his attendance; and he shall also record within a month after each meeting in a proper full bound book the minutes of Council, and index the same.

Salary and fees. (20.) (*Salary Eight Hundred Dollars per annum by Ordinance of 29th Dec.*, 1856.) The following fees of office, to be paid by the individual requiring the service, or liable for the same, viz:

Preparing testimonial—Ninety-three and three quarter cents.

Countersigning the same—Thirty-one and a quarter cents.

For attendance on the Mayor by application of any person on private business—Thirty-one and a quarter cents.

For every certificate or any extract of the City Council, for any person not a member—Thirty-one and a quarter cents.

Affixing seal to any paper or order from the Mayor (warrants and executions excepted)—Sixty-two and a half cents.

For every search—Eighteen and three quarter cents.

For reading a petition—Thirty-one and a quarter cents.

For an order on that petition—Thirty-one and a quarter cents.

For every bond—Thirty-one and a quarter cents.

For taking a deposition in writing—Thirty-one and a quarter cents.

For drawing a summons, warrant or execution—Thirty-one and a quarter cents.

For swearing a witness in Council or police court—Eighteen and three quarter cents.

For a recognizance—Sixty-two and a half cents.

For registering free persons, each—Fifty cents.

For registering and granting a negro badge—Thirty-one and a quarter cents.

For drawing every deed or lease (one half to be paid by the City and the other half by the purchaser or lessor)—Five Dollars.

And for every license, as prescribed by the Ordinances regulating licenses for retailing spirituous liquors—Three Dollars and eighteen cents.

Ordinance 24th March, 1853.

Clerk of Council to furnish the Minutes to City Printer in 48 hours.

No. 101. (1.) It shall be the duty of the Clerk of Council to furnish the City printer or printers, and to all the editors of newspapers in the City of Savannah, who may desire to publish the proceedings of Council, a copy of said proceedings within forty-eight hours after the adjournment of the meetings of the City Council.

Ordinance 3d Sept., 1857.

Iron safe. Records.

No. 102. (1.) It shall be the duty of the Clerk of Council, so soon as an iron safe shall have been placed in his office for that purpose to deposit therein all the books of minutes, records of Ordinances and other valuable documents of the City of Savannah, now entrusted to his care.

No removal of documents, records, &c

(2.) While said books of minutes, records of Ordinances, and other valuable documents shall be always free and open to the inspection of each and every citizen, it shall not be lawful for any person whether an officer of the City or otherwise, to remove from the Clerk of Council's office any of said books of minutes, records of Ordinances, or other valuable documents, and every person so offending, by removing any of the same, shall be fined the sum of fifty dollars, and the Clerk of Council shall be liable to the same fine for permitting them so to be removed. Penalty, $50.

Annual report of City Records, &c.

(3.) It shall be the duty of the present Clerk of Council, on the first meeting of Council in October next, to report in writing a list of the Book of Minutes, Records of Ordinances, and other valuable documents then deposited in said iron safe, and their condition, and a similar report shall be made annually hereafter by the Clerk of Council on the first meeting in January.

Other duties.

(*Synopsis of Clerk of Council's Other Duties.*)

Badges. To sell Badges for negroes, to work out for hire or sell fruit, vegetables, poultry &c., and badges for free persons of color &c., to vend small wares, &c., upon receiving the price therefor including fees.

Bonds. To attest all Bonds issued by the City, and to give Bond in the penal sum of $1000 for the faithful performance of his duties.

Bread. To publish assize of Bread, in case of the absence or sickness of the City Treasurer.

Cemeteries. To make out and record the Titles to lots in Laurel Grove Cemetery, and receive a fee of $1 for each title. To receive monthly transcripts of records of deaths, from sextons and undertakers, and from the keepers of Laurel Grove and Catholic Cemeteries, and to record the same; to notify Council of the neglects of such sextons, undertakers and keepers, and to receive for his services $200 per annum, payable quarterly—also to receive from the head of any family or keeper of a public or private boarding house, or the keeper of any other house, hospital or place who employs no undertaker or sexton, a report of all dead bodies removed from his or her residence, for burial in any other than Laurel Grove Cemetery, such report to be made in 24 hours after such burial, under penalty of $30.

City Accounts. To receive, register, and send to the committee on accounts, all bills against the City, when properly certified and handed in, at least two days before each regular meeting of Council, after such bills have been examined by said committee, to lay the same before Council, and after their passage by Council to hand them to the City Treasurer for payment.

Dry Culture. To receive the Dry Culture Contracts, and keep them among the City records, after they have been recorded by the Clerk of the Superior Court of the County.

Free Negroes. To register the names of free negroes, the numbers of their families, &c.

Free Negro Seamen. To receive the report of Masters of Vessels, who have free negroes aboard of their vessel from other ports, take their bonds and issue Passports upon receiving the tax and fees, $6.87½ each, such report to be made within 24 hours after the arrival of vessel.

Informations. To receive all informations against persons violating the Ordinances, and place the same before the police court, to issue Subpœnas for informers and witnesses, to attend police court or Council.

Licenses. To receive all applications for license, and place the same before the Mayor, issue license for measurers and inspectors of lumber, inspectors and guagers of liquor, weighers of cotton, tobacco, rice and hay, and receive his fee of $1 for each license. To issue licenses for retailers of spirituous liquors, &c., and to endorse on such license the place of removal when they change their place of business. To issue license certificates for persons selling from vessels or wharves, and for pedlars, (price

$50 and fees.) To issue licenses for selling poultry, game, &c., in or near the Market, (price $ and fees,) and to issue Hotel Licenses.

Lots. To make out, attest and record the Titles to Purchasers of City Lots—make out and attest the Titles for half, third, &c. Lots, whenever the same are granted by Council.

Officers. To receive all applications for office and proposals, and lay the same before Council; to swear in all officers elected, and all persons appointed on the Police and Watch, and give them their certificates upon receiving his fees of office, and to advertize all Elections.

Petitions. To receive all applications for Licenses, &c., and place the same before the Mayor; and all communications and petitions, and place the same before Council.

Police Court. To attend Police Court, record the proceedings and submit the same to Council at every regular meeting; make out appeal bonds and issue executions for unpaid fines, when such fines are confirmed by Council.

Rafts. To issue executions against persons mooring rafts contrary to Ordinance, when the fines are not paid within twelve hours.

Registry of Voters. To register the names of voters at City Elections, and give certificates thereof, upon receiving the poll tax of $1.

Returns. To make returns every two weeks of all public moneys received by him.

Steerage Passengers To receive the reports and take the bonds of Masters of Vessels arriving from other ports, between the 1st of July and the 1st of November, with passengers on board. (Cobb's Digest, page 373.)

CLERK OF THE MARKET.

Ordinance 22d July, 1839.

Duty of Clerk of the Market to close the Market. No. 103. (2.) A clerk shall be appointed by Council, whose duty it shall be to close the market precisely at ten o'clock in the morning, from the first day of November in every year, to the first day of April following; and from the first day of April to the first day of November at nine o'clock in the morning, except on Saturdays, when the market shall continue open until nine o'clock at night, from the first day of April until the first

day of October, and from the first of October until the first of April, until eight o'clock at night, and the closing of the market shall be announced by the ringing of the market bell.

3 stalls reserved for Planters,&c., who shall pay double fees.

(3.) The market committee, or a majority of them shall select and reserve three of the stalls for the use and accommodation of the planters and persons from the country, who bring or send their stock or produce to market, and who shall pay into the hands of the Clerk double the fees hereinafter enumerated on all articles brought and exposed for sale in the said stalls.

Clerk of the Market elected first regular meeting of Council in January.

(4.) A clerk of the Market shall be appointed by the Mayor and Aldermen in Council assembled, at their first regular meeting, after the first day of January, of each and every year, or if not then appointed at any other subsequent regular meeting who shall hold his office or appointment until he be regularly re-appointed or a successor duly appointed or qualified, the said Clerk shall give bond with good and sufficient security to the

Bond, $1,000.

Mayor and Aldermen in the sum of one thousand dollars, to account for all moneys received by him as Clerk, as aforesaid, and faithfully to do and perform all the duties required of him by this Ordinance or any other Ordinance regulating his further duties, and before entering on the duties of his office or appointment he shall take before the Mayor, Chairman of Council, or any Aldermen, the following oath or affirmation:

Oath.

"I, A. B., do solemnly swear (or affirm as the case may be,) that I will well, and truly, and faithfully discharge all the duties imposed on me as Clerk of the Market of the City of Savannah, by any of the Ordinances of the City, and that I will faithfully, justly, and fairly account for all moneys collected and received by me as Clerk, as aforesaid, under the Ordinance or Ordinances now in force, or which may be hereafter passed, so help me God."

Certificate.

After which he shall receive a certificate from the Mayor under the seal of the City, stating that he is duly appointed and qualified Clerk of the Market. In case of neglect or misconduct of the Clerk of the Market on due complaint made thereof,

Neglect or misconduct of Clerk.

Council is hereby authorized to remove the said Clerk, and Council is further authorized and empowered in case of the death, resignation, or removal of the said Clerk to appoint at any regular or special meeting thereafter, a successor who shall be invested with all the power, authority, and immunities of a Clerk of a market, under this or any other Ordinance.

Clerk to collect fees and pay the same to City Treasurer every fortnight.

(5.) The said Clerk shall be authorized and he is hereby authorized to collect and receive from the owner or seller of any meat, victuals, provision or any other articles of food, brought to the market for sale the rates and sums following, viz: that is to say for every ox, steer, cow or heifer, twelve and a half cents; and six and a quarter cents for every calf, sheep, lamb, hog or goat; for every piggin, pail or furkin of butter or lard, six and one quarter cents; fifty-cents for the use of each stall that may now or hereafter be assigned for the sale of fish; six and one quarter cents for every basket of crabs; twelve and a half-cents for every basket of shrimps and prawn; and six and one quarter cents for every pail of opened oysters; also for marking and sealing every measure, six and a quarter cents; for marking and sealing every weight, six and a quarter cents; and for weighing in the public scales for every draught exceeding thirty pounds, six and a quarter cents, and for every draught under thirty pounds, two cents. The said Clerk shall (now, every fortnight) pay to the City Treasurer all moneys which he may receive as clerk of the market over and above the sum of $225, if he shall receive an amount over and above that sum and which quarterly sum making an annual salary of $900 or any less sum which he may receive, not amounting to the said annual sum, $900, shall be in full of all services and expenses incurred as Clerk of the market, and so in proportion for the time he shall have acted as Clerk in case of death resignation or removal therefrom.

Clerk shall attend market from daylight, close the same as prescribed in Section 2d, shall daily have the market swept clean, and clean the stalls, keep two or more scales and weights.

(6.) The Clerk of the Market shall attend the same regularly from daylight, and close the same at the time and hours hereinbefore directed. He shall sweep, clean, or cause to be swept clean the said Market every day in the year, and also such space of ground as shall be marked out and fixed by the Market Committee, as connected with the same, and shall likewise clean or cause to be cleaned all the stalls for large and small meat, vegetables, fish or other articles. He shall keep two or more scales and weights for the convenience of weighing butter and other small articles.

Duty of Clerk when persons refuse to pay the fees.

(7.) When any seller of meat or other articles of provisions charged by this Ordinance, shall refuse to pay the sum required under the same, the Clerk is hereby authorized to levy upon and retain such meat or other articles, until such charge be paid, or until one or more of the Market Committee order the release thereof. And if the said charge be not paid before the closing of the

Market, and the article or the articles remain in the possession of the Clerk, the same shall be disposed of as may be directed by the member of the Market Committee present, or in his or their absence, as the Clerk may see fit. And if any person or persons shall oppose, obstruct, insult, or abuse the Clerk of the Market in the execution of his office or duty, such person or persons shall be fined in a sum not exceeding thirty dollars.

Penalty, $30 on persons abusing, &c., the Clerk.

(8.) If the Clerk of the Market shall neglect any of the duties required of him by this or any future Ordinance, he shall be liable to a fine not exceeding thirty dollars, and according to the nature of the charge brought against him, to removal from office by Council, as already provided.

Penalty $30 on Clerk neglecting his duties.

(10.) Every butcher or person killing an ox, cow, heifer, or grown meat cattle, and exposing the same for sale within the City, shall take the hide and head of each animal slaughtered, attached to each other and not severed, and the said head with the ears and horns on of every such animal he shall carry to the Market, and show the Clerk, whose business it shall be to keep a book for that purpose, where he shall regularly enter the ear and horn marks, (if any) of such animals, with the day of the month the same was brought to market, and the book shall be kept open at all times during market hours for the purpose of inspection of every person, under forfeiture of a sum not exceeding thirty dollars for every neglect of any butcher or other person bringing the same, and for the neglect of the Clerk in not taking the marks, or for his entering improper or false brands and marks, he shall suffer the like penalty.

Duty of Butchers to carry the hide and head of each animal slaughtered to the Clerk of the Market, who shall enter the ear and horn marks in a book, &c.

Penalty, $30 on butcher for neglect, and $30 on Clerk for entering false brands, marks, &c.

(20.) The Clerk of the Market is hereby authorized and required, from time to time, to examine into the weights and measures of all and every person or persons buying or selling in this City, and subject to this Ordinance, and for this purpose he shall have free access to any wharf, lot, store, shop or building, in which the said weights and measures are used, and to try the same according to the known and acknowledged standard, and if any person be found deficient in the same, to take, seize, and destroy, or cause to be seized and destroyed such false weight or measure, and all and every person so offending against the provisions of this section, shall be fined in any sum not exceeding thirty dollars; and, further, the name of such person, after conviction of the offence aforesaid, shall be published in one or more of the public gazettes of this City, by the Clerk of Council,

Clerk to examine weights and measures.

Destroy false weights and measures.

Penalty for false weights, &c., $30, and name, &c., to be published by Clerk of Council.

whose duty it shall be to have the same published, together with the amount of fine, unless, after conviction, Council shall otherwise order.

(22.) If the Clerk of the Market shall mark or seal any weight or measure which is not agreeable to the standard, or shall refuse to mark and seal such as are agreeable thereto, on tender of the charges hereinbefore allowed, he shall, for every such offence, be fined in a sum not exceeding thirty dollars.

Clerk to mark and seal weights and measures.

$30 penalty on his refusing.

Ordinance 24th March, 1842.

No. 104. (4.) It shall not be lawful for any person to purchase or sell by any other weights or measures, than those adjusted and made to conform to the standard prescribed in this Ordinance; and it shall be the duty of the Clerk of the Market, under the direction and superintendence of at least one member of the Market Committee, annually between the first day of October and the first day of December, and at any other time or times to examine and compare the weights and measures used in the market, and by all other persons buying or selling by weight or measure, and to cause every person using false weights or measures to be put upon the information docket, who upon conviction shall be fined in a sum not exceeding thirty dollars for each offence.

Clerk annually to examine weights and measures, and to place on the Information Docket every person using false weights and measures; to be fined $30.

Ordinance 27th Nov., 1856.

No. 105. (6.) The Clerk, with the consent of the Market Committee, shall regulate the fees to be paid for the sale of fish and shell fish.

Clerk to regulate fees for sale of fish and shell fish.

Ordinance 22d Dec., 1856.

No. 106. (2.) The Clerk of the Market shall be the Inspector of Weights and Measures, mentioned in the above recited Ordinance, (of 22d March, 1855,) and shall perform all the duties and receive all the fees prescribed in and by said Ordinance.

Clerk to be the Inspector of weights and measures under Ordinance of 22d March, 1855, and receive the fees.

(*See Titles, Market, Weights and Measures.*)

COAL.

Ordinance 6th March, 1856.

An Ordinance, To be entitled an Ordinance to compel sellers of Coal to have the quantity ascertained by weight, and to designate the Ton Weight.

Coal to be sold by weight—2240 lbs. for a ton.

No. 107. (1.) That from and after the first day of May, 1856, all Coal shall be sold by weight, and that 2240 lbs. shall be demanded for a ton, and that any seller of Coal failing to have the same sold in accordance with this Ordinance, shall be fined the sum of $30 for each offence.

Penalty, $30.

Police Officers to inform against all offenders.

(2.) It shall be the duty of all Police Officers to inform against all offenders of this Ordinance, and that all fines collected shall be divided between the City and the informer.

COAL CARS.

Tax on Coal Cars.

(8.) For every coal car, or car transported on drays or trucks, and not exceeding three tons in weight, the sum of $3.

(*See Title, Specific Taxes.*)

COMMISSION TAX.

(*See Title, Taxes.*)

COLUMNS.

(*See Title, Porticoes.*)

COMMITTEES—OF COUNCIL

On Accounts,
On Dry Culture,
On Finance,
On Gas,
On Jail,
On Public Buildings,
On Pumps,
On Water Works.
On Docks and Wharves,
On Education,
On Fire Department,
On Health and Cemetery,
On Market,
On Public Sales and City Lots,
On Streets and Lanes,

The above fifteen committees are the Standing Committees of Council, annually appointed by the Mayor, after he has been qualified or taken the oath of office. For their duties, see Rules of Council—Rule 3, 13, 23. See Ordinances, Titles, City Domain, Cemeteries, Docks and Wharves, Dry Culture, Fire, Fire Department, Gas, Harbor Master's Rules, Health Officer, Jail, Lamps, Market, Public Buildings, Public Property, Public Sales, Pumps, Streets and Lanes, Taxes, Vessels, Water Works.

CONSTABLES.

Ordinance 2d August, 1839.

City Constables to be under control of Mayor, Marshal, &c.

No. 108. (5.) The City Constables (who shall be six in number) shall be under the control and direction of the Mayor, or any Aldermen, or the City Marshal, and the said Constables shall execute all orders and precepts emanating from such persons; and shall also give information of all offences committed against any of the Ordinances of the City which may come within their knowledge; and shall attend to the enforcement of all the Ordinances which may be of force at any time, and perform all the duties which may be prescribed by any Ordinance now of force or which may hereafter be ordained.

Their duties.

Salary, $400 and fees.

Salary—(Ordinance of 30th June, 1853, fixes their salary at $400 per annum, payable monthly "and each officer be compelled to keep a horse and on failure to do so, be fined by the Mayor,") and the following fees of office, to be paid by the defendant or the person liable for the same :

Keep a horse.

For serving a summons—Thirty-one and a quarter cents.

For serving a warrant or making a levy—Sixty-two and a half cents.

Mounted or special Police are now the City Constables, and are clothed with power to perform the duty of City Constables.

(When the Mounted or Special Police was established on 1st July, 1854, the six City Constables were merged in said Police, and by the 5th section of the Ordinance of 22d June 1854, creating said Police, it was ordained, "that the officers and privates of the Police created by, and appointed under this Ordinance, shall be clothed with all the powers and liable to perform all the duties of the Constables of the City, of Savannah, and shall be Constables, of the said City.")

CORPORATE LIMITS.

State Law, Approved February 13th, 1854.

AN ACT, To extend and define the Corporate limits of the City of Savannah.

No. 109. (1.) *Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate limits of the City of Savannah, be and they are

Corporate Limits extended and defined.

hereby extended and defined as follows, to-wit: "Beginning at a point on the western side of the mouth of Bilbo's canal, and running thence in a direct line to a Granite Stone near the culvert on the Thunderbolt road, and which stone marks the line of the present City limits, thence along the north side of the Thunderbolt road, the west side of Waters' road, the north side of Lover's lane and its line prolonged to the line of the Springfield plantation; thence along the boundary line of the said plantation to the bifurcations of the Augusta and Louisville road, and thence to a point on the River bank ten chains west of W. B. Giles & Co's mill, thence along the line prolonged to Hutchinson's Island, thence along the shore line of Hutchinson's Island, to the east end of it, thence to the point of beginning."

All persons residing in extended and defined limits entitled to privileges of citizenship, bound by the City Ordinances.

(2.) All persons residing within the said extended and defined limits, shall be entitled to the privileges of citizenship, under the same restriction and conditions, as the residents of the wards already laid out, and that all persons and property within the said extended and defined limits, be and are hereby declared subject to, and bound by all the Ordinances and regulations of the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, which are now of force or may hereafter be ordained and established; *With this provision nevertheless*, That the said Corporate authorities shall have no power to tax any part of the lands or other property, brought within the extended limits by this Act, until the plan of the City shall be regularly and bona fide extended over such part.

The land and other property not to be taxed until the plan of the City is regularly extended over such part.

(3.) All laws and parts of laws militating against this Act, be and the same are hereby repealed.

JOHN E. WARD,
Speaker of the House Representatives.
JOHN D. STELL,
President of the Senate.
HERSCHEL V. JOHNSON, *Governor.*

CORPORATION ATTORNEY.

Ordinance 24th July, 1856.

Corporation Attorney elected. Duty to represent the City in all cases brought by or against the City, give legal advice, revise Ordinances, attend Council, &c.

No. 110. (1.) Council shall at the first regular meeting in August next, elect by ballot a Corporation Attorney, whose duty it shall be to represent the City in all cases brought by or against the City in any of the Courts of Law or Equity, to give his legal opinion upon any subject connected with the interests of the City, whenever desired by the Mayor or either of the Aldermen, to revise any Ordinance submitted to him, to attend

the meetings of Council upon the trial of appeal cases whenever so requested in writing by the Mayor or two Aldermen, and generally to be the legal adviser, counsellor and advocate of the Corporation of the City of Savannah.

Salary, $1,000 per year, payable quarterly.

(2.) The salary of said Corporation Attorney shall be one thousand dollars per annum, payable quarterly, at the Treasurer's office.

Elected until first regular meeting of Council in January, 1859, and then Council to elect for 3 years.

(3.) The officer so elected as Corporation Attorney under the provisions of Section 1st shall hold the said office until the first regular meeting of Council in January, eighteen hundred and fifty-nine, (1859,) and that Council shall, at said first regular meeting in January, 1859, and every three years thereafter, elect by ballot a Corporation Attorney, who shall hold his office for three years.

Vacancies, how filled.

(4.) Should a vacancy occur in the office of Corporation Attorney, by death, resignation or otherwise, the said Mayor and Aldermen shall fill the vacancy in the same manner as is prescribed for other City Officers. (See Title, City Officers, Section 13, page 95.)

COTTON.

State Penal Code, 1833—Cobb's Digest, page 822.

Putting dirt or rubbish into cotton, rice or other produce.

No. 111. Article 251. (7.) Any person who shall put or cause to be put into any bale or bales of cotton, hogshead or hogsheads, barrel or barrels, cask or casks of sugar or rice, pork, beef or other provisions, any dirt, rubbish or other thing, for the purpose of adding to and increasing the weight or bulk of said cotton, sugar, rice, beef, pork or other provisions or things, shall be deemed a common cheat, and on conviction shall be punished by a fine equal to the value of the thing thus fraudulently packed or put up, and imprisonment and labor in the penitentiary for any time not less than one year nor longer than five years. The bare possession or ownership of such commodities so fraudulently packed or put up, shall not of itself authorize a conviction where sufficient evidence of knowledge or privity on the part of the owner or the person in possession may not be produced before the Court and Jury.

Fine, and penitentiary 1 to 5 years.

Evidence.

State Law, Approved February 16, 1854.

(*Pamphlet Laws*, 1853–4, *page* 56.)

AN ACT, For the protection, in certain cases, of Planters and Cotton Sellers within the State of Georgia.

No. 112. (1.) Be it enacted, &c., That from and after the

Sales by Planters and Commission Merchants.

Buyer of, gets no title till paid for, though delivered.

passage of this Act, Cotton sold by Planters and Commission Merchants on cash sale, shall not be considered as the property of the buyer or the ownership given up, until the same shall be fully paid for, although it may have been delivered into the possession of the buyer; any law, usage or custom to the contrary, notwithstanding.

Failing to pay and making way with, penitentiary 1 to 5 years, at the discretion of the Jury.

(2.) Any person engaged in the business of buying Cotton, either on his own account, or for others who shall buy or engage to buy Cotton on sale from a Planter or Commission Merchant, and shall fail or refuse to pay for the same, and shall make way with, or dispose thereof before he shall have paid for the same, shall be deemed guilty of fraud and embezzlement, and shall be liable, on conviction, to be imprisoned in the Penitentiary not less than one, nor more than five years, at the discretion of the jury trying the case.

State Law, Approved March 3d, 1856.

(*Pamphlet Laws*, 1855-6, *page* 14.)

Salesmen before weighing to take oath.

No. 113. (1.) It shall not be lawful for any Salesman or other person in any of the cities, towns, villages, railroad stations or depots, in this State, to weigh any bale, bag, or package of Cotton, tierce or half tierce of Rice, box or barrel of Indigo, or any other article of product disposed of by weight, without first taking and subscribing the following oath before some one of the Justices of the Inferior Court, or Justices of the Peace of said counties, or any other person authorized by law to administer an oath:

Oath.

"I, A. B., do solemnly swear or affirm, as the case may be, that I will justly, impartially and without deduction, weigh all bales, bags, or packages of Cotton, tierce or half tierce of Rice, boxes or barrels of Indigo, and any other article of product disposed of by weight, that may be brought to me for that purpose, without any deduction whatever, and render a true and accurate account thereof to the parties concerned, if so required, so help me God."

May deduct for wet, &c., by seller's consent.

(2.) The Weigher shall be allowed to make such deduction for wet or other cause, notwithstanding said oath, which may be reasonable, when the seller or his agent shall consent to his doing so.

(*Sections* 3 *and* 4 *relate to Flour—See Title, Flour.*)

Note.

Weighers of Cotton, &c., on application, to weigh cotton, rice, tobacco, &c.

The *City Ordinance of* 15*th March*, 1827, (see Title, Weighers of Cotton, Tobacco and Rice, sections 2, 4, 12 and 16,) *provides* for the election of six Weighers of Cotton, Rice, Tobacco, &c.—one of whom "shall be located in Market Square, and the others at convenient places, whose duty it shall be, upon application for that purpose made to them, to weigh all such Cotton, Rice, Tobacco, Hay and other articles presented, for which they shall severally be entitled to" certain fees, to be paid by the person selling the same. "Such weigher shall be fined in a sum not exceeding $30 for a neglect or violation of his duties."

Fees.

Weigher fined $30 for neglect of duty.

"All Cotton, Rice, Hay or Tobacco may, at the discretion of the purchaser, seller or shipper, be weighed by any one of the weighers appointed by virtue of this Ordinance, whose duty it shall be, upon application being made to him, to weigh said articles."

Seller or shipper

No person has applied for the office of Weigher of cotton, rice or tobacco, for many years.

No applicants.

Cotton, rice and lumber, pays no City Tax, on account of sales by commission.

Cotton, rice and lumber pays no City tax.

Cotton or other merchandize not to be landed at, &c., upon the public docks and wharves, or remain in any street, &c., longer than 6 hours; or when wet, exposed in the streets or lanes, or when injurious to health.

Cotton or other merchandize cannot be landed at, laid upon, or shipped from any or either of the public docks, wharves, or landing places within the City; (*See Title, Docks and Wharves, section* 19,) nor can the same be laid, or suffered to remain in any square, street, lane or alley, longer than six hours; nor can the same, when damaged by rain or water, be exposed while in its wet condition in any public place, without the permission of the Mayor, or acting Mayor; nor can the same, when so wet, be exposed in any of the lanes; nor can hides or other merchandize, which may be injurious to health, or disgusting to the smell of the citizens, be so exposed; nor cotton not packed in bags; nor can any person "obstruct, block up, or in any manner interrupt with cotton or other merchandize, the free passage of any citizens, on foot or horseback, or in a carriage, through any of the public squares, streets, or places whatever," (*See Streets and Lanes, sections* 5 *and* 24,) under penalty of "a fine not exceeding $100 for each and every offence, if a white person; or corporal punishment, if the offender be a slave or free person of color."

Free passage of citizens on foot or horseback, or in a carriage, not to be interrupted by cotton &c., obstructing the streets or other places.

Penalty, $100.

CRUELTY TO ANIMALS.

Ordinance 20th December, 1849.

Over loading any animal, working any lame beast, cruelly beating any

No. 114. (9.) It shall not be lawful for any person or persons to overload any animal or animals of burden used within the City and Hamlets thereof, for the transportation of persons,

beast, white persons fined $30, free colored persons fined $30 or whipped, slaves whipped or owner pay $5.

goods, wares and merchandise, nor to use, work or employ, in any manner any bruised maimed or lame beast of burden, nor to cruelly beat, bruise, ill use or in any manner torture any beast of burden, and if any white person shall be convicted of violating any of the provisions of this section, he or she shall be fined in a sum not exceeding thirty dollars, and on the conviction of a free person of color of the like offence, he or she may be fined in not exceeding thirty dollars, or be whipped, and if a slave, shall be convicted of a like offence, he or she may be whipped, or the owner or employer thereof, be fined in a sum not exceeding five dollars.

State Penal Code, 1833—Cobb's Digest, page 824.

Killing or maiming cattle, horses, hogs, &c., fine or imprisonment in common jail.

No. 115. ARTICLE 264. (7.) If any person shall maliciously maim or kill any horse, mule, bull, steer, ox, cow, calf, heifer or other animal following under the description hereinbefore given of horses or cattle; or shall maliciously kill a hog or hogs; such person so offending shall on conviction, be punished by fine or imprisonment in the common jail, at the discretion of the Court.

DEPUTY MARSHAL.

(*See Title, City Marshal.*)

DISORDERLY CONDUCT.

Ordinance 2d June, 1854.

AN ORDINANCE, To preserve the peace and good government of the City.

Disorderly, improper or riotous conduct, keep a disorderly house, fine $100 or 30 days imprisonment, or both.

No. 116. (1.) Any person who shall in the night or day disturb the peace and quiet of the City in any manner whatsoever, or shall be guilty of any riotous, disorderly, or improper conduct, (Ordinance of 28th Dec., 1854, says "or keep a disorderly house") within the limits of the City of Savannah, if a white person such person shall on conviction before the Police Court, be fined in a sum not exceeding one hundred dollars or be imprisoned not exceeding thirty days, or both at the discretion of the Mayor, or person or persons presiding at the Police Court; and if a slave or free person of color, shall be subject to the punishment hereinbefore prescribed, or receive corporal punishment at the discretion of the Mayor or person or persons presiding at the Police Court.

Slaves or free persons of color, same fine or corporal punishment.

Fire, disorderly, &c., thereat, sent to guard-house or jail.

(2.) Any person who shall at a fire disturb the peace and quiet of the City or disobey the orders of the Mayor or Chief Fireman, or who shall be guilty of any riotous, disorderly or improper conduct, such person shall be sent to the guard-house or jail until the fire is extinguished, and then may be discharged on his recognizance to appear before the next Police Court, and in default of giving a recognizance to be kept in the guard-house or jail and brought before the Mayor who may order the fine and punishment mentioned in the first section: *Provided*, That nothing herein contained shall be construed to interfere with the powers of the Chief Fireman.

Recognizance.

Chief Fireman.

(*See Title, Police and Watch.*)

DISORDERLY DRIVING OR RIDING.

Ordinance 6th June, 1839.

Fast riding, fast driving, loaded vehicles, not faster than a walk, unloaded vehicles moderate trot, corners, narrow streets, wharves, in a walk.

No. 117. (4.) It shall not be lawful for any person or persons to ride on horseback in the City faster than in a canter, nor for any coachman or other person driving a coach or other carriage to proceed faster than a moderate trot, nor for any person driving a loaded cart, wagon, dray, or other carriage, used for the transportation of any articles of produce, wares or merchandise, to proceed in a pace beyond a walk, (except bread carts, which may be driven at a moderate trot,) but all unloaded carts, drays, or wagons, may be driven in a moderate trot in all wide streets: *Provided nevertheless*, That the drivers thereof shall not be allowed to turn corners or proceed through narrow streets or on wharves in any other manner than in a walk; and any person violating any of the provisions of this section, or the owner or owners of such vehicle shall, on conviction, be fined, if a white or free person, in the sum of five dollars, and if the offender be a slave, his owner or employer shall pay a like sum, and on refusal to do so, the said slave shall be committed to jail, and there remain until his owner or employer shall have paid the said fine, together with all expenses; and if a free person of color offending against this Ordinance refuse or be unable to pay the aforesaid fine, such free person may be committed to jail, there to remain not exceeding ten days, or until the said fine and all expenses shall have been paid.

White or free person fined $5. Slave $5 or jail.

If free persons don't pay then 10 days in jail.

DISPENSARY.

(*See Title, Indigent Sick.*)

DOCKS AND WHARVES.

Ordinance 1st November, 1791.

Fires not to be made on docks, wharves, nor vessels to be careened and fire used thereat.

No. 118. (2.) No owners or occupiers of wharves, wharf lots, or public docks within the City of Savannah or Hamlets thereof, shall suffer any fire to be made thereon; and that no person or persons whoever shall careen any vessel, and use fire thereat, except at some wharf or place to the eastward of Andrew McCreadie's, or to the westward of Levi Sheftall's wharf.

Pitch, tar, turpentine, not to be stored on wharves, &c.

(3.) It shall not be lawful to or for any person or persons to store or lodge any pitch, tar, or turpentine on any wharf, or in any house, outhouse, store, or building whatever, within this City or the hamlets thereof, except at the several places hereinafter mentioned, limited and appointed for that purpose.

Where pitch, &c., may be stored.

(4.) All pitch, tar and turpentine, which shall or may at any time or times hereafter be brought to or landed in this City, shall and may be stored and lodged on any wharf lot situated and being at the westward of the wharf lot belonging to Mr. Mordecai Sheftall, at Yamacraw, whereon the tobacco inspection warehouses are built, and also on any wharf lot or in any house, outhouse, store, or building on any wharf lot situate and being to the eastward of the wharf lot at present the property of Mr. Andrew McCreadie, and which lies to the eastward of the City, and at no other place or places whatsoever.

Penalty, £5, &c.

(8.) If any person or persons shall in anywise offend against this Ordinance, or shall neglect or refuse to comply with the same, he, she or they so offending shall for the first offence, forfeit and pay a sum not exceeding five pounds; and for every offence thereafter a sum not exceeding twenty pounds, one half to the informer or person prosecuting for the same, and the other half to the use of the City, to be levied on his, her or their goods and chattels by warrant of distress and sale under the hand and seal of the Mayor or any of the Aldermen.

Ordinance 8th Dec., 1806.

Not more than 4 gallons of pitch, tar, &c., to be boiled on wharves.

No. 119. (1.) And it shall not be lawful for any person or persons to boil, burn, or set fire to or cause to be boiled, burnt, or set fire to any pitch, tar, turpentine, rosin, or oil in any quantity

over four gallons, above the lower line of James Wallace's wharf to the east, now below the upper line of Bolton's Yamacraw wharf to the west, anything contained in any former Ordinance to the contrary notwithstanding.

(*For Penalty, See Sec. 8 above.*)

Ordinance 19th August, 1839.

Wharf lot fronts, how built.

No. 120. (18.) The fronts of all the wharf lots within the limits of the City east of West Broad street, shall consist of only double solid heads, and that the space between the two solid heads, shall be filled up with stone or wood, and that it shall be unlawful to erect any platform, stage or improvement in front of the said wharf lots, other than double solid heads, to be built of solid logs or ranging timber and filled up with stone or wood. And that any front or head, erected or set up in any manner, or of any materials different from those prescribed by this section, shall be taken down and removed by order of the City Council, and the expense of taking down and removing the same, shall be chargeable on the wharf, and recoverable by distress and sale of said wharf and improvements, in the usual manner; and any person offending against the provisions of this section, may be fined in a sum not exceeding one hundred dollars, for each week such improper front or head shall remain.

Removal.

Penalty, $100 a week.

Depositing boards, lumber, fire wood, &c., on public docks or wharves, or landing at or shipping therefrom any cotton, rice or other merchandize, &c.

(19.) No person shall bring, deposit, lay or cause to be brought, deposited or layed on any or either of the public docks wharves or landing places, at the north end of, or opposite to the streets in this City, any boards, plank, ranging timber, staves, fire wood, shingles or other lumber whatever, and no person shall ship from or land at, or cause to be shipped from or landed at any of the public wharves or docks within the City of Savannah, any rice, tobacco, cotton, lumber, corn, bales, packages, trunks, or any species of merchandise, whatever; and no person shall erect or cause to be erected on any of the public wharves, scales or triangles for the purpose of weighing or ascertaining the weight of any article whatever. *Provided*, That nothing contained in this section shall be construed to prevent any Planter from landing out of his boat or canoe the product of his or her plantation, either for sale or for family use, but in no case shall he or she be allowed to occupy the said public wharf or dock longer than is absolutely necessary. And all offenders against the provisions of this section, shall be dealt with as is prescribed in the fifth section of this Ordinance, (See Title,

Proviso as to planters.

Penalty, $100.

Obstructions,) and the said articles may be seized and retained until the fine imposed be paid.

Making boats or water crafts fast to wharves or docks, or landing oysters, &c., thereat.

(20.) It shall not be lawful for any person to make fast any boat or other water craft, or to land oysters, clams, or other shell fish at any of the wharves or public docks in this City, other than at the public dock adjoining Wayne's wharf, and at the public dock fronting East Broad street.

Parapet walls. Erect and repair bannister, not less than 3 feet high.

(22.) All persons owning or erecting any parapet wall bordering on or ranging with any street leading to the river Savannah, or any of its wharves, or running at right angles, or in any manner diverging from said streets, shall at their expense erect and at all times keep in good repair, a good and sufficient bannister or balistrade of wood or iron on such wall, which said banister or balistrade shall be at the proper distance from the brink of said wall, and shall be of not less than three feet high and calculated by its strength and construction to afford protection to passengers.

Penalty for violations, $100, &c.

(25.) All offenders against any of the provisions of this Ordinance, not otherwise specially provided for, shall be punished and fined as is prescribed by the fifth section thereof, and all encroachments on the public property not specially enumerated herein, may be removed in the manner pointed out in the fifth section. And all penalties and fines (when not otherwise specially provided for herein,) shall be enforced and collected in the manner prescribed by the existing charter and laws relating to the City of Savannah, and all fines when collected shall be paid one half to the City Treasury, for the use of the City, and the other half to the informer.

Ordinance 28th Nov., 1844.

AN ORDINANCE, To regulate the speed of Steam Boats, while running within the limits of the wharves of the City of Savannah.

Speed of steamboats in passing wharves, 5 miles per hour.

No. 121. (1.) No Steam Boat shall, while passing the line of wharves in the City, exceed in speed five miles per hour. Every Steam Boat so violating, the owner or owners thereof, shall be subject to a fine not exceeding thirty dollars, for each and every offence.

Fine $30.

Ordinance 3d August, 1848.

AN ORDINANCE, To render more effective the service of the New York and Savannah Atlantic Navigation Company.

WHEREAS, It is of vital importance, both to the public and

Company aforesaid, that its operations should be free of delays and hindrances to which its Steamers might be unavoidably exposed, if subject to the rules and regulations of the Port, with respect to the berths of vessels.

New York and Savannah Atlantic Navigation Company to have control of wharves leased.

No. 122. (1.) The agent or agents of the Company aforesaid, shall have the entire control, independent of the Harbor Master, of Anderson's lower wharf, or other wharf or wharves that they may own, hire or lease, for the service of the Company aforesaid.

Harbor Master to remove other vessels therefrom.

(2.) Should any vessel or vessels not belonging to the Company aforesaid, be moored at, or lying alongside the said Company's wharf or wharves, without their permission, it shall be the duty of the Harbor Master whenever requested by the agent or agents of the Company aforesaid, to remove or cause to be removed without delay, the intruding vessel or vessels aforesaid.

Ordinance 12th Feb., 1852.

AN ORDINANCE, To give to the Savannah Floating Dry Dock Company and Iron Steamboat Company, the control of the wharves hired or leased by them for their own use.

Savannah Floating Dry Dock Company to control wharf leased.

No. 123. (1.) The Savannah Floating Dry Dock Company shall be entitled to the exclusive uses, control and management of the wharves leased or hired by said Company for the purpose of docking, repairing or building vessels.

Iron steamboat Company to control wharf leased.

(2.) The said Iron Steamboat Company, shall be entitled to the same privileges hereinbefore granted to the Savannah Floating Dry Dock Company.

Ordinance 20th May, 1852.

AN ORDINANCE, To give to the Savannah Steam Rice Mill Company, the control of the river front of the wharf owned by said Company.

WHEREAS, It is necessary to allow the said company the privilege of occupying at all times the said wharf head, by vessels containing rice.

Savannah Steam Rice Mill Company to control wharf leased.

No. 124. (1.) The Savannah Steam Rice Mill Company shall at all times hereafter, have privilege of occupying the river front of the wharf by vessels containing rice; any law, usage, or Ordinance to the contrary notwithstanding.

Ordinance 30th Oct., 1856—As amended 19th Feb., 1857.

No. 125. (3.) "It shall not be lawful for any person to erect

No wooden building or shed under bluff or on wharf. Penalty, $50.

any wooden building or shed under the bluff, or on any wharf lot between the eastern limit of the City and the Savannah & Ogeechee Canal." Penalty not exceeding $50 per day, for each and every day such structure of wood shall remain up.

(*See Titles, Gunpowder, Harbor Masters Rules, Rafts, Sand, Streets and Lanes, and Vessels.*)

DOGS.

Ordinance 11th April, 1839.

No dog to go at large without muzzle and collar with owners name.

Fine, $5.

Fine, $30 if any person be bitten.

No. 126. (1.) No dog shall be permitted to go at large within the said City, unless he be muzzled in such a manner as to prevent him from biting, and also have around his neck a collar, with the owner's name plainly expressed or engraved thereon; and if any dog is or shall be discovered going at large without being so muzzled, and without a collar, as aforesaid, the owner of such dog shall forfeit and pay a sum not exceeding five dollars for each and every such offence; and if any person be bitten or injured by any dog running at large, or without the enclosure of the owner thereof, the owner of such dog, or the individual in whose enclosure such dog is usually kept, shall be fined in a sum not exceeding thirty dollars.

No dog to go within 30 feet of market in market hours.

Fine, $30.

(2.) No dog shall be permitted to be brought or come within thirty feet of the market house during market hours, and any person bringing or suffering a dog or dogs to accompany him or her, contrary to the provisions of this section, shall be fined in a sum not exceeding thirty dollars.

Mayor, &c..may issue proclamation to kill dogs not accompanying owners, or muzz.ed.

Neglect of order Marshal fined $30.

(3.) The Mayor or in his absence the Chairman of Council, or in the absence of both of them, any two Aldermen may at any time in his or their discretion, issue his or their order, in writing, to the Marshal and City Constables requiring them to kill and destroy, for such time as the order shall specify, any dog or dogs, not accompanied by the owner thereof or muzzled, as aforesaid, which may or shall be discovered or found in any square, street, lane or other open place within the limits of the City; and for a disobedience or neglect of such order, the said Marshal and City Constables shall be fined in a sum not exceeding thirty dollars, and for the second offence shall be fined in a like sum, and may be dismissed from office, and any person resisting and interfering with the said Marshal and City Constables in the proper discharge of their said duty, according to the provisions of this section, shall be fined in a sum not exceeding thirty dollars for each and every offence.

Any one resisting Marshal fined $30.

Penalties, how recovered.

(4.) The penalties enacted by this Ordinance shall be recovered by the same process that the violation of the other Ordinances of the City are recovered.

Ordinance 16th Nov., 1843.

Slaves or free negroes not to keep dogs, fine $5.

No. 127. (1.) No slave or free person of color shall be permitted to keep any dog in the City of Savannah, under the penalty of five dollars for every such offence, and every slave or free person of color charged with keeping any dog or dogs, contrary to this Ordinance, shall be brought before the Mayor, at the police court, and failing to pay such fine, shall be flogged, not exceeding twenty lashes, at the discretion of the Mayor, and any slave or free person of color residing on any lot where no white person resides, shall be deemed and taken to be the keeper of any dog found on the premises, unless he or she can show who is the owner and keeper of the same; and any white person residing on any lot where slaves or free persons of color also reside, shall be deemed and taken to be the owner or keeper of any dog found on the premises unless he or she, when called upon for that purpose, shall show who is the owner and keeper of the same.

Slaves or free negroes residing on lot deemed the keeper unless he shows the owner.

If white person reside there he shall be deemed the owner.

Tax, $2 on each dog, to be returned by owner, keeper or head of family.

(2.) On every dog kept by any white person, or on his premises, there shall be paid a tax of two dollars to the City, and any dog or dogs kept as aforesaid, shall be included in the tax return of the owner and keeper thereof, or the head of the family or keeper of the house where such dogs are kept or harbored; and on the payment of the said tax, the owner or keeper of such dog or dogs shall be entitled to receive from the City Treasurer a license for such dog to run at large for one year: *Provided*, a collar shall be constantly worn by such dog having the name of the owner legibly stamped or engraved thereon, and *Provided*, also, that if at any time it shall be deemed unsafe to permit dogs to go at large, it shall be the duty of the Mayor to issue a proclamation forbidding the same; and any dog found going at large, after such notice, and until such proclamation shall be revoked, shall be killed, and the owner or keeper thereof shall moreover be liable to a fine of ten dollars; and any dog found in any lot,

License for 1 year.

Collar with owners name.

Proclamation for dogs not to go at large.

Fine, $10, &c.

Dog killed.

or going at large, contrary to this Ordinance, may be lawfully killed. Any person keeping any dog contrary to this Ordinance, shall be liable to a fine of ten dollars for every such offence, and

If no return double tax.

for failing to make return of every dog liable to taxation, the owner or keeper thereof shall be liable to double tax as in other cases.

Oath.

(3.) The following oath, in addition to the oath now prescribed by law, shall be taken by all persons making a return of taxable property in the City, viz: "And I, A. B. do further swear that there is no dog kept by me on my premises, (to which shall be added the following, where a dog or dogs have been returned,) except such as have been duly returned—So HELP ME GOD.

Every dog brought into City after 1st January, tax $2. Penalty, $10.

Every dog brought into the City, shall immediately be reported to the City Treasurer and a tax paid or license taken out for the remainder of the year, under a penalty of ten dollars, on the owner or keeper of said dog, or the person on whose premises the said dog may be found, and any dog, at any time found in the City, shall be deemed and taken to be kept therein, and liable to the tax aforesaid, and it shall be the duty of the City Marshal and City Constables to ascertain all such persons as have failed to make the return required by the Ordinance, for which the said Marshal and Constables shall be entitled to one half the penalty therein mentioned.

Marshal to report when no tax return is made.

DRAYS AND OTHER VEHICLES.

Ordinance 6th June, 1839.

No vehicle to be let for hire without license.

No. 128. (1.) No person shall let, or drive for hire, any cart, dray, wagon, or other carriage, within the City, without having obtained a license for so doing from the City Treasurer, for the time being, who shall number the same, and register the same, and for which license the sum of (by Ordinance of 22d December, 1856, for each

Price of license.

One	horse or mule	dray or truck,		$10	56¼
Two	"	"	"	15	56¼
Three	"	"	"	20	56¼
Four	"	"	"	30	56¼
One	"	"	cart or wagon	8	06¼

Two	horse or mule		cart or wagon,	15	56¼
One	"	"	cab, hack, &c.	15	56¼
Two	"	"	cab, hack, &c.	25	56¼
Two	"	"	omnibus,	25	56¼
Four	"	"	omnibus,	40	56¼
Every break wagon or wagon for exhibiting horses for sale,				25	56¼
Every horse or mule for loading or unloading vessels,				20	56¼.)

so intended for hire, shall be paid for the use of the Corporation; and in case any cart, wagon, dray or other carriage shall be let or driven for hire, within the City, without having first obtained such license, and without having the number of such license, and no other, stamped on a tin plate, not less than three inches long, in some conspicious place on said cart, wagon dray, or other carriage so intended to be let or driven for hire; the owner or owners thereof shall, for every such offence, forfeit and pay a fine not exceeding thirty dollars.

Penalty, $30.

Vehicle to be driven by sober, &c., person, between 16 and 60 years of age.

(2.) Each dray, cart, wagon, or other carriage, so intended for hire shall be driven and managed by a sober, discreet and able person, not less than sixteen, and not over sixty years of age; and for a violation of the provisions of this section, the owners of such dray, cart, wagon, or other carriage, shall forfeit and pay a sum not exceeding thirty dollars.

Penalty, $30.

License to expire on 1st Monday in January.

(3.) All licenses for driving carts, drays, wagons, or other carriages, within the City, shall expire on the first Monday in January, in each and every year, and every person who shall have obtained such license, shall be obliged, and they are hereby required, at all times, (Sundays excepted,) when not actually engaged or pre-engaged to work for some other person, immediately to carry all goods, wares, merchandise, and commodities, on application being made and payment being tendered, and for every neglect or refusal so to do, the owner or owners thereof shall be fined in a sum not exceeding thirty dollars.

To carry goods on application unless pre-engaged.

Penalty, $30.

No loaded vehicle to drive through the lanes.

(5.) No carts, drays, wagons, or other carriages, shall use the lanes of the City, but shall avoid driving through them, and in case any person be found driving in or using the lanes as aforesaid, without good or sufficient excuse, the drivers thereof, or the owner or employers thereof shall be fined in a sum not exceeding three dollars, to be collected and enforced in the same manner as is prescribed in the fourth section of this Ordinance.

Penalty, $3.

(*See Title, Disorderly Driving or Riding.*)

(6.) The following rates shall be allowed for loading and unloading and hauling: (By Ordinance of 26th November, 1857.

Drayage Rates.

"RATES OF DRAYAGE UP OR UNDER THE BLUFF.

Ballast, per ton of 2240 lbs., 75 cents.
Bricks, per 1000, $1 25.
Chairs, per dozen, 12½ cents.
Coal, per ton of 2240 lbs., $1.
Cotton, under the Bluff, 7 cents per bale.
Cotton, up the Bluff, 8 cents per bale.
Flour, and other dry barrels, 5 cents per bbl.
Furniture, per one horse vehicle, 25 cents per load.
Grain, except Oats, 2½ cents per bushel.
Hay, 9 cents per bundle.
Iron, per ton of 2240 lbs., 75 cents.
Liquor and Salted Provisions, 7 cents per bbl.
do. and do. 31¼ cents per hhd. or pipe.
Lumber, per 1000 feet, $1 25.
Oats, 1 cent per bushel.
Rice, 15 cents per tierce and 10 cents per half tierce.
Salt, in bulk, 3 cents per bushel.
Salt, in sacks, 5 cents per sack.
Shingles, per 1000 feet, 50 cents.
Staves, per 1000 feet, 88 cents.
Sugar, per hhd. of 1200 lbs. or over, 31¼ cents.
Sugar, per hhd. of less than 1200 lbs., 25 cents.
Tobacco, 37½ cents per hhd.
Trunks of travelers, 2½ feet long, 12½ cents.

Other baggage in proportion. Trunks under 2½ feet, 8 cents, and other articles not enumerated may be charged in proportion, under or up the Bluff, whether by dray or one horse wagon.

Wood, $1 per cord.")

Hauling to or from rail road depot to the City generally, 40 per cent. on the highest above rates.

From and to canal, from exchange, and like distances, 30 per cent. on highest rates.

From exchange to eastern wharf, and from canal to eastern wharf, fifty per cent. on highest rates.

From above exchange to eastern wharf, 10 cents per bale on cotton; below 8 cents per bale, and in proportion for distances, on highest rates, not lower than the general rate.

(7.) If any driver of a dray, cart or wagon shall be convicted of extortion or charging more than the rates prescribed by this Ordinance, the owner of the same shall be fined in a sum not exceeding thirty dollars, to be collected and enforced in the same manner as is prescribed in the fourth section of this Ordinance, and the driver of said dray, cart or wagon may be discharged and incapacitated from driving and the license cancelled.

Drivers convicted of extortion fined $30.

(8.) Whenever the services of a wagon, cart or dray may be required for hauling any quantity of the goods or other articles specifically mentioned in this Ordinance, less than a full load, the owner or driver of such wagon, cart or dray shall be paid double the rates specified in this Ordinance, provided the same shall not exceed the price of a full load, except in the case of baggage, on which in no event shall an extra charge be made.

Hauling less than full load, double rates, except on baggage, no extra charge.

(10.) All fines recovered and collected under this Ordinance, shall go, one half to the City and the other half to the informer. (*See Titles, "Cruelty to Animals, Disorderly Driving or Riding."*)

Fines, how recovered.

Ordinance 20th Dec., 1849, as amended 26th Nov., 1857.

No. 129. (3.) No four horse wagon, dray, cart, truck or other vehicle, shall be permitted to be loaded with more than ten thousand pounds weight, passing over the plank road, nor more than four thousand four hundred and eighty pounds when off the same, and all others to be regulated by the same rule, in proportion to the number of horses used, under a penalty of five dollars, to be recovered by information before the Mayor, or acting Mayor presiding at the Police Court; one half to the informer, the other half to the City.

Load for 4 horses, 10,000 lbs. on plank road; 4,480 lbs. off, others in proportion as to number of horses.

Penalty, $5.

DRIVING THROUGH LANES.

(*See Title, Drays and other Vehicles, Sec.* 5.)

DRY CULTURE.

Ordinance passed 24th March, 1817.

AN ORDINANCE, To improve the health of the City of Savannah, and for other purposes.

WHEREAS, Any plan calculated to improve the health of this

City, will greatly add to its population, and increase its prosperity in every respect. And whereas, the citizens in town meeting assembled on the eighteenth day of the present month, did adopt certain resolutions annexed to a report of the Committee previously appointed, which report and resolutions recommend a change of culture of the low lands contiguous to this City as essential to the health of the inhabitants, and to effect that object, also, recommend that contracts be entered into with the proprietors of said low lands for a perpetual change of the wet to a dry culture, that the City Council do authorize and direct the proper officer of the Corporation to sign and execute said contracts; that a sum be raised by loan on the faith of the City property, which the said contracts may require; that a certain portion of the resources of the City may be set apart and appropriated for the punctual payment of the interest and gradual extinguishment of the sum obtained; and that a board of Commissioners be organized, of which the Mayor shall be a member ex-officio, to direct the application of said loan, and to be invested with all necessary powers in relation to the health of the City, upon the aforesaid plan of a change of culture.

And Whereas, It does appear to Council that the measures recommended in said report will have the effect of so ameliorating the health of this City as to check, if not to prevent, the ravages heretofore produced by autumnal fevers, and to render it a safe and healthy residence, which, from its dry, high, and advantageous situation, nature intended it should.

And Whereas, An object of more importance could not occupy the attention of Council, or justify more satisfactorily the application of the funds and resources of the City.

Mayor to execute Dry Culture Contracts with proprietors of low lands.

No. 130. (1.) The Mayor do forthwith sign and execute such contracts with the proprietors of the low lands in front and on the eastern and western extremities of this City, as he in conjunction with the Commissioners hereinafter appointed, shall approve: the condition of said contracts to be a perpetual change of the present wet to a dry culture, under such penalties and with such reservations as to occasional irrigations and overflowings of the land, as said Mayor and Commissioners may agree to and designate.

Contracts to be delivered to Clerk of Council.

(2.) As soon as the said contracts shall have been entered into and duly executed by the Mayor, with the advice and consent of the Commissioners associated with him, each of said contracts shall be delivered to the Clerk of Council, to be by him kept among the records of the Corporation, after the same, shall have been recorded by the Clerk of the Superior Court of Chatham County.

Survey of land, quality and number of acres.

(3.) Annexed to each contract there shall be an accurate and exact survey of the land upon which a dry culture is to take place, designating its quality and number of acres, which shall be referred to and specified in the contract.

$70,000 appropriated.

(4.) The sum of seventy thousand dollars be, and is hereby appropriated for the purpose of complying with the payments which may be mentioned and contained in said contracts and the said sum shall be raised and obtained in the following manner: The said sum shall be converted into stock to be called "City Land Stock," and payable in certificates or scrip, signed by the Mayor and countersigned by the City Treasurer each; certificate shall have the following form:

How raised.

City Land Stock.

"HEALTH AND PROSPERITY.

City Land Stock,
Savannah, March 31, 1817.

Scrip.

The Corporation of the City of Savannah promise to pay the sum of dollars, due on contracts with the Mayor and Aldermen for a change of culture of low lands with seven per cent. interest, payable semi-annually, from day of , the principal to be extinguished by annual instalments within ten years pursuant to the directions and provisions of an Ordinance passed the 24th day of March, 1817."

The said sum of seventy thousand dollars shall be divided into certificates of one thousand, five hundred, and one hundred dollars each, and the Mayor is hereby authorized and directed to deliver to any member of said Board of Commissioners who may be appointed for that purpose by the Board, the certificates to the full amount of stock hereby created to be by him deposited in any bank or banks of this City, and that such member of said board be, and he is hereby also authorized to insert the name or names of payee or payees and the date when interest is to commence when a loan or loans shall become necessary.

City faith and property.

(8.) The faith of the City of Savannah and the public property are hereby pledged as a security for the redemption of the aforesaid stock, to be effected within ten years as by the appro-

10 years of taxes, &c.

priation of the annual revenue and taxes of the City hereafter mentioned.

Ground Rents.

(9.) In aid of the foregoing pledge for the purpose of paying the interest of said stock, and the gradual extinguishment of the principal, the rents of the City lots are hereby set apart and specifically appropriated.

When collected $10,000 annually paid over

(10.) The annual surplus revenue of the City together with said rents and other taxes shall be, when collected, paid over to the said Board of Commissioners by the City Treasurer to the amount of ten thousand dollars annually, to be by them so appropriated and applied as may within the time mentioned, honorably extinguish the interest and principal of the debt thus contracted by the Corporation of Savannah.

Ordinance 17th May, 1819.

$15,000 appropriated.

No. 131. The further sum of fifteen thousand dollars be and the same is hereby appropriated, for the purpose of complying with the payments which may be mentioned and contained in the contracts entered into between the City of Savannah and private individuals, for the change of culture on low lands in the neighborhood of Savannah.

Ordinance 24th May, 1822.

Dry Culture Committee duties.

No. 132. (1.) A committee, composed of three members of the Board of Aldermen, shall be appointed by the Mayor immediately after the passing of this Ordinance, and annually thereafter upon the election of a new Board of Aldermen, which shall be called the Dry Culture Committee, generally to superintend the examination of the rice lands in the vicinity of Savannah subject to the dry culture system, by contract, and particularly to report to Council each and every neglect of the contractors, for the same to fulfill strictly their engagements with the City, and it shall also be the province of the said Committee of Dry Culture to recommend, from time to time, to Council such measures as to them may appear best calculated to give efficiency and utility to the dry culture system.

Dry Culture Inspector to inspect once a month in May, June, July, August, Sept. and Oct., and report.

(2.) The said Dry Culture Committee shall cause to be accurately examined and inspected, by some person or persons well qualified for the duty, the rice lands subjected by contract to the dry culture system, at least once a month during the months of May, June, July, August, September and October, and at such other times as to the said Dry Culture Committee

may appear meet and expedient, and the person or persons so examining, shall be required to submit to the said Committee a minute and particular report of the condition of the lands so examined at the time of examination, and the report shall contain a particular account of the condition of the land, its banks and embankments, ditches, trunks, &c., of each contractor for dry culture, and whether the same are in the condition required by the contracts with the City; and such report shall be submitted to Council by the Dry Culture Committee, at the first meeting of Council, after it shall have been made, and then shall be published.

Salary of Inspector.

(3.) For each examination of the rice lands contracted for dry culture, and reported as above required, to the Dry Culture Committee, the person or persons so examining and reporting shall, upon a certificate from the said Dry Culture Committee, or their Chairman, be entitled to demand and receive such sum as the Committee may think proper: *Provided, always,* That not more than seventy-five dollars be paid for any one examination and report of the condition, &c., of all the lands subjected to dry culture.

Not more than $75 for each inspection.

Ordinance 25th June, 1824.

Owner of low lands to drain, &c.

No. 133. (1.) The owner or owners of low lands or grounds within the limits of the City of Savannah, at their proper expense, shall before the first day of January next, drain the said low lands, and place the same in a dry state, and shall make, dig, cut, and open such ditches, drains, and canals, as shall be necessary for the draining the said lands, and keeping the same in a dry state, and shall make, throw up, and build such dams and mounds as shall be fit, able and sufficient to resist and exclude from the said lands the waters from the inland swamps, streams and ponds, and also the usual ebbing and flowing of the tides; and in case the owner or owners of any such low lands, shall, on the day aforesaid, have failed or neglected to have drained the said lands, or shall have done the same ineffectually, or shall have failed or neglected to open, cut, dig and make any canals, ditches and drains, or to throw up, build and make such mounds or dams as shall be sufficient to drain and keep the same in a dry state, and to resist and exclude from the said lands, the waters from the inland swamps, streams and ponds, and also the usual ebbing and flowing of the tide,

On failure or neglect the Marshal to do so at owners expense

then and in such case it shall and may be lawful for the Marshal of the said City, and he is hereby empowered and required to cause the said low lands, or any part of them, to be drained in the manner herein contemplated, and to cause to be opened, cut and dug, such canals, ditches, and drains, as shall be necessary for the draining such low lands, and keeping the same in a dry state, and to cause to be thrown up and made such mounds and dams as will, in his opinion, be sufficient and able to resist and exclude from the said lands, the waters of the inland swamps, streams or ponds, and also the usual ebbing and flowing of the tide. And, if any person shall hinder, disturb, or molest the said Marshal, or the person or persons by him employed in the execution of his or their duties, such person or persons shall, on conviction, be fined in a sum not exceeding thirty dollars for each and every such hindrance, disturbance, or molestation.

Penalty for molesting, &c., Marshal, $30.

(2.) It shall be the duty of the Inspector of dry culture from time to time, to visit and inspect the said low lands, and to report the situation of the same, and if at any time he shall report the same to be not well drained, or shall report the ditches and drains to the same to be foul or requiring repair, or the dams or mounds to be insufficient, then, and in such case it shall be the duty of the said Marshal, and he is hereby required to notify to the owner or owners of such lands the report of the inspector, and to require him, her or them, to remedy the evil complained of within fifteen days thereafter, and in case any such owner or owners of such lands shall fail or neglect to remedy the evils complained of within the time prescribed, then it shall be the duty of the Marshal to cause the same to be done in like manner as hereinbefore provided, and the said owner or owners shall be subject to a penalty of five dollars, for each and every acre so reported to be not well drained, and which he, she or they, shall so fail or neglect to drain and put in proper order within the time prescribed, to be recovered in any court having competent jurisdiction thereof.

Duty of Dry Culture Inspector, inspect and report when requiring repair, &c.

Marshal to notify owner.

If owner does not remedy the evil in 15 days, Marshal to do so.

Penalty on the owner $5 per acre.

(3.) All sums of moneys expended by the Marshal in the execution of the duties required of him by this Ordinance, shall be recoverable by distress and sale of the goods and chattels of such offender or offenders, and may be recovered in any court having competent jurisdiction thereof.

Money expended by Marshal, recovered from owner.

Ordinance 26th Jan., 1826.

AN ORDINANCE, To prohibit the cultivation of rice within one mile of the present boundaries of the City of Savannah.

WHEREAS, By an act of the General Assembly of the State of Georgia, passed at its last session, the jurisdictional limits of the City of Savannah and the hamlets thereof, were extended to one mile beyond the present boundaries, so as to enable the Mayor and Aldermen of the said City of Savannah and the hamlets thereof, for the time being, to prohibit the cultivation of rice within the said extended limits: Now by virtue of said act:

No. 134. (1.) The cultivation or rearing of rice shall be, and is hereby prohibited, within the said extended limits of said City, or at any place within one mile beyond the present boundary of the same.

Rice Culture prohibited.

(2.) Any person who shall plant, rear, or cultivate rice, or cause it to be planted, reared or cultivated, in contravention of the provisions of this Ordinance, shall be subject, and is hereby made subject to a penalty of one hundred ($100) dollars for each and every day that he, she, or they shall so plant, rear, or cultivate rice, or cause it to be planted, reared, or cultivated, each and every day of such planting, rearing and cultivating, being considered as, and is hereby declared to be, a separate and distinct offence.

Penalty on person planting, &c., $100 per day.

(3.) Whenever lands within the limits aforesaid, shall be planted or cultivated in rice, or attempted to be so planted or cultivated by any person or persons, other than the owner or owners of such lands, that such owner or owners shall likewise be considered as offenders, within the intent and meaning of this Ordinance, and are hereby made subject, as well as the tenant or tenants, cultivator or cultivators of said lands, to the penalties hereinbefore recited.

Penalty on Tenant or Cultivator.

(4.) All fines, forfeitures, and penalties incurred and imposed for a violation of the provisions of this Ordinance, shall be levied and collected by warrants of distress and sale of the offender's goods and chattels (if any to be found,) otherwise, of lands of such offenders, in manner and form established by law.

Fines, how recovered.

Ordinance 29th May, 1848.

AN ORDINANCE, Entitled an Ordinance, to carry more fully into effect the plan and system of reducing to and keeping in

a state of dry culture, the low lands around the City of Savannah, and to provide for the removal of such nuisances or cause of disease, which may affect the citizens thereof, or in any wise injure their health.

WHEREAS, The culture of rice upon the lands around the City of Savannah, which, by contract, are subject to dry culture, is a violation of the true intent and meaning of the said contracts, and is prohibited by the Ordinances of the City, and is manifestly injurious to the health of the citizens; and whereas, power is vested in the Mayor and Aldermen of the City of Savannah and the hamlets thereof, by act of the General Assembly to carry into full effect the system of dry culture, and to remove all nuisances or causes of disease which may effect the health of the citizens. And whereas, it is the right, and has become the duty of Council to exert the powers thus conferred upon them.

Mayor, duty to serve notice on owner, &c., requiring person to desist from culture of rice or appear before Council in 10 days and show cause.

No. 135. (1.) It shall be the duty of the Mayor, whenever he shall receive information that rice is planted or cultivated upon any of the lands around the City, subject to dry culture contracts, to serve a notice upon the owner, tenant or cultivator of the said land, or any person having the charge of the same, or his, her, or their agent, requiring the said person to desist from the said culture, and to destroy the said rice if growing, or to appear before Council at a time and place in such notice to be specified, not exceeding ten days from the date thereof, to show cause if any they have, why the said growing rice should not be removed and destroyed as a nuisance.

If owner, tenant, &c., fail to appear, or does not show sufficient cause, the Marshal to remove and destroy the rice.

(2.) If the said owner, tenant, cultivator or other person shall not, upon the said notice, comply with the terms of the same, or shall fail to appear before Council, or if having appeared, no sufficient cause should be shown why the said rice should not be removed, and its culture abandoned. That in such case the said Mayor and Aldermen may direct the City Marshal forthwith to remove the said rice, and to destroy the same effectually, wherever it may be planted or growing on the said dry culture contract.

Expense to be assessed on owner.

(3.) The expense incurred by the City authorities in enforcing this Ordinance shall be assessed upon the owner of the land from which the nuisance shall be removed, and shall be collected by execution to be issued therefor, as in other cases of dues to the City.

Action for violating Dry Culture Contracts.

(4.) Nothing in this Ordinance shall be so construed as to prevent an action for, and recovery of damages for violation of the dry culture contracts between the owners of lands and the Corporation of Savannah.

Ordinance 29th August, 1850.

AN ORDINANCE, To be entitled an Ordinance to carry more fully into effect the plan and system of reducing to and keeping in a state of dry culture, the low or swamp lands lying about the City of Savannah, and for removing nuisances and causes of disease.

WHEREAS, the City of Savannah has recently become the purchaser in fee simple of that tract of land called Springfield, lying on the south-western border of the City, which purchase was made for the sole purpose of reducing to and keeping in a state of dry culture, the said tract of land which is low and swampy and has been in its wet state the cause of disease to the people of Savannah. And, whereas, it is the duty of the City Council to remove the said cause of disease, and to place the said tract of land in a dry and healthful state. And, whereas, the Legislature of the State have conferred upon the City government, ample power for the discharge of that duty. And, whereas, it is essential to the dryness of the said lands and to the protection of the health of the citizens that the said tract of land should be perfectly drained in the natural course of the water to the extent of its drainage capacity and that the flow of the water through the said drains should not be impeded.

Springfield Tract natural drainage.

No. 136. (1.) That it shall not be lawful for any person or body corporate by any embankment, dam or work to be erected, or which may have been heretofore erected across the natural channels of drainage of the said Springfield tract or any other tract or in any other manner to impede the flow of water from the said tract through the drains which have been or may be constructed for the purpose of draining the said tract of land or through the natural channels and outlets thereof to the Savannah river. And it shall be the duty of all persons or bodies corporate who may have lawfully acquired a right of way over said tract, or may have constructed embankments or dams across the said tract, to cause sufficient culverts to be built under the same, so that the drainage of said lands shall not be impeded.

(2.) Whenever information shall be given to the Mayor of

Mayor to summon before Council, any person impeding the drainage.

any impediment to the drainage of said lands, having been caused by any person or body corporate, it shall be the duty of the said Mayor to summons such person or Corporation, or his or their agent, to appear before Council, and it shall be the

Duty of Council to investigate, &c.

duty of Council to investigate the said charge, and to pass such order for the removal of the said impediment to the drainage of the said lands, or for the construction of proper culverts, as the nature or exigency of the case may require, and for the protection of the health of the inhabitants of Savannah.

Expense of removing impediments, &c., of drainage, collected by warrant of distress, or action for damages.

(3.) When any person or body corporate shall impede the drainage of the tract of land aforesaid, or shall neglect or refuse, upon due notice, to remove their obstructions or to provide sufficient culverts through their embankments for the complete drainage of said lands, the expense of enforcing this Ordinance and of removing the said obstructions, and for providing sufficient culverts shall be collected from such person or body corporate by warrant of distress or by an action on the case for damages.

ELECTIONS.

No. 137.

CITY OFFICERS.	Term of Years.	TIME OF ELECTION.	Bond.	SALARY.
Chimney Contractors,(2)	1	1st regular meeting in Jan., 1858,	$200	Fees.
City Marshal,	1	" " " "	5,000	$600 and fees.
City Printer,	1	" " " "		500
City Surveyor,	1	" " " "	2,000	1,000 and fees.
City Treasurer,	1	" " " "	10,000	1,200 and fees.
Clerk of the City Court,	3	" " in Jan., 1859	3,000	Fees.
Clerk of Council,	1	" " " 1858.	1,000	800 and fees.
Clerk of the Market,	1	" " " "	1,000	900 and fees.
Corporation Attorney,	3	" " in Jan., 1859.		1,000
Deputy Marshal,	1	" " " 1858,	2,000	1,000
Harbor Master,	1	" Monday " "	2,000	1,200
Health Officer,	1	" " " "	1,000	500 and fees.
Judge City Court,	3	" regular meeting " 1860.		1,500
Keeper of City Clocks,	1	" " " 1858.	Double Contract.	
Keeper of Laurel Grove Cemetery,	3	" " " 1859.	1,000	$1 500
Keeper of Old Brick Cemetery,	1	" " " 1858,		150
Keeper of Pest House,	1	" " " "	500	300
Keeper of Powder Magazine,	1	" " " "	2,000	Fees.
Inspector of Dry Culture,	1	" " " "		150
Inspector of Flour,	1	" " " "	1,000	Fees.
Inspector and Guager of Liquors,(2)	1	" " " "	500	Fees.
Inspector of Turpentine,	1	" " " "	200	Fees.
Jailor,	3	" " " 1859,	20,000	1,500
Mayor,	1	" Monday in Oct., 1858,		2,500
Measurers and Inspectors of Lumber,(12)	1	" regular meeting in Jan., 1858,	500	Fees.
Measurers Salt, Peas and other Grain,(3)	1	" " " "	500	Fees.
Measurers of Wood,(2)	1	" " " "	500	Fees.
Messenger of Council,	1	" " " "	500	600
Police and Watch—Captain	3	Last regular meeting in June, 1860,	4,000	2,000
" " —1st Lieutenant,	3	" " " "	2,000	1.200
" " —2d Lieutenant,	3	" " " "	2,000	1,100
" " —Sergeants,(4)	3	" " " "	500	700
" " —Mo'ted Privates,(18)	3	" " " "	500	500
" " —Foot Privates,(50)		Appointed by Mayor,	50	300
Port Wardens,(5)	1	1st regular meeting in Jan, 1858,	500	Fees.
Pump Contractor,	1	" " " "	Double Contract.	
Secretary Board of Health,	1	" meet'g B. Health, in Apl., 1858,		$200
Sheriff City Court,	3	" regular meeting in Jan., 1859,	$5,000	Fees. [1st y'r.
Superintendent Streets and Lanes,	3	" " " 1860,	1,000	over contract for
Vendue Masters,(10)	1	" " " 1858,	1,000	Fees.
Water Works, Board of Commissioners,*	1	3d Monday in Dec., 1857,		
Weighers Cotton, Rice and Tobacco,(6)	1	1st regular meeting in Jan., 1858,	500	Fees.
Weighers of Hay,(2)	1	" " " "	500	Fees.

*The Board of Commissioners of Water Works to consist of two Aldermen and three Citizens.

ENGINE HOUSES.

Ordinance 4th Nov., 1852.

Lots set apart for Engine Houses.

No. 138. (1.) Lots No. (66) sixty-six, Crawford ward (Ordinance of 6th September 1855, repeals this Ordinance so far as lot No. 66 Crawford ward,) and No. (13) thirteen, Calhoun ward, and No. (18) eighteen, Forsyth ward, are set apart exclusively for the purpose of erecting engine houses thereon, whenever the same may be required.

No new ones in the Squares.

(2.) The erection of new engine houses is henceforth and forever prohibited, in any of the public squares within the corporate limits of the City.

AND WHEREAS, it is desirable that the present engine houses be removed, when more suitable locations can be procured.

No additions to old ones.

(3.) No addition shall be made thereto and no expense incurred except for the most necessary repairs.

ENGINES.

(*See Titles, Fire Department, Steam Engine.*)

EXHIBITIONS.

Ordinance 14th February, 1799.

No circus, concert, exhibition, music, show, theatrical representation, &c., without Mayor's permission.

No. 139. (1.) No person or persons whatsoever, shall within the limits of this City or of the jurisdiction of the Corporation thereof, represent or exhibit in public, for money, gain or reward, any play, tragedy, comedy, farce or interlude, pantomime, rope or wire dancing or walking, or other entertainment of the stage or parts therein, feats of acting in horsemanship or otherwise, wax work, curious animals, music, or other public show or entertainment whatsoever, without permission previously obtained from the City Council, for making such representation, show or exhibition. (Ordinance of 14th Feb., 1839, reads, "The Mayor, or in case of his sickness or absence, the Chairman of Council, or in the absence or sickness of both of them, any two of the Finance Committee may grant the permission or use the discretion mentioned in the first and second sections of the Ordinance.")

Application, &c., therefor.

(2.) Upon an application in writing by any person or persons stating the nature of the representations or exhibition proposed, the names of the persons concerned, and the length of time during which he, she or they desire to represent, exhibit or perform, it shall and may be lawful for the City Council (Mayor, &c., see above,) either to refuse altogether the permission applied for, or to grant the same for such length of time, and subject to such restrictions and to the payment of such sum or sums of money as they may deem proper and expedient to be paid or secured, before such permission shall be granted.

Payment therefor.

Penalty of $100 for performing or exhibiting, &c.

(3.) If any person or persons shall represent or exhibit, or attempt to represent or exhibit any of the theatrical or other entertainments of the stage or parts therein, feats of activity or other entertainment, show or representation whatever, either herein expressly named, or coming within the purview and meaning of this Ordinance, publicly for money, gain or reward, without permission previously obtained as aforesaid, or if any person or persons having obtained such permission, shall violate any condition or restriction under which the same may have been granted, he, she, or they so offending shall, for every such offence, forfeit and pay a fine not exceeding one hundred dollars, each to be applied one moiety to the use of the City, and the other moiety to the use of the informer.

Duty of Mayor and Marshal.

(4.) It shall be the duty of the Mayor or either of the Aldermen, upon information being given, or having reason to suspect, that any public representation, exhibition or show, for money, gain or reward, is making, or about to be made, in violation of the true intent and meaning of this Ordinance, to issue his warrant, directed to the City Marshal, commanding him that calling to his aid the Constables of the City, and so many other citizens as may be necessary, he shall disperse the persons attending to view such performance, exhibition or show, and to arrest and imprison the performer or performers, to be dealt with agreeably to this Ordinance.

Disperse audience, arrest and imprison performers.

(5.) The fines imposed in pursuance of this Ordinance, shall be recovered by distrain and sale of the offender's goods and chattels.

EXPRESS COMPANY.

Ordinance 29th October, 1857.

$200 tax on Express Company, payable 1st January, yearly.

No. 140. (8.) Each and every Express Company, shall pay a tax of $200, payable on the first day of January of each and every year, and on failure to pay the same such defaulting Company, shall be fined in double the amount of such tax, upon conviction before the Mayor.

Penalty double the amount.

FAST DRIVING OR RIDING.

(*See Title, Disorderly Driving or Riding.*)

FEE SIMPLE LOTS.

(*See Title, Lots in Fee Simple.*)

FIG ISLAND.

Ordinance 14th May, 1846.—H. K. Burroughs, Mayor.

Mayor to sell 22 acres of land east part of Fig Island.

No. 141. (1.) The Mayor be authorized and required to offer for sale twenty-two acres of land lying and being in the county of Chatham, and known as a part of the eastern portion of Fig Island, commencing at the dividing line between the lands of J. W. Baldwin and the City running north 11° west from the main Savannah river, across the island to the water passage between Fig and Hutchinson's Island, thence, eastwardly to an old dam now existing, running north 7° west, which will make the quantity of land twenty-two acres.

Terms of sale.

(2.) The Mayor cause said piece or parcel of land to be valued by three freeholders of the City of Savannah and three Aldermen, advertised for sale fifteen days in both of the City papers, then put up at public sale to the highest bidder over and above the valuation. The purchaser paying twenty per cent. on the valuation and advance money, receiving a lease for the balance at an interest of six per cent. payable quarterly with the condition that said land be kept in conformity to the Ordinances regulating dry culture.

Ground rent, six per cent.

Dry Culture.

Ordinance 22d July, 1847.

One acre conveyed to United States.

(1.) A deed of conveyance be executed to the United States for one acre of land on the eastern end of Fig Island, designated as lot L.

FINES.

Ordinance 5th March, 1857.

Disposition of Fines.

No. 142. (1.) All fines imposed at the Police Courts, when paid, shall be divided between the City and the informer, one half to each.

FIRE.

State Penal Code—Cobb's Digest, pages 789-790.

Arson.

No. 143. (Article 82, Sec. 2.) Arson is the malicious and wilful burning of the house, or outhouse of another.

Death if in a City or village.

(Art. 83, Sec. 3.) The wilful and malicious burning, or setting fire to or attempting to burn a house in a City, Town or Village, shall be punished with death.

What shall be burning.

(Art. 88, Sec. 8.) The crime of burning shall be complete where the house is consumed or generally injured.

What shall be setting fire.

(Art. 89, Sec. 9.) The offence of setting fire to a house shall be complete when any attempt is made to burn it, though no material injury is the consequence.

Arson causing death.

(Art. 91, Sec. 11.) Arson which produces the death of any person, shall be punished by the death of the person or persons committing the arson.

Ordinance 1st Nov., 1791.

Pitch, tar, &c., not to be set on fire, &c.

No. 144. (1.) It shall not be lawful to, or for any person or persons whomsoever, to boil, burn or set on fire, or cause to be boiled, burned, or set on fire, any pitch, tar, turpentine, oil, or other combustible matter, whatsoever, (*Sec. 1 of Ordinance of 8th Dec.*, 1806, reads, "in any quantity exceeding four gallons, within 150 feet of any building in this") City or the hamlets thereof. *Provided always, nevertheless*, that nothing herein contained shall be construed to extend to fires necessarily made by coopers, chairmakers, or blacksmiths, in pursuit of their several trades, and provided such persons shall make their fires in an enclosed building.

Except as to coopers, &c.

FIRE.

Ordinance 30th Oct., 1856—Edward C. Anderson, Mayor.

A BILL, To be entitled an Ordinance to define the fire limits of the City of Savannah, and to amend the Fire Ordinances thereof, and for other purposes therein named.

Fire Limits.

No. 145. (1.) The fire limits of the City of Savannah, from and after the passing of this Ordinance, shall be included within the following boundaries, to wit: Savannah River on the north; East Broad Street on the east, commencing at the River, at the foot of East Broad Street, and running southwardly along the east side of East Broad Street, prolonging the line until it meets the northern side of Liberty Street, thence westwardly until it reaches the eastern line of Price Street, thence southwardly to Gwinnett Street, extended to its intersection with Price Street; West Broad Street on the west, and Gwinnett Street on the south, from its intersection with West Broad street on the west to its intersection with Price Street on the east. (*Ordinance of 19th Feb.*, 1857, says: "All that part of the City of Savannah bounded north by Wayne Street, east by Tattnall Street, including the lots on both sides of Tattnall Street, south by Gwinnett Street and west by West Broad Street, be and the same is hereby excepted from the fire limits of said City, as defined in the said first section of the above entitled Ordinance.")

Except Gaston Ward and South half of Berrien Ward.

Penalty for erecting wooden buildings, $50.

(2.) It shall not be lawful for any person to put up, build or erect any building or structure of wood, within the limits aforesaid, under a penalty of not exceeding fifty dollars for each and every day such structure of wood shall remain up, except in cases hereinafter mentioned, provided that nothing herein contained shall prevent the erection of temporary places to protect building materials; and provided further, that nothing in this Ordinance shall be so construed as to prevent the erection of wooden buildings not exceeding twenty feet in height, including the apex of the roof, in that part of the City known as Currie Town, bounded north by Jones Street, and east by Montgomery Street, prolonged to Gwinnett Street, or the erection of open sheds within any of the City limits, so that such sheds be not of more than one story and be covered over with tin or other incombustible material.

Temporary places for building materials.

Exceptions.

Open sheds.

(3.) In addition to the fire limits mentioned and defined in

and by the first section of this Ordinance, it shall not be lawful for any person to erect any wooden building or shed under the bluff, or on any wharf lot between the eastern limit of the City and the Savannah and Ogeechee Canal, under the penalty mentioned in the second section of this Ordinance. (The balance of this section as to open sheds, repealed by Ordinance of 19th February, 1857.)

Wooden buildings or sheds under the bluff or on any wharf lot.

(4.) Nothing contained in any part of this Ordinance shall be so construed as to prevent the owner of any wooden house from elevating any portion of the same as high as the ridge of the main building, provided the roof thereof is covered with tin, slate or other incombustible material, and that the area covered by the original house be not increased; and that nothing in this Ordinance shall be so construed as to prevent the owner of any house from erecting porticoes of any height or dimension, provided the roof be covered with tin or other incombustible material, and that such porticoes do not encroach on any public street or lane; and further, that nothing contained in this Ordinance shall be so construed as to prevent the owner of any house from raising the same by adding thereto a brick or stone basement, provided the walls thereof are not less than a brick and a half or fourteen inches in thickness, and the roof of such house be covered with tin, or other incombustible material, and the area covered by the original house be not increased.

Elevating wooden buildings as high as ridge.

Original area Porticoes.

Raising house by adding brick basement, walls 14 inches, incombustible material, original area.

(5.) It shall not be lawful for any person to put up and erect any house or building, for the purpose of carrying on, and exercising the trade of a baker, brewer, distiller, sugar-refiner, soap boiler, tallow chandler, chemist or cotton ginner within the limits of the City of Savannah, unless the said house or building be built and paved with brick, or stone or tabby and be covered with tin, slate, tiles or some incombustible material and that any person or persons who shall carry on or exercise either of the said trades in any building erected subsequently to the passing of this Ordinance or in any building now erected and not used and occupied as such, which building shall not be built paved and covered in the manner specified in this section, shall be subject to a fine of thirty dollars for each and every time such person or persons shall carry on or exercise either of the trades aforesaid.

Buildings for carrying on trades built and paved with brick, &c., covered with incombustible material.

Penalty, $30.

(6.) No wooden building more than twenty feet high from the ground to the highest point of the roof shall be removed from any one point within the limits mentioned in the first

Removal of wooden buildings without permission of Mayor and Al-

dermen, penalty $100.

and third section of this Ordinance to any other point within the same limits or from any point without the said limits to any point within the same limits without the permission of the Mayor and Aldermen for the time being, under a penalty of one hundred dollars on each and every person guilty of a violation of this section.

Wooden buildings, &c., encroaching.

(7.) No wooden house, building, shed, fence or structure of wood which encroaches upon any public street, lane, alley, or place within the limits of the City of Savannah and Hamlets thereof, shall be considered as embraced within the provisions of the fourth section of this Ordinance so long as such encroachments continues; that no wooden house, building, shed, or structure of wood, shall be repaired within the fire limits of said City of Savannah and the Hamlets thereof, unless permission therefor shall have been previously obtained from the City Council, on certificate in writing from the Chief Fireman that such repairs will not amount to rebuilding of such house, building, shed, or structure; and that whenever and wherever the repairs upon any wooden house, building, shed or structure shall exceed a moiety thereof, the same shall be held deemed and considered a rebuilding under this Ordinance, and the Chief Fireman is hereby prohibited from granting the certificate mentioned in this section; and if any person shall violate any of the provisions of this section, he or she on conviction before the Police Court, shall be fined in the sum of one hundred dollars per day for each and every day such house, building, shed or structure shall remain repaired, altered, changed, or improved in any way or manner whatever, contrary to the provisions of this section. And every mechanic, artificer, or other person, who shall be instrumental in the rebuilding, repairing, altering, changing or improving, in any way or manner whatever, any wooden house, building, shed or structure contrary to the provisions of this section, shall, on conviction before the Police Court, be fined in the sum of one hundred dollars; one half of the fines imposed by this section to be payable to the informer, and the other half into the City Treasury; it being understood that open sheds, mentioned in the second section, are not embraced in this section.

No wooden buildings repaired without permission of Council and certificate of Chief Fireman; if over a moiety, no certificate.

Penalty $100 per day.

Mechanics, &c., engaged therein, penalty $100.

No open sheds.

Buildings and sheds to be covered with incombustible material.

(8.) Whenever any house, building, shed or structure hereafter to be built within the fire limits of the City of Savannah, shall be roofed or covered, it shall be roofed or covered with

slate, tile, tin, or other incombustible material, and that every person violating the foregoing provision, shall be fined in the sum of one hundred dollars: one half thereof to be payable to the informer, and the other half into the City Treasury.

Penalty $100.

(9.) Any wooden building in the condition authorized by this Ordinance, may be removed from one part of a lot to any other part of the same lot, even though within the fire limits, provided the permission of Council be first had and obtained.

Removal of buildings on same lot.

(10.) It shall and may be lawful for the Mayor and Chief Fireman of the City of Savannah and Hamlets thereof to cause any house, building, shed or structure, to be pulled down or removed whenever they shall consider the same a nuisance or dangerous, or in violation of the Fire Ordinances of the said City; the expense of such pulling down or removal to be paid out of the City Treasury, except in cases of nuisance or of violation of the Fire Ordinances, when it shall be borne by the owner.

Mayor and Chief Fireman to remove buildings they consider a nuisance.

(11.) It shall not be lawful for any person or persons, or body corporate, to keep within any one enclosure in said City more than two hundred and fifty cords of light or pine wood, and the Chief Fireman shall have authority to enter any enclosure and measure such wood; and on proof of more than the above quantity, the person or persons or body corporate offending shall be fined one hundred dollars for each day that the same may remain, such fine to be paid to the Savannah Fire Company for its use and benefit.

Not lawful in one enclosure more than 250 cords wood; duty of Chief Fireman; penalty $100 per day.

(12.) No lumber yard of any description, or open place for the stowing away of lumber beyond sixty thousand feet, shall be permitted within the present fire limits, as defined in the first Section of this Ordinance, and on the north by the river; and that in no lumber yard or open place within the said limits shall the lumber be piled higher than fifteen feet; and any person or persons violating any of the provisions of this section shall be fined in the sum of one hundred dollars for every day's violation as aforesaid.

Lumber yards not more than 60,000 feet, or piled higher than 15 feet; Penalty $100 per day.

(13.) Every house or building which shall hereafter be erected in the City of Savannah and the Hamlets thereof, of brick, stone, tabby or tapia, of more than one story, shall have a thickness of wall in the lower story, of a brick and a half or not less than twelve inches, and nine inches above the lower story; and every house or building, of such description, and whether of one or more stories in height, shall be covered with slate, tile, tin or

Brick buildings over one story; wall 12 inches in lower and nine above.

Buildings to be covered with incombustible material; gutters.

other incombustible material, and the gutters thereof shall be secured against fire; and all additions which shall be made to the houses or building already erected, and all houses and buildings which shall be erected on old foundations in part or in whole shall be deemed and considered within the provisions, restriction and regulations of this section; and every person offending against any of such provisions, shall on conviction before the Police Court, be fined in a sum not exceeding one hundred dollars, and it shall moreover be lawful for the Mayor and Chief Fireman to cause any building or house built or constructed, in part or in whole against the requirement of this section to be pulled down at the expense of the owner thereof. (By Ordinance of 12th June, 1856, the 2d Section of the Ordinance of 15th August, 1839, was amended by adding thereto these words viz: "Except that such addition, if made of wood shall be covered upon the external sides and ends thereof, with some metal of sufficient thickness put together without solder.")

Additions to buildings same provisions; Penalty, $100; and Chief Fireman to have building pulled down at owners expense.

Exceptions as to additions.

(14.) All houses or buildings within the said City, and the Hamlets thereof, which have been, or hereafter shall be erected in the manner prescribed in this Ordinance, within said fire limits, and which are now, or hereafter may be covered with slate tile or other incombustible material, shall continue to be so covered with slate, tile or other incombustible material and shall be kept secured against fire in manner hereinbefore described—And if any person or persons being owner or proprietor of such house or other building, or having authority, or whose duty it shall be to repair the same, shall suffer such house or other building to remain, in whole or in part, uncovered with slate, tile or other incombustible material, for the space of thirty days after he, she or they shall be notified by any of the City officers or the Fire Department, he, she or they shall forfeit and pay for such offence, a sum not exceeding thirty dollars, and shall be subject to a like fine for every thirty days afterwards that such house or building shall remain so uncovered.

Buildings covered with incombustible material to be kept so.

Penalty $30 for every 30 days, &c.

(15.) It shall not be lawful to remove any house or building through the streets of Savannah, without the written permission of the Mayor of said City; and that any person or persons engaged in such removal shall be fined in a sum not exceeding thirty dollars for every day such house or building may be left on, or passing through any street, lane, square or other public place in the City of Savannah; and that whenever, in the

No removal of wooden buildings through the streets without permission of Mayor; penalty $30 per day; if a nuisance Mayor, &c., to direct the Marshal to remove it.

opinion of the Mayor and any two Aldermen, such house or building may be considered a nuisance, the Mayor and such Aldermen may, by written instructions, direct the Marshal of the City to remove such nuisance, in any manner they may direct.

(16.) The six fire districts of the City shall be known, distinguished and numbered as follows, to wit:

Fire Districts.

The First Fire District shall include all that portion of the City and hamlets thereof bounded as follows: north by the River, east by a line commencing at the lowest point east of the eastern wharves and running south to a point opposite the eastern terminus of South Broad street, south by the line of South Broad street, extended eastwardly to said last mentioned point, and West by Bull street.

1st Fire District.

The Second Fire District shall include all that portion of the City and hamlets bounded as follows: north by the line of South Broad Street extended to the eastern limits of the City and hamlets, east and south by the eastern and southern limits of the City and hamlets, and west by Bull street.

2d Fire District.

The Third Fire District shall include all that portion of the City bounded as follows: north by the River, east by Bull street, south by South Broad street, west by West Broad street.

3d Fire District.

The Fourth Fire District shall include all that portion of the City and hamlets bounded as follows, to wit: north by South Broad street, east by Bull street, west by West Broad street, and south by the line of incorporation of the City.

4th Fire District.

The Fifth Fire District shall include all that portion of the City and hamlets bounded: north by the River, east by West Broad street, south by New street, and West by the Canal.

5th Fire District.

The Sixth Fire District shall include all that portion of the City and hamlets bounded: north by New street, east by West Broad street, south by the line of incorporation of the City, and west by the Canal.

6th Fire District.

(17.) It shall be the duty of the Watchman in the cupola of the Exchange, at the occurrence of a fire, first to give a general alarm by ringing the Exchange bell continuously for a space of time not exceeding two minutes, and then to designate the district where such fire may occur, by tolling the bell for the First District; striking twice, with short intervals, for the Second District; striking three times, with short intervals, for the

Watchman in Exchange cupola to ring bell at the occurrence of a fire for two minutes.

Tolling bell for 1st District; striking twice for 2d; thrice for 3d; 4 times for

4th; 5 times for 5th; 6 times for 6th.

Third District; striking four times, with short intervals, for the Fourth District; striking five times, with short intervals, for the Fifth District; striking six times, with short intervals,

Ringing to be 30 minutes except another fire occurs.

for the Sixth District; said ringing and tolling of the Exchange bell to continue for a space of time not exceeding thirty minutes, when it shall cease: *provided*, nevertheless, that, if during the prevalence of fire in any part of the City there should occur a a fire in another part of the City, then it shall be the duty of the Watchman in the cupola of the Exchange to designate the district where such a second fire may occur, by tolling and striking the Exchange bell in the manner above prescribed.

Officer of the Watch, Guard House bell.

(18.) It shall be the duty of the officer of the Watch to cause the Guard House bell to be rung for a period of thirty minutes at the occurrence of fire.

Officer of Fire Company and of Watch to report neglects; offender fined $10 or dismissed.

(19.) It shall be the duty of the officer of the Fire Company and of the City Watch, to report all neglects of the duties required in the two immediately receding sections, and upon conviction before the Police Court of Savannah, the offender so convicted shall be fined in a sum not exceeding ten dollars, or be dismissed from service.

FIRE DEPARTMENT.

State Law, assented to Dec. 2d, 1824—G. M. Troup, Governor. (Dawson's Compilation, page 458.)

AN ACT, To establish an Engine Company in the City of Savannah.

Preamble.

WHEREAS, The safety and preservation of the City of Savannah, essentially depend, in cases of fire, upon the skilful and correct management of engines, for the attainment of which,

The Corporation of Savannah to nominate the members.

21 in number.

No. 146. (1.) Be it enacted, &c., The Corporation of the City of Savannah shall have power and authority, and they are hereby empowered and authorized to nominate, select and appoint certain individuals, being free white persons, and not exceeding twenty-one in number, and who, when so appointed, shall be known as the "Engine Company of the City of Savannah."

Their Style.

Company to take charge of engines, and be subject to the Corporation.

(2.) It shall be the duty of the said Company, in cases of fire, to take charge of and manage the Engines in the City of Savannah; and the said Company shall be subject to such rules and regulations for their government and conduct as shall be prescribed by the said Corporation of the City of Savannah.

(3.) The said twenty-one persons, when so selected by the

said Corporation, shall not be liable during their continuance as members of the said Engine Company, to the performance of ordinary militia duty, or to jury duty.

Members exempt from militia or jury duty

State Law, assented to Dec. 24th, 1825. (Dawson's Compilation, page 462.)

AN ACT, To amend an Act entitled an Act to establish an Engine Company in the City of Savannah.

Corporation of Savannah authorized to nominate 14 additional members.

No. 147. (1.) Be it enacted, &c., That for the greater safety and better preservation of the City of Savannah, in cases of fire, from and immediately after the passage of this Act, the Corporation of said City shall have power and authority, and they are hereby empowered and authorized to nominate, select and appoint certain individuals, being free white persons, not exceeding fourteen in number, in addition to and forming a part of said Engine Company, the said fourteen persons being liable to the performance of the said duties, and entitled to the same privileges as provided in the Act under the title above recited for the establishment of an Engine Company in the City of Savannah.

Duties, &c.

Ordinance 11th March, 1825.

WHEREAS, The Legislature of 1824, having enacted a law by which the City Council of Savannah is invested with power to appoint twenty-one firemen, and the said Council, in conformity with that law, having appointed to be foremen S. B. Parkman, R. R. Cuyler, et. al.:

Savannah Fire Company.

No. 148. (1.) The above mentioned individuals, appointed by Council, shall be formed into a company to be denominated the Savannah Fire Company.

Officers.

(4.) The said Fire Company shall select from their own body a chief, and such other officers as may appear to them to be necessary, and shall have power to make and establish a system of by-laws, which they may alter or amend at pleasure, for the

By-Laws.

management and direction of said Company, provided such by-laws shall not be contrary to the provisions of this or any other Ordinance; and the said Company shall have power to fine or

Fines.

expel any of its members for violations of this Ordinance or the by-laws of said Company. And for the convenience of said Company, it shall be lawful for them to employ a clerk, either

Clerk.

from among themselves or otherwise, who shall receive for his services a salary of eight dollars per month, which shall be paid by the City Treasurer to the order of the Chief Fireman.

Salary, $8 per month.

Chief Fireman.

(5.) The said Company, after the appointment of the said Chief Fireman, at any time, shall always make a report of the

same to Council, with the name of the individual so appointed, who shall be responsible to perform the duties, and shall possess the powers to be hereinafter specified in this Ordinance.

Members at fires.

(6.) The members of said Company, on the alarm of any fire, shall assemble immediately at said fire, with their engines and fire apparatus, under such regulations as the said Company may choose to adopt. And the Chief Fireman and the other members of the said Company shall, on such occasions of fire,

Badge.

wear some distinguishing badge, by which they shall be known, and the badge of the Chief Fireman shall differ from the badges of the other firemen, so that he may be known and distinguished from them.

Engines, &c.

(7.) Said Company shall be empowered to take charge of, and to have the care and management of all the engine-houses, engines, buckets, fire-hooks, fire-hose, ladders, and other implements for extinguishing fires, that now belong to, or may hereafter be provided by Council.

Command at fires.

(8.) In case of fire, the Chief Fireman shall have the supreme and absolute command of the firemen, of all persons connected with the Fire Department, and the entire apparatus that may be employed for the extinguishment of fires; and in the absence of the said Chief Fireman, the above supreme authority shall devolve on some other fireman or firemen, according to such arrangement as shall have been previously provided by the Fire Company for such emergency. And it shall be the duty of the

Chief Fireman twice a year to examine fire apparatus, &c., and report to Council.

said Chief Fireman to examine, or cause to be examined, twice or oftener, in every year, into the condition of the engine-houses, engines, fire-buckets and other fire implements belonging to the Corporation, and make a statement of it to Council, and if any addition or repairs should be required at any time, it shall be his duty, in co-operation with the Engine Committee, to cause them to be done, and a report of the expenditures be communicated by him to Council at an early period after the work shall have been performed.

City Marshal in July and January, to return to Chief Fireman an account of free negroes and slaves; their duty.

(9.) The City Marshal shall, immediately after the passing of this Ordinance, and thereafter in July and January of every year, take an account of the colored and negro free men between the ages of fifteen and sixty, in this City, and shall make a return of the same to the Chief Fireman, to be subject to the orders of the Fire Company in managing the fire apparatus in such manner as they may deem best, in accordance with the

provisions of this Ordinance; (*See Ordinance of 25th May, 1826, as to Slaves, page* 162;) and the said free men of color and free negroes enrolled as aforesaid, shall assist to work the engines whenever called upon by the Company in alarms of fire; and it shall be their duty, when a fire breaks out, to repair immediately to the engine-houses, or any other place or places that the Fire Company may have selected, and each free man so enrolled, shall furnish himself with a cap or hat, on which shall be put the initials F. C., to be worn whenever he is on duty; and all commands and orders of the fireman shall be promptly obeyed by the said free men of color and free negroes; and if the said free men of color and free negroes, shall, on any alarm of fire, fail to repair to the engine-houses or appointed places as aforesaid, or shall refuse or neglect to obey the orders

$10 fine for neglect, &c., of duty.

and commands of the fireman, upon due proof thereof, they shall be fined in a sum not exceeding ten dollars, or be imprisoned in the common jail of the county not less than five nor more than fifteen days; and all such cases shall be examined and determined by the Fire Company. And whenever the said fine and imprisonment shall have been decreed by the said

How collected.

Company, it shall be the duty of the Chief Fireman to issue a warrant, directing the same to the City Marshal or any of the City Constables, who shall execute it, under a penalty of thirty dollars, to be inflicted on complaint and proof of neglect, by the City Council. And the said free men of color and free negroes enrolled as aforesaid, shall be exempt from the payment of any poll-tax.

Free negroes exempt from poll-tax.

Axe, hose, hook and ladder men.

(11.) The Fire Company shall have power to form, from the free persons of color, free negroes and hired slaves above mentioned, as many axe-men, hose-men, hook and ladder-men, as they may deem requisite, and to apportion their services after such mode as they shall approve, for the extinguishment of fires. And for the more effectually perfecting the said free men and slaves in their duty, and keeping and preserving the fire apparatus from injury or decay, it shall be lawful for the Fire Company

Fire Company to meet once a month for drill.

at least once in every month, to order out said free men and slaves for the purpose of playing off the engines, and drilling in the use of them, cleansing and keeping in good condition the ropes,

Examine fire apparatus, &c.

buckets, hose, ladders, &c., that they may always be fit for use. And if any free person of color, or free negro, shall neglect the said duty, it shall be lawful for the aforesaid Company to inflict

Fine $10 for default.

a fine not exceeding ten dollars for any such default, or at their discretion to subject the said free person of color, or free negroe, to an imprisonment for a term not exceeding fifteen days, which

How collected.

fine or imprisonment shall be executed by the City Marshal, under a warrant issued and directed to him by the Chief Fireman. (*See page* 162.)

Members of the Company, at fires to command aid in filling engines, &c.

(12.) It shall be lawful for the Chief Fireman, or any of the members of the fire company, when a fire breaks out, to command any person or persons to aid and assist in filling the engines with water and in conveying the said engines and buckets to the place or places where the fire may be, and to aid and assist in extinguishing the fire under the direction of the firemen. And if any person or persons shall refuse or neglect to

Neglect to aid, arrest, &c.

obey such command, it shall be the duty of the City Marshal, or any of the City Constables, or in their absence, it shall be lawful for any fireman, to arrest such person or persons, and bring him or them before the Mayor, or any of the Aldermen present, who is hereby authorized to commit him or them to the guard house until the next day if at night, or if in the day time, to commit the said offender or offenders to the custody of a guard until the extinguishment of the fire, and thereafter take his recognizance, to appear at the next meeting of Council, to answer

$30 fine for refusing aid, &c.

for the said offence; and on conviction thereof, shall be fined in a sum not exceeding thirty dollars; and the Clerk of Council shall, when directed by Council, publish the same, with the name of the party, at least once, in the gazettes of the City.

$30 fine for detaining or secreting axes, &c.

(13.) The fire company shall cause to be returned after the extinguishment of the fires, and securely deposited in such place or places as are provided for them, the engines, buckets and other implements belonging to the Corporation. And if any person or persons shall detain or secrete any axes, buckets or other public articles, he, she or they shall forfeit and pay a sum not exceeding thirty dollars for each bucket, axe, or other article so secreted.

Duty of Marshal &c., at fires.

(15.) In case of alarm by fire it shall be the duty of the City Marshal and City Constables to assemble at said fire with their staves of office, and report themselves to the Mayor, Chairman or such Aldermen as may be present, and attend the fire during the continuance of said fire, and each and every of them shall obey all such orders and directions as may be given them by the Mayor, Chairman or Aldermen present, for enforcing the

provisions of this Ordinance, and for the preservation of the public peace, and it shall be their duty to remove all idle sus-

Remove idle, suspected persons.

pected persons, or others that may not be actually and usefully employed in extinguishing the fire. And in case the City Marshal or any Constable of the City shall be absent from any fire within said City, or shall come without his staff, or fail to report himself to the Mayor, Chairman or Aldermen present or shall refuse or neglect to obey any order that may be given him as afore-

Marshal fined $30 for neglect, &c.

said, and cannot show a reasonable excuse to the City Council for such absence, disobedience, or failure, he shall be fined in a sum not exceeding thirty dollars.

Mayor and Aldermen to assemble at fires.

(16.) When any fire shall occur, it shall be the duty of the Mayor and Aldermen to assemble at the place of said fire to enforce the provisions of this Ordinance, but not interfere in any manner with the said firemen in the exercise of the functions herein assigned to them.

Firemen to enter houses, &c., search for gunpowder, combustible matters, &c.

(17.) It shall be lawful for the firemen, or any two of them, to enter into the houses, outhouses, stables, and yards of every owner or tenant of the same in Savannah, whenever they shall see occasion, and inquire, search for, and examine if any quantities of gunpowder, hay, straw, fodder, pitch, tar, rosin, turpentine, hemp, oil, tallow, unpacked cotton, or other combustible matters are lodged in any such place within said City, which may be in danger of taking fire; and if the said firemen, or any two of them, shall find that there is apparent danger that fire may be communicated by such combustibles, they shall admonish the owner or tenant of such house or houses to remove the same, and in case such person or persons shall refuse or neglect to remove the same, immediately after such notice is given, the said firemen, or any two of them, are hereby empowered and directed to remove the same, and have the same lodged in some

Remove the same.

more secure place, at the charge and risk of the owner or tenant; and should the said firemen, or any two of them, be opposed in

If opposed therein, to inform the Mayor, &c.

the removal of the said combustibles, it shall be their duty immediately to inform the Mayor or any three of the Aldermen, who shall cause the said combustibles or materials to be immediately removed, at the expense of the offender or offenders, by written orders given to the Marshal, Constables, or City Guard, and such person or persons so offending against this section of the Ordinance, shall be fined in a sum not exceeding thirty

Offender fined $30.

dollars, by Council, and the same recovered as usual in other cases.

Examine chimneys.

If dangerous, to report to Council.

(18.) The said firemen shall have power to examine into the situation of any chimney or other fire place in Savannah, and if they or any two of them shall think the same dangerous to the neighborhood, or that fire may be communicated thereby, they or any three of them are hereby empowered and required to order the same to be pulled down, altered or removed, immediately, and in case the owner or tenant shall refuse or neglect to alter, remove or pull down the same, it shall be the duty of the said firemen to make report to Council, who are hereby authorized to order the City Marshal to cause the same to be pulled down, altered or removed, at the expense of the owner or tenant, and such offender shall be fined in a sum not exceeding thirty dollars for every such offence, refusal or neglect.

Offender fined $30.

Chief Fireman, &c., to pull down or blow up any house to prevent the spread of fires.

(20.) It may be lawful, at any fire, for the Chief Fireman, or in his absence the Directing Fireman, whoever the Fire Company may have provided for such an emergency, calling to his advice and assistance the Mayor, or in his absence at least one Alderman, and he is hereby authorized and empowered, to order and command any person or persons to pull down or blow up any house or houses, or other buildings which he may judge absolutely necessary to be pulled down or blown up for preventing the further spreading of the fire. And if any person or persons not so ordered and commanded by the Chief Fireman or Chief Director as aforesaid, shall aid or assist in any manner to pull down or blow up, or shall proceed with such purpose to injure in any manner any house or houses during the progress of a fire, he or they shall be immediately arrested by any of the firemen, by the City Marshal, or any of the City Constables, and they are hereby commanded to arrest such person or persons, and to bring him or them before the Mayor or any of the Aldermen, who is and are hereby authorized to take from such person or persons so offending a recognizance for his or their appearance at the next meeting of Council to answer for said offence, and on conviction thereof shall be fined in a sum not exceeding thirty dollars.

To arrest persons injuring houses when not ordered.

Fine $30.

Duty of Scavenger.

(21.) It shall be the duty of the City Scavenger, on the breaking out of any fire, to order his carts at the different places where the public buckets, fire hooks, ladders, and other implements for the extinguishment of fire are kept, and to assist in carrying the same to the fire or such place or places as may be directed by the firemen, and after the extinguishment of the fire,

shall repair in like manner with his carts, and collect under the orders of the firemen all the buckets hooks, ladders, ropes and other implements that shall have been employed and have them carried to such place or places as the said firemen may direct.

Who shall ride through the streets, &c., at fires.

(22.) It shall not be lawful for any person or persons whatsoever to ride in or through any part of a square, street or lane, in which the inhabitants shall be assembled for the purpose of extinguishing fire, except the commandant of the militia, with such officers as may be necessary in attendance on him, and it shall be lawful for him or them to do so in such cases only as may require that he should communicate with the Chief Fireman. (Ordinance of 26th August, 1852, says, "It shall be lawful for the Mayor, Chief, Second and Third Fireman to ride on horseback through any part of a square, street or lane in which the inhabitants shall be assembled for the purpose of extinguishing fires.") And should any person or persons, not of the above description as herein excepted, attempt to ride in or through such parts of squares, streets or lanes, in which persons are assembled for the purpose of extinguishing the fire as aforesaid, such person or persons so offending, shall, on conviction thereof, be fined in a sum not exceeding thirty dollars.

Fine, $30.

Militia at fires.

(23.) To prevent, as much as may be, the great confusion which may arise from too many men under arms at the time of fire, it shall be the duty of the Mayor to request the Commander of the militia, for the time being, to fix the number of men necessary to be under arms in time of fire by a rotine, once in every three months, who shall be posted in such position and such other disposition made of them as may be most conducive to the safety of the City.

Ladders and scuttles.

(25.) Every owner of a wooden house or houses, brick or stone house or houses, covered with wood, occupied as a dwelling house or kitchen, or store houses of more than one story, shall provide the same with a sufficient ladder, or have a scuttle or door cut through the roof of such house or houses large enough for a man to pass through conveniently, under the penalty of a fine not exceeding thirty dollars. (See Title, "Ladders and Scuttles.")

Fine, $30.

Ordinance 24th March, 1825.

Mayor to fill vacancy.

No. 149. (1.) And that the number of said Company may always be complete, the Mayor of the City shall have the power

to fill such vacancy from the persons so nominated until the meeting of Council, at which the regular appointment may be made.

Absent members to have substitutes.

(2.) Whenever any member of the said Company shall contemplate an absence from the City for more than one month, he shall provide a substitute to act in his place during his absence, who shall be approved by the Chief or commanding fireman, and such substitute, during the time of the absence of the principal, shall be subject and accepted as such to the above Ordinance, and to all the by-laws, rules and regulations of said Company.

Ordinance 8th Dec., 1825.

Vacancies, how filled.

No. 150. (1.) Whenever any vacancy shall occur by death, resignation or otherwise in the said Company, it shall be the duty of the members immediately to nominate a proper person to fill such vacancy, such nomination to be made from citizens not under twenty-one, nor over fifty years of age, and the Chief Fireman or Commanding Officer shall immediately communicate such nomination to Council, who shall reject or confirm the same.

Nominate to Council.

If rejected re-nominate.

(2.) Should Council reject any person or persons nominated by the Fire Company as above, it shall be the duty of the Fire Company immediately to nominate another person or persons in place of such as may have been rejected by Council, until such vacancy be filled.

Ordinance 16th March, 1826.

No compensation for giving alarms.

No. 151. (1.) No person or persons shall receive any compensation for giving any alarm of fire, by the ringing of bells or beating of drums.

Ordinance 25th May, 1826.

Slaves receiving badges to be enrolled under the Fire Company.

No. 152. (1.) Every male slave between the ages of sixteen and sixty years who receives a badge from the City, shall be registered and enrolled under the the Fire Company, subject to be called out to work on the fire apparatus and drilled at such times as the Fire Company may direct, such slave being entitled to the sum of twelve and a half cents for each hour he is so employed, subject to the penalties hereinafter mentioned.

Pay 12½ cents per hour.

Duty of such slaves.

(2.) Each of said slaves shall on every alarm of fire, repair promptly to the post assigned him by the Fire Company, and be subject to the orders of such officers as said Company shall

direct, and that any one of said slaves who shall not repair to his post upon any summons for drill or working party within fifteen minutes after the time appointed, shall forfeit one hour's wages, Fines. and the same rate for every fifteen minutes absence, without an excuse satisfactory to the Fire Company; one hour's absence to be a total default and subject the slave so in default to a penalty of fifty cents.

Neglect of duty, forfeiture of badge.

(3.) Any defaulter for not appearing promptly at his post on an alarm of fire, without a satisfactory excuse, on report of the same to the Mayor of the City, the badge of said defaulter shall be forfeited, and no further badge allowed him, unless by order of Council.

Master of Engine to correct slave disobeying, &c.

(4.) Any wilful disobedience of orders shall subject each slave so offending to a prompt and immediate correction under the direction and superintendence of the master of the engine to which he may at the time be attached.

Time of slaves

(5.) It shall be the duty of the Fire Company to keep, or cause to be kept, an accurate account of the time each slave is employed in working or drilling, and also of such penalties he may have incurred, and all wages due after the said penalties are deducted, shall be paid him quarterly.

Reward for first getting to engine.

(6.) The man, whether he be a free man of color or one of the above described slaves belonging to an engine, who first gets to it on an alarm of fire, shall be entitled to the sum of one dollar, and the second and third men so arriving, shall be severally entitled to the sum of fifty cents.

Fines unpaid, badge forfeited.

(8.) When the penalties incurred by any of said slaves shall amount to the price given for the badge held by such slave, in default of the payment of such penalties, the said badge to be forfeited, and said slave to be no longer entitled to the immunities and privileges of the same.

Ordinance of 20th July, 1826.

Rewards for good conduct at fires.

No. 153. (1.) For the encouragement of free persons of color, free negroes, and hired slaves who may be active in carrying the engines, ladders, fire-hooks, and other apparatus to extinguish fires, or who may be otherwise conspicuously useful in extinguishing the same, rewards may be distributed by the Fire Engine Company, to such persons and in such manner and amounts (not exceeding in the whole for each fire thirty dollars,) as the said Company may determine. And the order of the

Chief Fireman therefor, countersigned by the Clerk of said Company, shall be paid by the City Treasurer at sight.

Ordinance of 5th June, 1828.

Chief Fireman twice a year to examine ladders, &c., upon buildings, &c.

No. 154. (2.) When, at the semi-annual examination of the Fire Company, the ladders, now upon the buildings requiring them, shall be found insufficient, it shall be the duty of the Chief Fireman to cause the owner or occupier thereof to be notified of such insufficiency, and require that such building shall, within thirty days thereafter, be provided with such scuttle and steps as are specified in the first section of this Ordinance; and if such building is not so provided within that time, the owner thereof shall be fined in a sum not exceeding thirty dollars, and a sum not exceeding twenty dollars for every thirty days thereafter which it may remain so unprovided.

If deficient, owner fined $30, &c.

Also, to examine scuttles, &c.

(4.) It shall be the duty of the Chief Fireman to cause an account to be taken of such wooden building and buildings covered with wood, over one story high, as have their scuttles in the roof so far from the ridge as not to admit a person to go thereon with safety and facility, and to notify the owners or occupiers thereof to have the same provided with such scuttle and steps as are required in the first section of this Ordinance; and the owner or owners of such buildings as, thirty days after such notification, shall not have such scuttle so altered, shall be fined in a sum not exceeding ten dollars, and in a further sum not exceeding five dollars for every thirty days which it may hereafter remain so unaltered.

If scuttle not altered, owner fined $10.

State Law, Assented to 18th Dec., 1834—Wilson Lumpkin, Governor.

Pamphlet Laws, 1834, *page* 131.

Savannah Fire Company incorporated.

AN ACT to incorporate the Fire Company of the City of Savannah in the County of Chatham.

Preamble.

WHEREAS, a memorial has been presented to the General Assembly of the State of Georgia by the members of the Savannah Fire Company, stating that said Company is now in possession of the sum of thirteen hundred dollars, obtained from fines and admission fees of members, which said memorial prays An Act of incorporation to said Company, to enable it to hold real and personal estate, the interest and rents of which are intended to be appropriated to the relief of disabled or distressed members of said Company and their families.

Names of members.

No. 155. (1.) *Be it enacted, &c.*, That from and after the passage of this Act, George A. Ash, Benjamin E. Stiles, Thomas Purse, John W. Long, Daniel Potter, John Gardner, W. W. Holton, Benjamin Snider, William Waters, L. Baldwin, M. Eigle, Hanford Knapp, William Remshart, Cyrus B. Carter, James Folker, William Herb, Gilbert Butler, William Rahn, J. J. Waver, J. G. Falligant, P. K. Wait, S. Little, S. D. Corbett and W. K. Gaston, members of said Fire Company, and their successors, be and they are hereby incorporated under the name, style and title of the "Savannah Fire Company," and shall have power, under their corporate name, to sue and be sued, plead and be impleaded, answer and be answered to, in any and all the Courts of this State, and to have, exercise and enjoy all the powers herein granted not repugnant to the Constitution of the United States and of this State.

Power to sue, &c.

(2.) That said Corporation be and is hereby invested with power to purchase, with said fund now in its possession, and such additions to it which may hereafter be derived from the same sources, real and personal estate; and also, to receive all donations, legacies and bequests which may be made to it, to be held, used and enjoyed for the purposes hereinafter mentioned: that is to say, that the rents, interests and profits of all such property which said Corporation may purchase or be interested in, and the interest of all loans which it shall make shall be used and applied to the purpose of relieving the distresses of its members, and to and for no other use or purpose whatsoever.

Purchase real and personal estate.

Receive donations, &c.

Rents, &c., applied to relief of distressed members.

(3.) That said Corporation shall elect their officers in the manner pointed out in the Ordinances of the City Council of Savannah, and that nothing in this Act shall be so construed as to make said Fire Company independent of the City Council, but that it shall continue to be subject to the same control of the City Council as that body has heretofore exercised over it.

Elect officers.

Subject to control of the City Council.

(4.) That said Fire Company hereby incorporated shall, on the first Monday of January, annually, report to the City Council of Savannah what property they have purchased or become interested in, what loans they have made, the state of their funds, what disbursements they have made, and for what benevolent purposes.

Annual report to City Council.

Ordinance 1st October, 1853.

Oglethorpe and Washington Fire Company in January nominate their two first officers.

No. 156. (1.) The Oglethorpe Fire Company, and the Washington Fire Company of the City of Savannah, shall each on their first regular meeting in January, in each and every year hereafter, nominate respectively, out of their bodies respectively, their first two officers, and shall report said nominations to the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, at the first meeting of said board thereafter, and the said Mayor and Aldermen shall confirm or reject the said persons so nominated to them, and if they shall reject them or either of them the said Fire Companies shall proceed to nomi-

For confirmation by Council.

If rejected, renominate.

nate other persons in lieu of those rejected, and whenever the Mayor and Aldermen of the City of Savannah shall confirm said nominations the said persons so confirmed, shall become the first and second officers of said companies and therefore ex-officio additional members of the Savannah Fire Company, but subject to all the rules and regulations of said Fire Company in the same manner as any other members of said Savannah Fire Company.

Subject to rules, &c., of Savannah Fire Company.

(2.) Immediately upon the termination of their official position, either by resignation or otherwise, all the rights, duties and responsibilities created by this Ordinance, shall cease to exist in them and be transferred to their successors.

Official position, term, &c.

(3.) No cistern, engine house, engine, fire plug, ladder, fire hooks, buckets, axes, nor any other property or apparatus used for extinguishing fires, belonging to the City of Savannah, (Ordinance of 19th February, 1857, says, "or to any person or persons, corporation or corporations whatsoever,") shall be used at any fire, by any person or persons, except under the direction, management and control of the Savannah Fire Company, through its acting Chief, and all orders given to any Fire Company through said acting Chief or any member of the Savannah Fire Company acting by his orders, shall be obeyed by all Fire Companies, whether their acting first or second officers be present or not.

Engine houses, &c., not to be used except under directions of Savannah Fire Company, &c.

(4.) The Chief Fireman or such person as may be acting in his place, shall have power, if any person shall violate any of the provisions of this Ordinance, or shall refuse or neglect to obey any command to cause the City Marshal or any City Constable, or in their absence, it shall be lawful for any fireman to arrest such person and bring them before the Mayor or any of the Aldermen present, who is hereby authorized to commit him to the Guard House until the next day, if at night, or if in day time, to commit the said offender to the custody of a Guard until the extinguishment of the fire, and thereafter take his recognizance to appear before the Mayor at the next ensuing Police Court, and on conviction thereof, shall be fined in a sum not exceeding (Ordinance of 19th February, 1857, says) "one hundred" dollars.

Chief or acting Chief Fireman, to arrest any person disobeying commands, &c.

Fine $100.

(*See Titles, "Chimney Contractors," "Docks and Wharves," "Disorderly Conduct," "Fire," "Ladders and Scuttles," "Stoves," "Vessels," "Wooden Workshops."*)

FIRE DISTRICTS.

(*See Title, Fire, Section* 16.)

FIRE INSURANCE.

(*See Title, Specific Taxes, Section* 8.)

The tax is 5 per cent. on premiums received, less losses actually paid. Return to be made before 15th January, annually; if in default, the Finance Committee assess the tax in 10 days thereafter, and execution issues immediately assessment is approved by Council.

Tax.

FIREMEN'S HALL.

Ordinance 5th May, 1853.

AN ORDINANCE to be entitled An Ordinance to appropriate and set apart a lot whereupon to erect an Engine House and Firemen's Hall.

No. 157. (1.) A lot of land, (see below,) sixty feet in width and ninety feet in depth, situate at the south-west corner of Abercorn and South Broad streets, be, and the same is hereby set apart for the purpose of having erected thereon a new Engine House and Firemen's Hall, for the use of the Savannah Fire Company.

Lot No. 73, Brown Ward.

Ordinance of 3d November, 1853, designates "Lot No. 73, contains ninety feet in front and eighty-three and a half feet in depth, and is known as the Firemen's Hall Lot."

90 feet in front, 83½ feet in depth

FIRE LIMITS.

(*See Title, Fire, Section* 1.)

FIRE PROOF BUILDINGS.

(*See Title, Fire, Section* 13.)

FIRE WOOD.

State Law, Approved March 6th, 1766. Vol. 1, 245.

Fire wood. Size of the cord.

Persons selling less than a cord.

Forfeit 10 shillings, &c.

No. 158. Article 8, Sec. 9. Every cord of fire wood which shall be sold in this province, shall measure eight feet in length, four feet in height and four feet in breadth; and in case any person or persons whatever having any fire wood sold and delivered them by the cord, as aforesaid, shall suspect a deficiency therein, every such person or persons shall and may apply to any of the Packers and Inspectors, to be appointed as aforesaid, to cord and measure the same; and in case any deficiency shall appear, the person or persons selling the same, shall, for every cord that shall be so deficient, forfeit the sum of ten shillings, and the Packer and Inspector measuring the same, shall be paid the sum of six pence, for every cord so measured, by the seller thereof, in case of deficiency; and in case no deficiency shall appear, then to be paid the sum of six pence by the person or persons applying.

(*See Title, Measurers of Wood.*)

FIRE WORKS.

(*See Sec. 8, Title, Specific Taxes.*)

Tax.

Tax of $30 to be paid before selling. Penalty $60.

FLOUR.

Ordinance 14th October, 1847.

Inspector of flour; bond $1,000.

Duty.

No. 159. (1.) The City Council shall appoint one or more inspectors of flour for the City of Savannah, who shall give bond and security to be approved by Council, in the sum of one thousand dollars for the faithful discharge of the duties of his office, and whose duty it shall be to inspect, when called upon, in the manner herein provided, any flour which may be brought to this market for sale. (Ordinance of 5th April, 1855, reads thus, "the first section of the above recited Ordinance shall be amended as follows: That Council shall, at the first regular meeting in January, annually elect an Inspector of flour, who shall give bond and security to be approved by Council, in

the sum of one thousand dollars for the faithful discharge of the duties of his office, and whose duty it shall be to inspect in the manner herein provided, any flour brought to this market for sale or export, whether in barrels or in bags, which has not been previously inspected by some legally qualified Inspector. And all flour subject to inspection shall be conveniently arranged for the inspection, and if any person shall prevent or attempt to prevent the Inspector from exercising the duties assigned him by this Ordinance, he, she or they shall, on conviction before the Police Court, be fined in a sum of twenty dollars, for each and every such offence, and in case of sickness, resignation or removal of said Inspector, the Mayor shall appoint some competent person to discharge the duties of Inspector, until an election can be held.")

Barrels of flour how examined.

(2.) Every barrel of flour shall be examined by the Inspector in the following manner: he shall provide himself with an instrument not exceeding five-eights of an inch in diameter, with which he shall penetrate through to the other head, and having obtained a sample, he shall plug the hole with a round piece of soft wood to prevent the entrance of water. Should the said Inspector judge the flour to be merchantable according to the provisions of this Ordinance, he shall provide himself with brands, with letters three-fourths of an inch in length, with which he shall brand each barrel according to quality, viz: "superfine," "fine," "middling," "first," or "second." He shall brand the word "Savannah," on each barrel and the initial letters of his name, and his compensation shall be three cents per barrel, to be paid by the owner or consignee of the flour. It shall also be the duty of the Inspector to inspect and brand half barrels and bags of flour, and to brand them in the same manner as aforesaid, and he shall receive the same compensation for them as for barrels. (Ordinance of 5th April, 1855, reads thus, "That the second section of the above recited Ordinance, be and is hereby amended, so as to classify and brand all flour inspected in the market, according to the following standards, viz: middling, fine and superfine, or extra superfine as the case may be, and the compensation for inspecting and branding each barrel or half barrel of flour, shall be five cents, and for inspecting and branding each bag of flour two and a half cents. And any person or persons who shall sell in this market any flour which has not

Brand.

Fee.

Half barrels and bags.

been previously inspected, shall on conviction before the Police Court be fined in a sum not less than five dollars, for each and every offence.")

Barrels how made.

(3.) All barrels containing flour brought for sale to this market, shall be well made of good seasoned materials, and tightened with thin hoops secured by four nails in each chime hoop, and three nails to each upper bilge hoop, and of the following dimensions: the staves of whole barrels twenty-seven inches long and the diameter of the head seventeen inches: the staves of half barrels, twenty-two inches in length, and the diameter of the head thirteen inches. And all barrels truly taxed on the same head with the mill brands shall be deemed merchantable barrels, the brand or mark to be so distinctly put on as not to be easily erased, and the name or brand of the mill, where such flour has been manufactured shall be placed on the head of each barrel, and the said Inspector is hereby directed not to brand any barrel of flour which has not been prepared, agreeably to the requirements of this Ordinance, under a penalty of one dollar for each and every barrel otherwise branded, and the Inspector shall cause all barrels which are unmerchantable, but are susceptible of being so repaired as to be made merchantable to be repaired at the expense of the owner or owners.

How branded.

Penalty $1 per barrel.

Barrel 196 lbs. nett; half barrel 98 lbs. nett.

(4.) Each barrel of flour shall contain one hundred and ninety-six pounds nett of flour, and each half barrel shall contain ninety-eight pounds nett of flour, and the said Inspector shall not brand any barrel or half barrel of flour, containing a less quantity of flour than is indicated by this Ordinance, under a penalty of one dollar for each and every violation or infraction.

Penalty $1.

Inspector's oath.

(5.) The said Inspector on his appointment shall make oath or affirmation before the Mayor of the City, that without fear, favor, or respect to persons, he will dilligently, and to the best of his ability, knowledge and skill, inspect all flour offered to him for inspection, and will brand the same according to the provisions of this Ordinance, and will, in all respects, faithfully discharge the duties of his office.

Inspector not to purchase except for family use

Penalty $10 per barrel.

(6.) No Inspector of flour shall purchase directly or indirectly any flour unless for the use of himself or family, under the penalty of ten dollars for each barrel or package purchased by him in violation of this Ordinance.

Fines: how appropriated.

(7.) All fines incurred under this Ordinance, shall be appropriated thus, one half to the informer and the other half to the City Treasury.

Inspector to inspect indian corn, wheat, &c.

(8.) It shall be the duty of the Inspector to inspect Indian corn and corn meal in bags or in barrels, when requested by the owner or consignee to do so, and he shall brand such only as he deems to be sound and merchantable, for which his compensation shall be three cents per bag or barrel, to be paid by the owner as aforesaid.

Fee.

State Law, Approved Nov. 22d, 1814. (Cobb's Digest, page 19.)

Inspections established.

No. 169. (1.) That there shall be a flour inspection established in the Town of Petersburg and Cities of Augusta and Savannah.

1 Inspector to be appointed by the Inferior Court for the City of Savannah.

(2.) The Inferior Courts in the several Counties aforesaid, at the first term of said Courts, after the passing of this Act, and biennially thereafter, shall appoint one person, of good repute, and a skilful judge of the quality of flour, to be Inspector of flour at the before-mentioned places. The Inferior Court of the County of Elbert, shall appoint one Inspector for the Town of Petersburg; the Inferior Court of the County of Richmond, one Inspector for the City of Augusta, and the Inferior Court of Chatham County, one for the City of Savannah.

Vacancies, how filled.

(3.) In case of the death of any person so appointed, or in the event of his refusing or neglecting to act, the Justices of the Inferior Court of said County, shall, as soon as conveniently may be thereafter, meet and appoint some other suitable person to fill such vacancy, who shall execute the duties of Inspector until the succeeding election; and if the Inferior Court shall neglect to make appointments, it shall and may be lawful for the City Council, or Corporation of the before mentioned Counties, to appoint an Inspector.

If the Court fails to appoint the Corporations may do it.

What shall be merchantable quality.

(4.) All bolted wheat flour, and every cask thereof brought to the places before mentioned for sale or exportation, (See below State Law 1855–6,) shall be made by the miller or manufacturer thereof merchantable, and of due fineness, and without mixture of coarser flour, or the flour of any other grain than wheat.

Barrels how made and marked.

(5.) All flour barrels packed with flour, brought to the before mentioned places for sale or exportation, (See State Law 1855–6,) shall be well made, and of good materials, twenty-seven inches in length, tightened with at least ten hoops, and sufficiently nailed, with the tare plainly marked on the head thereof; and every miller or bolter shall put into a barrel the full quantity of 196 pounds of flour, and shall put into every half barrel the quantity of 98 pounds of flour; and on failure thereof, shall forfeit and pay the sum of four dollars, to be recovered by any informer before any Justice having jurisdiction thereof; one half of which shall belong to the informer, and the other half to the County.

To contain 196 lbs; half barrel 98 lbs.

Penalty.

(6.) All barrels or casks of flour brought to the places afore-

Shall be inspected. said for exportation, (See State Law 1855–6,) shall be submitted to the view and examination of the Inspector, who shall

In what manner. expeditiously inspect the same by boring into the barrel from head to head, with an instrument of not more than three-quarters of an inch in diameter, to be by him provided for that purpose; and if he shall judge the same well packed and merchantable, according to the directions of this Act, he shall plug

And how branded. up the hole and brand the barrel with the name of the place at which he shall be Inspector, with a public brand mark, to be by him provided for that purpose, and approved of by the Inferior Court, City Council or Corporation, as the case may be, and shall also mark the degree of fineness, which he shall determine the flour to be on inspection, which degree shall be distinguished as follows: superfine, fine, middling and shipstuff, for

The several qualities. which trouble the Inspector shall have and receive from the

Inspector's fees. owner six and a quarter cents per barrel.

Packing flour uninspected in barrels ready branded. (7.) If any person or persons shall pack flour in old barrels which have been marked and branded agreeably to this Act, and which shall still have the brand of the Inspector thereon, such person or persons shall forfeit and pay the sum of twenty

Penalty $20. dollars, to be recovered by any informer before any Justice of the Peace having jurisdiction thereof: one half of which shall belong to the informer, and the other half to the miller or manufacturer, who has been injured by such false packing.

Inspector to purchase no flour except for his own use. (8.) It shall not be lawful for any Inspector, directly or indirectly, to purchase any flour by him condemned as unmerchantable, or any other flour whatsoever, other than for his own and

Penalty $30 per barrel. family use and consumption, under the penalty of thirty dollars for every barrel by him purchased, to be recovered upon information by any informer before any Justice of the Peace having jurisdiction thereof: one half of which shall belong to the informer, and the other half to the County.

Exportation of flour not inspected. penalty $10 per barrel. (9.) If any person shall export from the places aforesaid any flour, without inspection, as aforesaid, he, she or they shall forfeit and pay the sum of ten dollars for each barrel of flour so exported, to be recovered, upon information by any informer, before any Justice of the Peace having jurisdiction thereof, one half of which shall belong to the informer and the other half to the Inspector.

Inspectors shall be sworn; the oath. (10.) Every Inspector, before he enters on the duties of his office, shall take and subscribe the following oath, to wit: "I, A. B., do solemnly swear (or affirm, as the case may be,) that I will well and truly inspect all flour brought to me for inspection; that I will faithfully brand and mark the barrels as directed by this Act. So help me God."

Penalty $30 for neglect of duty. (11.) The said Inspectors shall be liable to indictment for any neglect of duty, and upon conviction thereof shall forfeit and pay a sum not less than thirty dollars.

Boats not to take in flour uninspected. (12.) It shall not be lawful for any owner or patroon or any boat in the City of Augusta to receive on board his or their

boat any barrel of flour to be carried to Savannah that shall not have been inspected, marked or branded as aforesaid; and any owner or patroon aforesaid who shall violate this law shall be liable to an indictment, and upon conviction thereof shall be fined in a sum not exceeding one hundred dollars. Penalty $100

State Law, Approved 3d March, 1856.

(*Pamphlet Laws, page* 15.)

City Inspectors of Savannah. No. 161. (3.) That all laws which have heretofore been passed making it the duty of the City Inspectors of the City of Savannah to inspect and tax inspection on flour made of wheat or other grain, whether in barrels or sacks, and transported to

Laws in relation to inspection of flour, &c., transported there for shipment, repealed. that port for shipment and not offered for sale in that City, whether to be exported to foreign countries or to any other port in the United States, be and the same are so far repealed as they authorize such inspection.

FREE NEGROES.

Ordinance 2d Aug., 1839.

Free negroes selling small wares, to take out a badge. No. 162. (4.) Any free negro, mulatto, or mestizoe, who shall sell, or offer for sale, in this City, any small wares of any description, shall be obliged to take out a badge for the same, for which he or she shall pay to the treasurer the sum of eight dollars, and if any free negro, mulatto, or mestizoe shall sell, or offer for sale, any small wares, as aforesaid, without having taken out a badge, as aforesaid, he or she shall be liable to a fine not exceeding twenty dollars, or to whipping, at the discretion of Penalty $20. the Mayor, Chairman, or any Alderman. (Ordinance of 22d October, 1829, says: "It shall be the duty of the City Marshal and City Constables, or either of them, to seize as forfeited to the use of the City, all articles which may be exposed for sale by venders of small wares throughout the City, without the proper license, and the person so vending shall, by the Mayor, or either of the Aldermen, be committed to jail, to be released on payment of three dollars, together with all costs and charges incurred.

(2.) The goods so seized by the Marshal or Constables, shall be immediately exposed to sale at the Market by order of the Mayor or any one of the Aldermen, and the proceeds of the sale be paid over to the Clerk of the Board of Health for the use of that body.")

To register their names with the Clerk of Council every year.

(8.) Any free negro, mulatto, or mestizoe, of the age of sixteen years and upwards, living or residing within this City, shall be obliged, yearly, and every year, to register his, or her name, in the office of the Clerk of Council, in a book to be kept for that purpose, with the numbers of his or her family, occupation and place of residence, and in case of removal shall previously give notice thereof in said office, and if any free person of color shall neglect or refuse to report himself or herself, as aforesaid, or shall neglect to give previous notice of his, her or their intended removal, as before required, every such person so offending, shall forfeit a sum not exceeding four dollars.

Or forfeit $4.

Ordinance 10th July, 1834.

No liquor license granted to free negroes.

No. 163. (1.) No license shall be granted to free persons of color to retail spirituous liquors, cordials or other articles containing spirits.

Or to white persons for their use.

(2.) No such license shall be granted to white persons for the benefit of free persons of color, and that if any license granted to any white person shall be used for the benefit of any free person of color, for the purpose aforesaid, the said license shall be forfeited, and the person or persons who shall suffer such use of such license, upon conviction, shall be fined in a sum not exceeding thirty dollars, for each and every offence.

Penalty $30 and license forfeited.

Ordinance 29th Oct., 1857.

Tax on free negro residents, unless they belong to the Fire Company. Males $10; females $6.25.

No. 164. (8.) Each and every free negro or person of color, an inhabitant of this City, not exempt from taxation under the Fire Ordinances of this City, and exercising any trade or handicraft, or the business of a carter, drayman or huckster, shall pay a poll tax of ten dollars; and each and every other male free negro, or person of color, between the ages of sixteen and forty-five years, not exempt from taxation under the said Fire Ordinances, and each and every other female free negro, or person of color, between the ages of fourteen and forty-five, shall pay a poll tax of six dollars and twenty-five cents; *Provided*, that nothing contained in this Ordinance shall be construed to affect any existing Ordinances on the subject of badges or licenses for free persons of color, but the same are hereby declared to be in full force.

Tax on non-resident free negroes $100;

Each and every free person of color, between the ages of fourteen and sixty years who shall come into this City for the

purpose of residing therein, shall, within thirty days from the time of his or her arrival, pay to the City Treasurer the sum of one hundred dollars, in addition to such other tax or taxes as may be imposed by this or any other Ordinance; and if said sum be not paid as aforesaid, the Mayor, upon information of such default, shall and may direct the City Marshal, or the Deputy, to cause such defaulting free person of color to work on the streets, or elsewhere, for the benefit of the City, until such tax shall be paid; allowing one dollar per day for males, and seventy-five cents per day for females, for such work.

if not paid, the Marshal to work them on the streets.

State Law, Dec. 19th, 1818. (Cobb's Digest, page 989.)

Free persons of color liable to do public work.

No. 165. (7.) All registered free persons of color, between the ages of fifteen and sixty years, shall be liable to do public work in the Counties or Corporate Towns in which they may reside, under such regulations and on pain of such penalties for noncompliance, as the Justices of the Inferior Courts of the several Counties, and the Mayor and Aldermen, or Intendant and Wardens, or Commissioners of such Corporate Towns, shall prescribe; and it shall be the duty of such Justices of the Inferior Court, and of such Mayor and Aldermen, Intendant and Wardens, or Commissioners, to call out such free persons of color and employ them in public work within their respective jurisdictions for a term not exceeding twenty days in one year.

For 20 days in one year.

State Law, Approved Dec. 26, 1835. (Cobb's Digest, 1008.)

No colored persons but slaves and registered free persons of color, to remain in this State.

No. 166. (2.) From and after the first day of June next, it shall not be lawful for any person of color, other than a slave, or a free person of color duly admitted to register in manner aforesaid to remain in this State; and if any free person of color other than aforesaid shall be found in this State after the first day of June next he or she shall be arrested and tried, and if convicted of a violation of this law he or she shall pay a fine of $100, and in default of such payment it shall be lawful for the Court to bind them out as laborers until the fine is paid by the hire of such labor, and shall moreover be liable and subject to a repetition of such conviction, fine and punishment, at the end of thirty days after any such conviction and payment of such fine, until he or she shall actually depart this State, and that it shall be the duty of each and every civil officer of this State to carry into effect this law. (By the State Act of 22d Dec., 1843, (1.) All free persons of color who have resided in this State from 1st June, 1836, and failed to register were relieved; *Provided*, that this Act shall not operate in favor of any free negro of the age of fourteen years, unless he or she shall on or before the first day of August next and once in each year thereafter, have his or her name registered in compliance with the statutes of this State. (2.) Free persons of color under the age

Fine $100, &c.

If not paid, to be hired out, &c.

of fourteen years shall not be subject to the pains and penalties of the laws against free persons of color neglecting and omitting to have their names registered; *Provided*, that this Act shall not be construed to authorize any free negro under the age of fourteen years, or other age, to come into this State." See Act of 16th Feb., 1854, page 176.

No free negro to come into the State.

(3.) It shall not be lawful for any free person of color, who shall leave this State, other than to go to an adjoining State, again to return to it; and any and every free person of color, entitled under the laws of this State to registry, who shall after the passage of this law, go out of this State to any place other than to an adjoining State, for a temporary or other purpose, he or she so leaving this State, shall thereby forever forfeit and lose his or her rights to registry as aforesaid, and all rights to reside in this State; and if thereafter found in this State, he or she shall be dealt with and subject to the pains and penalties described in the second section of this Act.

Registered persons removing from the State and returning.

Penalty.

(6.) The Inferior Courts of the several Counties of this State shall have jurisdiction of the several offences created or mentioned by this Act, in all cases in which, by the Constitution of the State, jurisdiction may be entertained by them.

Inferior Courts to have jurisdiction.

(7.) The provisions, prohibitions and penalties of this Act, shall not extend to any American Indian, Free Moor or Lascar, but the burthen of proof in all cases of arrest of any person of color, shall be on such person of color to show him or herself exempt from the operations of this Act. (The Superior Court tries the question of Citizenship.—*Cobb's Digest, page* 530.)

Exceptions.

Burthen of proof on the person of color.

(8.) The Inferior Courts of the several Counties in this State shall have power and discretion to refuse and deny to any free person of color, of bad character, the right to register his or her name; and such free person of color shall then, after such refusal, be deemed and held a free person of color in this State, in violation of this law, and be liable and subject to the pains and penalties herein prescribed.

Inferior Court may deny registration to free negroes of bad character.

State Law, Approved 16th Feb., 1854.

(*Pamphlet Laws*, 1853–4, *page* 105.)

No. 167. (1.) All free persons of color who were residing in this State on the first day of January, eighteen hundred and forty nine, and have been since that time to the present, residents of said State, and who have failed to have their names registered in conformity to law, shall be and they are hereby declared to be exonerated and discharged from all pains, penalties and forfeitures to which they were thereby subjected; *Provided*, that this Act shall not operate in favor of any free negro of the age of fourteen unless he or she shall, on or before the first day of July next, and once a year in each year thereafter have his, her or their names registered, in compliance with the statutes of this State.

Free negro residents since 1849, in default, exonerated.

If they comply by July, 1854.

(2.) If any free negro of the age of fourteen years shall hereafter neglect to have his or her name registered agreeably to law, he or she shall not be compelled to depart this State but shall nevertheless be subject to be arrested, tried, convicted and fined, and be compelled to pay the same, agreeable to the provisions of the second section of an Act, approved December the twenty-sixth eighteen hundred and thirty-five, until he or she shall have caused his or her name to be registered agreeable to the laws of the State, (See page 175.)

Defaulter 14 years old subject to fine under Act of 1835, till he register.

State Law, Feb. 16th, 1854.

(*Pamphlet Laws*, 1853–4, *page* 105.)

No. 168. (1.) It shall be the duty of the Inferior Courts of the several Counties in this State to bind out to some fit and proper person, all free negroes or other free persons of color between the ages of five and twenty-one years, upon its appearing to the Court, upon the evidence of two or more respectable persons, that such free negroes or persons of color are not being raised in a becoming and proper manner; and upon the person to whom said negroes or free persons of color are bound, giving bond and sufficient security to said Court for their good treatment, and not to move them out of the limits of this State, and to discharge them from his or her service at the age of twenty-one years.

Free negro children from 5 to 21 bound out by Inferior Courts.

If not being raised in a becoming and proper manner.

Security required; conditions.

(2.) If any person or persons to whom such negro or negroes or other free person of color is bound, shall sell or cause to be sold into slavery such negro or free person of color, he, she or they shall be guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not exceeding five thousand dollars, or imprisoned in the Penitentiary at hard labor for a term of years, not more than six, nor less than two years, as the Court may direct.

Selling them, fine $5,000 or Penitentiary 2 to 6 years.

(*See Titles, Free Negro Seamen, Free Negroes and Slaves, "Liberia."*)

FREE NEGRO SEAMEN.

State Law, Approved Dec. 22d, 1829. (Cobb's Digest, page 1000.)

No. 169. (1, 2 & 3.) Requires vessels from ports out of this State, to be quarantined for forty days, when they have free persons of color on board; prohibits such free negroes from coming on shore or having communication with free negroes residing in this State, and prohibits free negroes residing in this State from communicating with the free negroes so coming into this State, while the vessel is riding quarantine. (See Pamph-

let Laws 1853–4, page 106, below, for repeal of this law, so far as relates to quarantine.)

Captain bound to carry off said free negroes.

(4.) When said vessel is ready to sail, the Captain of the said vessel shall be bound to carry away the said free negro or person of color, and to pay the expenses of his detention; and in case such Captain shall refuse or neglect to pay the said expenses and to carry away the said free negro or person of color, he shall forfeit and pay the sum of five hundred dollars, to be recovered by indictment in the Superior Court of the County where the said offence was committed, and shall, on conviction, suffer imprisonment in the common jail of the said County for any term not exceeding three months; *Provided*, that no part of this Act shall be construed to extend to any negro or person of color employed on board of any steamboat or on board of any national vessel of war.

Penalty for refusal $500 and imprisonment three months.

Any not so carried off shall leave the State in ten days.

(5.) Every free negro or person of color coming into this State, as aforesaid, and who shall not depart the State, in case of the Captain refusing or neglecting to carry him away, within ten days after the vessel in which he came has departed, shall be liable, on conviction before any Magistrate of the County, to be whipped not exceeding thirty-nine lashes.

Cases of shipwreck or stress of weather excepted.

(6.) All free negroes or persons of color and all other persons, shall be exempted from the operation of this Act, where such free negroes and persons of color have arrived within the limits of this State, by shipwreck or stress of weather, or other unavoidable accident; but such free negroes and persons of color and other persons, shall, nevertheless, be subject to the penalties of this Act, if the requisites of the same be not complied with within one month after such shipwreck, stress of weather, or other unavoidable accident.

Not to extend to free Moors, American Indians or Lascars, &c.

(7.) This Act shall not be construed to extend to any free American Indian, free Moors, Lascars or other colored subjects of the countries beyond the Cape of Good Hope, who may arrive in any merchant vessel; but such persons only shall be deemed and adjudged to be persons of color within the meaning of this Act as shall be descended from negroes or mulattoes, either on the father's or mothers' side.

Corporate authorities may make regulations in regard hereto.

(9.) The City Councils or Corporate Authorities of the Cities or Towns of this State, respectively be and they are hereby authorized and empowered by Ordinance or otherwise, to ordain and make such other provisions and regulations as may be necessary for carrying into full effect the provisions and true intent and objects of the aforegoing sections of this Act; *Provided*, that the same be not contrary to the Constitution and Laws of this State.

Ordinance 28th Feb., 1830.

AN ORDINANCE, Prescribing the mode and period of Quarantine of Vessels arriving in the Port or Harbor of Savannah, having free persons of color on board, and requiring such persons to be arrested and confined in jail, and for other purposes.

WHEREAS, By a law passed on the 22d of December last, it is enacted: That all ships or vessels coming into any port of this State by sea, from any port or place in any other State, or any foreign country, having on board free persons of color employed as servants, mariners or in any other capacity, or as passengers, shall be subject to quarantine for the space of forty days.

Vessels with free negroes on board.

No. 170. (1.) Every vessel hereafter arriving in the port or harbor of Savannah, by sea, from any port or place in any other State or any foreign country, having such free negro or free person of color on board, shall be brought to anchor in such part of the river as Council may from time to time prescribe, and shall there remain for forty days subject to all the restrictions, pains and penalties prescribed by the quarantine laws of this State, *Provided, nevertheless*, that upon the confinement in jail of such negro or negroes by the Captain or consignee of such vessel, and upon their giving bond to the Mayor and Aldermen, for each negro, with two or more approved securities, in the penal sum of two hundred dollars, to carry him, her or them away on the sailing of such vessel, and to pay all the expenses of his, her or their detention, then and in that case, such vessel may, by a permit from the Mayor, be released from quarantine and be allowed to load and unload.

Jail.

Bond $200.

Marshal, &c., to arrest those found on shore, and also negroes having communication with them.

(2.) The City Marshal and Constables, and the officers and members of the City watch are enjoined, and it is hereby made their duty at all times of night or day to arrest such free negro or negroes or free persons of color, arriving as aforesaid, and found on shore, or who shall have had any communication with any person of color residing in this State, and bring him, her or them before the Mayor, who shall thereupon commit such free negro or negroes to jail, to be detained until the vessel in which he, she or they arrived, shall be ready to proceed to sea. And it shall likewise be their duty to arrest every negro or person of color, who shall have any communication whatever with any free negro or person of color, so arriving in any ship or vessel and bring him, her or them before the Mayor, who shall sentence the said negro to be whipped, not exceeding thirty-nine lashes.

(3.) The Captain of any vessel, who shall neglect or refuse

Penalty on Captain not giving bond in 24 hours, &c.

to comply with any of the requisitions of this Ordinance, or who shall not, within twenty-four hours after his vessel shall have come to anchor, give the bonds hereby required, and shall not have caused to be committed to jail the free negroes or persons of color brought into port in the said vessel, shall, upon conviction before Council be fined in a sum not exceeding one hundred dollars, to be recovered of his goods and chattels, lands and tenements, by warrant and distress of sale, and in default thereof, to be committed to jail, for a period not exceeding three months, or may at the discretion of Council, or of the Mayor, be indicted in the Superior Court of the County, in conformity with the provisions of the Act aforesaid, or of the Quarantine laws of the State.

Vessels excepted.

(4.) The regular packets trading between this port and those of South Carolina, having free negroes or free persons of color on board, as part of their crews, and belonging to either State, shall be exempt from the operation of this Ordinance, *Provided* that those which do not belong to this State shall not be permitted to remain after the sailing of the vessel, under the penalties of the 4th section of the Act of December 22d, 1829, above recited.

NOTE. See Act of the Legislature of Georgia, passed and approved 7th February, 1854, page 180, which materially changes and modifies the provisions of the Act 23d Dec., 1829, and upon which the foregoing Ordinance is founded.

State Law, Approved Feb. 7th, 1854.

(*Pamphlet Laws*, 1853–4, *page* 106.)

AN ACT to change the laws now in force in this State relating to the arrival within the limits of this State of colored seamen.

WHEREAS, The interests of commerce require an alteration and modification of the laws now of force relating to the arrival of colored seamen within the limits of this State.

Repeals the law of quarantine for having colored seamen on board.

No. 171. (1.) So much and such parts of the laws of this State as require ships or vessels coming into this State by sea having on board any free negro or free person of color employed as a steward, mariner, or in any other capacity, or as a passenger, to be subject to a quarantine of forty days, be and the same are hereby repealed.

Captain to report names, &c., of his colored hands, and to get a passport for them from the Mayor.

(2.) It shall be the duty of the master or owner of every steamboat, steamship, or vessel of any description, arriving in this State from any port whatever, (except from ports in South Carolina and Florida,) immediately upon his arrival at any port in this State to report to the Mayor or other Chief Magistrate or competent authority at the place of arrival, the name, age, description and capacity of every free person of color descended from negroes or mulattoes employed on board his vessel, and to obtain a passport from such authority to permit such person of color to land, it being within the discretion of such Mayor or other authority to grant or refuse said passport.

Penalty.

(3.) In case a free person of color so descended as aforesaid, so arriving as aforesaid, shall be found on shore without such passport, or in contravention of the laws of this State, he shall be imprisoned until the departure of said vessel; and the master and owners of such vessel shall become jointly and severally responsible in the sum of one thousand dollars for each such free person of color, to be recovered in any Court in this State at the instance of such Mayor or other authority.

Imprisonment until vessel leave: bond given in sum of $1000.

Ordinance 22d March, 1855.

Free negro passports $5 and fees.

No. 172. (1.) Whenever a passport is granted under the 2d section of the Act of the Legislature, approved 7th February, 1854, the applicant shall pay therefor, into the Treasury of the City, the sum of five dollars, exclusive of the fees now charged by the Clerk of Council for filling up and certifying the same.

FREE NEGROES AND SLAVES.

Ordinance 2d August, 1839.

Keepers of stores and shops not to employ slaves or free negroes to sell, unless in the presence of the employer, &c.

No. 173. (5.) No person whatever, keeping a public or open store or shop, within the jurisdiction of the City for the purpose of vending goods, wares or merchandize, or retailing spirituous liquors, shall on any pretence, employ or permit any negro, or other slave or free person of color, whatever, to attend in any such store or shop, for the purpose of disposing of any such goods, wares, or merchandize, or spirituous liquors, unless in the presence of the employer of such slave or free person of color, or in the presence of the clerk, apprentice, or some other white person, specially authorized by such employer, (such clerk, apprentice, or other white person being above the age of sixteen years.) And any shopkeeper or retailer of spirituous liquors, offending or acting in violation hereof, shall, for every such offence, forfeit a sum not exceeding fifty dollars.

Fine $50.

Not more than seven slaves or free negroes together, unless at funerals or public worship.

(11.) No negroes or persons of color, being more in number than seven, shall at any time (except when attending funerals or public worship on Sunday between the rising and setting of

the sun, or on any other occasions provided for by this or other Ordinances of the City,) assemble or meet together, either in any house, building, or lot within the City, unless some white person is present or stays on the premises; or in any street, lane, alley, or other public place of the City, unless some white person is with them. And it shall and may be lawful to and for any Alderman, or the City Marshal, or City Constables, or any of the officers or privates of the City Watch, or any other white person to apprehend all such negroes and people of color, and any of them so assembled and met together, above seven in number, without any white person being on the premises or present with them as aforesaid, and for that purpose, they or any of them are hereby authorized and required to enter into any house, building or lot in the City where the said negroes and persons of color are so illegally assembled. And every negro or person of color apprehended as aforesaid shall be confined in jail until they are brought before the Mayor, Chairman or any two Aldermen, who may adjudge and order such corporal punishment or either for the said offence as he or they in his or their discretion may deem proper.

Duty of Marshal and Police to apprehend them when no white person is present.

And confine them in jail, &c.

(12.) No assembly or meeting of slaves or persons of color, shall take place in any place or part of the City for the purpose of dancing or other merriment, without a written permission from the Mayor or Chairman, or any two Aldermen; and no such meeting shall continue after eleven o'clock at night; and for a violation of any part of this section, the owner or occupier of such premises where such meeting shall take place, shall pay a fine of not exceeding fifty dollars; and it shall be the duty of the City Marshal, City Constables, officers and members of the City Watch, and other officers of the City, to enter upon said premises where said unlawful meeting is held, and to carry every such negro or person of color to the guard house or jail, to be there confined and proceeded against as all negroes or persons of color taken up after the ringing of the bell are directed to be dealt with. And if any person shall deny admittance or make resistance to any of the aforesaid officers in the execution of their duty, the person so offending shall pay a fine not exceeding fifty dollars.

No meeting of slaves or free negroes for dancing, &c., without permission of Mayor, &c.

Fine $50 on occupant of premises; duty of officers to enter and carry slaves and negroes to jail or guard house.

$50 fine on persons resisting officers.

(14.) If any person shall teach or cause to be taught any slave or free person of color to read or write within the City of Savannah, or who shall keep a school for that purpose he or she

Slaves or free negroes not to be taught to read or write; fine $100, &c.

shall be fined in a sum not exceeding one hundred dollars for each and every such offence, and if the offender be a slave or free person of color, he or she may also be whipped not exceeding thirty-nine lashes.

(15.) No person of color shall keep or maintain a common, ill-governed or disorderly house within the City of Savannah, to the encouragement of idleness, gaming, drinking or other misbehavior, or to the disturbance of the citizens; and it shall not be lawful for any negro slave or free person of color in said City to be engaged in playing or betting at any game of cards, dice, checks, dominoes or billiards, or by or with any other instrument, article or articles, thing or things whatsoever, at any time heretofore used, or which may be hereafter used for the purpose of playing or betting upon, or winning or losing money, or any other article or thing of value whatever; and any person violating any of the provisions of this section may be arrested by any of the City officers or watchmen, or any other white person, and upon conviction may be fined in a sum not exceeding thirty dollars, or be whipped in not exceeding thirty-nine lashes.

No person of color to keep disorderly house, &c.

Playing and betting at cards, &c.

Fine $30, &c.

(16.) It shall be the duty of the City Marshal and Constables, and all other persons are authorized to arrest any slave or free person of color found quarreling or fighting in the public streets, squares, alleys or lanes of the City, or otherwise disturbing the public peace or decency, and to bring them before the Mayor or any Aldermen who shall sentence said slave or free person of color to such number of lashes as he may think just and proper.

Officers to arrest slaves or free negroes quarreling or fighting.

Penalty, whipping.

(17.) It shall be the duty of the City Marshal and City Constables, and all other persons are authorized to arrest and confine or disperse all slaves or free persons of color who may follow, precede, or in any manner attend any military or civic parade or procession (excepting always musicians or others in actual employment in such parades or processions, servants sent on business to some person in such parades or processions, slaves of deceased persons decently attending the funerals of such persons, and badge-women at any place of military drill provided with their usual articles of sale,) and the City Marshal and City Constables may inflict any moderate chastisement on any slave or free person of color violating the provisions of this section.

Officers to arrest slaves and free negroes following, &c., parades, &c.; exceptions.

And inflict whipping.

(19.) A general ticket, given by the master, owner, employer or guardian of a negro or person of color, shall pass the bearer thereof until ten o'clock at P. M., but that, in order to pass a

Tickets for slaves and free negroes.

negro or free person of color after ten o'clock P. M., a special ticket shall be given, which ticket shall specify the hour when it is to expire, and may be given, both before and after ten o'clock P. M., *Provided, however*, that no ticket shall pass the bearer thereof after midnight, whether it be dated before or after that hour, unless the time when it is given, and the object in view, and the place to which the bearer is sent, are distinctly specified.

Fines, &c.; how collected and disposed of.

(21.) All fines, forfeitures, and penalties incurred and imposed by virtue of this Ordinance may be levied, collected and enforced in the manner prescribed by the existing laws of the State passed in reference to the City of Savannah and the corporate authorities thereof; and the moneys arising therefrom shall go one half to the informer or the person who shall prosecute the same to conviction, and the other moiety to be paid into the City Treasury for the use of the City.

State Law, Approved May 10, 1770. (Cobb's Digest, 971.)

Slaves and free persons of color harboring runaway slaves; how to be punished.

No. 174. (29.) If any free person or any slave shall harbor, conceal, or entertain any slave that shall runaway, or shall be charged or accused of any criminal matter, every free negro, mulatto and mestizoe, and every slave that shall harbor, conceal or entertain any such slave, being duly convicted thereof according to the direction of this Act, if a slave shall suffer such corporal punishment not extending to life or limb as the Justice or Justices who shall try such slave shall in his or their discretion think fit; and if a free person, shall forfeit the sum of thirty shillings for the first day, and three shillings for every day such slave shall have been absent from his or her owner or employer, to be recovered and applied as in this Act hereafter is directed.

State Law, Dec. 26th, 1835. (Cobb's Digest, page 1008.)

Free negroes punishable as slaves for harboring.

No. 175. (1.) All free persons of color within this State, who shall harbor, conceal or entertain a slave or slaves, who shall be charged or accused of any criminal matter, or shall be a runaway, shall, upon conviction, (in addition to the penalty already provided for in said section,) be subject to the same punishment as slaves are under said above 29th section of the above recited Act.

Constables may search on suspicion.

(2.) Any lawful Constable having reason to suspect that runaway slaves, or such negroes who may be charged or accused of any criminal offence, are harbored, concealed or entertained in the house or houses of such slaves or free persons of color, they or any of them are authorized to enter such house or houses and make search for the said runaway or runaways, or accused criminal or criminals.

State Law, Dec. 21st, 1839. (Cobb's Digest, page 1013.)

Permits must state the time of absence and the place to be visited.

No. 176. (1.) It shall be the duty of every owner, overseer, trustee, guardian or other person or persons having control of any slave or slaves, or free persons of color, in granting or giving written permits to the same, to set forth the time allowed for their absence, and distinctly designate the place or places where such slaves or free persons of color desire to visit. (No other permit legal.—8 *Ga.* 157.)

State Law, 22d Dec., 1840. (Cobb's Digest, page 810.)

Receiving stolen goods from a negro with notice.

No. 177. (1.) If any free white person or persons shall buy or receive any money, goods, chattels or other effects, from any negro or free person of color, that has or had been stolen or feloniously taken, knowing the same to have been so stolen or feloniously taken, such person or persons so offending, shall be taken and deemed to be accessory or accessories, after the fact, and being convicted thereof, shall receive and suffer the same punishment as would have been inflicted on such person or persons, had he or they been convicted of stealing or feloniously taking the same.

Same punishment with the larceny.

State Law, Dec. 30th, 1847. (Cobb's Digest, page 832.)

Playing or betting with negroes at any game.

No. 178. (1.) If any white person or persons are found playing and betting, or playing or betting, with a negro or negroes or free person of color, or free persons of color, at any game with cards, dice, or any other game or games of chance or hazard, for the purpose of betting upon or winning or losing money, or any other thing or things, article or articles of value or otherwise, or any property, or any other article or articles, thing or things of value, may be indicted, and on conviction thereof, for the first offence, shall be fined in a sum not to exceed one thousand dollars, or imprisoned in the common jail of the County where the offence may be committed, not to exceed six months, or fine and imprisonment both, at the discretion of the Court; and upon the second conviction, to be subject to imprisonment at hard labor in the Penitentiary, not less than one year nor more than four years.

First offence, $1000, &c.

Second offence, Penitentiary 1 to 4 years.

Games need not be proved.

(2.) On the trial of all indictments for said offence, the prosecution shall not be required to prove the game or games played, but shall be required to prove the playing or betting only.

State Law, Dec. 19th, 1818. (Cobb's Digest, page 989.)

Penalty on slaves or free negroes trading with slaves.

No. 179. (5.) If any slave or slaves, or free person of color, shall purchase or buy any of the aforesaid commodities, (See Sec. 13, page 186,) from any slave or slaves, he, she or they, on conviction thereof before any Justice of the Peace, contrary to the true intent and meaning of this Act, shall receive on his, her or their bare back or backs, thirty-nine lashes, to be well laid on by any Constable of said County, or other person appointed

Proviso.

by the Justice of the Peace for that purpose: *Provided*, that nothing herein contained shall prevent any slave or slaves from selling poultry at any time without a ticket, in the Counties of Liberty, McIntosh, Camden, Glynn and Wayne.

State Law, Dec. 20th, 1824. (Cobb's Digest, page 997.)

Slaves not to purchase or sell any (except certain articles) without permit.

No. 180. (1.) If any slave shall sell or purchase, without a ticket authorizing him to do so, any quantity or amount whatever of cotton, tobacco, wheat, rye, oats, corn, rice or poultry, or any other articles, except such as are known to be usually manufactured or vended by slaves, they shall suffer the pains provided by an Act passed 19th Dec., 1818. (See Sec. 5, above.)

State Penal Code, 1833, 13th Division. (Cobb's Digest, page 827.)

Purchasing from slaves without permit, cotton, &c.

No. 181. (13.) If any person shall buy or receive from any slave any amount of money exceeding one dollar, or any cotton, tobacco, wheat, rye, oats, corn, rice, or poultry of any description whatever, or any other article, commodity or thing,

Articles excepted.

(except brooms, baskets, foot and bed mats, shuck collars, and such other thing or things, article or articles as are usually manufactured or vended by slaves for their own use only,) without written permission from the owner, overseer or employer of such slave, or some other person authorized to give such permission; authorizing such slave to sell and dispose of said money or other article or articles; such person so offending shall be guilty of a misdemeanor, and on conviction, be punished by fine or imprisonment in the common jail of the County, or both, at the discretion of the Court. If any owner, overseer, employer, shop-

Or selling spirits to slaves or free negroes.

keeper, storekeeper, or any other person whatsoever, shall sell to or furnish any slave or slaves, or free person of color, with spirituous liquors, wines, cider or any intoxicating liquors, for his own use or for the purpose of sale, such person so offending

Fine and imprisonment.

shall, upon conviction thereof, pay a fine of not less than ten dollars, nor more than fifty dollars, for the first offence, and upon a second conviction, to be subject to fine and imprisonment in the common jail of the County, at the discretion of the Court, not to exceed sixty days imprisonment and five hundred dollars fine; *Provided*, nothing herein contained shall prevent the

Proviso as to owners.

owner, overseer, or employer from furnishing their slaves, or those under their care, with such quantity of spirits, &c., as they may believe is for the benefit of such slave or slaves, but in no case to permit them in any way to furnish others therewith.

Slaves found in tippling shops is presumption against keeper of the shop.

(14.) If any slave or slaves shall be found in any storehouse or tippling shop, unless sent by his, her or their owner, overseer or employer, after the hour of nine o'clock at night, or before day break in the morning, or on the Sabbath day, it shall be taken and received as presumptive evidence against the person or persons owning, or keeping the store or tippling shop, of a violation of the thirteenth section of this division, which presumption may be rebutted by any other circumstance in favor of the accused.

Delivering goods to slaves.

(15.) If any person shall sell or deliver to any slave or slaves any goods, wares or merchandize, or any other thing or things, unless it be in exchange for some article or articles, which the owner, overseer or employer of such slave or slaves may have authorized such slave or slaves to trade or deal in according to the provisions of the thirteenth section of this division, such person so offending shall be guilty of a misdemeanor, and on conviction, shall be punished by fine or imprisonment in the common jail of the County, or both, at the discretion of the Court.

Fine and imprisonment.

Giving tickets unlawfully, fine $50.

(17.) If any person shall give a ticket, pass or license to any slave, who is the property or under the care and control of another, without the consent of the owner, or other person having the care or control of such slave, such person so offending shall be guilty of a misdemeanor, and on conviction, shall be fined in a sum not exceeding fifty dollars.

State Law, 17th Feb., 1854.

(*Pamphlet Laws*, 1853–4, *page* 85.)

Free negroes not to retail spirits, &c.

No. 182. (1.) It shall not be lawful for any free person of color to sell or dispose of any spirituous liquors, cordials, wines, ale, beer or porter, or any other intoxicating liquors, or to keep open any house, shantee, or any other place for the sale or disposal of such liquors, either in his, her or their own name, or in the name of his, her or their guardian, or in the name of any white person or persons, as partner, clerk, agent or assistant in

Nor as agent or clerk for white person.

such business, or as agent or assistant to any white person or persons.

Penalty.

(2.) Each and every free person of color, and each and every white person, who shall violate the first section of this Act, shall, whether principal or only agent or assistant, be deemed guilty of a misdemeanor, and shall be tried therefor as hereinafter directed, and upon conviction thereof, shall be fined in a sum not less than one hundred dollars, and upon failure to pay

$100, or jail six months for a white person. Free negro 39 lashes.

such fine, shall be imprisoned in the common jail of the County for six months, if a white person; or if a free person of color, shall receive thirty-nine lashes.

Free negroes not to sell to slaves.

(3.) Any free person of color, or slave acting for himself, or for any other person or persons, white or colored, who shall sell or furnish to any slave or slaves, any goods, wares or produce, except such articles as slaves are permitted by law to trade in,

Penalty.

shall be deemed guilty of a misdemeanor, and upon conviction

First offence 39 lashes and fined $50.

thereof, shall for the first offence, receive thirty-nine lashes and be fined fifty dollars and imprisoned until said fine is paid, and

Second offence 50 lashes and fined $100.

for the second or any subsequent offence, shall receive fifty lashes and be fined one hundred dollars and be imprisoned until said

If not paid in 3 months, to be

fine is paid, and if the same is not paid within three months,

Sold for such time as will pay fine and costs.

shall be sold for such length of time as will produce a sum sufficient to pay such fine and cost.

Whites tried by Superior Court and blacks by Justice of Peace.

(4.) Any violation of this Act, if the same be (by?) a white person, shall be tried by the Superior Court, and if the same be by a free person of color, shall be tried by the Justices of the Peace as prescribed in relation to other minor offences in the County where the offence is committed, and within ten days after the arrest of the offender.

State Law, 16th Feb., 1854.

(*Pamphlet Laws*, 1853–4, *page* 86.)

Rescuing a slave or free negro.

No. 183. (1.) If any person rescue a negro or free person of color in legal custody on criminal process, such persons so offending shall, on conviction, be punished by confinement and

Penitentiary 1 to 5 years.

labor in the Penitentiary for any time not less than one, nor longer than five years.

NOTE. Rescuing a white, incurs the penalty of the offence charged to the rescued.—Cobb, 806.

State Law, Feb. 20th, 1854.

(*Pamphlet Laws*, 1853–4, *page* 84.)

AN ACT to add an additional Section to the Thirteenth Division of the Penal Code.

Trading with slaves or free negroes, with closed door or doors

No. 184. (1.) It shall not be lawful for any merchant, tradesman or shopkeeper, by himself, his clerk, [clerks,] or agent, to have closed the front door or doors of his store or shop whilst engaged in selling to, buying from, or in anywise trading with a slave or slaves, or free person of color; and any person guilty of a violation of the provisions of this Section shall be guilty of a misdemeanor, and on indictment and conviction

Fine $100 to $200. Half to informer.

thereof shall pay a fine of not less than one hundred nor more than two hundred dollars, one half of said fine to be paid to the informer, and on failure of the person committed (convicted?) to pay said fine he shall be imprisoned in the common jail of the County, at the discretion of the Court.

Going in, &c., presumptive evidence.

(2.) If any slave or slaves or free persons of color shall be found in any store or shop, or going into or coming out of the same, with the front door or doors thereof closed, (except for ingress or egress,) it shall be taken and received as presumptive evidence against the person or persons keeping the said store or shop, of a violation of the first Section of this Act, which presumption may be rebutted by any other circumstance in favor of the accused.

(*See Titles*, "*Liberia*," "*Shops, Stores and Bar Rooms*," "*Slaves*."

GAS CONTRACT.

$33 per annum for street lamp.

No. 185. On the 16th August, 1850, the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, agreed to pay unto the Savannah Gas Light Company "the sum of thirty-three dollars per annum for each public street gas lamp now erected or hereafter to be erected on any street, lane, square or public place, through which the mains of the said party of the second part now run or may hereafter run." The said Gas Light Company "agreed to furnish carbureted-hydrogen gas for each of said public street lamps from dark to daylight or the rising of the moon, and from the going down of the moon to daylight;" also, "to take charge of the said street lamps, and cause them to be lighted and extinguished in due season, in consideration of the said party of the first part, paying or refunding to the said party of the second part the actual amount expended for labor in superintending, keeping in order, lighting and extinguishing the said street lamps, and for repairs done to the same." Payments to be made quarterly, and the contract to continue in full force for ten years from its date.

Lamps when to be lighted.

How to be taken care of, &c.

Quarterly payments; contract for 10 years.

(*See Title, Lamps.*)

GOATS.

Ordinance 25th June, 1857.

Fine of $2 upon each goat found at large; goats to be impounded and if not claimed in 3 days, to be sold, &c.

No. 186. (1.) It shall not be lawful for any goat or goats to be or go at large within the limits of this City, and the owner or owners of every such goat or goats so found at large shall forfeit the sum of two dollars for each and every time such animal or animals shall be found at large, to be collected in the following manner: It shall be the duty of the Police of said City to take every such goat or goats, so found at large, and impound the same until the said sum and the costs of impounding shall be paid; and if such goat or goats be not claimed by the owner or owners thereof within 3 days, it shall be the duty of the City Marshal to sell the same at the pound, having at first given at least 3 days notice in one of the public gazettes of the City of the time of such sale, and he shall pay the nett proceeds of such

sale, after deducting the costs aforesaid, into the City Treasury, subject to the order of Council, who may and shall direct the same, after deducting the forfeiture aforesaid, to be paid to the owner or owners of such animal or animals when requested; and in every such case the officer impounding such goat shall be entitled to one half of such forfeiture.

GRAIN.

(*See Title, "Measurers of Salt, Corn," &c.*)

GRANTS.

(*See Title, Lots Granted.*)

GRAVES.

State Penal Code, 1833. (Cobb's Digest, page 818.)

Disinterring or purchasing dead bodies.

No. 187. (25.) If any person or persons shall remove the dead body of any human being from the grave or other place of interment, or from any vault, tomb or sepulchre, or from any other place, without the consent of the friends of said deceased, except malefactors executed under sentence of the law, for the purpose of selling or dissecting the same, or from mere wantonness, such person or persons so offending, shall be punished by fine or imprisonment in the common jail of the County, or both, at the discretion of the Court; and any person who shall receive or purchase such dead body, knowing it to have been disinterred or removed from any tomb, vault or sepulchre, or such other place, for the purposes aforesaid, shall, on conviction, receive the same punishment.

Penalty, fine and imprisonment.

GROSS SALES BY COMMISSION.

Ordinance of 24th January 1842, as amended by 4th Section of Ordinance of 11th November, 1842, the 1st Section of Ordinance of 22d November, 1849, and 5th Section of Ordinance of 13th March, 1851.

Gross sales by commission from 1st January to 31st December inclusive, annually.

No. 188. (2.) That on the gross amount of sales of all negroes, goods, wares and merchandise, or other commodity, article

or thing sold, within the corporate limits of the City of Savannah, by any person or persons whomsoever, upon or for a commission, premium, per centage or other profit, charged or to be charged thereon, or on joint account, and when not included in the returns as stock in trade, and whether for cash or credit, between the first day of May eighteen hundred and fifty-one, and the first day of December, eighteen hundred and fifty-one inclusive, and annually thereafter, between the first day of January in each and every year, and the last day of December in each succeeding year inclusive, there shall be paid by the person so selling, whether commission merchant, broker or agent of any nature or kind whatsoever, THIRTY SEVEN AND A HALF CENTS on every hundred dollars of the amount of such sales respectively. *Provided that this clause shall not extend to Rice, Cotton or Lumber sold by any Factor, or goods, wares or merchandise sold at public auction by Vendue Masters.* That all and every person or persons selling or disposing of negroes, goods, wares, merchandise or other commodity, article or thing, on or for a commission, premium, per centage or other profit charged or to be charged thereon, shall on the first day of January next, and annually thereafter on the first day of January in each and every succeeding year, deliver on oath a true and just return of the amount of sales, made by him, her or them within the period aforesaid to the Treasurer of the City of Savannah at his office, and then and there shall take the following oath.

Tax ⅜ of 1 per cent.

Return.

I, A. B., do solemnly swear, (or affirm as the case may be) that the return which I now give in, contains a just and true account of the gross amount of sales of all negroes, goods, wares, merchandise or other commodity, article or thing, sold by me on commission, between the *first* day of May eighteen hundred and fifty-one and the last day of December eighteen hundred and fifty-one inclusive, (and on the first day of January and the last day of December in each succeeding year, as prescribed in this section, as the case may be) subject to taxation by the preceding clause.—SO HELP ME GOD.

Oath.

(4.) If any person or persons selling or disposing in the City of Savannah, of any of the articles or things mentioned in the second section of this Ordinance, and who is required by this section to make a return of the amount of sales thereof, shall fail or neglect to make such return, at the time and in the manner herein prescribed, every such person or persons shall be

Tax of $1000 for not making return.

liable to a tax of one thousand dollars, to be paid into the Treasury of the City of Savannah, on the time and times prescribed for making said return, and on failure to pay the same, execution immediately to issue, by the City Treasurer, against the goods and chattels, lands and tenements of all and every person so making default.

How recovered.

Ordinance 11th Nov., 1842.

(4.) Any person failing to make the return contemplated in the second section of the Tax Ordinance, passed on the 24th day of January, 1842, shall be liable to a tax of one thousand dollars.

Failure to return gross sales by commission liable to tax of $1000.

Ordinance 13th March, 1851.

(5.) The returns by commission merchants of the gross sales by commission under the existing Ordinances, shall be made the present year as therein prescribed, but hereafter it shall be made and the tax paid at the time specified in the general tax Ordinances of the City.

Returns; when made and tax paid.

(NOTE. The original Ordinance was "fifty cents," which was reduced to "thirty-seven and a half cents" by Ordinance of 22d Nov., 1849.)

GROUND RENTS.

No. 189. The ground rents on City Lots are due and payable quarterly, but by custom they are paid semi-annually to the City Treasurer. The City Treasurer, on the first days of June and December in each year, furnishes the City Marshal with a list of those City Lots which are in arrears to the City. The Marshal publishes said list for ten days, and then re-enters those remaining unpaid. If owners of Lots wish to save the re-entry fee of $1, they must pay up on or before the 10th day of June and December. If they don't wish to see their Lots advertised, they must pay up in May and November, annually.

GUARD HOUSE.

Ordinance 2d June, 1854.

AN ORDINANCE, To set aside a lot of land for the future erection of a Guard House.

No. 190. (1.) The lot of land situate at the southwest corner of Habersham and South Broad streets, not exceeding ninety feet in width, by two hundred and seventy feet in depth, be, and the same is hereby set aside for the erection of a Guard House.

Guard house lot

GUNPOWDER.

Ordinance 15th Dec., 1817.

WHEREAS, Much danger is apprehended from the discharge of guns, pistols, squibs or other instruments, wherein the article of gunpowder is used within the limits of the City of Savannah, by inconsiderate persons almost every evening.

No. 191. (1.) It shall be the duty of the Marshal of the City aforesaid, and the Constables thereof, to inform against all and every white person found within the limits of said City discharging or attempting to discharge any guns, pistols or other fire arms, crackers, or any other combustible preparation, and that the person so informed against be punished as hereinafter mentioned, if a free white person, to be fined in a sum not exceeding thirty dollars.

Firing off poppers, pistols, &c.

Whites fined $30.

(2.) If any person of color be found so offending as aforesaid, such person of color shall receive corporal punishment, not exceeding ten lashes, to be inflicted by the officer present.

Blacks, whipping, 10 lashes.

Ordinance 16th October, 1819.

(1.) At the first regular meeting of Council in November next, (now at the first regular meeting of Council in each and every January annually,) (see 13th section of Ordinance passed 2d August, 1839, title "City officers,") there shall be chosen by ballot a Superintendent of Gunpowder, to serve for one year, who shall enter into bond with two or more sufficient securities, in the sum of two thousand dollars, for the faithful performance of the duties hereinafter prescribed.

Keeper of Powder Magazine elected

Bond $2,000

gunpowder shall be transported to a rail road depot, destined to the interior, it shall at once be placed in a car or cars, which shall be moved to a place within the depot, or adjacent to the depot, where it shall be distant at least one hundred yards from any depot building, and shall, by the next following freight train, be sent from the City. In default of this, it shall be placed in the magazine of the rail road Company, to be removed at its earliest convenience.") In the case of river transportation, it shall not be allowed to remain on the wharf or in any store, but be at once put on board a boat, which shall be immediately hauled into the stream, above the City, as is now by law provided. In default of any boat being in readiness for it, then said gunpowder shall be placed in the magazine of the City, as is now provided, subject to the usual fees.

City Magazine.

Penalty $100.

(2.) Each and every violation of this Ordinance shall be punished by a fine not exceeding one hundred dollars, to be levied on the party in fault.

Ordinance 9th May, 1850.

No shopkeeper, &c., to have more than 25 lbs. powder in store at any one time.

No. 196. (1.) No merchant, factor, retailer, or dealer in powder, or any person or persons whomsoever in this City shall retail, keep, or have in their possession at any time, a greater quantity of gunpowder than twenty-five pounds weight and on information given to the Mayor or any one of the Aldermen or any fireman, or the same coming by any means to their knowledge, of a greater quantity of powder than twenty-five pounds weight in the possession of or within the enclosure or enclosures of any person or persons whomsoever at any one time, the Mayor, or any Aldermen, or firemen, are hereby required to report the same to the City Council, whereon proof being made, the offender shall be fined in a sum not exceeding one hundred dollars for each and every pound over and above twenty-five pounds weight, the one half thereof to go to the informer, the other half to the City.

Fine $100, &c.

State Law, Dec. 26th, 1831. (Cobb's Digest, page 850.)

Gunpowder to be marked on each package

No. 197. (1.) It shall be the duty of all owners, agents and others, who may or shall have any gunpowder, exceeding in quantity five pounds, transported upon the waters or within the limits of this State, to have the word gunpowder marked in large letters upon each and every package which may or shall be so transported.

(2.) All gunpowder exceeding five pounds in quantity, which shall hereafter be transported or engaged for transportation upon any of the waters, or within the limits of this State, without being marked as directed in the first section of this Act, shall be liable to seizure and forfeiture; one half to the informer, the other for the use of the Volunteer Companies most convenient or contiguous to the place of seizure or forfeiture.

On pain of forfeiture.

GUTTERS.

Ordinance 2d August, 1839.

Gutters to kitchens; fine $50.

No. 198. (1.) It shall not be lawful for any person to put any gutter or spout to convey filth from the kitchens into any street or lane of the City, and any person so offending shall forfeit and pay a sum not exceeding fifty dollars for each and every offence, and the said gutter or spout shall be forthwith removed.

Ordinance 4th Nov., 1852.

AN ORDINANCE, To protect the Savannah river from washing in of sand by rain water falling from the roofs of houses on or below the bluff.

Gutters and leaders to buildings.

No. 199. (1.) Each and every building situate on or below the bluff shall be provided with leaders and gutters, and each wharf lot shall be provided with a close drain under ground of some imperishable materials, to be connected with the said leaders and sufficient to conduct off into the river all rain water that may fall on the roofs of such buildings.

Fine $30.

(2.) For each and every violation of this Ordinance a fine of thirty dollars shall be levied, said fine to be imposed and recovered in the usual manner.

HALF LOTS.

Ordinance 27th Feb., 1851.

Half lot in fee simple.

No. 200. (1.) Any person holding a lot in the City of Savannah as joint tenant or tenants, in common with another, under the ordinary City deed, may pay one half of the balance of purchase money due on the same, and upon such payment, shall receive a deed in fee for one-half of said lot; which shall

be designated as the eastern, western, northern, or southern half, as the case may be.

Half lot on ground rent.

(2.) Any lessee of a City lot may, on application to Council, divide said lot into two parts, and receive separate leases for the same, and in all cases referred to in this Ordinance, the parties shall severally pay for the deed issued.

HARBOR MASTER.

Ordinance 2d August, 1839.

Harbor Master elected.

No. 201. (8.) The Harbor Master shall be elected ("on the first Monday in January annually," by Ordinance of 3d Oct., 1844,) and it shall be the duty of the said Harbor Master (in addition to any duties which may be prescribed by any of the Ordinances of the City which are now of force, or which may hereafter be ordained,) to have printed the rules and regulations which he may deem proper to be established for the government of pilots and masters of vessels, in the port of Savannah, and cause the same to be established in such manner as will give the most general information to those interested: *Provided*, That nothing shall be contained in these rules in opposition to the laws of the State or the Ordinances of the City, and *Provided*, That the said rules, so established by the Harbor Master, shall first have been submitted to and approved of by the Board of Commissioners of Pilotage for the port of Savannah and have been signed by their chairman or secretary; and if any person shall violate any of the said regulations, when they shall have been so established, he or she shall be fined in a sum not exceeding one hundred dollars, one moiety of which shall be paid to the Commissioners of Pilotage and the other moiety to the City Treasurer.

His duty, print rules, &c., of the port.

$100 fine for violating Harbor Master's rules.

Copy of rules to be delivered to masters, &c., of vessels.

(20.) And the said Harbor Master shall be entitled to receive the said fees from each and every master or owner or consignee of every vessel arriving in the port of Savannah, aforesaid; to the master or commander of which vessel he shall deliver a copy of the regulations of the port.

Ordinance 5th March, 1857.

No. 202. The Harbor Master for the Port of Savannah shall

collect and receive from each and every master, or owner, or consignee, the following fees, to wit:

Harbor Master's fees.

From each ship, bark, tern and steamer, arriving from foreign ports, the sum of fifteen dollars.

From each brig and other vessel (not above named) arriving from foreign ports, the sum of ten dollars.

From each ship, bark, tern and steamer, (except as hereinafter excepted) arriving from any port in the United States, the sum of five dollars.

From each brig and other vessel not above named, arriving from any port in the United States, the sum of five dollars.

From each pilot-boat, steamer, tug, and lighter, the sum of four dollars per annum, payable in quarterly payments, the first quarter to be paid on the first Monday in April next.

From each steamer and other vessel engaged in inland navigation, or regularly arriving at this port oftener than once a week, the sum of twelve dollars per annum, payable quarterly, the first to be paid on the first Monday in April next, and on failure to pay any of the said fees, the Harbor Master shall report the same to the City Treasurer, who shall forthwith issue execution against the ship or other vessel, and place the same in the hands of the City Marshal for collection.

If not paid, a report to be made to, and execution issued by City Treasurer.

Ordinance 16th Oct., 1845.

Harbor Master to file with the City Treasurer a report every two weeks of fees received.

No. 203. (1.) In addition to the duties already attached to the office of harbor master, said officer shall henceforth be required to file in the office of the Treasurer of the City, on the ("Monday preceding the meeting of Council," by Ordinance of 25th June, 1857,) a full and formal report, made up to the last day of the month immediately preceding, of all the fees which he shall have received, or which shall be due to him by virtue of his office, specifying the names of the vessels and the charges against each, and to pay over to the Treasurer at the time of filing such report the entire amount received by him as exhibited in such report, and for failure to comply with these requirements he shall be subject to a fine or dismissal, in the discretion of Council.

Bond $2,000.

(2.) The harbor master, before entering on the performance of his duties, shall execute a bond to the Corporation with two sureties, to be approved by Council or the Mayor, in the sum of two thousand dollars, conditioned for the faithful performance of the duties of his office.

Ordinance 24th April, 1851.

Salary $1200.

No. 204. The salary of the harbor master shall be twelve hundred dollars, to be paid out of the fees of his office, said salary to be paid at such times as are now provided by the Ordinances of the City.

HARBOR MASTER'S RULES.

(Confirmed by the City Council on 5th March, 1857.)

Pilot mooring vessel.

No. 205. (1.) Every Pilot, when he has brought any ship or vessel to anchor, is required to moor such ship or vessel, or to give proper directions for the mooring of the same, and for their safe riding at such mooring. He shall, also, make known to the Captain of such vessel, the laws requiring lights on board; as well as inform him of his duty to report his arrival at the Harbor Master's office, within four hours of the same.

Lights on board.

Report to Harbor Master.

Vessels at Five Fathom.

(2.) Pilots are directed to moor all vessels which stop at Five Fathom to lighten or discharge, as near the south shore as may be safe, that an open passage may be left to the northward for vessels to pass and repass.

Discharging and loading, penalty $400.

(3.) No vessel shall discharge or load any of her cargo in the river opposite the City, except at the wharves, under a penalty of four hundred dollars. No anchor is allowed in the river when the vessel is made fast to the wharf.

Anchor.

Rig jib-boom, &c., while at wharf or anchor.

(4.) All masters of vessels, as soon as they come to anchor, shall rig in their jib-boom and main-boom; and all vessels top their lower and top-sail yards, take in their bombkins and davits lay their sprit-sail yards fore and aft, rig in their martingale, take in all boom irons, and cockbill their anchors. These regulations must be observed while lying at the wharf, or at anchor in any part of the river, under a penalty of a sum not exceeding thirty dollars.

Penalty $30.

Not to lie in river over 24 hours, with powder aboard.

(5.) No vessel whatever shall be permitted to lie in the river before the City longer than twenty-four hours, inward or outward bound, (powder vessels excepted.) Vessels having powder on board, the Pilot shall bring to anchor as near the Fort wharf as they may have water sufficient to lie in at low water, and the master must land his powder in twenty-four hours after anchoring, and place it in the magazine, the officer of which is to

receive the same and give a receipt therefor, except vessels having on board powder destined for the interior, either by rail road or river; such vessels may haul alongside any vacant wharf, and the powder on board shall be removed direct from the vessel to the depot or boat immediately after she is made fast to the wharf. Any violation of this rule will subject the vessel to a penalty of fifty dollars.

Remove immediately.

Penalty $50.

Inside berth to vessels loading, &c.

(6.) All vessels, except regular packets, in ballast, waiting for freight, light, or occasionally taking in, discharging or retailing a cargo, at any wharf, shall give the inside berth to a loaded vessel that wants to discharge forthwith; and every such vessel shall likewise give the inside berth to a vessel that wants to take on board her cargo immediately. Any vessel, except regular packets, taking in a cargo at any wharf, shall give the inside berth to a loaded vessel, if at the time of application for such berth there be no other vacant or equally suitable berth for such loaded vessel, under a penalty of thirty dollars per day.

Penalty $30 per day.

(7.) Every vessel hauling past or lying alongside and made fast to another vessel, shall put out in a proper manner, good and sufficient fenders, and keep the same so placed as to prevent injury to the vessel she shall be alongside of; and shall likewise so place her moorings as to prevent injury to the said vessel. And if discharging or taking in a cargo athwart another vessel's decks, she must also keep her plank or staging so fixed as not to cause injury, under a penalty of fifty dollars.

Fenders.

Moorings.

Staging.

Penalty $50.

Ballast, &c., not to be thrown in the River.

(8.) Masters of vessels and others shall not permit ballast, rubbish, or dirt of any kind, to be thrown into the channels of the river or harbor, or at the heads of the wharves. All ballast shall be thrown ten feet back, clear of the heads of the wharves; a sail or tarpaulin must be put between the vessel and wharf to prevent any falling into the river. The sweeping of the deck, ashes from the caboose, and rubbish of any kind, must be put into a cask and carried away from the wharves. Any master of a vessel, failing to comply with any of these rules shall be fined in a sum not exceeding one hundred dollars.

Tarpaulin, &c.

Sweepings of deck, &c.

Fine $100.

No smoking of vessel.

(9.) No vessel while lying alongside the wharf, or another vessel shall be smoked for the purpose of destroying rats, but must first be hauled in the stream and kept constantly afloat, so as to be easily removed in case of taking fire, under a penalty of fifty dollars.

Penalty $50.

No tar, &c., boiled.

(10.) No tar, pitch, or turpentine shall be boiled on any ves-

sel's deck, or within sixty yards of any vessel or warehouse, under a penalty not exceeding thirty dollars.

Penalty $30.

No raft broken up or left in river over 48 hours.

Penalty $30.

(11.) No raft of timber or lumber shall be broken up in the front river below low water mark under a penalty not exceeding thirty dollars. No raft shall be permitted to lie more than forty-eight hours afloat in the river, nor shall any stave or shingle raft be landed at the heads of the wharves.

(12.) No vessel lying at any of the wharves on the southern side of the river, between Habersham's Mill and the eastern extremity of the City, shall be permitted to take on board any timber or lumber from rafts alongside, under a penalty of forty dollars per day, except by permission of the Mayor.

No timber, &c. Penalty $40 per day.

No encumbering of wharves.

(13.) No person shall encumber the wharves with cotton, coal, bricks, lumber, stone, or other heavy articles, so as to prevent the use of said wharves to vessels wishing to load or discharge cargoes, under a penalty of twenty dollars per day.

Penalty $20 per day.

Not more than 2 vessels at wharf.

(14.) Not more than two vessels of one hundred tons or more register, shall be allowed to lay alongside at any wharf in the City, so long as there may be another wharf vacant or with only one vessel thereat, under a penalty of forty dollars per day.

Penalty $40 per day.

No fire except in an iron caboose.

(15.) No vessel or boat lying alongside of any other vessel or wharf, shall have a fire in any caboose, or any place on or under deck of said vessel or boat, except in an iron caboose, and such caboose or other fire place be well and safely covered and surrounded with a good and sufficient caboose, house, hut, or other covering and enclosure, under a penalty of thirty dollars.

Penalty $30.

Vessel not to overlay dock, nor raft across or in, nor fasts athwart them, nor lighter to lie, &c., in them.

(16.) No vessel is to overlay the public docks, the head to be square with the sides of the wharves; nor any raft to be kept across or in them, for the purpose of loading. No fasts shall be extended athwart the public docks, except by permission of the Harbor Master and the Mayor; nor shall any drogger, Augusta boat, lighter, or boat carrying to or from vessels, be permitted to lie, load, or unload in any of the public docks. Masters of vessels and others, not complying with this rule, shall be fined in a sum not exceeding thirty dollars.

Penalty $30.

No ballast, &c., landed without Harbor Master's permission. Penalty $30.

(17.) No shingle or sand ballast, or rubbish of any description, shall be landed without permission of the Harbor Master, under a penalty of thirty dollars.

No slaves or free persons to be employed without a badge.

(18.) Any captain, owner, consignee, or any other person whatever, belonging to, or in any other way concerned in any vessel, who shall have any free persons of color or slaves, who

has not a badge, regularly had and obtained from the proper authority, shall be fined, upon conviction, in a sum not exceeding thirty dollars and costs, for each and every person so employed; one moiety to the informer, and the other half to the City.

Penalty $30.

Vessels with free negroes aboard to report to Clerk of Council, give bond, lodge the negroes in jail, and carry them away when the vessel sails; or when such report is made to give bond, keep the negroes on board without any communication with the shore, and take them away when the vessel sails.

(19.) Every vessel hereafter arriving in the port or harbor of Savannah, by sea, from any port or place in any other State or foreign country, having free negroes or free persons of color on board, shall be brought to anchor in such part of the river as Council may, from time to time, prescribe, and shall there remain for forty days, subject to all the restrictions, pains and penalties prescribed by the Quarantine laws of this State, provided, nevertheless, that upon the confinement in jail of such negro or negroes by the captain or consignee of such vessel, and upon their giving bond to the Mayor and Aldermen for such negro, with two or more approved securities, in the penal sum of two hundred dollars, to carry him, her, or them away, on the sailing of such vessel, and to pay all the expense of his, her or their detention, then and in that case, such vessel may, by a permit from the Mayor, be released from quarantine, and be allowed to load and unload. The captain violating this provision, shall be fined in a sum not exceeding one hundred dollars, and shall, in default of payment thereof, be committed to jail for a period not exceeding three months.

(NOTE. By a late State law, the free negroes, by permission of the Mayor, can be kept aboard, without any communication with the shore, upon paying to the Clerk of Council the City tax of $5, besides fees, and upon the Captain's giving bond to take such negroes away when the vessel proceeds to sea.)

Berths.

(20.) Any vessel will be admitted to a berth, or allowed to change from one berth to another, on application to the Harbor Master.

Disobeying, &c., the Harbor Master's orders.

(21.) Any master, or other person, having charge of any ship or vessel who shall refuse or neglect to obey the directions of the Harbor Master, or his assistant, in any matter or matters within his or their authority, or shall molest, resist or oppose the Harbor Master, or his assistant, in the execution of any of the duties of his or their office, such master or other person having charge of any ship or vessel, or other person whatsoever, shall, for every such offence, forfeit and pay the sum of one hundred dollars.

Penalty $100.

(22.) The master of any vessel lying at anchor in any part of the river in the night time, shall cause a good and sufficient

bring their vessels to anchor at some convenient place below the City, there to remain, without communication with the City or adjacent country, until visited by him. If a disease subjecting the vessel to quarantine, is found to exist on board, he shall order her to proceed to the quarantine ground opposite Fort Jackson, and shall immediately make a report to the Mayor of the nature of the disease, and reccommend such measures as are in his opinion best calculated to prevent its introduction into the City or adjacent country. He shall give the requisite medical attendance to the sick on board of vessels performing quarantine, or to such as shall be removed therefrom to hospitals, either temporary or established, and shall inspect such vessels from time to time, until he deems them in a condition to proceed to the City with safety. After the performance of quarantine, he shall order fumigations, ablutions or other purifying processes, calculated to disinfect unclean vessels, previous to their coming up to the City, and shall fully carry into effect the 1st section of the act of 1805, regulating quarantine in the port of Savannah. It shall furthermore be his duty, when required by the Mayor, to visit persons in the City supposed to be infected with small pox or other diseases, of a contagious and malignant character, and to give his opinion upon the nature of the disease, and the best means of preventing its extension. Upon the removal of such persons to temporary or established hospitals in the City or country, it shall be his duty to visit the patients in said hospitals. It shall likewise be his duty, when a question arises as to the condition of cargoes of damaged corn and other provisions, fruit, hides and other articles of a perishable nature, calculated by their putrification to cause disease, to visit the vessel thus laden, and to make such recommendations to the civil authority as the case may require.

Quarantine ground.

Medical attendance.

Order fumigations, &c.

To visit small pox cases, &c.

Cargoes of damaged provisions.

Ordinance 31st January, 1839.

No. 211. (1.) It shall be the duty of the Health Officer to procure and keep constantly on hand a sufficient supply of good vaccine virus, with which he shall supply those physicians who may at any time call on him for it in reasonable quantities, and for which he shall be paid by said physicians at the rate of three dollars a grain, troy.

To keep vaccine virus and supply physicians for $3 a grain.

Ordinance 3d October, 1844.

Health Officer to be elected "on the first Monday in January annually."

Election of Health Officer.

HEALTH OFFICER.

Ordinance 4th September, 1856.

No. 211. (1.) The salary of the Health Officer be at the rate of five hundred dollars.

Health Officer, Salary $500.

(2.) The fees of the Health Officer (which shall be paid by the owner or consignee of any vessel) shall be as follows:

Fees.

For boarding any vessel lying at the Quarantine ground, at Fort Jackson, two cents a ton up to 500 tons, beyond which no additional fee shall be charged. In case of a visit at night, the fees charged shall be double the preceding; and all expenses incurred for boarding any vessel shall be paid by the Health Officer, except that the City will furnish a quarantine boat.

For visiting and inspecting a vessel which has been subjected to quarantine, and giving a permit to come up to the City, five dollars.

(3.) In case it shall be deemed necessary by the Health Officer to send a patient to the Pest House from the vessel, it shall be done by the vessel's boat, or at the expense of the owner, master, or consignee of such vessel, under a penalty, in case of failure or refusal, of not exceeding one hundred dollars, to be collected in the usual manner as prescribed by Ordinance.

Pest House.

Fine $100.

(*See Title, Quarantine.*)

HOGS.

Ordinance 2d August, 1839.

No. 214. (16.) It shall and may be lawful for any person to seize and take, or kill any hog or hogs found at large in the City of Savannah, and to appropriate the same to his or her own use, so that the same be carried forthwith, after being seized, without the limits of the City.

Hogs at large to be killed, &c.

(17.) It shall not be lawful for any person to retain or keep hogs within the limits, (Ordinance of 21st April, 1853, says, "the provisions of said Ordinance, prohibiting the keeping of hogs within certain limits, be and the same are hereby extended so as to embrace and include the whole corporate limits of the City of Savannah and the Hamlets thereof;") and each and

No hog to be kept in the City.

Fine $30, &c.

every person so offending, shall, if a white person, be fined in a sum not exceeding thirty dollars for each and every such offence, and if a slave or free person of color, shall be fined in a sum not exceeding thirty dollars or be whipped, at the discretion of the Mayor, Chairman, or any two Aldermen.

State Penal Code, 1833. (Cobb's Digest, page 793.)

Hog stealing.

No. 213. (12.) The stealing of a hog or hogs is simple larceny, and shall be so charged in the indictment, and the hog or hogs so described, that it or they may be identified by the owner.

Punishment.

(13.) The punishment of hog stealing, if the hog or hogs stolen do not exceed the value of $20, shall be fine and imprisonment in the common jail of the County, for any time not exceeding six months, at the discretion of the Court; but, if the value of the hog or hogs stolen exceeds the sum of $20, the person convicted shall be punished by imprisonment and labor in the Penitentiary for any time not less than one year, nor longer than three years.

Other animals.

(14.) All other domestic animals which are fit for food, may be subjects of simple larceny; and any person or persons who shall steal any such animal or animals, shall be punished by fine and imprisonment, or fine or imprisonment in the common jail of the County, at the discretion of the Court.

HORSES, MULES, &c.

Ordinance 2d August, 1839.

No horse, mule, &c., to go at large.

No. 214. (6.) No horse, gelding, mare, colt, filly, mule or jackass shall at any time be permitted to go at large within the limits of the City, and for a violation of this section the owner or owners of such animal shall be fined for each and every offence, and each and every such animal running or going at large in a sum not exceeding five dollars. And the City Marshal, or City Constables shall take up the said animal, if the owner thereof is unknown, and empound the same until the said fine and costs are paid; and if the said animal be not claimed in ten days, it shall be the duty of the City Marshal to sell the same at the pound, giving at least five days notice in one of the gazettes of the City, of the description of the animal and the time and place of sale, and he shall pay the net proceeds, after deducting the fine and costs, into the Treasury of the City subject to the order

Fine $5.

Animal to be impounded if owner is unknown. If not claimed in 10 days, to be sold on five days notice.

of Council, who may and shall cause it to be paid to the owner of such animal so sold, when required.

Diseased or offensive horse, mule, &c., to be removed by City Marshal at owners expense.

(8.) If any horse, mare, gelding, colt, mule, ox, cow or calf, or any other animal of like kind, shall be found at large in the City whose appearance shall be offensive to the sight from its poverty, sickness, or sores, the same shall be removed by the Marshal or any City officer, from the precincts of the City, at the expense of the owner or owners thereof; and if any person shall resist or oppose any officer in the discharge of such duty, he or she shall be fined in a sum not exceeding fifty dollars. (See Titles, "Cruelty to Animals," "Pumps.")

Fine $50 for resisting officer.

Ordinance 29th Oct., 1857.

Tax on horses and mules $5, whether in the City on 1st January or brought in afterwards.

No. 215. (8.) Each and every person keeping or using any horse or mule in the City, shall pay therefor the annual tax of five dollars, whether such person be or be not the owner of such horse or mule; (Ordinance of 10th December, 1857, adds these words, viz: "and whether such horse or mule be in the City of Savannah on the first day of January, or be brought into said City at any time during the year, to be kept or used therein. Each and every person who shall bring or cause to be brought into the City of Savannah, any horse or mule to be kept or used therein, after the first day of January, or at any time during the year, shall be subject to the said tax of five dollars, and shall pay said tax to the City Treasurer within ten days after such horse or mule is brought into the City; and if any person or persons shall neglect or fail to pay said tax within said ten days, such person or persons, on conviction thereof before the Mayor, or acting Mayor, in the Police Court, shall be fined in a sum not exceeding thirty dollars; one half of such fine to go to the informer.")

Penalty on any person bringing a horse or mule in the City after 1st January, and not paying the tax in 10 days $30.

State Penal Code, 1833. (Cobb's Digest, pages 791–792.)

Horse stealing.

No. 216. (6.) Horse stealing shall be denominated simple larceny; and the term "horse" shall include mule and ass, and each animal of both sexes, and without regard to the alterations which may be made by artificial means.

How charged and described.

(7.) The offence shall in all cases be charged as simple larceny, but the indictment shall designate the nature, character and sex of the animal, and give some other description by which its identity may be ascertained.

(8.) The stealing of a horse, mule or ass, shall be punished by confinement and labor in the Penitentiary for any time not less than two years, nor longer than five years; and the stealing

of more than one of these animals at the same time, shall be punished by confinement and labor in the Penitentiary for any time not less than six years, nor longer than fourteen years.

Cattle stealing.

(9.) Cattle stealing shall be denominated simple larceny, and be so charged in the indictment, and shall include the theft or larceny of any horned animal or animals, and all animals having the hoof cloven, except hogs.

Indictment.

(10.) The indictment shall sufficiently describe the animal or animals falling under the description of cattle in the preceding section, so that it or they may be ascertained and identified by the owner or owners thereof.

Punishment.

(11.) The stealing of one or more animals falling under the above description of cattle, if the value does not exceed the sum of $20, shall be punished by fine and imprisonment in the common jail of the County, for any time not longer than six months, at the discretion of the Court; but if the value of the animal or animals stolen exceeds the sum of $20, the person convicted shall be punished by imprisonment and labor in the Penitentiary for any time not less than one year, nor longer than four years.

Altering brands or marks the same as stealing.

(15.) If any person or persons shall mark and brand, or mark or brand, any animal or animals before mentioned, (*See sections* 8–9 *of this title, and* 13 & 14 *of title* "*Hogs,*") or alter or change the mark or marks, or brand or brands of any such animal, being the property of another, with an intention to claim or appropriate the same to his or her own use, or to prevent identification by the true owner or owners thereof, the person or persons so offending shall be guilty of a misdemeanor, and on conviction, shall suffer the same punishment as is inflicted for the theft or larceny of the said animal or animals.

HOUSES NUMBERED.

Ordinance 24th Feb., 1842.

Houses to be numbered.

No. 217. (1.) The owner of every lot or lots upon which a dwelling house, store, or other building has been erected, shall, after the passage of this Ordinance, be required to number the said house or houses after the manner and within the time hereinafter provided.

Duty of Street and Lane Committee.

(2.) It shall be the duty of the street and lane Committee of this Board to provide some competent person, painter, brazier or other artist, who shall proceed forthwith under the direction of the said Committee, to number the houses on each street with paint, in large figures, and in a legible and durable manner,

unless the tenant, occupant or owner of such house shall elect a more costly and elegant method, in which case it shall be left to his or her option as to the cost and materials, whenever such cost may exceed the cost in the general plan for numbering the City at large.

How the cost is defrayed.

(3.) There shall be levied upon every house within the corporate limits of the City, not facing upon the lanes and alleys, such sum as the street and lane Committee shall require to defray the cost of numbering such house, and the same sum upon every door of each tenement house to be paid at the time of numbering the same, to the order or by the authority of the street and lane Committee, and upon the failure of every such owner of a house or houses, said owner or owners shall forfeit and pay into the City Treasury the sum of one dollar, for which execution shall immediately thereafter issue.

Enumeration.

(4.) Every house completed or now building, shall be enumerated by whole numbers, whether upon whole, half or quarter lots.

Streets east and west.

(5.) Upon the streets running from east to west, the houses shall be numbered, with the even numbers on the north side and the odd numbers on the south, and commence at the eastern terminus of said streets.

Streets north and south.

(6.) Upon those streets running north and south, the even numbers shall be on the west side, and the odd numbers on the east, and commence in the northern terminus of said streets as nearly as practicable.

Streets west of West Broad street and Yamacraw.

(7.) Those streets west of West Broad street and in Yamacraw, which are not continuations of any streets heretofore named, shall be numbered upon the same general plan, but independently, viz: commencing at the eastern terminus, and the even numbers on the north and west sides.

No numbering further west than Farm street.

(8.) No houses shall be numbered for the present further west than Farm street, and further east than the western end of the Eastern Wharf Company's land, and further south than Harris street, except in Curry Town, which shall be numbered independently, as in Yamacraw.

Tax due upon completion of the numbering.

(9.) This Ordinance shall be in full force from the passage thereof, and the tax upon each and every house shall be considered due upon the completion of the numbers upon that house, and shall be paid to the workmen or artist as he progresses, on failing to do which the owner shall pay as heretofore provided, and all Ordinances or parts of Ordinances militating against this Ordinance, are hereby repealed.

HOUSES, STORES, &c.

State Penal Code, 1833. (Cobb's Digest, page 790.)

Burglary.

No. 218. (12.) Burglary is the breaking and entering into the dwelling or mansion house of another with intent to commit a felony. All outhouses contiguous to and within the cartilage or protection of the mansion house shall be considered as parts of the mansion or dwelling house; a hired room or apartments in a public tavern, inn or boarding house, shall be considered as the dwelling house of the person or persons occupying and hiring the same. Burglary may be committed in the day or night.

May be in day or night.

In the day, penitentiary 3 to 5 years.

(13.) Burglary in the day time shall be punished by imprisonment and labor in the Penitentiary for any time not less than three years nor longer than five years.

In the night, 4 to 7 years.

(14.) Burglary in the night shall be punished by imprisonment and labor in the Penitentiary for any time not less than four years nor longer than seven years.

Cobb's Digest, 791.

Larceny from the house defined.

No. 219. (26.) Larceny from the house is the breaking or entering any house with an intent to steal, or after breaking or entering said house, stealing therefrom any money, goods, chattels, wares or merchandize, or any thing or things of value whatever.

Punishment 2 to 5 years.

(27.) Any person who, by day or by night, shall, in any dwelling house, store, shop or warehouse, or any other house or building, privately steal any goods, money, chattels, wares or merchandize, or any other article or things of value, shall be punished by imprisonment and labor in the Penitentiary for any time not less than two years, nor more than five years.

Punishment for entering with intention to steal.

(28.) Any person entering a dwelling house, store, shop or warehouse, or any other house or building, with intent to steal, but who is detected and prevented from so doing, shall be punished by imprisonment and labor in the Penitentiary for any time not less than one year, nor longer than three years.

Breaking with such intent, penitentiary 2 to 5 years.

(29.) Any person breaking any dwelling house, store, shop or warehouse, or any other house or building, with intent to steal, but who is detected and prevented from effecting such intention, shall be punished by imprisonment and labor in the Penitentiary for any time not less than one year, nor more than three years; but if the owner of said building, or any other person be in the house at the time of such breaking, and be put in fear, then the said offender shall be punished by imprisonment and labor in the Penitentiary for any time not less than two years, nor longer than five years.

Breaking and entering, penitentiary 2 to 4 years.

(30.) Any person breaking and entering any house or building (other than a dwelling house or its appurtenances,) with intent to steal, but who is detected and prevented from carrying such intention into effect, shall be punished by imprisonment and labor in the Penitentiary for any time not less than two years, nor longer than four years. And any person breaking and entering any such house or building, and stealing therefrom any money, goods, chattels, wares or merchandize, or any other thing or article of value, shall be punished by imprisonment and labor in the Penitentiary for any time not less than three years, nor longer than five years. But if such breaking, entering and stealing, be accompanied by any violence, menace or threat, or by alarming and putting in fear any person in said house, then the imprisonment and labor shall be not less than four years.

Breaking, entering and stealing, 3 to 5 years.

But if violently, 4 to 5 years.

(31.) Any house, building or edifice belonging to the State, or corporate body, or appropriated to public worship, or any other public purpose, shall be taken and considered as a house or building within which this class of larceny may be committed.

Public buildings included.

(32.) Any person entering and stealing from any hut, tent, booth, or temporary building, shall be punished by imprisonment and labor in the Penitentiary for any time not less than one year, nor longer than four years.

Hut, tent, &c., 1 to 4 years.

IMPROPER CONDUCT.

(*See Title, "Disorderly Conduct."*)

INCOME AND COMMISSION TAX.

Ordinance of 22d Dec., 1856.

No. 220. (9.) The following taxes shall be levied, assessed and paid, to wit: one dollar on every hundred dollars of all profits and all income derived from the pursuit of any faculty, profession or occupation, trade or employment, (except persons whose income does not exceed $800,) or from the exercise of any office, income from the practice of dentistry, &c., and one dollar for every hundred dollars of all commissions received by factors, vendue masters or other persons vending or buying goods, wares, merchandise, produce and real and personal property, on commission, or on joint account, between the first day of January and the first day of May next, and annually thereafter, from the first day of May in one year to the first day of May in the succeeding year; and each and every person so deriving such income or commission, shall, on the first Monday in May next, and on the first Monday in May annually, thereafter make a return of such income or commission to the City Treasurer, who

$1 on every $100 of all profits, &c.

$1 on every $100 of all commissions.

Returns to be made on 1st Monday in May.

To be paid by 15th May.

shall thereupon proceed to assess and collect such tax, and if such tax shall not be paid by the fifteenth day of May to issue execution therefor, and place the same in the hands of the City Marshal for collection—provided that nothing herein contained shall prevent any person who may be unwilling to make such returns from paying into the City Treasury the sum of three hundred dollars in lieu of such income or commission tax.

Commutation $300.

(Amended by Ordinance 5th March, 1857, as follows, viz:)

(1.) The 9th section of the above entitled Ordinance shall be, and the same is hereby amended by adding thereto the following words, viz: "And in case any person or persons deriving income from the pursuit of any faculty, profession or occupation, trade or employment, or from the exercise of any office, income from the practice of dentistry, &c., deriving income or commission from vending or buying goods, wares, merchandise, produce, and real and personal property, on commission or on joint account, shall fail, neglect or refuse to make a return or returns of such income or commission in writing, on oath to the City Treasurer, on or before the fifteenth day of May next, and annually thereafter on or before the fifteenth day of May in each succeeding year, such person or persons shall be liable to a tax of three hundred dollars, to be paid into the Treasury of the City of Savannah, on the day designated for making said return or returns, and on failure to pay the same the City Treasurer shall immediately issue execution therefor and place the same into the hands of the City Marshal for collection. Provided, that Clergymen actually officiating in any Church of the City, and School Masters actually engaged in teaching in the literary schools of this City shall not be required to make the return before mentioned.

Any person failing, &c to make return.

Shall be liable to a tax of $300.

Exceptions.

INDIGENT SICK.

Ordinance 29th June, 1854.

Competent apothecary to put up prescriptions, &c.

No. 221. (1.) Any competent apothecary in the City of Savannah, who may choose to put up the prescriptions of any respectable graduate in medicine, practicing in the City of Savannah, for the indigent sick, shall be allowed to charge the same to the Corporation of the City of Savannah: *Provided*, Such prescription contains the name of the patient for whom it is prescribed, stating their inability to pay for the same, with the name of the physician prescribing it, all legibly written, which prescription shall be the voucher for such apothecary's charge; and *Provided, further*, That such apothecary has in writing signified to the Chairman of the Health and Cemetery Committee, that he will put up the prescriptions at ten (now forty, see next Ordinance) per cent. below the regular rate.

At 40 per cent. less than regular rate.

(2.) All apothecaries so furnishing medicines as above, and who have, in writing, signified to the Chairman of the Health and Cemetery Committees that they will furnish the medicines and put up the prescriptions at ten (now forty) per cent. below the regular rate, shall send in their bills monthly, two days at least before the regular meeting of Council, with the vouchers annexed; and it shall be the duty of the Committee on Accounts to examine all such bills, and no charge shall be allowed in any bill without its proper voucher, and when so examined and certified by said Committee, and passed by Council, shall be paid by the City Treasurer.

Bills to be sent monthly, &c.

(3.) If any person shall by misrepresentation, obtain medicine at the public expense when they are able to pay for the same, he or she shall on conviction before the Police Court, be fined in a sum not less than five nor more than twenty dollars for each offence—one half of said fine to go to the informer, the other half into the City Treasury.

Penalty $20 for obtaining medicine by misrepresentation.

Ordinance 12th Nov., 1857.

The first and second section of the above recited Ordinance be and the same are hereby amended, by striking therefrom the word "ten" and inserting in lieu thereof, the word "forty" in two different places.

Making the percentage 40 per cent.

INFORMERS AND WITNESSES.

Ordinance 30th May, 1808.

Informer fined $5 for not attending Police Court.

No. 222. (1.) When any information is laid before Council, or the Clerk, against any person or persons, it shall be the duty of the informer or informers to attend Council and give testimony on such information or informations, and in case of his,

her, or their neglecting to attend and give testimony, such informer or informers shall be fined in a sum not exceeding five dollars, unless excused by Council for some good and sufficient cause. (Ordinance of 22d July, 1839, says: "The provisions and penalties of the above entitled Ordinance shall be held to extend, so as to compel the attendance of informers and witnesses before the Police Court.")

Subpœnas issued by Clerk and served by Marshal.

(2.) In all informations laid before Council, it shall be the duty of the Clerk to issue, and of the Marshal to serve subpœnas on such witness or witnesses, as may be material to the trial of said information, requiring such witness or witnesses to appear and give testimony before Council on the information stated in such subpœnas, and such witness or witnesses being duly summoned and not attending, shall be fined in any sum not exceeding five dollars, unless excused by Council, for some good and sufficient cause.

Witnesses fined $5 for non-attendance.

INSPECTORS AND GUAGERS OF LIQUOR.

Ordinance 15th March, 1827.

Inspectors and Guagers.

Fees.

No. 223. (11.) (First part of this section superceded.) And each Inspector and Guager shall be entitled to the following fees, to be paid by the owner or seller: For inspecting each pipe 12½ cents; for guaging 25 cents; for inspecting each hogshead 12½ and for guaging 20 cents; for inspecting each barrel or quarter cask 12½ and for guaging 10 cents; but the fees shall be lessened one half for all exceeding ten casks, inspected or guaged at one time. And no Guager and Inspector shall be licensed who shall not produce to Council a satisfactory certificate of his integrity, knowledge and ability to execute the duties of his office.

Ordinance 7th June, 1827.

Duty to inspect, &c., all distilled spirits imported into this City for sale.

No. 224. (1.) All spirits distilled within any of the United States or territories thereof, and imported into this City for sale, shall, as soon thereafter as practicable, be inspected and guaged by one of the Inspectors and Guagers of liquors appointed under the Ordinance to which this is amendatory, who shall mark the cask containing the same in a distinguishable manner, with the

proof or degree of spirits of such liquor or spirits, and also the guage or capacity, together with the outs or deficiency of liquor in such cask; and every consignee, agent, or owner of domestic distilled spirits, who shall neglect or refuse to cause the same to be so inspected and guaged, or who shall sell or offer them for sale, without such inspection and guaging, shall for each offence, upon conviction before Council, be fined in a sum not exceeding thirty dollars.

$30 penalty on consignees, &c., neglecting to have the same inspected, &c.

(2.) The Inspectors and Guagers shall determine the proof or degree of spirits of liquors by them inspected, by Southworth's hydrometer, and the S on said hydrometer shall be the standard for first proof, and that they shall also determine the guage or capacity of casks by them guaged, by the method authorized and adopted by the United States Treasury Department.

Proof or degree of spirits.

(3.) If any person or persons shall after the inspection and marking of any casks, as heretofore mentioned, fraudulently alter the mark, or after the cask shall have been emptied of spirits, shall put other spirits therein without first obliterating the whole of the Inspector's mark, such person or persons shall in every case be fined, on conviction before Council, in a sum not exceeding thirty dollars.

Altering marks.

Penalty $30.

(*See Title, Measurers and Inspectors.*)

INSURANCE COMPANIES AND AGENTS.

Ordinance 29th Oct., 1857.

Insurance Companies and Agents.

No. 225. (8.) Each and every insurance company, and agent for an insurance company, located within this City, whether such company be incorporated here or elsewhere, and each and every person who shall carry on the business of insuring, for himself or as agent for any other person or persons, or corporation or corporations, shall, on or before the 15th day of January of every year hereafter, make to the City Treasurer a true return, on oath, or on the oath of the presiding officer of any such company incorporated in this City, of all premiums received, less losses actually paid during the period for which such return is made, and shall forthwith pay to the said Treasurer a tax of five per centum on such premiums received, less

Return to be made on 15th January

Tax 5 per cent. on premiums received, less actual losses.

losses actually paid; and if any such company or agent shall neglect or refuse to make such return, the tax to be paid by such company or agent shall be assessed by the Finance Committee within ten days after such default, and approved by the City Council at the first regular meeting thereafter, and execution issued therefor against such defaulting person or persons, company or agent, immediately after such approval of the said assessment. The first return under this Ordinance shall be for all of the year 1857, except the months of January, February, March and April, and every return thereafter for the whole of the year ending with the last day of December next preceding such returns; provided that nothing herein contained shall be construed to extend to premiums received for life insurance.

If in default tax to be assessed in 10 days.

Ordinance 22d January, 1857.

No. 226. (2.) Each life insurance office or agent shall pay a specific tax of fifty dollars per annum.

Life Insurance office tax $50 per annum.

JAIL—JAILOR.

Ordinance 25th Dec., 1834. (W. W. Gordon, Mayor.)

No. 227. (1.) From and after the first day of January, eighteen hundred and thirty-five, the direction, management, and control of the Jail of Chatham County shall be vested in the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, who shall be the commissioners thereof, with all the rights and duties thereto appertaining.

The County Jail vested in the Mayor and Aldermen.

(2.) The said Mayor and Aldermen shall, on the thirtieth day of December, instant, proceed to the election of a Jailor, to take in charge the management of said Jail, who shall hold his office for the term of three years, (Amended by Ordinance of 17th December, 1857, viz: "and such Jailor and his Deputy or Deputies, shall live in, sleep in and reside at the Jail,") unless sooner removed by the said Mayor and Aldermen for any misconduct, which shall, in their opinion, furnish sufficient cause.

Jailor elected.

Sleep in and reside at Jail.

NOTE. The Jailor is now elected at the first regular meeting of Council in January.

(3.) The salary of said Jailor shall be fifteen hundred dollars

Salary of Jailor $1500.

per annum, and he, the said Jailor, shall appoint his own Deputy, who shall be approved of by the said Mayor and Aldermen, and who shall be compensated by the said Jailor from his salary, and that he, the said Jailor, shall give bond, with good and sufficient security, in the sum of twenty thousand dollars, and they shall each take and subscribe the following oath before the Mayor or acting Mayor of said City, before they enter on the duties of their respective offices, to wit: "I do solemnly swear (or affirm, as the case may be,) that I will well and truly do and perform all and singular the duties of Jailor, or Deputy Jailor, of the County of Chatham, and that I will humanely treat all criminals who may be brought to Jail, and not suffer them to escape by any negligence or inattention of mine. So HELP ME GOD."

Deputy.

Bond $20,000.

Oath.

(4.) The liabilities and duties prescribed by the existing laws of the State of Georgia as applicable to the Jailors of the several Counties, shall be and continue in force, and that the fees, as prescribed by law, shall continue, and that the said Jail shall be subject at all times, to the visit and inspection of the Justices of the Inferior Court of Chatham County, and of the Grand Inquest of said County and City.

Liabilities and duties of Jailor.

(5.) The said Jailor shall keep regular books of account, and shall make proper entries therein of the times of receiving criminals and prisoners, and of their discharge, and of all sums received or paid by him as such Jailor, and shall make monthly (now the Monday preceding the meeting of Council) returns and payments on the first of each month to the Mayor or acting Mayor of the City of Savannah, and which said monthly (now every two weeks) accounts shall, at all times, be subject to the inspection and approval or disapproval of the said Mayor and Aldermen, and be preserved on file in the office of the City Treasurer.

Duty of Jailor.

NOTE. By the 1st section of an Ordinance passed in Council 8th November, 1842, entitled an Ordinance to reduce the salaries of the City Officers therein named, &c., the Jailor's salary was reduced from $1,500 to $1,200 per annum—by the following Ordinance, it was again reinstated at the original salary of $1,500.

Ordinance 16th July, 1851.

(2.) The salary of the Jailor be increased to fifteen hundred dollars per annum.

Ordinance 17th Dec., 1857.

No. 228. (1.) The second section of said Ordinance (of 25th

Dec., 1834,) shall be and the same is hereby amended by adding thereto these words, viz: "and such Jailor, and his Deputy or Deputies shall live in, sleep in, and reside at the Jail" after the word "years."

Jailor and Deputy to live at Jail.

Ordinance 17th Sept., 1846.

Present Jail building

AN ORDINANCE, To be entitled an Ordinance granting to the Justices of the Inferior Court of Chatham County, lots Nos. 11, 12, 13, and 14, in LaFayette Ward, and the brick walls enclosing the same, and all the buildings and improvements on the same, within the said wall.

Preamble.

WHEREAS, in and by a memorial of the honorable, the Justices of the Inferior Court of Chatham County, it is represented to the City Council, that after many embarrassments they have succeeded in accomplishing the wishes by the erection of a new jail and are waiting only until the walls have become sufficiently dry to authorize its being inhabited, to place it under the control of the City authorities, and also that "the cost of the building has not only exhausted the funds of the County, but it has also exceeded the means of payment" and they request them that an Ordinance be passed, or such other means adopted as will carry into effect the resolution of Council, of 19th of August, 1839: and whereas, by a report of a Committee of Council, adopted by Council on that day it was recommended "that the proceeds of the sales of the four lots which will be laid off from the present jail lot be given for the purpose of aiding in the erection of the new jail," as well as the materials of the present jail, or an equivalent thereto in money:

4 lots in LaFayette Ward, &c., granted to the Inferior Court

No. 229. (1.) That lots Nos. (11, 12, 13, and 14,) eleven, twelve, thirteen and fourteen, in LaFayette Ward, in the City of Savannah, and the wall now enclosing and all the buildings and improvements on the same and within the said wall, be and the same are hereby granted to the Justices of the Inferior Court of Chatham County and their successors in office and assigns in fee simple, this grant to take effect from and immediately after the delivery of the new jail to the City authority. (The remaining portion of the section repealed by the next Ordinance.)

Ordinance of 10th June, 1847.

(1.) That so much of the Ordinance (of 17th Sept., 1846,) as requires the lots to be sold within one year and the buildings and wall enclosing the same to be removed within six months

from the date of the said Ordinance be and the same are hereby repealed.

Ordinance 15th June, 1854.

New Jail site.

No. 230. (1.) That the triangular space of ground in that portion of the City known as Crawford Ward, east, bounded by East Broad street, the Thunderbolt road, and Perry street, (except the lot heretofore conveyed to ——— Lewis in exchange,) be set aside and appropriated for the site on which a new jail is to be erected.

Conveyance.

(2.) The Mayor be and he is hereby authorized to execute a conveyance of said space of ground to the Justices of the Inferior Court of Chatham County, for the purpose above recited, so soon as said Justices shall signify to him in writing, their acceptance of said location, and state that the erection of the new jail shall be commenced, *bona fide*, by the first day of June, 1855.

Condition.

(3.) In the conveyance of said space of land, the condition be inserted "that unless the erection of said jail be commenced *bona fide*, by the first day of June, 1855, said lands shall revert to the City."

State Law, Assented to Nov. 30th, 1801, Josiah Tattnall, Jr., Governor. (Clayton's Digest, page 5.)

AN ACT to vest the government and regulation of the Jail of the County of Chatham, in the Mayor and Aldermen of the City of Savannah, and appointing them sole Commissioners of the Court House and Jail of the said County.

Preamble.

WHEREAS, the jail of the County of Chatham has been built and erected on lots belonging to, and within the jurisdiction and chartered limits of the City of Savannah, and out of the funds of the said City; And whereas, it will be expedient and proper to place the entire management, care inspection and direction of the same, together with the Court house of the said County, which also stands within the same jurisdiction and limits, in the Mayor and Aldermen of the said City of Savannah, for the time being.

Mayor and Aldermen of Savannah appointed Commissioners of the Court House and Jail of Chatham County with power to manage the same.

No. 231. (1.) Be it therefore enacted &c., The Mayor and Aldermen of the City of Savannah, for the time being, shall be solely and exclusively Commissioners of the Court house and jail of the said County of Chatham, and are hereby vested with the sole management, care, inspection and direction of the same, with full power and authority to appoint a jailor and such other officers as may be necessary; and also to pass such Ordinances and resolutions for the government and direction of the said jailor, and other officers, and all persons confined within said jail, as they shall from time to time deem necessary and proper, provi-

ded the same be not repugnant to any law or the constitution of the State. And the said jailor and other officers appointed as aforesaid shall give bond with two or more approved securities to the said Mayor and Aldermen for the time being, for the faithful performance of the duties required of them respectively.

The keeper of said Jail answerable for escapes.

(2.) The said Jailor or other officers appointed to take charge of the said Jail or any part thereof, or of any class of persons confined therein, shall be answerable for all escapes from the said Jail, in the same manner as by the laws of this State the Sheriff would have been heretofore answerable. (See page 225.)

State Law, Approved Dec. 19th, 1818. (Cobb's Digest, page 857.)

WHEREAS, Criminals and other persons confined in the Jails of this State, are exposed to unnecessary hardship and sufferance, from the want of medical aid, when sick, from the want of fire in cold weather, and from the want of clothes and blankets, and other comforts necessary to health; for remedy whereof,

The Sheriff shall when necessary procure for prisoners medical aid.

No. 232. (1.) *Be it enacted, &c.* That it shall be the duty of the Sheriffs of each County, whenever a criminal or criminals, or other person or persons are confined in the Jail of the County of which he is Sheriff, to furnish or procure medical aid whenever the sickness of the person or persons confined in Jail require said aid; it shall also be the duty of the Sheriff to

Fire, and

furnish such person or persons so confined, with fire, whenever the form of the Jail admits of the same, and the coldness of the weather makes fire necessary to comfort and health; it shall also be the duty of the Sheriff to furnish such person so confined,

Blankets.

with a sufficient quantity of blankets and clothing for the health and comfort of persons so confined: *Provided*, the person or persons so confined, have not the power of procuring blankets

And keep the Jail clean.

and clothing themselves; it shall also be the duty of the Sheriff to keep the Jail of the County of which he is Sheriff, in that state of cleanliness necessary to health: *Provided*, nothing con-

Saving as to the Corporation of Savannah.

tained in this Act shall be considered as arresting or taking from the Corporation of the City of Savannah the right and control over the Jail of the County of Chatham, now exercised by them under a special Act of this State.

If he permits them to suffer for want thereof,

(2.) If any Sheriff should by his negligence permit any criminal or criminals, or other person or persons, confined in the Jail of the County of which he is Sheriff, to suffer in health for want of such medical aid, fire, blankets, clothes and cleanliness, as above pointed out, he shall be subject to indictment for such neglect, and upon conviction, shall be fined by the Court

To be fined not exceeding $500.

in a sum not more than five hundred dollars, which fine shall be paid to the Clerk of the Inferior Court of the County, and made part of the County funds.

Jailor's fees.

(3.) The Jailors of the several Counties of this State shall be allowed to charge the sum of fifty per cent. on all charges heretofore allowed by law.

The Sheriff shall be reimbursed out of the County funds in preference to all other claims thereon.

(4.) Whenever the Sheriff of any County shall have incurred any expense in the performance of his duty, as above prescribed, he shall lay before the Inferior Court of the County of which he is Sheriff, an account of the same, who shall pay the same out of any funds belonging to said County, in preference of all other claims upon said fund whatsoever.

Cobb's Digest, page 351.

Jailor's fees.

No. 233. (8.) Receiving a prisoner or debtor .....62½ cents.
Turning the key or discharging a prisoner in virtue of a habeas corpus, or by order of the Court, Judge, or Justice.....62½ cents.
Dieting a prisoner per day, allowing two pounds of bread, one and a half pounds of beef or one pound of pork, with a sufficiency of water, all wholesome provisions.....46⅞ cents.
Turning the key on commitment of any person.....62½ cents.
Dieting negroes, allowing one quart of rice or corn meal per day.....15⅝ cents.

State Law, Approved Dec. 13th, 1820. (Cobb's Digest, page 480.)

Where no Jails are provided the prisoners are to be conveyed to the Jail of adjoining Counties.

No. 234. (1.) The Sheriffs and lawful Constables in any of the Counties of this State that are not provided with a Jail be, and they are hereby authorized and required to convey persons arrested by them, by virtue of a capias ad satisfaciendum or other civil process which may require bail, to the Jail of any adjoining County, and to deliver such person or persons to the keeper of said Jail: Provided, the person or persons so arrested shall refuse or neglect to give such bail as the officer arresting may be authorized to require.

The keepers of said Jails required to receive them.

(2.) The keepers of such Jail shall and they are hereby authorized and required to receive into their care and custody any person or persons delivered to them, in conformity to the preceding section, and him or them safely keep until they are delivered from thence according to law, or by direction or request of the plaintiff, his agent or attorney: Provided, that the plaintiff, his agent, or attorney shall give bond, with sufficient security

Provided security is given for Jail fees.

to the keeper of such Jail, for the Jail fees and weekly maintenance of the person or persons so delivered to him for safe keeping.

State Law, Approved Dec. 29th, 1847. (Cobb's Digest, page 544.)

Jail fees not paid defendant discharged.

No. 235. (2.) If any person or persons be imprisoned in the common Jail of any County in this State, on a mesne or final process for debt, if the plaintiff in suit or execution, his agent or attorney does not pay up at the end of each and every week the Jail fees which may have accrued, then and in that case the Inferior Court may and they are hereby authorized to discharge the defendant or defendants by writ of habeas corpus.

State Penal Code, 1833. (Cobb's Digest, pages 805-807.)

Cruelty in Jailors, Penitentiary 1 to 3 years.

No. 236. (13.) If any Jailor, by too great a duress of imprisonment, or other cruel treatment, make or induce a prisoner to become an approver, or accuse and give evidence against some other person, or be guilty of wilful inhumanity or oppression to any prisoner under his custody, such Jailor shall be punished by removal from office, and imprisonment and labor in the Penitentiary for any time not less than one year, nor longer than three years.

Assisting to escape from Jails, Penitentiary 1 to 4 years.

(22.) If any person shall aid or assist a prisoner lawfully committed or detained in any Jail, for any offence against this State, or under any civil process, to make his or her escape from Jail, whether such escape be actually effected or not; or if any person shall convey, or cause to be delivered to such prisoner, any disguise, instrument or arms, proper to facilitate the escape of such prisoner, such person so offending shall, on conviction, be punished by confinement and labor in the Penitentiary for any time not less than one year, nor longer than four years.

Voluntary escapes, Penitentiary 2 to 7 years.

(25.) If any Sheriff, Coroner, Constable, Keeper of a Jail, Keeper, other officer or person employed in the Penitentiary having any offender guilty or accused of or confined for any crime, in his custody shall voluntarily permit or suffer such offender to escape and go at large, every such Sheriff, Coroner, Keeper of a Jail, Keeper, officer or other person employed in the Penitentiary, Constable or other officer or person so offending shall on conviction, be punished by confinement and labor in the Penitentiary for any time not less than two years, nor longer than seven years; and shall moreover, if a public officer, be dismissed from office.

Refusing to receive prisoner, Penitentiary 2 to 7 years.

(26.) If any Sheriff, Coroner, Constable, Keeper of a Jail or other officer whose duty it is to receive persons charged with, or guilty of an indictable offence, shall refuse to receive and take charge of such person or persons, every such Sheriff, Coroner, Constable, Keeper of a Jail, or other officer so offending shall on conviction, be punished by confinement and labor in the Penitentiary for any time not less than two years, nor longer than seven years; and such officer shall moreover be dismissed from office.

State Law, Approved Nov. 26th, 1802. (Cobb's Digest, page 855.)

Prisoners not to be put in irons.

No. 237. (3.) No Jailor shall put any person into irons unles he is confined for a capital offence, and it is so expressed in the warrant.

State Law, Approved Dec. 29th, 1847. (Cobb's Digest, page 863.)

Criminals unable to pay Jail fees Inferior Court may discharge.

No. 238. (1.) When any criminal or offender against the laws of this State shall be so confined in any of the Jails thereof, under a sentence of imprisonment for a definite period, and until all costs are paid, and the said criminal or offender, after the time of his imprisonment shall have expired, shall be unable to pay the costs, it shall and may be lawful for the Justices of the Inferior Court of the County in their discretion (the whole Court therein concurring,) where such criminal or offender against the law may be confined, to discharge him from such confinement.

State Law, Approved Dec. 10th, 1803. (Cobb's Digest, page 382.)

Security for the maintenance and Jail fees of seamen.

No. 239. (8.) When seamen are committed at the instance of their captains, who frequently leave them in jail, security shall be given to the Jailor before he shall receive such seamen for their maintenance and jail fees.

State Law, Assented to 8th Dec., 1834.

(*Pamphlet Laws*, 1834, *page* 246.)

AN ACT, To repeal in part the second section of an Act passed on the twenty-first of December, 1822, entitled an Act to confirm certain conveyances of the town-common of Savannah, made by the Mayor and Aldermen, and to vest in the Inferior Court and Sheriff of Chatham County, the direction of the County Court House and Jail, and to constitute the said Mayor and Aldermen the Commissioners of the Jail of said County.

Jail vested in Mayor and Aldermen.

No. 240. (1.) *Be it enacted, &c.* That from and after the first day of January next, the direction, management and control of the Jail of Chatham County, shall be vested in the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, who are hereby constitued the Commissioners thereof, with all the rights and duties thereto appertaining, with power to them to appoint a Jailor and other necessary officers for a term of years not exceeding three years; which said Jailor and other officers, shall respectively give such bond, and be allowed such compensation as the said Mayor and Aldermen shall, by Ordinance, prescribe; and which said Jailor and other officers, or any of them, shall be removable from office by the said Mayor and Aldermen of the City of Savannah, for any misconduct, which shall, in their opinion, furnish sufficient cause.

Power to appoint Jailor, &c.

Inferior Court to appropriate funds, &c., to erect a new Jail.

(2.) It shall and may be lawful for the Justices of the Inferior Court of Chatham County, in their discretion, to appropriate and apply any County funds in the Treasury of said County, or which shall hereafter come to the said Treasury, to the erection of a new Jail, which, when so erected, shall become the Jail of said County, under the direction of the said Mayor and Aldermen of the City of Savannah, in the same manner and with the same rights, powers and duties, as are provided in the first section of this Act.

Jail subject to visits, &c., of Inferior Court and of the Grand Inquests, who may report to the City Council any misconduct of Jailor or other officers.

(3.) That the said Jail shall be subject, at all times, to the visits and inspection of the Justices of the Inferior Court of Chatham County, and of the Grand Inquest of said County and City, who may or shall report to the City Council of said City any misconduct in the offices thereof, or evils existing therein, and recommend to the said City Council any mode of redress or remedy therefor.

JAIL RULES.

(Adopted by Council, Sept. 27, 1838.)

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Rule 1. All contracts for supplies for the Jail, shall be under charge of the Jail Committee.

Rule 2. All provisions for Prisoners shall be wholesome and sound of their kind.

Rule 3. The Jailor shall have the wards kept clean. The employment of Prisoners in the labor, may be regulated by the Jail Committee, under their written order.

Rule 4. Medical aid shall be furnished Prisoners when required.

Rule 5. No intoxicating drinks shall be introduced into the Jail, to be used by Prisoners, except under the prescriptions of a Physician.

Rule 6. No games of chance or any species of gambling shall be allowed in any part of the Jail or premises.

Rule 7. The Jailor, under the supervision of the Jail Committee, may procure blankets and bedding for Prisoners unable to provide the same for themselves, and that a charge be made against the county for blankets and bedding furnished to Paupers.

Rule 8. Persons confined for debt shall have no communication with Prisoners under charge for misdemeanors or sentence of a Court, except as in future provisions on that point.

Rule 9. Male and female Prisoners shall be separately confined.

Rule 10. No Prisoner, except confined for debt, shall be allowed to furnish the room where he may be confined with special accommodations, unless by assent of two of the Jail Committee.

Rule 11. The secure confinement of Prisoners may be made by additions to the ordinary securities of the Jail at any time.

Rule 12. All refractory conduct of a Prisoner shall be taken cognizance of by the Jail Committee.

Rule 13. The Jailor shall prevent all communications between Prisoners outside of the Jail or the wall enclosing it.

Rule 14. No provisions shall be carried into any ward or room, unless by permission of the Jailor, other than the daily allowance to Prisoners.

Rule 15. No one shall be allowed to go in or out of the Jail after bell-ring at night, except in cases of sickness, fire or the necessary reception of a Prisoner or Prisoners.

Rule 16. The Jail shall be subject to the inspection of the Grand Jury, the Justices of the Inferior Court, the Jail Committee, the Mayor of the City, or the Chairman of Council.

Rule 17. The rooms shall be inspected by the Jailor or his Deputy, every day.

Rule 18. No colored person or persons shall enter the Jail who is or are not legally placed there, or is a servant of the Jailor's family, or has permission of one of the Jail Committee.

Rule 19. No person confined in the Jail under criminal charge, or conviction of the same, shall be allowed to have the liberty to walk about the Jail, under any circumstances, but shall be strictly confined to his room or ward.

Rule 20. No light or fire shall be permitted in any Prisoner's room after 9 o'clock at night, unless by special written permission by the Jail Committee, or in case of sickness; and the Jailor shall see the lights and fire are thus extinguished.

Rule 21. The Jailor and his Deputy shall reside in the Jail, and he or his Deputy shall be there at all times.

Rule 22. The Jailor shall not permit chastisement to be inflicted in the Jail or its premises, except under sentence of a Court, and except in cases of slaves ordered by their owners or managers to be chastised; and no whipping of a slave shall be permitted unless on the written request of such owner or manager, and no whipping shall exceed in any day 39 lashes.

Rule 23. That the entrance to the Jail yard shall at all times be kept locked, and that a bell be attached to the door to give notice by any person wishing entrance.

Rule 24. That there shall not be any buildings attached to the wall of the yard in the inside thereof, or anything whereby escape could be facilitated, and nothing kept in the yard that could be used for the purpose of aiding in scaling the walls.

Rule 25. The Jailor shall not permit communication with persons confined for offences or under sentence of Court, except by written permission of one of the Jail Committee, or the Mayor of the City, or the Chairman of Council.

Rule 26. It is understood that these regulations are obligatory upon the Deputy Jailor, as well as upon the Principal.

Rule 27. These regulations may be amended, abrogated or added to, at any time, by the Council.

KEEPER OF CITY CLOCKS.

Ordinance 2d August, 1839.

Keeper of City Clocks elected.

Duty, &c.

No. 241. (17.) Council shall, on the first regular meeting of Council in each and every January, elect a Keeper of the City Clock, whose duty it shall be to keep the same in good order and repair, throughout the year, and for which duty he shall receive such compensation as may be stated in the proposals accepted by the said Council.

KEEPING DISORDERLY HOUSE.

State Penal Code, 1833. (Cobb's Digest, page 815.)

Disorderly houses.

No. 242. (8.) Any person who shall keep or maintain, either by himself or herself, or others, a common, ill-governed and disorderly house, to the encouragement of idleness, gaming, drinking, or other misbehavior, or to the common disturbance of the neighborhood or orderly citizens, such person so offending shall, on conviction, be punished by fine or imprisonment in the common jail, or both, at the discretion of the Court.

(*See Title, "Disorderly Conduct."*)

KEEPER LAUREL GROVE CEMETERY.

Ordinance 17th Dec., 1857.

Salary of Keeper of Laurel Grove Cemetery, $1,900.

No. 243. (1.) The 12th section of the Ordinance passed 3d June, 1852, relating to Laurel Grove Cemetery be amended by striking therefrom the words "one hundred and twenty-five dollars per month," and inserting in lieu thereof the words "nineteen hundred dollars per year, payable monthly."

(*See Title, "Cemetery," page 27.*)

KEEPER OF OLD CEMETERY.

(*See Title, "Cemetery," page 27.*)

KEEPER OF THE PEST HOUSE.

(*See Title, "Elections,"*)

KEEPER OF THE POUND.

(*See Title, "Scavenger."*)

KEEPER OF THE POWDER MAGAZINE.

(*See Title, "Gunpowder."*)

LADDERS AND SCUTTLES.

Ordinance 5th June, 1828.

Ladders and scuttles.

No. 244. (1.) The owner or owners of all buildings over one story high within the jurisdiction of the City, that are now deficient in ladders and scuttles, shall, before the expiration of thirty days from the date of this Ordinance, cause said buildings to be provided with a scuttle or opening in the roof, close to the ridge thereof, of not less than twenty-six by thirty-six inches, with steps up to it on the inside, so that a person can pass up and through to the ridge of the roof, with safety and facility. And the owner or owners of such buildings as shall not be so provided in the time above mentioned, shall be fined in a sum not exceeding thirty dollars, and a further sum not exceeding twenty dollars for every thirty days which such building shall remain so unprovided thereafter.

Steps on buildings erected.

Penalty for not having, $30, &c.

On buildings to be erected.

(3.) Every building hereafter erected within the limits of the City, of whatever material, being over one story high, shall have a scuttle or opening in the roof, close to the ridge thereof, not less than twenty-six by thirty-six inches, with steps on the inside, as mentioned in the first section of this Ordinance. And the owner or owners of every such building, so to be erected, unprovided with such scuttle as aforesaid, shall be fined in a sum not exceeding thirty dollars, and a further sum not exceeding twenty dollars for every thirty days which such building may remain so unprovided.

Penalty $30, &c.

LAMPS.

Ordinance 22d July, 1839.

AN ORDINANCE to amend and consolidate the various Ordinances of the City of Savannah, relating to the erecting and lighting of lamps in the streets and public places in the City of Savannah.

No. 245. (1.) This section is repealed by the 2d section of Ordinance passed 15th August, 1850, immediately succeeding this Ordinance.

(2 and 3.) These sections are also superceded and repealed by the succeeding Ordinance and the introduction of gas light into the City by the "Savannah Gas Company." The following sections, applicable to the City Lamp Contractor, and to all persons injuring the City Lamps, are nevertheless considered as of force.

Election of Lamp Contractor.

(4.) The first regular meeting of Council in January, in each and every year, (ten days previous notice having been first given in the public gazettes,) Council shall proceed and elect a Lamp Contractor, whose duty it shall be for the ensuing year to superintend and take care of the public lamps of the City and to furnish the oil, wick and every material which may be necessary for lighting all the public lamps, and also a sufficient number of persons for lighting and cleaning the said lamps, and that he shall also be required and bound to keep all the said lamps and the posts supporting the same in clean and good order, and to repair the same whenever the same may be injured or broken, and to cause the same to be lit at or before dark every night throughout the year, and shall be kept burning until daylight (except during the time of moonlight,) and that every Contractor shall be required to enter into good and sufficient security, to be approved of by Council, for the faithful performance of his contract; and for any failure or neglect of the said Lamp Contractor to perform any of the duties of his office, he shall be fined not exceeding one hundred dollars, and whenever any flagrant violation or neglect of his contract shall be made manifest to the Mayor, the said Lamp Contractor may be dismissed from office.

Duty, &c.

Fine $100 for neglect of duty, &c.

$30 fine for breaking, &c., lamps.

(5.) If any person shall break, injure or destroy any of the public lamps, he, she or they may be fined, if a white person, in a sum not exceeding thirty dollars, and if the said offence shall be committed by a free person of color or slave, he or she shall be whipped at the discretion of the Mayor, unless the guardian of such free person, or the owner of such slave shall consent to pay the fine assessed by the Mayor, and in all cases it shall be in the discretion of the Mayor to order the offender whether white, free person or slave into custody until the fine shall be paid or the punishment inflicted.

(6.) That Council may, at any subsequent meeting, by resolution, direct the erection of a lamp at such public place as circumstances may in their opinion imperiously designate.

Placing of lamp.

Ordinance 15th August, 1850.

No. 246. (1.) That if any person shall break, injure, deface or destroy any of the street lamp-posts or lanterns, or shall, without due authority light or extinguish the gas in any the said lanterns, he she or they may be fined, if a white person, by the Mayor or acting Mayor, in a sum not less than thirty dollars, nor more than fifty dollars, one half to the informer; and in default of payment, may be committed to jail, for such period as in the discretion of the Mayor or acting Mayor may seem proper. And if said offence shall be committed by a free person of color or slave, he or she shall be whipped at the discretion of the Mayor or acting Mayor, unless the guardian of such free person of color, or the owner of such slave, shall consent to pay the fine assessed by the Mayor or acting Mayor. And in all cases it shall be in the discretion of the Mayor or acting Mayor to order the offenders, whether white, free person of color or slave, into custody until the fine shall be paid or the punishment inflicted.

Injuring, &c., lamp posts or lanterns, gas, &c., fine $30 to $50.

(2.) The first section of an Ordinance passed in Council July 22d, 1839, which section regulates the arrangement of the public lamps be and the same is hereby repealed; and that section four, providing for the election of a Lamp Contractor be and it is hereby declared to have no reference to the gas lights established, or to be established, in the streets, public buildings or market.

Repealing certain Ordinances.

(*See Titles, "Public Property," "Vessels."*)

LANES.

Ordinance 6th June, 1839.

No. 247. (5.) That no carts, drays, wagons, or other carriages, shall use the lanes of the City, but shall avoid driving

Vehicles not to use lanes.

through them, and in case any person be found driving in or using the lanes as aforesaid, without good or sufficient excuse, the drivers thereof, or the owner or employers thereof shall be fined in a sum not exceeding three dollars, to be collected and enforced in the same manner as is prescribed in the fourth section of this Ordinance.

Fine $3.

LIBERIA.

Ordinance 29th Oct., 1857.

Slaves and free persons of color coming here to take ship for Liberia, &c. Tax $200.

No. 248. (8.) A tax of two hundred dollars is hereby imposed on each and every slave and free person of color, who shall come or be brought into this city for the purpose of being transported to Liberia, or any other place in Africa, directly from this City, or indirectly, through any other port or place; and if the owners or other person or persons having charge of any such slaves, shall neglect or refuse to pay such tax on demand, execution shall be forthwith issued for the same, which shall be levied on such slave, or any other property of such owner or other person or persons to be found in said City; and if any such free person of color shall neglect or refuse to pay such tax on demand, the Mayor of the City, on information thereof, shall direct the Marshal or the Deputy Marshal to proceed as in other cases of default on the part of free persons of color to pay the taxes required of them by this or any other Ordinance.

Penalty.

LICENSES.

Licenses.

No. 249. To retail malt, vinous or spirituous liquors, class No 1, not "less than a quart, *Provided*, the same be not drank or consumed at the place where sold." Price, including fees, $54.44. To retail class No. 2, "in any quantity, with permission to drink or consume the same at the place where sold." Price, including fees, $104.44. Penalty for selling without License, $100.

To sell poultry, &c., in the Market, $104.44. Penalty, $100.

To peddle goods, &c., through the streets, $54.44. Penalty, $30.

To sell from on board ships, vessels or wharves, $54.44. Penalty, $100.

To open transient shops, stores, &c., $500.

For Circus, Concerts, &c., not over $104.44.

On Vehicles, (*See Title, "Drays and Other Vehicles."*)

(*See Titles, "Exhibitions," "Market," "Pedlers," "Shops, Stores and Bar-Rooms," "Transient Dealers," "Vessels."*)

LIGHT HOUSE.

Ordinance 30th Oct., 1856.

Light House.

A BILL to be entitled An Ordinance to grant and convey to the United States of America an area of land twenty feet square near the intersection of East Broad and Bay streets, in the City of Savannah.

Area of 20 feet square near intersection of East Broad and Bay streets conveyed to the United States Government.

WHEREAS, The General Assembly of Georgia, at its late session, did by an Act approved on the first day of March last, surrender and cede jurisdiction to the said the United States over a certain area of twenty feet square within the limits of the City of Savannah, which area of twenty feet square, or the centre of the same, is sixty-seven feet and one inch on a perpendicular line drawn from the western line of East Broad street, extended at a point on said extended line, one hundred and nineteen feet and seven inches from the southern line of Bay street, or such other area of twenty feet square as might be agreed upon by the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, and the United States Government, for the erection by said Government of a light house in said City, for the protection of commerce.

And whereas, The said the Government of the United States requires, as a condition to the erection of such light house, that the said the Mayor and Aldermen convey to the said the United States the area of land aforesaid in fee simple, and it beiug important to the interests of commerce that such light house be erected—therefore,

Perpendicular line of 67 feet and 1 inch, &c.

No. 250. (1.) The said area of land, twenty feet square, be and the same is hereby granted to the United States of Ame-

being drawn westwardly from the western line of East Broad street.

rica in fee simple, the perpendicular line of sixty-seven feet and one inch to the centre of said area, being drawn westwardly from the western line of East Broad street, extended at the point mentioned in the preamble to this Ordinance and in the said Act of the General Assembly.

Mayor to execute conveyance.

(2.) His Honor the Mayor cause a suitable deed of conveyance of the said area to be made and executed, and delivered to the said the Government of the United States, or its legally constituted agent.

LOANS.

Ordinance 23d July, 1835. (W. W. Gordon, Mayor.)

Railroad to Macon.

AN ORDINANCE, Entitled an Ordinance to raise the sum of five hundred thousand dollars on the faith and pledge of property belonging to the City of Savannah, for the purpose of paying the instalments on the subscription of the Mayor and Aldermen of the City of Savannah and Hamlets thereof, for five thousand shares of stock of the Central Rail Road and Banking Company of Georgia, as the same may hereafter be required and fall due.

Preamble.

WHEREAS, at a meeting of the citizens of Savannah, held on the 14th day of October, 1833, for the purpose of deliberating on the propriety of establishing a communication by Rail Road or Canal between the City of Savannah, Macon and Columbus, a committee was appointed for the purpose of ascertaining what amount the Corporation of the City of Savannah would be disposed to take in so noble an undertaking.

AND WHEREAS, the Corporation of the City of Savannah deeply feeling the importance of such an undertaking to the future prosperity of the City, and after due consideration of the application made to them in behalf of their fellow-citizens, did,

Resolve, That it would cheerfully promote, as far as it legally could, every object which has in view the opening of a channel of communication with the interior of the State, and that the resources of the City and its financial condition would warrant the expectation that the sum of $500,000 could and would be raised by the City to aid the accomplishment of the object, if necessary.

AND WHEREAS, the Corporation of the City of Savannah, being satisfied, not only of the practicability, but of the deep interest which the citizens of Savannah have taken in advancing this great undertaking, have redeemed their pledge by subscribing for five thousand shares of the stock of the Central Rail Road and Canal Company of Georgia.

AND WHEREAS, an object of greater importance could not occupy the attention of the Corporation, or justify more satisfactorily the application of the funds and resources of the City than the one now in progress by the Mayor and Aldermen:

City subscription, $500,000.

No. 251. (1.) The sum of five hundred thousand dollars be and the same is hereby appropriated for the payment of the instalments which may hereafter become due, or be required or demanded of this Corporation for their subscription of five thousand shares of the stock of the Central Rail Road and Canal Company of Georgia.

City stock.

(2.) The sum of five hundred thousand dollars, appropriated as aforesaid, shall be converted into stock, which shall be denominated City Stock, for internal improvement, and payable in certificates or scrip, at such times, and of such amount as Council shall direct, which shall be signed by the Mayor and countersigned by the City Treasurer, and shall be redeemable at such time as the said Mayor and Aldermen of the City of Savannah and the Hamlets thereof, shall, from time to time hereafter, direct, at the time of issuing thereof.

Certificate or Scrip.

(3.) Each certificate or scrip shall have such form as Council shall hereafter direct.

Public property pledged.

(4.) The faith of the City of Savannah, and all the public property of said Corporation, are hereby pledged as security for the eventual redemption of said stock at the time the same shall be made redeemable as aforesaid.

Ordinance 26th May, 1838.

Internal improvement.

AN ORDINANCE, To create stock for the purposes of internal improvement.

WHEREAS, by an Ordinance passed the 23d day of July, one thousand eight hundred and thirty-five, the sum of five hundred thousand dollars was appropriated for the payment of the subscription by the City for five thousand shares of the stock of the Central Rail Road and Banking Company of Georgia, and it was ordained that said sum should be converted into stock pay-

able in certificates or scrip, at such time and in such amount, and to be redeemable at such times as Council should direct:

Mayor to negotiate a loan of $500,000.

No. 252. (1.) The Mayor, in conjunction with the Committee on Finance, be and they are hereby authorized to negotiate for the loan of five hundred thousand dollars, or any less sum, for the purpose aforesaid, and that they effect such loan or loans on the best terms they can; the rate of interest, the place where payable, and the time when the same shall be redeemable, and that for the redemption and payment, the public domain and all other property belonging to the City, be and the same are hereby pledged.

City Stock.

(2.) For the purpose of consummating the loan or loans which may be effected under the authority given by this Ordinance, and that passed on the 23d day of July, one thousand eight hundred and thirty-five, and hereinbefore referred to, the Mayor be, and he is hereby authorized to convert such loan into stock to be denominated City Stock for internal improvement, and to issue certificates or scrip for such amounts, bearing such interest, payable at such places, and redeemable at such times, as to him in conjunction with the Committee on Finance shall seem most advisable.

Scrip.

(3.) The certificates or scrip shall be signed by the Mayor and countersigned by the City Treasurer, and shall be of such form as shall be determined upon by the Mayor and Committee on Finance.

Ordinance 31st January, 1839.

Providing for payment of interest.

AN ORDINANCE, To provide for the payment of the interest on the City loan of five hundred thousand dollars, lately negotiated with certain banks of the City, and to provide a place of deposit for the funds of the City.

WHEREAS, the interest on said loan will amount to the sum of thirty-five thousand dollars per annum, and is to be paid semi-annually in the City of New York: And whereas, the Central Rail Road and Banking Company of Georgia has engaged to guarantee the payment of said interest.

Dividends, rents, &c., pledged.

No. 253. (1.) All dividends on the stock in the Central Rail Road and Banking Company of Georgia, belonging to the City, and so much of the rents to be received from City lots as may be necessary for the purpose, be and the same are hereby appropriated and pledged for the payment of the said interest on said loan, and such dividends and so much of said rents as

may be nesessary shall not be appropriated to any other purpose until the said loan is paid off.

City Treasurer to deposit in Central Rail Road Bank.

(2.) The City Treasurer shall deposit and keep all the money and funds of the City which may be or which may come to his hands in the Central Rail Road and Banking Company's bank in this City. (Ordinance of 19th February, 1857, says that this "said Ordinance be and the same is hereby repealed, and that the funds of the City may be deposited in any bank of the City, selected by the Mayor.") And it shall be the duty of the Treasurer to see that the funds of the City hereby pledged are punctually applied towards the payment of the said interest, and to apply any other funds of the City not otherwise appropriated, or which may hereafter be appropriated, which may be found necessary for that purpose: *Provided*, that nothing herein contained shall be construed to prevent the Corporation of the City of Savannah at any time from appropriating any of its funds (except the dividends of the Rail Road stock and so much of the said rents as are appropriated by the first section of this Ordinance) to any object or for any purpose; and provided that nothing herein contained shall be construed so as to prevent any future Council from changing the place of deposit of the City funds by the Treasurer at any time.

Now any bank selected by the Mayor.

Proviso.

Ordinance 21st Dec., 1839.

AN ORDINANCE, To raise money on loan for the purposes of contributing to works of internal improvement and to improve the City of Savannah.

Mayor to raise $100,000 on loan for works of internal improvement.

No. 254. (1.) His honor the Mayor and the Committee of Finance be, and they are hereby authorized to borrow or raise on loan for the use of the City, for the purpose of contributing to works of internal improvement, and to improve the City of Savannah, a sum of money not exceeding one hundred thousand dollars, at a rate of interest not exceeding three per centum per annum.

$1 notes.

(2.) Notes or certificates shall issue for moneys borrowed as aforesaid, in sums not under the sum of one dollar, which shall be payable at such time as the Mayor and Committee of Finance may direct, and shall be signed by the City Treasurer; and for the faithful payment and redemption of such notes or certificates, the faith and property of the City are hereby pledged.

How money to be applied.

(3.) The money raised under this Ordinance, shall, from time to time, be applied in contribution and aid of such works of

internal improvement, and to such public improvement in the City, as Council may by resolution direct.

AN ORDINANCE, To raise money on loan, for the purpose of providing for the payment of the interest due and to become due by the City of Savannah upon bonds issued by said City, for works of internal improvement and for other purposes therein mentioned.

Mayor to raise money on loan, to pay interest, &c.

No. 255. (1.) His Honor the Mayor be and he is hereby authorized to borrow or raise on loan for the use of the City, such sum or sums of money, and at such time or times as he may deem requisite, for the purpose of paying the interest now due or which may hereafter become due by the City of Savannah, upon bonds issued by the City of Savannah for works of Internal Improvement, and for the purpose of paying off all other indebtedness of the City now or hereafter to become due. That the notes now running to maturity in the banks, for moneys heretofore borrowed by the Mayor be confirmed. That the notes hereafter given be signed by the Mayor made payable to the City Treasurer, and attested by the Clerk of Council, with the seal of the City affixed thereto—and that the faith and property of the City are hereby pledged for the faithful payment and redemption of all notes now or hereafter given in pursuance of the provisions of this Ordinance.

Mayor's notes.

Faith and property of the City pledged.

(2.) Repealing clause.

Ordinance unanimously passed in Council, Savannah, 10th December, 1857.

[L. S.] R. WAYNE, Mayor.

Attest: EDW. G. WILSON, C. C.

(*See Title, Public Moneys.*)

LOCOMOTIVES AND CARS.

Ordinance 29th Oct., 1857.

Locomotives and cars passing over the plank or macadamized road.

Tax $10 on locomotive; tax $5 on rail road car; tax $3 on coal car.

No. 256. (8.) The owner or agent of the owner of every locomotive or rail road car drawn over the plank or macadamized road shall pay therefor the sums following, to wit: For every locomotive, the sum of ten dollars; for every other rail road car, other than coal cars, in the sum of five dollars; for every coal car, or car transported on drays or trucks, and not exceeding three tons in weight, the sum of three dollars; said sums to be paid at or before the passing of such locomotive or other car over the said plank or macadamized, road; and if any such person or persons shall so draw or cause to be drawn over the said plank or macadamized road any such locomotive or other car, without paying for the same the tax herein specified, such person or persons shall, upon conviction thereof before the Mayor in the Police Court, be fined in double the amount of such tax, one-half of such fine to be paid to the informer.

Penalty double amount.

LOTS EXCHANGED.

Ordinance 2d May, 1844.

Exchange with James M. Wayne, for opening Liberty street; 10 lots in Crawford Ward.

No. 257. (1.) The following lots, lying in Crawford ward, numbered 53, 54, 55, 56, 57, 58, 59, 60, 61, and 62, ten in number, be conveyed to the honorable James M. Wayne, his heirs and assigns, in fee simple, in exchange for seventy thousand six hundred and ninety-four square feet of land, to be conveyed by the said Jas. M. Wayne to the said the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, and their successors in office, being so much of the land of the said James M. Wayne, south of the City and of the said Ward, as lies north of the southern line of Liberty street, extending eastwardly to the land of the estate of Williamson, and as is necessary for the prolongation of said street, with its full breadth of one hundred and thirty feet, to the western line of said estate.

Mayor execute deeds of exchange.

(2.) The Mayor be, and he is hereby authorized to cause two deeds of exchange to be prepared, one for each of the contracting parties, for the purpose of carrying into effect the foregoing section, and to execute the same on the part of the Corporation, by signing the same, officially, and affixing the Corporate Seal.

Ordinance 27th June, 1844.

Exchange with John Lewis, for opening Liberty street; lot No. 5, Crawford Ward, east.

No. 258. (1.) The lot lying in that part of Crawford Ward east of East Broad street, known by the Number (5) five, be conveyed to John Lewis, his heirs and assigns, in fee simple, in exchange for thirty-four hundred square feet of land, to be conveyed by the said John Lewis to the said the Mayor and Aldermen of the City of Savannah and the Hamlets thereof,

and their successors in office, being so much of the land of the said John Lewis as lies north of the southern line of Liberty street, extended to the Thunderbolt road.

Deeds of exchange.

(2.) (Same as 2d Sec., of Ordinance 2d May, 1844.)

Ordinance 27th June, 1844.

Exchange with Dominick O'Byrne, for opening Liberty street; lot No. 15, New Franklin Ward.

No. 259. (1.) That the lot in New Franklin Ward, in the City of Savannah, known by the number (15) fifteen, now under lease to Dominick O'Byrne, be conveyed to the said Dominick O'Byrne, his heirs and assigns, in fee simple, in exchange for eighteen thousand and three hundred square feet of land, and the houses thereon, and other improvements, lying south and north of the southern line of Liberty street extended, the property of the said Dominick O'Byrne, southeast of Crawford Ward, and necessary to the prolongation of Liberty street, with its full breadth of one hundred and thirty feet, to the lands of John Lewis, and in further consideration of the sum of two hundred dollars, to be paid to the City by the said Dominick O'Byrne, by his note for that sum at ninety days.

Deeds of exchange.

(2.) (Same as 2d Sec., of Ordinance of 2d May, 1844.)

Ordinance 11th July, 1844.

Exchange with Michael Dillon, for opening Bay street, lot No. 23, Jasper Ward.

No. 260. (1.) The lot lying in Jasper Ward, known by the number (23) twenty-three, fronting on Madison square, be conveyed to Michael Dillon, his heirs and assigns, in fee simple, in exchange for ten thousand and five hundred square feet of land to be conveyed by the said Michael Dillon to the said the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, and their successors in office, being so much of the land of the said Michael Dillon, east of East Broad street, as is required to extend Bay street, with a breadth of seventy feet eastward, to the lands of the United States.

Deeds of exchange.

(2.) (Same as 2d Sec., of Ordinance of 2d May, 1844.)

Ground rent lot No. 24, Jasper Ward.

(3.) After the said deeds shall have been duly executed, and the contemplated exchange made, then the said Michael Dillon shall be entitled to receive, and the City Council is hereby required to prepare for execution, by the Mayor and Aldermen, to be delivered to him, a deed for lot No. (24) twenty-four, in Jasper Ward, at a valuation of eight hundred dollars, the said lot, to be held by the said Michael Dillon, his heirs and assigns, upon ground rent payable quarterly into the Treasury of the City of Savannah, calculated at 5 per cent. per annum, upon

the said valuation money, subject to the same general provisions, and the same conditions of renting and sale, and with the same privileges as are prescribed by Ordinance for other lots in Jasper Ward, and with the right of making the same a fee simple lot, upon paying into the Treasury the said sum of eight hundred dollars, of which no part is required to be paid now in advance.

Ordinance 18th Sept., 1845.

Exchange with Estate DeVillers for opening Liberty street; lot No. 11 Crawford Ward.

No. 261. (1.) Lot No. (11) eleven Crawford Ward, be conveyed to Isreal K. Tefft, as administrator, with the will annexed, upon the estate of Francis Dedeer Petit DeVillers, in fee simple, in exchange for lot No. (3) three, Thunderbolt road.

Deeds of exchange.

(2.) (Same as 2d section of Ordinance of 2d May, 1844.)

Ordinance 5th Sept, 1844.

Exchange with Ex'rs Jno. P. Williamson for opening Liberty street.

WHEREAS, it has been agreed between the Mayor and Aldermen of the City of Savannah and Hamlets thereof, of the one part, and the executors of the last will and testament of the late John P. Williamson, of the second part, that the said Mayor and Aldermen convey to the said executors five lots of land lying in Crawford Ward in said City, in exchange for 29,808 square feet of land, property of the late John P. Williamson, wanted to extend Liberty street east, to the Thunderbolt road. And whereas, the said 29,808 square feet of land have been duly advertised for sale at Sheriff's sales, to make a good title, and the Corporation has become the purchaser, and the passage of an Ordinance has become necessary to enable the Mayor to execute a conveyance of the five lots: and whereas, the execution under which the said property was sold, was founded on a judgment in favor of the Planter's Bank of the State of Georgia:

5 lots in Crawford Ward, east.

No. 262. (1.) The Mayor be and he is hereby, authorized and required to cause to be prepared, a deed, for the conveyance of the lots of land in Crawford Ward, east of East Broad street, known in the plan of said City by the numbers 18, 19, 20, 21 and 22, either to the executors of the last will and testament of the late John P. Williamson, or to trustees for the creditors of the said John P. Williamson, according to legal priority, as the said executors and the said Planters' Bank of the State of Georgia shall determine; and after the said deed shall be prepared, and the sheriff's title shall have been duly executed for the land purchased at sheriff's sales, aforesaid, then to execute the same by signing the said deed, officially, and attaching the corporate seal thereto, and making delivery thereof.

Ordinance 5th Feb., 1856.

Exchange with Bryan Foley for opening Broughton street; lot 16 Crawford Ward.

No. 263. (1.) Lot Number sixteen (16) in Crawford Ward, bounded on the south by Hull street, and on the west by Houston street, be given in exchange to Bryan Foley for a certain portion or lot of land lying at the east end of the City and granted for the purpose of extending Broughton street eastwardly.

Exchange with F. E. Tebeau for opening Broughton street; lot 15 Crawford Ward.

(2.) Lot Number fifteen (15,) in Crawford Ward, bounded on the south by Hull street, on the west by lot number sixteen (16,) and on the east by lot number fourteen (14,) and on the north by a lane, be given in exchange to F. E. Tebeau, for a certain lot or portion of ground at the east end of the City, for the purpose of extending Broughton street eastwardly.

Deeds of Exchange.

(3.) The Mayor be authorized to have deeds of conveyance prepared, to carry the above Ordinance into effect.

Ordinance 16th April, 1846.

Exchange with Mrs. Mary Telfair, &c., for opening Bay street; lot 34 Jasper Ward.

No. 264. (1.) The lot in Jasper Ward, known by the No. thirty-four (34,) bounded west by Bull street, north by a lane, east by lot No. thirty-five (35,) and south by Jones street, be conveyed to Mrs. Mary Telfair and to the trustees of Mrs. Margaret Hodgson, in fee simple, in exchange for three thousand six hundred feet of land, part of a lot lately the property of the estate of Edward Telfair, required for the purpose of widening Bay street to the width of sixty-five feet north of Jefferson street, and lots Nos. (1 and 2) one and two, in Franklin Ward.

Deeds of exchange.

(2.) The Mayor be, and he is hereby authorized to cause two deeds of exchange to be prepared, one for the Corporation, the other for the said Mary Telfair and trustees for the purpose of carrying into effect the foregoing section, and to execute the same on behalf of the Corporation, by signing the same officially, and affixing the Corporate seal.

Ordinance 6th May, 1852.

Exchange with Savannah Poor House and Hospital for carrying out plan of Forsyth Ward.

WHEREAS, the Savannah Poor House and Hospital is now the occupant of certain parts of the domain of the City of Savannah, and whereas, properly to carry out the plan of Forsyth Ward, it is necessary to exchange the said lands for others, and, whereas, the said exchange, being as well for the interest of the said the Savannah Poor House and Hospital, as for the City, both parties have agreed thereto upon certain conditions.

Deeds of conveyance.

No. 265. (1.) His honor the Mayor be, and he is hereby, authorized and required to execute, under the Corporate seal of the City of Savannah, a conveyance to the Savannah Poor House and Hospital of all that portion of the municipal domain lying between Gaston street on the north, Huntingdon street on the south, Abercorn street on the east and Drayton street on the west, in consideration of the relinquishment to be executed by the said the Savannah Poor House and Hospital, of all and every claim on any and every portion of the public domain or property of the City of Savannah, and on the express condition that the lands herein before described and directed to be conveyed, shall never be improved or used for purposes of pecuniary profit or for any other purpose than the care and comfort of the poor sick, according to the charitable intention of the founders of the said Poor House and Hospital, and on the further condition that the said land shall not in any mannnr be subject to the debts, contracts, or engagements of the said Savannah Poor House and Hospital, but in case the said Corporation shall at any time attempt to sell, or in any way encumber the said lands, or in case of the insolvency or dissolution of the said Corporation, the said lands and all the improvements shall at once revert to the said the Mayor and Aldermen of the City of Savannah and the Hamlets thereof.

Conditions.

Ordinance 6th May, 1852.

AN ORDINANCE, To carry into effect the report of the committee of freeholders appointed to open Price street fifty feet wide, from the southern side of Liberty street, and to continue Harris, Macon, Charlton, Jones, Taylor, Wayne and Gordon streets, and the intervening lanes, to Price street.

Deeds of conveyance for opening Price and other streets.

No. 266. (1.) That his honor the Mayor be and he is hereby authorized and requested to execute conveyances, under the Corporate seal of the City, to the parties hereinafter mentioned, of the lots and fractions of lots hereinafter mentioned, in order to carry into effect the report described in the title of this Ordinance, and adopted in Council on the twentieth day of November, A. D., 1851, to wit:

To the owner or owners of garden lot No. (21) twenty-one, east, in consideration of lands taken therefrom, lots Nos. (7) seven, and (8) eight, and the eastern quarter of lot No. (6) six, Troup Ward.

To the owner or owners of garden lot No. twenty-two (No. 22,) east, in consideration of land taken therefrom, trust lots

Nos. nineteen and twenty (Nos. 19 and 20), and the eastern half of lot No. thirty-two (No. 32), Troup Ward.

To the owner or owners of garden lot (No. 33) number thirty-three, east, in consideration of land taken therefrom, lot number eight (8), Wesley Ward, lots Nos. thirty-three (33), and thirty-four (34), Troup Ward, and the eastern half of lot No. seven (7), Wesley Ward.

To the owner or owners of garden lots Nos. thirty-four (34), forty-five (45), and forty-six (46), east, in consideration of land taken therefrom, lot number nine (No. 9), and trust lots numbers nineteen (No. 19) and twenty (No. 20), Wesley Ward.

To the owner or owners of garden lot number forty-three, east, in consideration of land taken therefrom, trust lot number (22) twenty-two, Wesley Ward.

To the owner or owners of garden lot number forty-four (No. 44), east, in consideration of land taken therefrom, trust lot number (23) twenty-three, Wesley Ward.

Fractions.

(2.) Where, by the report of the committee before mentioned, fractions of lots are directed to be conveyed to the City, the Mayor be and he is hereby requested, not to deliver the conveyances from the City until the necessary titles to said fractions, from the proper parties, are delivered to him on the part of the City.

Ordinance 2d June, 1854.

Providing for an exchange of five lots in Charlton Ward, for certain land property of Wylly & Montmollin, required for the extension of Montgomery street, south, and of Hull street, west, to West Broad street; and also providing for an exchange of eight lots in Charlton Ward, for certain land property of Robert Habersham, required for the extension of the same streets, and for other purposes.

Exchange with Wylly & Montmollin and Robt. Habersham for opening Montgomery and other streets.

No. 267. (1.) Lots Nos. 8, 9, 27, 28, and 29, Charlton Ward, be conveyed to Messrs. Wylly & Montmollin in exchange for the portion of their land to be taken up in the extension of Montgomery street, south, and of Hull street, west, to West Broad street; and that lots Nos. 15, 16, 17, 20, 21, 22, 26 and 11, be conveyed to Mr. Robert Habersham, in exchange for so much of his land as will be taken up in the extension of the same streets—these conveyances to be made by the Mayor of the City of Savannah and the Hamlets thereof, so soon as good titles are made to the City of Savannah and the Hamlets thereof, by the owners thereof, for the land in said streets extended.

LOTS EXEMPTED FROM GROUND RENT.

Ordinance 8th Sept., 1853.

Savannah Medical College; lots 13 and 14 Wesley Ward.

No. 268. (1.) The Savannah Medical College shall be exempt from the payment of ground rent upon the lots numbered thirteen (13,) and fourteen (14,) Wesley Ward, upon which said College is situated, and from taxation upon the improvements on said lots, so long as the same shall be used as a Medical College, and no longer.

Ordinance 27th June, 1856.

Episcopal Orphans' Home; lot 36 Forsyth Ward.

No. 269. (1.) Lot number thirty-six, (36,) Forsyth Ward, in the City of Savannah, be, and the same is hereby granted, and conveyed to the managers of the Episcopal Orphans' Home, and their successors, for the purpose of building an Asylum, or Home for Orphans.

Condition.

(2.) Said grant is made upon the express condition, that if said charity shall cease to exist, or if said lot should be appropriated to other purposes, that it shall revert to the City.

Ordinance 29th Dec., 1856.

German Evangelical Lutheran Congregation; lot 28 Calhoun Ward.

No. 270. (1.) The German Lutheran Evangelical Congregation of Savannah, be, and it is hereby exempt from the payment of ground rent, upon lot No. 28 Calhoun Ward, City of Savannah.

Conditions.

(2.) Said exemption is made upon the express condition, that if said lot should be appropriated to any other purpose, than that of erecting thereupon a place of worship for said German Lutheran Evangelical Congregation of Savannah, said exemption shall immediately cease, and the ground rent as now paid shall attach to said lot and be payable to the City.

Ordinance 5th March, 1857.

Presbyterian Church; lots 23 and 24 Monterey Ward.

No. 271. (1.) The First Presbyterian Church shall be exempt from the payment of ground rent upon lots Nos. twenty-three (23) and twenty-four (24,) Monterey Ward, upon which said Church is erecting a place of worship, so long as they are used for the purposes of divine worship.

Conditions.

(2.) If the said lots should at any time hereafter be converted to any other use than the one above specified, the ground rent shall immediately attach and become payable to the City.

Ordinance 29th Oct., 1857.

Lot 69 Brown Ward; educational purposes.

No. 272. (1.) Lot 69, Brown Ward, now held by Bishop John Barry, as administrator of Francis X. Gartland, in trust for educational purposes, be, and it is hereby exempted from the payment of ground rent so long as it shall be used exclusively for purposes of education.

Conditions.

(2.) Should said lot be ever used for any other purposes than those above mentioned, the present ground rent shall immediately thereupon attach and be payable to the City of Savannah.

LOTS EXEMPT FROM PAYING TAXES.

Ordinance 29th June, 1854.

Armory Hall lot and improvements exempt from City taxation.

No. 273. (1.) The eastern part of lot letter E, Percival Ward, and the improvements thereon, known as the Armory Buildings and belonging to the Chatham Artillery, be and the same are hereby exempt from City taxation, while the same is used by the aforesaid company for military purposes.

Ordinance 3d June, 1854.

Georgia Historical Society lot and improvements exempt from City taxation.

No. 274. (1.) Lot number (9) nine and improvements, Jekyl tything, Derby Ward, in the City of Savannah, the property of the Georgia Historical Society, be and the same is hereby exempted from City taxation while the same is used for a library and for purposes connected with the Georgia Historical Society.

LOTS GRANTED.

Ordinance 28th Sept., 1790.

AND WHEREAS, it is expedient to appropriate a certain number of lots for the use of certain religious, literary and benevolent institutions within the City of Savannah and County of Chatham.

Lots reserved for Churches and Academy.

No. 275. (6.) Four lots be reserved and vested forever in the Church Wardens and Vestry of the Episcopal Church, called Christ's Church, and their successors in office—that three lots be reserved and vested forever in the Trustees of the Presbyterian Meeting House and their successors in office—that two lots be reserved and vested forever in the Trustees and Wardens of the German Lutheran Church and their successors in office—that one lot be reserved and vested forever in the Baptist Society—and one other lot in the Hebrew Congregation—also that eight lots be reserved and vested forever in the Trustees of the Academy for the County of Chatham and their successors in office—and that two lots be reserved and vested forever in the Commissioners of the Hospital and their successors in office—and the said lots shall be hereafter particularly pointed out, and shall be for the sole use and benefit of the said Congregations, Academy and Hospital respectively, and employed and appropriated as their respective Directors shall think fit and proper.

Ordinance 12th January, 1791.

Lots reserved for Churches, &c., located.

No. 276. (3.) The following lots shall be those reserved for the use and benefit of the several institutions, as mentioned and contained in the said Ordinance for laying off the said common, that is to say: For the Episcopal Church, lots Nos. (25, 26, 27, 28,) twenty-five, twenty-six, twenty-seven, twenty-eight, in Washington square, and fronting on Duke street, (now Congress street,) for the German Lutheran Church, lots (39, 40,) thirty-nine and forty, in Warren square, and fronting Broughton street; for the Baptist Society, lot No. (29) twenty-nine, (exchanged for lot No. 19, in Franklin square—see next Ordinance)—in Washington square, and fronting Duke street; and for the Academy, lots Nos. (29, 30, 31, 32, 33, 34, 35 and 36,) twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five and thirty-six, all in Warren square, the four first fronting on Duke street, and the four last on Broughton street; and for the Hospital lots Nos. (33 and 34) thirty-three and thirty-four, in Washington square, and fronting Broughton street, (said last mentioned lots sold and conveyed to S. C. Dunning—see Ordinance 2d July, 1821, hereafter,) and the said lots are hereby declared to be vested agreeably to the intention of the said Ordinance, for laying off the said common.

Episcopal Church, 4 lots.

German Lutheran Church, 2 lots.

Baptist Society, 1 lot.

Academy, 8 lots.

Hebrew Congregation, lot 24, Franklin Ward.

AND WHEREAS, the Hebrew congregation, to whom it was intended to give one lot, of the value of seventy pounds, in the east common, have proposed to the Corporation that in case they will permit them to relinquish the said lot in the east common, and to take lot No. (24) twenty-four, (see the next Ordinance,)

on the west common, in Franklin square, and fronting the said square, which is valued at one hundred and fifty pounds, that then they will pay to the Corporation the difference in value between the said lots, being eighty pounds sterling.

Terms.

(4.) The said Hebrew congregation, or such persons as shall be legally authorized to act for them, on their paying into the Treasury, or otherwise securing to the Corporation, agreeably to the mode and terms pointed out by the said recited Ordinance, the said sum of eighty pounds sterling, that then the said lot, No. (24) twenty-four, on the west common, shall be and the same is hereby vested in the said Hebrew congregation.

Ordinance 4th August, 1795.

Baptist Society lot.

WHEREAS, by an Ordinance passed on the twelfth day of January, in the year of our Lord one thousand seven hundred and ninety-one, a certain lot in Washington Square, known by the number twenty-nine fronting Duke Street, was appropriated to the use of the Baptist Society, as a place to erect a house for the worship of Almighty God—And whereas on the petition of Ebenezer Hills, John Hamilton, Thomas Harrisson, John H. Roberts, John Millen, Thomas Polhill and Samuel G. Sergeant, Trustees of the said Society—The Mayor and Aldermen of the said City, have by their resolutions for certain reasons agreed to accept the relinquishment of the said lot, number twenty-nine in Washington Square and to vest in exchange therefor, the lot number nineteen in Franklin Square heretofore sold John G. Williamson, and by him relinquished in due form to the said Baptist Society for religious purposes.

No. 19, Franklin Ward.

Hebrew Congregation relieved from payment of 80 pounds for lot No. 23, Franklin Ward.

AND WHEREAS, by certain Ordinances and resolutions of the City Council, the Hebrew Congregation in Savannah, were compellable to pay by their own stipulation the annual interest of four pounds per cent. on the sum of eighty pounds, as well as the said sum on certain conditions, being a sum that they the said Hebrew Congregation, are to pay with the interest to the aforesaid City, for the difference in value of a lot originally intended to be appropriated to such Congregation and by them relinquished in exchange for the lot, number twenty-three on Franklin Square, now in their possession.

AND WHEREAS, the said Hebrew Congregation by their petition have prayed (and which petition is supported by the concurrence of a number of citizens, whose names are signed thereto,) to be released from their stipulation, to pay the said eighty

pounds or the interest thereon, and the Council taking the same into consideration, have by their resolutions agreed to the prayer of the petition.

Lot 19 Franklin Square.

No. 277. (1.) The lot number nineteen on Franklin Square be and is hereby intended to be vested in the said Ebenezer Hills, John Hamilton, Thomas Harrisson, John H. Roberts, John Millen, Thomas Polhill and Samuel G. Sergeant forever, and their successors in office, Trustees of the Calvinistic Baptist Society in Savannah, for the purpose of erecting a house for the public worship of Almighty God, and for other religious purposes as the said Society, may direct, and the said lot number twenty-nine in Washington Square, originally appropriated to the said Baptist Society, is hereby declared to have reverted to the City of Savannah, and shall be sold or otherwise disposed of as Council shall at any time direct.

Lot 23 Franklin Ward.

(2.) The Hebrew Congregation in the said City be, and are hereby released from paying the said eighty pounds or the interest thereof as heretofore stipulated, and the said lot number twenty-three in Franklin Square, now in the possession of the said Hebrew congregation is hereby declared to be absolutely vested in the said Hebrew Congregation forever, as a place for the erecting a house of public worship and for such other religious purposes as the said Congregation may direct.

Ordinance 30th May, 1799.

Lots reserved for Churches.

AND WHEREAS, it is expedient further to appropriate a number of lots for the use of religious, literary and benevolent institutions within the City of Savannah and County of Chatham.

No. 278. (6.) One lot be reserved for and vested forever in the Church Wardens and Vestry, or others having the charge of the Roman Catholic Church, about to be established in this City, and their successors. That two lots be reserved for and vested in the Elders of the Presbyterian congregation and their successors, for the time being, for the purpose of building a Presbyterian Church thereon. That one lot be vested in the Methodist congregation. That one lot be vested in the Episcopal congregation; and that one lot be vested in the German Lutheran congregation.

Presbyterian.

(8.) The lots (17 and 18) seventeen and eighteen on Columbia square, shall be appropriated for the use of the Presbyterian congregation. That lot number (26) twenty-six, on Columbia

Episcopal. square, be appropriated for the use of the Episcopal congregation. That lot number (27) twenty-seven, on Columbia square,

German Lutheran. be appropriated for the use of the German Lutheran congregation. That lot number (19) nineteen, on Columbia square, be

Methodist. appropriated for the use of the Methodist congregation, and that lot number (19) nineteen, on Liberty square, be appropri-

Roman Catholic. ated for the use of the Roman Catholic congregation.

Ordinance 19th June, 1815. (Brown and Jackson Wards.)

4 lots reserved for City use. No. 279. (7.) Four lots in that part of the City hereby laid off, be reserved for the use of the City; two whereof shall be

Court House. appropriated to the purpose of erecting a Court House whenever the City funds shall be sufficient to authorize the erection of one; and the other two for such public purposes as Council may deem necessary, and that his Honor the Mayor be requested, and he is hereby authorized to select the lots so to be reserved.

Ordinance 11th May, 1820.

WHEREAS, the City Council on the first day of July, (by resolution of 17th June, 1816,) in the year of our Lord one thousand eight hundred and sixteen, conveyed to the Wardens and Vestry of Christ's Church, of this City, two lots, known as numbers 47 and 48, in Brown Ward; and annexed to the same conveyance, a condition to build within four years, which condition is found for the present unnecessary.

Christ Church, lots 47 and 48 Brown Ward. No. 280. (1.) Lots numbers 47 and 48, (forty-seven and forty-eight,) situate in Brown Ward, be and the same are hereby fully and entirely conveyed and vested in the said Wardens and Vestry of Christ's Church and their successors in office, in fee simple, for the use and benefit of said Church and at its entire disposal.

Ordinance 5th June, 1820.

Methodist Church, Lot No. 40 Brown Ward. No. 281. The Trustees of the Methodist Church have leave to sell lot No. (40) forty, Brown Ward, and appropriate the proceeds of sale of said lot in such way as said Trustees may think proper.

Ordinance 2d July, 1821.

AN ORDINANCE, To make titles for lots numbers (33) thirty-three and (34) thirty-four, Washington Ward, to S. C. Dunning.

Poor House and Hospital. WHEREAS, the said lots were given to the Savannah Poor House and Hospital Society, by whom they were sold to S. C. Dunning, who has paid for the same to the managers thereof.

S. C. Dunning. No. 282. (1.) A fee simple title be given by Council to the said S. C. Dunning, of the said lots.

Ordinance 27th June, 1822.

Roman Catholic Church, lots 33 and 34 Brown Ward. No. 283. (1.) Lots numbers (33) thirty-three and (34) thirty-four, in the City of Savannah, Brown Ward, be and the same are hereby granted to and absolutely vested in the Roman Catholic Church, of Savannah, in fee simple.

Ordinance 12th Feb., 1829.

Baptist Church, lots 27 and 28 Brown Ward. No. 284. (1.) The lots known by the numbers (27) twenty-seven, and (28) twenty-eight, be and the same are hereby absolutely vested in fee simple in John Shick, Horace Blair, and Thomas Tupper, deacons of the Baptist Church, of the said City, and their successors in office, for the sole purpose of erecting thereon a place of worship for the use and benefit of said church, provided the same be erected within five years.

Titles. (2.) The Clerk of Council be and he is hereby authorized to make out the necessary title for said lots numbers (27) twenty-seven, and (28) twenty-eight, Brown Ward, and that he cause the same to be forthwith executed and delivered to the aforesaid deacons of said Church.

Ordinance 12th March, 1829.

Hebrew Congregation, lot 64 Brown Ward. No. 285. (1.) Lot number sixty-four, (No. 64) Brown Ward, be and the same is hereby absolutely vested in Moses Sheftall, Abraham De Lyon, Isaac Cohen, David Leon, Jacob De Lamotta, Sheftall Sheftall, and Levi Hart, and their successors in office to, and for the use of the Hebrew congregation of the City of Savannah: *Provided*, the said lot be used and appropriated solely for the purpose of continuing thereon a place of worship for said congregation and appropriating it to no other purpose whatsoever.

Proviso.

Ordinance 26th March, 1829.

Georgia Arsenal, west half of trust lot letter G, Percival Ward. AN ORDINANCE, Granting to the State of Georgia a lot of ground on which to erect an Arsenal, and repealing the Ordinance passed on the 12th of February, 1829.

WHEREAS, the General Assembly at its last session passed the following Act:

"To authorize and provide for the building of an Arsenal in the City of Savannah, for the preservation and better security of the arms and munitions of war, the property of said State in said City."

Conveyance.

No. 286. (1.) A conveyance be made to the State of Georgia in fee simple for the purpose of building an Arsenal of brick or stone thereon of all that western half of Trust lot, letter G, in Percival Ward, fronting on Whitaker street, and extending from thence eastwardly, 90 feet more or less, bounded on the north by President street, and on the south by York street: *Provided*, nevertheless, that the said half lot or parcel of land shall be appropriated solely as a site for an Arsenal and its appurtenances for the security and preservation of arms and munitions of war.

Proviso.

Ordinance 30th June, 1831.

Unitarian Society, lots 35 and 36 Brown Ward.

No. 287. (1.) The lots known by the numbers thirty-five (35) and thirty-six, (36) in Brown Ward, be and the same are hereby vested in fee simple in John Davidson, Jeremiah Stone, Laomi Baldwin, Edward Padelford and Samuel Philbrick, Trustees of the Unitarian Society of said City, and their successors in office for the sole purpose of erecting thereon a place of worship for the use and benefit of said Society: *Provided*, the same be erected within five years.

Title.

(2.) The Clerk of Council be, and is hereby authorized to make out the necessary titles for said lots, numbers (35) thirty-five, and (36) thirty-six, Brown Ward, and that he cause the same to be forthwith executed and delivered to the aforesaid Trustees of said Society.

Ordinance 18th April, 1833.

Unitarian Association, lots 35 and 36 Brown Ward.

No. 288. (1.) The Trustees of the Unitarian Association of Savannah have leave to sell lots Nos. (35) thirty-five and (36) thirty-six, Brown Ward: *Provided* that the proceeds of the sale of said lots be appropriated to purchase a lot subject to the same conditions under which the original lots were granted.

Ordinance 19th April, 1832.

Widows' Society, lots 1 and 2 Crawford Ward.

No. 289. (1.) The two lots situate, lying and being to the east of the Old Cemetery, each containing sixty feet in front and ninety feet in depth, be and are hereby declared to be vested in Eliza Mackay, Elizabeth Lloyd and Mary E. Demere, in trust to and for the purposes of enclosing the same and erecting, constructing and building thereon a suitable and proper house or houses for such widows as they may deem objects of their bounty and charity: *Provided, always*, that it shall not be

Proviso.

lawful for the said trustees or their successors to alien, bargain, sell or convey in any manner, the said lots hereby granted, or to use them for any other purpose except that of affording a refuge and place of habitation for such widows, as the said trustees or their successors may deem objects of their charity.

No other use of said lots.

(2.) If the said lots be converted to any other uses than the one above set forth, they shall be considered as immediately reverting to and vesting in the said Mayor and Aldermen, and their successors, as if they had never been granted by them, and it shall be lawful for any person under their authority to take possession of the lots hereby granted.

Ordinance 22d August, 1833.

United States Barracks, lots 11 to 20, both inclusive, Jasper Ward.

No. 290. (1.) Upon the payment into the City Treasury of the sum of twelve thousand dollars, a conveyance be made in fee simple to the United States for the purpose of erecting barracks thereon for the accommodation of the troops of the United States, of all that piece of ground or parcel of land situate, lying, and being on the South common of said City, extending from the southern line of Liberty street, as hereinafter defined. Two hundred and twelve feet six inches southernly, and from the eastern line of Bull street continued, three hundred and two feet six inches, to the western line of Drayton street continued embracing within said limits a space equal to the opposite tything, in Brown Ward, including the lane.

Width of Liberty street.

(2.) The width of Liberty street shall be one hundred and forty feet, (Ordinance 28th March, 1837, says, "the width of Liberty street, except that portion of it which lies between Bull and Drayton streets continued, shall be one hundred and thirty feet,") measured from the southern line of lots on said street and extended to the northern line of the piece of ground hereby granted.

Ordinance 26th June, 1834.

First Presbyterian Church, lots 37 and 38 Brown Ward.

No. 291. (1.) Those two lots situated in Brown Ward, numbered thirty-seven (37) and thirty-eight (38), be and the same are hereby granted and conveyed to and vested in George G. Faries, William King, and William Crabtree, Jr., and the survivors or survivor of them and the heirs and assigns of such survivor, in trust to and for the use and benefit of the said association of christians known by the name of the First Presbyterian Church in Savannah.

Authority to sell, &c.

(2.) The said George G. Faries, William King and William Crabtree, Jr., and the survivors and survivor of them shall be, and they are hereby empowered, at any time hereafter, to sell the said two lots, or either of them, in fee simple, or otherwise, or to grant leases for the use and benefit of the said First Presbyterian Church in Savannah.

Ordinance 11th Dec., 1834.

Methodist Episcopal Church, lot 48 in Jackson Ward.

No. 292. (1.) One lot of land in said City, situate in Jackson Ward, and numbered (48) forty-eight, be, and the same is hereby granted and conveyed, and vested, in Samuel J. Bryan, Francis M. Stone, Laban Wright, Benjamin Snider, John B. Davis, Nathaniel Lewis, Murray Reed and William Quantock, and the survivors and survivor of them, and the heirs and assigns of such survivor, in trust to and for the use and benefit of the said association of christians, known by the name of the Methodist Episcopal Church in Savannah, with full powers in said persons and the survivors and survivor of them and the heirs and assigns of such survivor at any time thereafter to sell the said lot in fee simple, or lease the same for the benefit of the Methodist Episcopal Church in Savannah.

Authority to sell, &c.

Ordinance 24th Nov., 1836. (John C. Nicoll, Mayor.)

Central Rail Road Depot.

AN ORDINANCE, To grant to the Central Rail Road and Banking Company of Georgia, five acres of land in Oglethorpe Ward, and the low lands adjoining, and the right of way to said Company, through the City lands thence to Musgrove Creek.

WHEREAS, the said Company has applied to this Corporation for the grant of a lot or parcel of land in the Corporate limits of said City, for the erection of a depot for their road, and for workshops and other appurtenances thereto, and for the right of way from such lot or parcel of land through the City property to Musgrove creek, and it is for the interest of the good citizens of said City that such depot should be located within the Corporate limits of the City, whereby the most general good will be subserved; and whereas, the deep interest which the Corporation has in the enterprise for which this Company is formed, requires that every reasonable facility should be given to the forwarding of the same.

5 acres of land.

No. 293. (1.) Five acres of land, comprising within the lines of which West Broad street is the eastern boundary, Musgrove creek is the west boundary, the Augusta road is the south boundary and Oak street and a line drawn west, from its western termination, is the northern boundary, be granted to the said Central Rail Road and Banking Company of Georgia, in fee simple, with privilege to the said Company, to locate the said five acres in any part of the said parcel of land comprised within the said boundaries, with the exception of so much ground as may be requisite for a public passage to and from the spring—(amended in reference to the spring—see 1st section of next Ordinance)—and further, that the right of way, of such width as the said Company shall determine on, from the lot of five acres so to be located and selected, to Musgrove Creek, to be also granted to the said Company, and that a conveyance of said five acres of land and the right of way, be made to the said Company, so soon as the said Company shall have located the same: *Provided, nevertheless*, that the same and every part and parcel thereof, shall be exclusively used, appropriated and applied to the necessary and useful uses and purposes of a Rail Road depot, workshops, road and appurtenances, and that on failure or neglect so to use and apply the same, the same shall revert and revest in this Corporation as if the same had never been granted.

Right of way.

Proviso.

(2.) The said Company shall have full power and authority to close up and occupy all streets and lanes which shall be comprised within the five acres of land so to be selected by them or which shall be crossed by the said road in its passage from the said five acres of land to Musgrove's Creek, except a street or public passage way on the east bank of the canal, of at least forty feet in width, which street or passage way on the canal, said Company shall always be bound to keep open and fit for all public purposes to which it is now applied.

Close up streets, &c.

Except a 40 feet street on the canal.

(3.) If the said Company shall locate the said five acres of land or road so as to interfere with the proprietors of any buildings on the said City property, the said Company shall be bound to pay to such proprietors a fair valuation for any building on the land so selected by them.

If location interferes with proprietors.

Ordinance 30th August, 1838.

Central Rail-Road to enclose the spring.

No. 294. (1.) The Central Railroad & Banking Company of Georgia, shall be at liberty to enclose the spring at Spring Hill, within the walls of their depot: *Provided*, that the said spring be walled up with brick of proper size, that the water be led

Proviso.

from the spring outside of the wall which is about to be erected to the south thereof, by iron pipes, that a good pump be placed in the street or road for the public use, and that the water be led off by iron pipes to the low ground so as to keep a running stream from the spring, and according to a plan in the Clerk's office, signed by L. O. Reynolds, engineer: *Provided also*, that the contemplated work be approved and sanctioned by the Committee on Pumps.

Ordinance 30th January, 1840. (Robert M. Charlton, Mayor.)

Public lot granted to Central Railroad Company.

No. 295. (1.) All that part of the public lot of land known as the Spring Hill lot, which lies between Oak street (after the same is widened to sixty feet and extended to the canal) and the land heretofore granted to said Company, and between the land so heretofore granted and West Boundary street, be and the same is hereby granted to the said Company for the purpose of a Rail Road depot.

Ordinance 23d Feb., 1839. (M. H. McAllister, Mayor.)

Savannah Female Asylum, lots 32 and 33 Jasper Ward.

No. 296. All those two lots of land known in the plan of the west part of the City, by the Nos. (32) thirty-two and (33) thirty-three Jasper Ward, on the east side of Bull street continued, be and the same are hereby granted to the Savannah Female Asylum, for the purpose of erecting a substantial building or buildings of brick for the use and accommodation of the Female Orphan children, under the charge of the Directresses of said Asylum.

Proviso.

Provided, however, and this grant is on the condition that if the said lots be appropriated or diverted to any other use whatever, the same shall revert to the City.

Ordinance 14th August, 1842. (Wm. Thorne Williams, Mayor.)

Church of St. John the Baptist, lots 25 and 26 LaFayette Ward, for Sisters of Mercy.

No. 297. (1.) All those two lots of land situated in said City, LaFayette Ward, and known by the numbers (25) twenty-five, and (26) twenty-six, each containing (60) sixty feet on Liberty street, and (100) one hundred feet, on Abercorn street, be and the same are hereby granted and vested in the Vestry of the Church of St. John the Baptist, in the City of Savannah, and their successors in office, for the use of an institution to be established in said City, styled a "Branch of the Sisters of Charity or Mercy," the object of which institution or association is charity, ministering to the poor and sick, and the instruction and education of orphans and children generally, of their own

sex, without any distinction as to religious belief, under the rules and regulations of their order. Said two lots of land above mentioned are hereby granted as aforesaid for the purpose of erecting thereon a substantial building or buildings of brick or other durable material, to be covered with slate, tile, or metal, as a residence for said sisterhood and to enable them to carry out the humane purposes of the institution: *Provided*, that the buildings be erected on said lots within three years from the date of this Ordinance; *And provided further*, and this grant is on the condition that if at any time said two lots and buildings to be erected thereon be appropriated or diverted to any other purpose or use than above specified and more fully set forth in the petition praying the grant thereof, the same shall revert to the City of Savannah.

Proviso.

Ordinance 25th July, 1844.

Methodist Episcopal Church for colored persons, lot No. 10 Crawford Ward.

No. 298. (1.) Lot No. (10) ten Crawford Ward, fronting north on South Broad street, be, and the same is hereby granted to F. M. Stone, Laban Wright, Asa Holt, Benjamin Snider, Emanuel Sheftall, Emanuel Heidt, James Porcher, Mordecai Sheftall, Jr., and William Quantock, Trustees, of the Methodist Episcopal Church in Savannah, and their successors in office, and assigns in fee simple for the purpose of enabling them to construct a house of religious worship for their colored members with full power either to erect such house thereon, or to sell the lot and apply it to the purchase of another lot within the City or otherwise, as to them shall appear expedient.

Authority to sell, &c.

Ordinance 19th Sept., 1844.

St. John's Church, lot 33 Pulaski Ward.

No. 299. (1.) Lot No. thirty-two (32) in Pulaski Ward, bounded north by a lane, east by Whitaker street, south by Jones street and west by lot No. thirty-one (31,) be and the same is hereby granted to and vested in the Wardens and Vestry of St. John's Church, in Savannah, and their successors in office, in fee simple, with full power to sell or otherwise dispose of the same for the benefit of said Church.

Power to sell, &c.

Ordinance 22d July, 1847.

Georgia Historical Society, lot No. 73 Crawford Ward.

No. 300. (1.) All Ordinances heretofore passed in Council, which vest in the Georgia Historical Society the said lot number seventy-three (73,) LaFayette (should be Crawford, see below) Ward, upon any condition or limitation, which is, or may be

therein expressed, or which in any manner shall militate against this Ordinance, be and the same are hereby repealed.

(2.) The said lot number seventy-three (73) LaFayette (should be Crawford) Ward, and City of Savannah, with all and singular its rights, members, appurtenances, and improvements, be and the same is hereby granted to and vested in the said Georgia Historical Society and its successors in office, in fee simple, absolute to have and to hold the same unto the said the Georgia Historical Society and its successors in office forever.

In fee simple.

Ordinance 19th August, 1847.

LaFayette changed to Crawford, &c.

No. 301. (1.) The above recited Ordinance be and the same is hereby amended, as that the word "LaFayette," wherever the same occurs in the title and body of said Ordinance shall read "Crawford," and the word "Crawford" is hereby substituted therein, in the place of the word "LaFayette."

Ordinance of 4th April, 1844, revived.

(2.) The third section of the Ordinance entitled an Ordinance granting to Charles B. Cluskey, on ground rent, five lots south of the old Cemetery, to attach the said lots and others to Crawford Ward, and to prohibit the future purchasers and owners of certain other lots from building thereon in wood, passed 4th April, 1844, be and the same is hereby revived.

Ordinance 25th April, 1850.

Moses Eastman, turrets of Unitarian Church.

AN ORDINANCE, Whereas, Moses Eastman is about to erect a church on lot marked (W) in Anson Ward, fronting Oglethorpe square, and is desirous of placing the turrets of said Church on the ground allotted for porticoes, and whereas the owners of all the lots fronting on said square having acquiesced in the same.

No. 302. (1.) The said Moses Eastman have leave to erect the towers or turrets of said church on the ground now alloted for porticoes, any usage or Ordinance to the contrary notwithstanding.

Ordinance 23d Sept., 1852. (Richard D. Arnold, Mayor.)

Savannah Free School to sell lot No. 39 Brown Ward and reinvest.

No. 303. (1.) The Savannah Free School Society be, and they are hereby authorized to sell and convey absolutely, free from all incumbrances, the lot of land No. 39 Brown Ward, now in their possession under a grant from the Corporation. And that they be further authorized to purchase, with the proceeds of said lot, another lot in the City of Savannah, to be selected

by them: *Provided*, That all the rights reserved to the City of Savannah in the grant of lot No. 39, Brown Ward, shall be expressed and contained in the title they may receive for the lot they may purchase. Proviso.

(2.) The said lot, when purchased by the said Free School Society, and the improvements they may place upon it, shall be exempt, while used by them, from all taxation. Exempt from taxes.

LOTS IN FEE SIMPLE.

No. 304. All the lots in the City are held in fee simple, except such portions of the City Domain which are laid out by the City into lots, and sold subject to ground rents or the payment of an annual interest. The lots in Anson, Berrien, Currie Town, Derby, Decker, Gaston, Heathcote, Percival and Reynolds Wards, (except Trust lot S in Reynolds Ward,) are fee simple lots. Also, all the lots east of East Broad Street and west of West Broad street.

LOTTERY.

Ordinance 29th October, 1857.

Lottery tickets, raffles, gift enterprises, &c., tax $200.

No. 305. (8.) Each and every person who shall carry on the business of vending books, jewelry, or other articles by raffle or lottery, or of selling lottery tickets within said City, by selling, disposing of, delivering, ordering or receiving for another for any consideration whatever, any lottery ticket, or part or share of a lottery ticket, or by offering to carry on such business by advertising, exhibiting a sign, or otherwise, shall pay the City Treasurer annually the sum of two hundred dollars, and each and every such person who shall have paid to the said Treasurer the sum of one hundred dollars, in compliance with the Ordinance of August 30th, 1838, before the 1st day of January next, shall be required to pay the sum of two hundred dollars at the end of the current year, for which the said sum of one hundred dollars was paid under the said Ordinance, and annually thereafter, so long as he or she shall continue to carry on

such business; and each and every person who shall commence to carry on such business, by doing or offering to do any one of the acts aforesaid, on or after the first day of January next, shall forthwith and annually thereafter, so long as he or she shall continue to carry on such business, pay to the said Treasurer the sum of two hundred dollars, and each and every person who shall violate or fail to comply with either of the foregoing provisions of this section, shall, upon conviction thereof before the Mayor in the Police Court, be fined in a sum not exceeding four hundred dollars for each and every such violation of, or failure to comply with the said provisions, one half of said fine to go to the informer.

Penalty $400.

LUMBER.

Ordinance 15th March, 1827.

All lumber, &c., to be inspected.

No. 306. (5.) All lumber, staves, shingles, scantling and timber for exportation, shall be first inspected and measured by the proper officer appointed by this Ordinance, and the measurement of each piece of lumber, scantling and timber, shall be correctly marked thereon, but that nothing herein contained shall prevent the sale for home consumption of said articles without inspection or measurement, except when required by the purchaser. (See 6th section of Ordinance passed 23d March, 1843, and 1st section Ordinance passed 29th May, 1845, below.)

Ordinance 25th Aug., 1842.

Loblolly pine not merchantable.

No. 307. (7.) In consequence of the great quantity of timber known by the dealers under the denomination of loblolly, (a species of pine without lasting substance, and therefore valueless) exported as merchantable pine to the great and manifest injury of the credit and character of our market, such quality of pine shall not be considered merchantable, and upon the conviction of any measurers and inspectors aforesaid having measured and inspected loblolly pine timber as merchantable, he or they shall be fined in a sum of thirty dollars, forfeit his license, and be declared and rendered ineligible to his said office of measurer and inspector.

Penalty $30.

Ordinance 23d March, 1843.

Ranging timber, &c., when merchantable.

No. 308. (1.) Ranging timber, scantling, plank, boards, and other descriptions of sawed lumber, shall be deemed merchantable

only under the following requirements, viz: ranging timber shall be sound and measured free from pin holes and waning edges, scantling, plank, boards, and other descriptions of sawed lumber, shall be sound and show at least half heart of the contents of each piece. Nevertheless, if any scantling, plank, boards, and other descriptions of sawed lumber, shall be split, decayed or fractured, more than two feet, and less than one-third of the length of said scantling, plank, boards &c., in that case, such a split, decay or fractured part shall be left out, and not counted in the said measurement.

Staves and Shingles, when merchantable.

(2.) Staves and shingles, shall likewise be deemed merchantable only when made, shaped, formed and conditioned as follows, viz: white and red oak staves must be free from knots, splits, and worm holes, and that all oak staves shall be classed as red oak. The dimensions of pipe staves shall be fifty-four inches long, not less than three inches wide, and one inch thick on the thinest edge; hogshead staves forty-two inches long, not less than three inches wide and three quarters of an inch thick on the thinest edge; pine staves, forty-two inches long, not less than three inches wide, and five-eighths of an inch thick; shingles not less than twenty inches long, three and a half inches wide and three eighths of an inch thick.

All timber, &c., to be inspected &c.

(6.) All timber, sawed lumber, oak staves and shingles, bought or sold within the jurisdiction of the City, shall be inspected, measured, counted and culled by the measurers and inspectors appointed by virtue of this Ordinance, and that any other person or persons inspecting, measuring, counting and culling ranging timber, sawed lumber, oak staves, and shingles, shall, upon conviction of the same, be fined in a sum not exceeding thirty dollars. And in case of any violation of this Ordinance by any measurer and inspector aforesaid, or by any factor or seller, he or they shall be fined, upon conviction of the same, in a sum not exceeding thirty dollars for the first and second offence, and for the third offence the measurer or inspector shall forfeit his license, and be removed from, and declared forever after ineligible to the same office.

Penalty upon others than licensed Inspectors $30.

Penalty upon licensed Inspector $30.

Ordinance 29th May, 1845.

Measurement cut upon each piece.

No. 309. (1.) All timber, scantling, plank, boards and other descriptions of sawed or hewn lumber, sold within the corporate limits of the City, shall have the measurement cut upon each piece; and any seller or owner of such timber, failing to have the same

Penalty $30.

done shall be fined, for such offence, in a sum not exceeding thirty dollars.

State Law, Approved Dec. 16th, 1794. (Cobb's Digest, page 22.)

What kind of lumber deemed merchantable.

No. 310. (1.) Ranging timber, (See Title, "Timber,") scantling and boards shall be deemed merchantable only when made, shaped, formed and conditioned as is hereinafter directed, that is to say: all ranging timber, scantling and boards, shall have square edges, be sound and without decay; *Nevertheless*, if any scantling or board, to be measured and inspected under and by virtue of this Act, shall be split, decayed or fractured more than two feet and less than six feet from the end thereof, in that case such split, decayed, fractured part shall be left out and not counted in the said measurement.

Split, decayed, &c., not to be counted in measurement.

What kind of heading and shingles merchantable.

(2.) Heading to be two and a half feet long, six inches broad, an inch thick on one edge, and not less than three-quarters of an inch thick on the other side, sound and free from decay, worm, or knot holes; shingles to be twenty-two inches long, not less than three and a half inches wide, a half inch thick at the thicker end, not decayed, free from worm or knot holes.

State Law, Approved Dec. 5th, 1799. (Cobb's Digest, page 23.)

Any person who is qualified may measure lumber.

No. 311. (1.) All persons qualified to measure lumber may admeasure and give certificates as is usual in such cases, and receive such compensation as shall be agreed upon by the seller, purchaser, and person measuring the same.

AND WHEREAS, raftmen and other persons have long been in the habit of taking up drifted lumber of all descriptions, and disposing of the same, and converting of the profits to their own use.

Penalty for taking up and selling drift lumber.

(2.) *Therefore, be it further enacted*, That if any raft-man or men, or other person or persons, shall attempt to dispose of any drifted lumber, so taken up by him or them within this State, he or they shall be liable to pay a fine, of not exceeding five hundred dollars for every such offence, to be recovered in any Court having jurisdiction of the same, one half for the benefit of the informer or prosecutor, and the remaining moiety to the use of the County, wherein such offence shall be committed, or to be imprisoned for a term not exceeding eight months.

AND WHEREAS, it has been a custom too long established in the City of Savannah, to purchase lumber of all descriptions of raft-men and other persons.

Persons purchasing such lumber from raftmen to forfeit $50, or be imprisoned

(3.) *Therefore enacted*, That from and immediately after the passing of this Act, if any person or persons in the City of Savannah or elsewhere, shall be detected in purchasing of lumber of the above description, except from factors or lumber cutters, he or they shall be liable to pay a fine not exceeding fifty dollars, for each and every such offence, to be recovered in any Court having jurisdiction of the same or to be imprisoned for a time not

exceeding eight months; *Provided, nevertheless*, that nothing contained in this act shall prevent, or be construed to prevent, raft hands or other persons from taking up drifted lumber, receiving a reasonable compensation from the owner or owners of such lumber, on their delivering the same to the rightful owner, or to their factor. Proviso.

State Law, Approved Dec. 18th, 1816. (Cobb's Digest, page 24.)

Quality and dimensions of merchantable lumber.

No. 312. (1.) Sawed scantling and boards, pipe, hogshead and barrel staves, shall be considered merchantable only when made, formed, shaped, and conditioned in manner following; to wit: all sawed scantling shall have three square edges, sound and without decay; pipe staves to be at least fifty-four inches in length three inches in breadth, and one inch thick, on the thin edge; hogshead staves, to be forty-two inches long, three inches broad, and not less than three quarters of an inch thick on the edges, sound and free from worm or knot holes; barrel staves to be two and a half feet long, three inches wide and not less than three quarters of an inch on their edge, sound and free from worm or knot holes.

(*See Titles, "Measurers and Inspectors," Measurers and Inspectors of Lumber," "Timber."*

MARKET.

State Law, Approved April 7th, 1763. (James Wright, Governor.) (Watkins' Digest, page 88.)

A piece of ground to be laid out for the Market.

No. 313. (2.) It shall and may be lawful to and for the said Commissioners, and they, or any five of them, are hereby empowered and fully authorized to lay out a proper space or quantity of ground in a square, in the said Town of Savannah, called Ellis' Square, and thereon to cause the buildings and stalls for a Market to be placed and put, which said ground so laid out shall be, and is from henceforth alloted and appropriated to and for the use and convenience of a public Market.

Ordinance 22d July, 1839.

AN ORDINANCE, For regulating the public Market in the City of Savannah.

Public market held every day, except Sunday.

No. 314. (1.) That a public market shall be held every day in the year, (Sundays excepted) in Ellis Square, at which place all kinds of Butcher's meat, poultry, fruit, fish, vegetables, and all other kind of provisions may be sold, under the regulations hereinafter contained.

(2, 3, 4, 5, 6. *See Title "Clerk of the Market."*)

Sellers refusing to pay market fees.

(7.) When any seller of meat or other articles of provisions charged by this Ordinance, shall refuse to pay the sum required under the same, the Clerk is hereby authorized to levy upon and retain such meat or other articles, until such charge be paid, or until one or more of the Market Committee order the release thereof. And if the said charge be not paid before the closing of the Market, and the article or the articles remain in the possession of the Clerk, the same shall be disposed of as may be directed by the member of the Market Committee present, or in his or their absence, as the Clerk may see fit. And if any person or persons shall oppose, obstruct, insult, or abuse the Clerk of the Market in the execution of his office or duty, such person or persons shall be fined in a sum not exceeding thirty dollars.

$30 fine for opposing Clerk of the Market.

$30 fine if Clerk neglects his duties.

(8.) If the Clerk of the Market shall neglect any of the duties required of him by this or any future Ordinance, he shall be liable to a fine not exceeding thirty dollars, and according to the nature of the charge brought against him, to removal from office by Council, as already provided.

Butchers to divide small meat.

(9.) The Butchers shall, if required by any person or persons, with the approbation of the Market Committee, divide their small meat as follows: every calf, heifer, hog, goat or lamb, the quarters thereof shall be divided into two parts, the loin from the leg, or the breast from the quarters, and the quarters of beef shall be cut up into pieces so as to suit the buyers. These regulations to commence at the opening of the Market, and continue to the hour before mentioned; and any person or persons neglecting or refusing to comply with the tenor of this section, shall, for every neglect or refusal, be fined in a sum not exceeding ten dollars, and every person cutting up meat, shall wear a long white apron, every day whilst at Market.

And wear white apron.

Butchers to take head and hide of animal, &c., to Clerk.

(10.) Every butcher or person killing an ox, cow, heifer, or grown meat cattle, and exposing the same for sale within the City shall take the hide and head of each animal, slaughtered, attached to each other and not severed, and the said head with the ears and horns on of every such animal, he shall carry to the market, and show the Clerk whose business it shall be to keep a book for that purpose, where he shall regularly enter the ear and horn marks, (if any) of such animals with the day of the month the same was brought to market, and the book shall be kept open at all times during market hours for the purpose of inspection of every person, under forfeiture of a sum not exceeding thirty dollars for every neglect of any butcher or other person bringing the same, and for the neglect of the clerk in not taking the marks, or for his entering improper or false brands and marks, he shall suffer the like penalty.

Ear and horn marks, &c.

$30 fine for not doing so.

$30 fine on Clerk for neglect in taking marks, &c.

Offal, &c.

(11.) It shall not be lawful for any person or persons whatsoever, to bring to or near either of the markets aforesaid, any of the offal, or inside of any bull, steer, cow, heifer, calf, sheep or hog, except the haslet, clean tripe, and lard and tallow when melted, and rough tallow: *Provided*, the same is free from any unpleasant smell; and any person or persons so offending shall pay a fine not exceeding thirty dollars.

Exceptions.

Penalty $30

Butcher pens.

(12.) If any butcher shall erect, or from and after the passage of this Ordinance, keep any pen or enclosure for the purpose of keeping or slaughtering any cattle, calves, sheep or goats, within a mile of the corporate limits of the City, he shall be prohibited from selling in the market, and may be fined in a sum not exceeding thirty dollars for each offence. (Ordinance of 2d January, 1840, says, "It shall not be lawful for any butcher, under the penalties prescribed in the twelfth section of the above entitled Ordinance, to erect or keep any pen or enclosure for the purpose of keeping or slaughtering any hogs, within one mile of the corporate limits of the City; and that this section shall be taken as an amendment to, and a part of the said twelfth section.")

Penalty $30.

Unwholesome meat, &c.

(13.) If any person or persons shall expose or offer for sale in the said market, or in any other place within this City, any blown, puffed up, or unwholesome meat, or provisions of any kind, it shall be the duty of any Alderman, or the Clerk of the Market or City Marshal, on complaint being made to him or them, or upon the view of either of them, to examine into the same, and if the said meat or provisions shall appear to be unwholesome, the same shall be considered as a nuisance and condemned and be immediately buried under ground, burnt, or otherwise destroyed, by order of the officers of the City so inspecting and condemning the same, and such person or persons so offending, shall be moreover fined in a sum not exceeding thirty dollars.

Penalty $30.

No butter, vegetables, &c.

(14.) No person or persons shall be allowed to bring to the market of this City, or expose to sale, at said place, any butter, vegetables, or other similar articles of consumption, not the growth or manufacture of this State or South Carolina. Nor

No codfish, &c., unless by license.

shall any person or persons whosoever, expose at said market, and for sale, any codfish, mackerel or salmon, unless by special license, which shall be granted on the petition of any person or persons applying for the same, he, she or they, first paying into

Price of license, $15.

the Treasury of the City the sum of fifteen dollars, for such license, which shall last for the space of one year, and shall not be used by any other person but the one or those named in the said license. And every person or persons offending against this section of the Ordinance, shall, on the order of any of the Market Committee, Clerk of the Market, Marshal or City Constable, immediately withdraw and remove such article or articles, and in case of neglect or refusal to withdraw or remove the

Seizure and forfeiture of articles.

same, such article or articles shall be seized and forfeited, and be disposed of as may be directed and ordered by any of the Market Committee, Clerk of the Market or Marshal.

Buying, &c., to sell again.

(15.) If any person or persons who shall buy or cause to be bought, contracted for, or cause to be contracted for at the Market, or on its way to the Market, or at any other place within the limits of the City of Savannah, (Ordinance of 12th January, 1854, says: "after the setting and before the rising of the sun,") any meat, fish, or poultry, game, or wild fowl, eggs, fish, vegetables, or provisions of any kind, usually brought to market, and shall sell or cause the same to be sold or exposed at the market, or at any other place within the City, (or who shall purchase or contract for any of the aforesaid articles in quantities greater than shall be requisite for the use and consumption of the families of such persons) or who shall dissuade persons from bringing their provisions to market, or induce them to enhance the price when there shall, if made manifest to the conviction of any Aldermen, the Clerk of the Market, or the City Marshal, forfeit such articles of provisions, so purchased or exposed for sale, which shall be taken and sold by the Clerk of the Market; and such persons shall also, upon conviction, (Ordinance of 12th January, 1854, says: "be fined, if a white person, in a

Penalty $30.

sum not less than ten, nor more than fifty dollars, and if a negro, in a sum not more than ten dollars, or to receive not less than twenty lashes, on failure to pay said fine,") (and every person, other than such as shall be permitted to sell in Market by the Ordinances of the City, who shall be found possessed of, or to have purchased or contracted for any of the aforesaid articles of provisions, in greater quantities than are requisite for such person's own use, shall be deemed guilty of a violation of this section:) *Provided*, that nothing herein contained shall prevent

Proviso as to persons owning stalls; country negroes, &c.

persons who own stalls in the Market from carrying their provisions through the City after Market hours, keeping no fixed stand, but moving from place to place, or country negroes, on Saturday, selling their articles, who have proper tickets from their owners. *And provided further*, that nothing herein contained shall be so construed as to prevent any person buying or selling bacon, salted or cured meat, cabbages, onions, beets and all such articles as are usually imported into the City, and sold in large quantities. (Ordinance of 2d January, 1840, says: "That the prohibition contained in the fifteenth section of the above recited Ordinance, against any person or persons contracting for or buying any meat, fish, or poultry, game or wild fowl, eggs, vegetables, fruit, victuals of any kind usually brought to Market, over and above the quantity required for the use of their own families, be repealed, so far as relates to the purchase of hogs, sheep, or calves, for the purpose of cutting up and exposing for sale in the public market.")

Proviso as to bacon, &c.

Exceptions as to hogs, &c.

Council may forbid free negros or slaves to sell food, &c., in market.

(16.) Council may at any time, by resolution, forbid and prevent any free person of color or slave from selling or disposing of any articles of food, or other articles usually sold at Market, for any offence committed by a free person of color or slave, contrary to the laws of the State or Ordinances of the City, and no person of color having a badge to sell small wares, shall be

Persons of color not to sell fruit.

permitted to purchase or sell any fruit whatever, at or in the vicinity of the Market before nine o'clock in the morning, and in case of a violation of this section of the Ordinance by any such person of color, he or she shall be fined in a sum not exceeding

Fine $30 and forfeiture of articles.

thirty dollars, and the articles so exposed to sale shall be forfeited and as such seized by the Clerk of the Market. And no slave

No slave to act as butcher, &c.

shall act as butcher, cut up meat, or sell the same, unless in the presence of the owner, employer or employers, or his, her, or their agent, being a white person. And if such slave does act as butcher, cut up meat, or sell, or offer the same for sale, contrary to the provisions of this section, his owner or owners, employer or employers, shall be fined in a sum not exceeding

Fine $30.

thirty dollars.

Slaves not to sell poultry, &c., without a special ticket or badge.

(17.) If any slave or slaves shall sell or offer for sale any kind of poultry, provisions or fruit, at market, (See Ordinance of 16th Dec., 1840,) or other public place in this City, (fresh fish excepted)

without a ticket from his, her or their owner or owners, overseer, or employer, particularly enumerating the articles so exposed or offered for sale, it shall and may be lawful for any white person to take possession of all such articles as are not enumerated in the ticket, and to apprehend the said slave or slaves, and carry him, her or them, before the Mayor or any Alderman, who is hereby authorized to examine into the case, and to discharge the said slave or slaves, and the articles so taken possession of, or to condemn all such articles not specified in the ticket to the use of the informer, or direct the same to be kept until further ordered.

All articles to be enumerated in the ticket.

Penalty. forfeiture of articles.

(18.) No butcher bringing meat of any kind to market for sale, at any of the stalls, and that no other person bringing live stock or any other species of provisions to market, for sale, shall be permitted or allowed to keep any wagon, cart, or any other carriage, vehicle, horse, mule, ass or ox, nearer to the said market, or for a longer time than the Market Committee or Clerk of the Market may direct, and such butcher or other person shall be compelled to draw up his, her or their wagon, cart, or vehicle, in such manner and in such places as any one of the Market Committee, or said Clerk, shall think most convenient for the sale of the articles so brought, nor shall any person or persons be allowed or permitted to feed with grain or forage any horse, mule, ass, or ox, or any other animal, at the said market, or within the limits prescribed by the said Committee or Clerk. And it shall be the duty of the Clerk of the Market, City Marshal or City Constables, to enforce and carry into effect any order of the Market Committee respecting the rules and regulations prescribed in this section; and any person or persons offending against the same shall be fined by any one of the Market Committee or Mayor, in a sum not exceeding thirty dollars, and execution shall be issued immediately thereafter, and served and executed on the property of the offender or offenders, in his, her or their possession or agency, and the cause of such complaint, by the Marshal, his Deputy, or any City Constable, and sold at the market, on five days notice; and after paying the said fine, and fifty cents costs, the surplus shall be paid over to the offender or offenders, or his, her or their agent or agents.

No butcher, &c., to keep wagons, & .. near the market.

Market Committee or Clerk to designate place of vehicles.

No feeding of animals, &c.

Penalty $30.

Property to be sold by Marshal, &c.

(19.) It shall be the duty of the Market Committee and Clerk of the Market, from time to time, and as often as they may think proper, to examine the scales of all persons buying or selling in the market, or in any part of the City and prescribe

Duty of Market Committee and Clerk to examine scales.

the manner of suspending the same. And all persons neglecting or refusing to conform to such direction, shall be fined in a sum not exceeding thirty ($30) dollars.

Penalty $30.

(20 and 22. See Title, "Clerk of the Market.")

(21.) If any person or persons shall buy or sell in this city any article or commodity usually bought or sold by weight or measure, hereafter, to be used, and not sanctioned by this or any other Ordinance, or shall have, in his, her or their possession, any false weight or measure, every such person or persons, so offending, shall be fined not exceeding the sum of thirty dollars, and his, her or their name and description, after conviction, shall be published, as ordered by the section of this Ordinance last above recited, at the discretion of Council.

False weights and measures.

Fine $30.

(23.) It shall be the duty of the City Marshal or his Deputy, and one or more City Constable, as may from week to week be required by the Marshal, to attend at the said market every day at sunrise, and continue his attendance at market until nine o'clock of the morning and also on every Saturday afternoon until the closing of the market, for the purpose of aiding and assisting the Mayor or any Aldermen, Clerk of the Market, or Marshal, in the performance and execution of any of the duties devolved on any or either of them under this Ordinance or any other which may be passed in relation to the market, and in case of neglect or default of duty or attendance as aforesaid in such Marshal or Constable, he shall be fined in a sum not exceeding thirty dollars.

Duty of City Marshal, &c., to attend Market, &c.

Fine $30.

(24.) It shall not be lawful for any vender of meat to weigh the same at any other scales than those attached to his own stall, and all persons neglecting to have scales of their own or weighing at any other scale than those affixed to their own stalls, or using other weights than those of the scales so affixed, shall be fined in a sum not exceeding thirty dollars, ($30.)

Weighing at other scales, &c., and having no scales.

Fine $30.

(25.) It shall not be lawful for any person to sleep or lie down upon the public stalls in the Market in the night or day time, and every person so found, shall be taken up by the Marshal, City Constables or City Watch, and upon the conviction thereof before the Mayor, fined by him in a sum not exceeding six (6) dollars.

No sleeping, &c., on the market stalls.

Fine $6.

(26.) All fines imposed on any white person, or persons of color, slave or slaves, shall be recovered unless otherwise directed by this Ordinance, as heretofore usually practised, under the Ordi-

Fines, how recovered.

nances of the City; and that in all cases where any free person of color shall be fined and the said fine is not paid within the time limited by the conviction and sentence awarded thereon, such other reasonable punishment by confinement in the common jail shall be imposed on such offender as may be just and proper, and in case of slaves violating this Ordinance, the owner or owners thereof shall be fined for such offence, and if such owner or owners shall refuse to pay the same within the time limited by the conviction and the sentence awarded thereon, such slave shall be confined in the common jail, at the cost and charges of the owner or owners, for such time as may be just and proper.

Fines of free negroes.

Fines of slaves.

All fines, half to informer and half to the City.

Exception.

(27.) All fines accruing under this Ordinance, shall be applied as follows, to wit: one moiety to the use of the informer, and the other moiety or half part to the use of the City, except where the Ordinance may otherwise specially direct, and except in such cases where the Market Committee or either of them come to a knowledge of the offence by his or their own view, in such case fine or forfeiture shall accrue to the City only, and all fines shall be levied by distress and sale of the offender's goods and chattels by warrant, under the hand of the Mayor, with the seal of the City, and be directed to the Marshal of the City or any Constable of the same.

Fines, how levied and collected.

Fine of $30 in all cases where no penalty affixed.

(28.) Each and every person violating this Ordinance, the penalty for which has not hitherto been designated, shall be fined, if a white person, in a sum not exceeding thirty dollars; if a free person of color or slave, in a sum not exceeding thirty dollars, and on failure to pay the sum, to be punished in such manner as before directed in like case by this Ordinance.

Ordinance 11th April, 1839.

No dogs in market; fine $30.

No. 315. (2.) That no dog shall be permitted to be brought or come within thirty feet of the market house during market hours, and any person bringing or suffering a dog or dogs to accompany him or her, contrary to the provisions of this section, shall be fined in a sum not exceeding thirty dollars.

Ordinance 24th October, 1839.

No smoking in the Market. Penalty $2, &c.

No. 316. (1.) It shall not be lawful for any person to smoke any segar or pipe in the public market place in the City of Savannah, under the penalty of two dollars for the first offence and not exceeding five dollars for each and every subsequent offence if the offender be a white person, and under the penalty

of not exceeding three dollars or whipping not exceeding ten stripes if the offender be a slave or free person of color.

Ordinance 16th Dec., 1840. (Robert M. Charlton, Mayor.)

AN ORDINANCE, To compel certain persons to take out badges.

Resident colored persons not to sell vegetables or fruit without a badge.

No. 317. (1.) That from and after the first day of January next and every January thereafter, all colored persons residing in the City and the extended limits thereof, before exposing any vegetables or grist for sale in the market, shall take out a badge for which they shall pay the same sum as venders of small ware.

Nor poultry.

(2.) Said persons aforesaid, having badges, shall not entitle them to sell any kinds of poultry, but their having those articles in possession shall be taken as proof that they have purchased the same for sale again, and it is hereby made the duty of the Clerk of the Market to seize and sell the same as pointed out by the market Ordinance, and any person violating this Ordinance, shall be fined not exceeding thirty dollars, to be whipped not exceeding thirty lashes at the discretion of the Mayor and all Ordinances or parts of Ordinances, militating against this Ordinance be and the same are hereby repealed.

Duty of Clerk of the Market to seize and sell.

Fine $30.

Ordinance 30th January, 1851.

Injuring, &c., Market stalls.

No. 318. (2.) If any person shall cut, mutilate, break, deface or injure the market building or any of the stalls or other appurtenances to the said market, such offenders shall be fined for such offence in a sum not exceeding fifty dollars, one half the fine to be paid to the informer.

Fine $50.

Ordinance 17th Nov., 1853.

No selling of beef, veal or mutton, except at Market.

No. 319. (1.) It shall not be lawful for any person or persons whatsoever to sell or expose for sale, or barter, any quantity of butcher's meat, known as beef, veal or mutton, at any place within the limits of the City of Savannah, except only at the public market thereof, under such regulations as are now in force for the government of the same.

Fine $50.

(2.) For each and every violation of this Ordinance, the offender shall be fined in a sum not exceeding fifty dollars, one half of the fine to go to the informer.

Exceptions as to vessels, &c.

(3.) Nothing in this Ordinance shall prevent the sale on board steamships or other vessels, of beef, veal or mutton, imported from other places, nor shall it be construed as repealing that portion of the Market Ordinance of July 22d, 1839, which per-

mits persons having stalls in the Market to carry their provisions through the streets after Market hours.

Ordinance 19th Nov., 1853.

Rent of Market stalls cash.

No. 320. (1.) The stalls in the Market shall be rented on the first Wednesday in December of each year, and that the terms of renting or sales shall be cash.

Ordinance 12th January, 1854. (Solomon Cohen, Mayor, pro tem.)

AN ORDINANCE, To be entitled an Ordinance to amend section 15th of an Ordinance entitled an Ordinance for regulating the public Market in the City of Savannah, passed in Council 22d July, 1839.

Amendment to 15th section of Market Ordinance of 22d July, 1839.

No. 321. (1.) The fifth line of section 15th of aforesaid Ordinance be amended, so as to read "within the limits of the City of Savannah, after the setting and before the rising of the sun;" and the twenty-third line in said section of said Ordinance be amended so as to read, "to be fined, if a white person, in a sum not less than ten nor more than fifty dollars, and if a negro, in a sum not more than ten dollars, or to receive not less than twenty lashes, on failure to pay said fine."

Ordinance Nov. 27th, 1856. (Edward C. Anderson, Mayor.)

No. 322. (1.) The stalls of the Market are hereby assessed as follows:

Market stalls. Assessed price.

Each corner beef stall at fifty-seven dollars per annum; each other beef stall at fifty-two dollars; each corner small meat stall at twenty-eight dollars and fifty cents; each other small meat stall at twenty-three dollars and fifty cents; each vegetable stall inside the market at twenty-five dollars per annum; those outside the market at fifteen dollars per annum; all stalls used for selling coffee and other food in the centre passage-way at sixty dollars each per annum; those at the eastern and western sides of western area, at fifty dollars; all others at twenty dollars each.

Duty of City Marshal to sell stalls on first Wednesday in December.

(2.) The City Marshal shall, on the first Wednesday in December next, offer all the stalls (the public stalls excepted) at public out-cry, setting them up at the above stated prices, and

What bids to be received.

that each stall shall be knocked down to the highest bidder, but in no instance shall he receive the bid of a person who is not a butcher, or vender of meats, provisions, or vegetables, or owner of a slave, who is a butcher; provided, that nothing herein contained shall be construed to prevent the guardian of any free

person of color who may be a butcher, or vender of meats, provisions or vegetables, from purchasing a stall or stalls.

No sub-letting, forfeiture of stall.

(3.) No person buying a stall shall transfer or sub-let the same, without the consent of the Market Committee, under the penalty of forfeiting the stall to the City.

Yearling beef.

(4.) No beef older than a yearling shall be offered for sale on the small meat stalls.

Renewal of leases.

(5.) On the first Wednesday of each ensuing year, the Market Committee may renew the lease of any occupant of a stall, at the rent paid the previous year, if applied to prior to the expiration of the year, and all stalls unrented, shall be sold on said day at the terms above specified, and all rents and assessments of every kind shall be paid for in advance.

Clerk's duty as to fish.

(6.) The Clerk, with the consent of the Market Committee, shall regulate the fees to be paid for the sale of fish and shell fish.

Ordinance 11th Dec., 1857. (R. Wayne, Mayor.)

No selling of eggs, poultry, &c., without a license.

AN ORDINANCE, To be entitled an Ordinance to regulate the sale of poultry, eggs and game, fruit and fish, in or near the Market of Savannah.

No. 323. (1.) From and after the passing of this Ordinance no person or persons shall sell or expose for sale, any eggs, poultry or game, dead or alive, fruit or fish, in or near the Market of Savannah, without taking out a license for the same.

License $100 and fees.

(2.) The price of said license shall be one hundred dollars, exclusive of the usual license fees; that said license shall be granted by the Clerk of Council, and continue in force one year or until the same is revoked by the Mayor, upon conviction before the Police Court for abusing the license or for violating the provisions of the Market Ordinances of the City of Savannah.

How granted, &c. How revoked.

Permission from Chairman of Market Committee for country people to sell.

(3.) Nothing contained in this Ordinance shall be so construed as to prevent the Chairman or acting Chairman of the Market Committee from granting permission in writing to any person or persons actually living in the county, and *bona fide* bringing or sending eggs, poultry or game, dead or alive, fruit or fish in the City to sell such articles in or near the Market: *Provided*, nevertheless, that this permission shall, in no instance, be granted to any person or persons buying eggs, poultry or game, fruit or fish, to sell again.

Proviso.

Penalty $100.

(4.) If any person or persons shall violate any of the provisions of this Ordinance, the offender, upon conviction before the Mayor, or person or persons presiding at the Police Court, shall

be fined in the sum of one hundred dollars, one half payable to the informer, the other half into the City Treasury.

State Penal Code, 1833. (Cobb's Digest, page 816.)

Selling unwholesome provisions.

No. 324. (15.) Any butcher or other person selling the flesh of a diseased animal, or other unwholesome provisions, shall be indicted, and on conviction, shall be punished by fine or imprisonment in the common jail, or both, at the discretion of the Court.

Unwholesome bread or drink.

(16.) Any baker, brewer, distiller, merchant, grocer, or other person selling unwholesome bread, drink or pernicious and adulterated liquors, knowing them to be so, shall be indicted, and on conviction, shall be fined, or imprisoned in the common jail, or both, at the discretion of the Court.

State Penal Code, 1833. (Cobb's Digest, page 821.)

Bakers selling and others.

Cheat.

No. 325. (3.) Any baker or other person selling bread under the assize established by the Corporation of any City, Town or Village, or the rules laid down by any law, shall be deemed a cheat, and on conviction, shall be punished by fine or imprisonment in the common jail of the county, or both, at the discretion of the Court.

MASSIE COMMON SCHOOL.

Ordinance 2d June, 1854.

Massie Common School, lots 34 and 35 Calhoun Ward.

No. 326. (1.) Lots numbered thirty-four (34) and thirty-five (35), Calhoun Ward, in the City of Savannah, be, and the same are hereby set aside for educational purposes, and for the purpose of having erected thereon, at some future period, a school house, to be designated the Massie Common School.

Ordinance passed 24th December, 1857.

Board of Commissioners.

(1.) The Mayor, four Aldermen and four citizens at large to be appointed by the Mayor, shall constitute a Board of Commissioners, for the care, support and management of "The Massie Common School." The four citizens shall hold their office for three years from the passing of this Ordinance. The four Aldermen shall be appointed by the Mayor of each succeeding Board of Aldermen, and the Mayor of each succeeding Board shall always be one of said Commissioners.

Organization of Board.

(2.) The persons so appointed shall meet and organize themselves into a Board, by the choice of a Chairman, from their own number, and may make such rules and regulations for their own government, and such rules and regulations for the government of said School, as they may deem expedient; such rules and regulations to be reported to the City Council at its first ensuing regular meeting, for the approval of Council, and when

approved by Council shall be of full force.

Vacancies how filled.

(3.) In the event of vacancies in said Board by death, resignation, removal, expiration of term, or otherwise, the Mayor shall have power to fill said vacancies.

Chairman to make quarterly reports to Council.

(4.) The Chairman of said Board of Commissioners shall, on or before the first day of January next, and quarterly thereafter, make a report in writing to the City Council of the condition of said Massie Common School, and of the property connected therewith, also an account of all receipts and expenditures, together with any information or suggestions which the said Board of Commissioners may deem important, and shall at the same time submit in writing a report from the principal teacher, as to the number, ages and sex of the scholars, and their proficiency, and whether paying scholars or not.

Annual appropriation, $3,000

How paid.

(5.) For the support of said school there shall be appropriated annually out of the City Treasury a sum not exceeding three thousand dollars, payable quarterly by the City Treasurer to the Chairman of said Board of Commissioners, upon the same being countersigned by the Mayor.

In Council—Savannah, 24th December, 1857.

The following resolution, reported at the last meeting by the Committee on Education, was again read and adopted, viz:

Outstanding debts how to be paid.

"*Resolved*, That when the Board of Commissioners, to be appointed in pursuance of said Ordinance, shall have been organized, it shall be the duty of the Chairman thereof to render to the Mayor a full statement of all bills outstanding against the Massie Common School, and upon the same being countersigned by the Mayor, the City Treasurer shall pay the same.

His Honor the Mayor reported that by virtue of the Ordinance passed this night, he had appointed the following named gentlemen "to constitute a Board of Commissioners for the care, support and management of the Massie Common School," to hold their offices for the term prescribed by Ordinance, viz:

Names of Commissioners.

Richard Wayne, Mayor.

Thomas M. Turner,
James E. Godfrey,
William R. Symons,
John G. Falligant,
— Aldermen.

Thomas Holcombe,
Montgomery Cumming,
Edward C. Anderson,
Richard D. Arnold.
— Citizens.

On motion the same was confirmed. (*See Title*, "*Schools.*")

MAYOR.

Ordinance 2d August, 1839.

No. 327. (19.) Duty of Mayor or acting Mayor, to suspend City officers. (See No. 88, page 94, Sec. 19.)

Ordinance 26th June, 1845.

Mayor's report.

No. 328. (2.) In addition to the duties of the Mayor, as provided by various Ordinances in force, he shall publish or cause to be published, on the second Monday in November in each year, (or as soon thereafter as he can procure the report of the Finance Committee,) an account of the receipts and expenditures of the City for the year ending 31st October of each year, and that the account shall undergo the inspection and be certified by the Committee of Finance before the publication of the same. (Amended by Ordinance of Sept. 17, 1857, as follows, viz: the above recited Ordinance shall be and the same is hereby amended by striking therefrom the words "second Monday in November," and inserting in lieu thereof the words "first Monday in October," also, by striking therefrom the words "31st October," and inserting in lieu thereof the words "30th of September."

1st Monday in October.

Ordinance 3d June, 1852. (John W. Anderson, Mayor, pro tem.)

$100 to Washington monument.

No. 329. It shall be the Mayor's duty to contribute, out of the City funds, to the Washington National Monument Society, on the anniversary of the birth day of Washington, of every year, until the said monument shall have been completed, the sum of one hundred dollars, which shall be remitted to the Secretary of the Society, or any other person authorized to receive the same.

Ordinance 10th Feb., 1853.

Mayor's office in Exchange building. Chairman Finance Committee. Inspect Books of Officer's, streets, &c.

No. 330. (1.) It shall be the duty of the Mayor to have an office in the Exchange Building.

(2.) He shall be Chairman of the Committee on Finance.

(3.) He shall examine monthly the Books of all the officers of Council, shall superintend and inspect every public work done in the City under the authority of Council, shall see that all contracts between the City and other parties are properly drawn up, executed and performed; shall inspect the streets, lanes and squares and public grounds, as often as the interest of the City requires, for the purpose of seeing that they are kept in proper order, and shall generally superintend the City officers and see that their several duties are faithfully performed.

City Watch.

(4.) He (the Mayor) shall see that a portion of the City Watch are stationed at the Guard House, alternating each day, to take charge of such persons as may be sent there for misdemeanors, and to perform such other duties as may be required of them.

Mayor's salary $2,500, payable quarterly.

(5.) The salary of the Mayor, from and after the passage of this Ordinance, shall be at the rate of twenty-five hundred dollars per annum, payable in quarterly instalments.

MEASURERS AND INSPECTORS.

Ordinance 15th March, 1827.

No person to measure, &c., without a license; fine $30

No. 331. (1.) No person or persons whatsoever, except those appointed by this Ordinance, shall measure salt, peas, corn, and other grains, when sold; inspect and measure boards, scantling, staves, shingles, ranging timber, cypress logs, oak and other timber, cord and measure wood, or inspect or guage liquors, under the penalty of the sum not exceeding thirty dollars for each offence.

Election of Measurers and Inspectors.

(2.) At the next regular meeting of Council after the passage of this Ordinance, and at the first regular meeting of Council in January of each subsequent year, and on such other occasions as may be deemed necessary, there shall be appointed not exceeding five (now not exceeding twelve, see 3d section of Ordinance passed 25th March, 1843, below,) measurers of lumber and inspectors of staves; not exceeding two measurers of wood; not exceeding two inspectors and guagers of liquors; not exceeding six weighers of cotton, rice, tobacco, &c.; and not exceeding three measurers of salt, peas, corn, and other grain; each of whom, before entering upon the duties of his office, shall take and subscribe the following oath: "I, A. B., (do solemnly swear or affirm, as the case may be) that I will faithfully and impartially discharge the duties of the office to which I have been elected, according to the Ordinances of the City. So HELP ME GOD."

Oath.

(3.) No person so appointed a measurer of salt, peas, corn, and

other grain, or of wood, or a measurer and inspector of lumber, staves, shingles, or other timber, shall be directly or indirectly concerned in the sale thereof, as principal or agent, and each inspector or measurer appointed by virtue thereof, shall enter into bond in the name of the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, with one or more good and sufficient securities, to be approved of by the Mayor, in the sum of five hundred dollars each, for the faithful performance of his duties. (See 3d section of Ordinance passed 23d March, 1843, below.)

Bond $500.

Price of license. Measurers of wood.

(4.) That each measurer of wood shall receive a license, and for the same pay to the City Treasurer the sum of five dollars for the use of the City, and to the City Treasurer, for his fees, fifty cents, and to the Clerk of Council, for his fees, the sum of one dollar. And each measurer of salt, peas, corn and other grain, shall receive a license, and for the same, pay the City Treasurer the sum of five dollars for the use of the City, and fifty cents for his fees, and one dollar for the fees of the Clerk of Council. And each weigher of cotton, rice, tobacco and hay, (See Title, "Hay,") shall receive a license, and for the same pay to the City Treasurer the sum of ten dollars for the use of the City, and fifty cents for his fees, and to the Clerk of Council one dollar for his fees. And each inspector and guager of liquors shall pay to the City Treasurer the sum of fifteen dollars for the use of the City, and fifty cents for his fees, and to the Clerk of Council, one dollar for his fees. And each license shall be signed by the Mayor and attested by the Clerk, with the seal of the City thereto.

Measurers of salt, grain, &c.

Weighers of cotton, &c.

Inspector and Guager.

License how signed.

Penalty for neglect, &c., $30.

(14.) Every and each measurer and inspector of lumber, boards, scantling, staves, shingles, ranging timber, cypress logs, oak, and other timber, and every and each measurer and inspector of firewood, and inspector and guager of liquors, measurers of salt, peas, corn, and other grain, weighers of cotton, rice, tobacco, and hay, who shall be convicted before the Mayor and Aldermen of a neglect or violation of his duties or the provisions of this Ordinance, shall be fined in a sum not exceeding thirty dollars for every and each offence, one half of the said fine for the use of the City, the other half to the informer, and if deemed necessary by the said Mayor and Aldermen, be dismissed from office.

Or dismissal.

No person to sell lumber, &c., without inspection, &c.

(15.) Any person who shall hereafter sell any lumber, ranging or other timber, staves or shingles, for exportation, or wood,

or cargoes of salt, or part of cargoes, or quantities exceeding one hundred bushels, (except when measured by the officers of the customs,) cow-peas, or other grains, without being first inspected and measured by the proper officer appointed under this Ordinance, shall, upon conviction before Council, be fined for such offence in a sum not exceeding thirty dollars, to be recovered in the manner pointed out in the 13th section of this Ordinance.

Fine $30.

Person refusing, &c., to pay the fees.

(17.) Any person or persons who shall refuse or neglect to pay the fees which shall be due for inspecting, guaging, weighing, measuring or counting, or for the performances of any other duty authorized by this Ordinance, shall, upon conviction before Council, be fined in a sum not exceeding thirty dollars for each offence, and the property shall in all cases be liable to the payment of the fees.

Fine $30.

Measurer, &c., removing from City, &c., forfeits his appointment.

How filled.

(18.) Any measurer, inspector, weigher or guager, who shall remove from the City, or be absent, or disabled from attending to his duties, shall forfeit his appointment, and Council shall be at liberty to fill such vacancy at any regular meeting thereafter.

MEASURERS AND INSPECTORS OF LUMBER.

Ordinance 23 March., 1843. (Richard D. Arnold, Mayor.)

12 Measurers, &c., of lumber.

When elected, &c.

No. 332. (3.) The number of measurers and inspectors of lumber, appointed by virtue of this Ordinance, shall not exceed twelve, and that their appointment shall be made annually, on the first meeting of Council in January, or at any other time a vacancy shall occur. They shall produce satisfactory evidence of their moral character, fitness and qualifications, for the faithful discharge of their duties, not to be interested in the profits arising from the sale of lumber to be inspected and measured by them, though they may be employed as clerks by the factors or sellers, and each shall enter into bond in the name of the Mayor and Aldermen of the City of Savannah, and the Hamlets thereof, with one or more good and sufficient securities approved by the Mayor in the sum of five hundred dollars each for the faithful performance of his duties.

Not to be interested in profits, though they may be clerks, &c., for factors or sellers. Bond $500.

Fees.

(4.) Each measurer and inspector shall receive the following fees as his compensation, one half to be paid by the seller, the other half by the purchaser, the labor necessary for the ad-

measurement and inspection of lumber will be furnished by the factor or seller, viz; for inspecting and culling oak staves seventy-five cents per thousand, for shingles twenty cents per thousand for inspecting and measuring ranging timber twenty-five cents per thousand feet, for sawed lumber thirty cents per thousand feet.

License. (5.) Each measurer and inspector of lumber appointed in the manner aforesaid, and after complying with the requirements of this Ordinance, shall receive a license and shall pay for the same to the City Treasurer, ten dollars for the City, and fifty cents for his own fees, together with the sum of one dollar to the Clerk of Council for his fees.

Fees, how paid. (8.) All fees shall be paid by the seller or factor, he charging half measurement and inspection to the buyer.

Ordinance 8th January, 1857.

Personal inspection, &c. No. 333. (1.) No measurer or inspector of lumber and timber, shall inspect or measure any raft or other quantity of timber, except by the personal inspection and measurement of such measurer and inspector, and any sworn inspector who may be called on to aid and assist him in such measurement and inspection, and so to be certified under the hand of such measurer and inspector in duplicate bills of inspection and measurement, to be made out by such measurer and inspector, one for the seller and the other for the purchaser.

How certified, &c.

Penalty not less than $20, nor more than $50. (2.) Any measurer and inspector of lumber and timber, who shall violate the provisions of the foregoing section, or shall inspect or measure timber, except by his own personal inspection and measurement, or who shall fail to certify such inspection and measurement as made personally by himself as aforesaid, or who shall fail to render such bills certified as aforesaid when requested by the parties, or either of them, shall, on conviction before the Police Court, pay a fine of not less than twenty dollars, and not to exceed fifty dollars, or be dismissed from office.

Or dismissal from office.

State Law, Approved Dec. 16th, 1794. (Cobb's Digest, page 22.)

Inspectors to be sworn and give bond and security. No. 334. (7.) Persons appointed to be inspectors and admeasurers of lumber as aforesaid, shall, before they enter on the duties of their office, take the oath or affirmation following, viz: "I, A. B., in the presence of Almighty God, do solemnly swear or affirm, that I will fairly and honestly, to the best of my skill and judgment, execute the office of inspector and admeasurer, according to law. So help me God." And shall each enter into bond,

Oath.

with sufficient security, before his Excellency the Governor, or two or more of the Justices of the Inferior Court of the County in which such inspector shall reside, in the sum of five hundred pounds, for the due and faithful performance of his said trust, which shall be lodged in the Clerk's office of such Court. And no person or persons shall be permitted to inspect or admeasure lumber as aforesaid, except those appointed by the Legislature; (*See State Law, approved Dec. 18th*, 1816,) and if any person or persons shall attempt to inspect and admeasure as aforesaid, (except those hereinbefore excepted,) every such person or persons shall, for every such offence, forfeit and pay the sum of five hundred dollars, one-third to the informer, and the remaining two-thirds to the use of this State.

No other person to inspect lumber on pain of $500.

State Law, Approved Dec. 5th, 1799. (Cobb's Digest, page 23.)

Superficial measurement in all seaport Towns. No. 335. (4.) In all seaport Towns in this State, where lumber is brought for exportation or otherwise, all hewed pine timber, (See Title, "Timber,") as well as scantling and boards, shall be admeasured, and the bills made out in superficial measurement; any law to the contrary notwithstanding.

Penalty on Inspectors who shall not conform to this Act, $30. (5.) Any inspector who shall either admeasure or make out a bill not in conformity to this Act, shall be liable to pay a fine for every such offence not exceeding thirty dollars, to be recovered in any Court having jurisdiction of the same, one half for the benefit of the informer or prosecutor, and the remaining moiety for the use of the County wherein such offence shall be committed.

Inspectors to be appointed by Legislature. Fees. (7.) All inspectors of lumber shall be appointed by the Legislature, (*See Act below*) who shall receive for every thousand feet of superficial lumber, twenty-five cents.

State Law, Approved Dec. 18th, 1816. (Cobb's Digest, page 205.)

AN ACT, To vest the appointment of Commissioners of Academies, Vendue Masters, Notaries Public and Lumber Measurers, in certain persons therein mentioned.

WHEREAS, the present mode of appointing the aforesaid officers is very inconvenient, and occasions an unnecessary consumption of the time of the Legislature;

Commissioners of Academies. No. 336. (1.) Be it enacted, &c., that from and after the passing of this act, the appointment of commissioners of Academies in this State, shall be and is hereby vested in the commissioners of the respective academies, the appointment of vendue masters, notaries public and lumber measurers, shall be and is hereby vested in the commissioners of the respective incorporated towns, or the persons in said towns in whom the corporate powers are vested; and where there is no corporation or commissioners, the appointment of the said vendue masters, notaries public and lumber measurers, shall be made by the Inferior Courts of the respective Counties, whenever such offices are deemed necessary and authorized by law.

Vendue masters, notaries public and lumber measurers, to be appointed by Corporate authorities; if none, then by Inferior Court.

State Law, Approved Dec. 22d, 1823, (Cobb's Digest, page 210.)

AN ACT, to amend and explain the above act of 18th Dec., 1816.

County and Town Authorities to make appointments of lumber measurers, &c., and fill vacancies.

No. 337. (1.) The Inferior Courts, Corporations and Commissioners respectively, as mentioned in the above recited Act, shall have the exclusive power of appointing any number of the officers therein mentioned,* that they may deem expedient in their respective Courts and towns where the number is not defined or limited by law. And also the exclusive power of filling all vacancies which may occur among such of said officers whose numbers are limited by law.

(*NOTE.—By State Law, of 20th Dec., 1824, Cobb's Digest, page 210, the appointment of Notary Public is vested solely and exclusively in the Inferior Court.

State Law, approved Feb. 8th, 1850. (Cobb's Digest, page 24.)

Lumber measurers not to be clerks or agents of lumber buyers.

No. 338. (1.) No lumber measurer hereafter appointed, either by the General Assembly or by the Corporate authorities of any Town or City of this State, shall, during the term of his office, become the clerk or agent of any lumber buyer, or the Clerk or agent of any lumber mill in this State, and should any lumber measurer be guilty of a violation of the foregoing provisions of this Act, he shall be guilty of a high misdemeanor, and upon conviction, shall be imprisoned in the Penitentiary of this State for the term not less than one year, nor longer than three years.

Repealed as to Chatham County.

NOTE. State Law, approved January 19, 1852. (Pamphlet Laws, page 449,) says: "the first section of the above entitled Act, approved February eighth, eighteen hundred and fifty, be and the same is hereby repealed, so far as regards the County of Chatham."

(*See Titles, "Lumber," "Measurers and Inspectors," "Measurers and Inspectors of Lumber," "Timber."*)

MEASURERS OF SALT, CORN, &C.

Ordinance 30th August, 1827.

AN ORDINANCE, To define more fully the duty of measurers of corn, peas and other grain and salt in this City.

Duty of Measurers of Corn, Salt, &c.

No. 339. (1.) It shall be the duty of each and every City measurer, before entering on the duties of his office, to provide himself with two or more good, substantial measures of the following description, viz: each measure shall be an iron bound oaken tub, with an iron bar across the top, and an iron rod or post united to the middle of said bar, and leading thence through the centre of the bottom of the tub, and secured in such a manner as to prevent the cross-bar from binding or becoming otherwise displaced, said measure to be of the capacity of one half a bushel agreeably to the City standard, and also be inspected and branded by the Clerk of the Market, as required by City Ordinances. Each measurer shall likewise provide himself with one or more shovels or scoups of such size and capacity that three times the full of a scoup shall be sufficient to fill a half bushel tub.

Description of measures.

Shovels or scoups.

(2.) The manner of measuring corn, peas, and other grain, and of salt, in the City, shall be as follows, viz: The measure shall be placed on its bottom in a horizontal position, and the measurer shall fill or cause the same to be filled, by means of the above described scoup, and the contents made level and even with the top of the measure, by gently drawing a strickle across the same; and the measurer shall keep a correct account of the quantity so measured, and if any measurer shall use or cause to be used for the purpose of measuring any corn, peas or other grain, or salt, any measure different from the one above described in this Ordinance, or use the same in any other manner than the one above described, shall, on conviction thereof, be fined in a sum not exceeding thirty dollars for the first offence, and for a second offence shall be dismissed from office.

Manner of measuring.

Fine $30.

(3.) All cargoes or parts of cargoes of corn, peas, or other grain, and of salt, (except when measured by the officers of the customs) shall, when sold from on board, and at all times from store, or elsewhere when required, (*See Ordinance below,*) be measured or cause to be measured by a City measurer, for which he shall be entitled to receive the following compensation, viz: for any quantity not exceeding five hundred bushels, one cent and a quarter of a cent per bushel, and for all quantities exceeding five hundred bushels one cent per bushel, to be paid by the seller, and no other measurement than that of a City measurer shall be deemed lawful, except when done by consent of parties. And any person or persons refusing or neglecting to comply with the provisions of this section of the Ordinance, shall be liable to a penalty not exceeding thirty dollars.

Cargoes of corn, &c., to be measured, &c.

Fees of measurer.

Penalty $30.

(4.) The 13th section of an Ordinance entitled an Ordinance to appoint inspectors of lumber, ranging timber and staves, shingles and other timber, and other measurers of corn, peas and other grain, &c., and of salt, and together with all Ordinances or parts of Ordinances, so far as they militate against this Ordinance, be and the same are hereby repealed.

Repeal of certain Ordinances

Ordinance 11th October, 1827.

Salt, corn, &c., when to be measured.

No. 340. (1.) That all salt (except when measured by the officers of the customs) corn, peas, and other grain, sold from on board of vessels in the port or City of Savannah, shall in every case, be measured by one of the inspectors and measurers appointed by Council, and that the said articles when sold from store or elsewhere shall be measured at the requisition of the purchasers.

Ordinance 28th October, 1847.

Weight of corn, rye, barley and oats, per bushel.

No. 341. (1.) All corn, rye, barley, wheat and oats bought and sold within the City of Savannah shall be bought and sold under the following regulations, viz: Every bushel of corn shall weigh fifty-six pounds, every bushel of rye, fifty-six pounds, every bushel of barley forty-eight pounds, every bushel of wheat sixty pounds, and every bushel of oats thirty-two pounds: *Provided*, that nothing herein contained shall be construed to make it unlawful for the purchaser and seller to agree for the sale of the foregoing particularly described commodities by measurement, as heretofore, instead of by weight.

Proviso.

Weights.

(2.) In the weighing of the above mentioned produce the weights now used and required by Council shall be used by the seller or sellers.

Fine from $5 to $10.

(3.) Every white person who shall sell corn, rye, barley, wheat or oats, contrary to the provisions of this Ordinance, shall, for each and every offence, forfeit and pay a sum not less than five dollars and not exceeding ten dollars; one half to be paid into the City Treasury, and the other half to the informer.

(*See Title, "Measurers and Inspectors."*)

MEASURERS OF WOOD.

Ordinance 15th March, 1827.

Measurer of wood.

No. 342. (9.) All fire wood shall be regularly inspected by the said measurers of wood, who shall be authorized to demand and receive from the seller of said wood the sum of 12½ cents per cord, and that each cord of wood so measured, shall be four feet high, four feet wide, and eight feet long, and shall be so measured as to include in said measurement only one half of the scarf. (This section amended. See first section of Ordinance passed 31st January, 1833.)

Ordinance 31st January, 1833.

Firewood when to be measured, &c.

No. 343. All firewood shall be regularly inspected and measured by the measurers of wood, whenever required by the purchaser or seller, and the said measurer shall be authorized to demand and receive twelve and an half cents per cord, one half of which amount to be paid by the seller of said wood and the other half by the purchaser.

Fees.

MESSENGER OF COUNCIL.

Ordinance 2d August, 1839.

Duty of Messenger of Council, attend meetings, serve notices, attend Police Court, keep clean the unrented parts of Exchange.

No. 344. (11.) It shall be the duty of the Messenger of Council to summon the members of Council as commanded by the Mayor or acting Mayor, to attend all the meetings of Council for the purpose of executing any commissions; to prepare the Council chamber for its sessions; to attend on committees of Council if required, and to execute their commissions; to serve notices on the committees of Council from the Clerk's office; to attend at the police court every morning at ten o'clock and to remain there during office hours, if required so to do; to execute all commissions appertaining to his office when required by the Mayor or committees of Council; to keep clean and in decent order the unrented parts of the Exchange; to keep the keys of all doors not attached to rooms rented.

(Salary, by yearly resolution, for the last 3 years, has been $600 per annum, and no fees.)

Salary—(see Ordinance passed 28th May, 1846, fixing it at $200 per annum, also resolution of Council, allowing him $200 as extra compensation for certain services, passed 21st April, 1853.)

For every petition presented to Council—Thirty-one and a quarter cents.

For every license—Thirty-one and a quarter cents.

Ordinance 28th May, 1846.

No. 345. (1.) That the above recited Ordinance, (of 8th January, 1846,) which relates to the compensation of Messenger be amended by striking out the word "fees" and substituting therefor a fixed salary of two hundred dollars per annum.

Resolution, passed in Council 21st April, 1853.

Messenger's duty to keep clean Mayor's, Clerk's and Treasurer's offices, bring water, make fires, scouring, &c.

No. 346. *Resolved*, That the Messenger shall attend to the Mayor's, Clerk's and Treasurer's Offices, keep the same clean and in good order, make the fires, bring water and perform any other service connected with the duties of Messenger, that may be required of him by the Mayor, and for which extra duties he shall receive the sum of two hundred dollars annually, payable in monthly instalments and that the said sum shall include the whole expense for scouring and cleaning and taking care of the exchange long room and the City offices and passages connected therewith in the exchange building.

MILITARY.

Ordinance 11h August, 1853.

Military parade ground, 19 acres.

No. 347. (1.) That nineteen acres of the land known as the old Cantonement, lately granted by the United States to the City of Savannah, bounded on the north by the southern line of Gwinnett street, from Whitaker street to Montgomery street, on the east by Whitaker street, up to New Houston street, south by New Houston street, from Whitaker street to Montgomery street, and west by the eastern line of Montgomery street, from New Houston street to Gwinnett street, be set apart as a parade ground for the volunteer companies of the City of Savannah, and be and the same is hereby dedicated to that purpose, under the conditions and limitations in this Ordinance, hereinafter contained.

Control vested in the Captains of Volunteer Companies, subject to Police regulations.

(2.) The control, custody and management of said parade ground shall be vested in the captains for the time being of the several volunteer companies of the City of Savannah, who shall have exclusive charge thereof, subject nevertheless to the police regulations of Savannah.

Conditions of the grant.

(3.) The grant of the aforesaid parade ground and dedication thereof is made under the condition that the several volunteer companies shall have the said parade ground properly cleared, and in case they shall use or attempt to use the said parade ground for other purposes than that to which it is dedicated,

When to revert to the City.

that the same shall revert to the City, and again fall into the common public domain, and all grants, privileges, and advantages, in the first section of this Ordinance contained, shall cease and become void and of none effect.

Ordinance 19th Nov., 1853.

Relative to fence.

No. 348. (3.) The above Ordinance be, and the same hereby is amended, by striking out the words in the third section: "and a neat and sufficient fence placed round the same within five years from the day of the date of the passage of this Ordinance, and shall always keep the same in proper order, and the fence in good and sufficient repair, and in case of their failure so to do, or" and by adding the word "and" before the words "in case they shall use," in the same section.

Ordinance 11th March, 1825.

Militia at fires.

No. 349. (23.) To prevent, as much as may be, the great confusion which may arise from too many men under arms at the time of fire, it shall be the duty of the Mayor to request the commander of the militia for the time being, to fix the number of men necessary to be under arms in time of fire by a rotine, once in every three months, who shall be posted in such position and such other disposition made of them as may be most conducive to the safety of the City.

Ordinance 15th August, 1839.

Military salutes.

No. 350. (1.) It shall and may be lawful for military or volunteer companies to fire salutes on public days, or on such other occasions as the officer in command of such company or companies may direct: *Provided, however*, That such firing take place between sun rise and sun set.

NAKEDNESS.

Ordinance 2d August, 1839.

$50 fine for appearing naked, &c., in the streets.

No. 351. (3.) If any person shall appear in any of the public streets, lanes, squares or docks in this City in a state of nakedness, or who shall in any manner whatsoever wilfully make any indecent and public exposure of his or her person or of any other person, he or she may be arrested by the City Marshal, or City Constables, or any white person, and shall be fined for each and every such offence in a sum not exceeding fifty dollars if a white person, and whipped not exceeding fifty lashes if a slave or free person of color.

NAMES OF SQUARES, STREETS AND WARDS.

(See Titles, "Squares," "Streets," "Wards.")

NEGRO BADGES.

(See Title "Slaves.")

NON-RESIDENTS AND TEMPORARY RESIDENTS,

Vending Goods or Exercising any Calling.

Ordinance 29th October, 1857.

Transient non-resident venders of goods, wares and merchandize; tax 5 per cent. on value of stock.

No. 352. (8.) Each and every transient, non-resident or temporary resident person, who shall bring into this City for the purpose of vending the same, any stock of fancy or dry goods, toys or other goods, wares or merchandize, whether in his or her own name, and on his or her own account, or in the name or on the account of any other person or persons, resident or non-resident, shall forthwith return on oath, to the City Treasurer the amount and value of such stock, and pay to the said Treasurer the sum of five dollars on every hundred dollars of such amount and value; and every person who shall neglect or refuse to comply with the foregoing provisions, shall, on conviction thereof before the Mayor in the Police Court, be fined in a sum not exceeding five hundred dollars, of which the informer shall receive one-fifth part.

Penalty $500.

Non-residents and temporary residents exercising any calling; tax $100.

Each and every temporary resident or transient non-resident person, who shall carry on any faculty, profession, occupation, or employment, or shall offer to do so, by advertising, exhibiting a sign, or otherwise, shall first pay to the City Treasurer the sum of not exceeding one hundred dollars; and each and every person who shall neglect or refuse to comply with the foregoing provision, shall, on conviction thereof before the Mayor in the Police Court, be fined in double the said sum, one half of said fine to be paid to the informer.

Penalty $200.

NUISANCES.

Ordinance 2d August, 1839.

Not lawful to cure hides.

No. 353. (14.) It shall not be lawful for any person to cure hides, whether by means of salt, exposure to the sun or otherwise, within the corporate limits of the City of Savannah, and for each violation of this section the offender shall, if a white person, pay a fine not exceeding thirty dollars, and if a slave or free person of color, in a like penalty or be whipped, at the discretion of the Mayor, Chairman, or any two Aldermen. (This section amended. See No. 354.)

Fine $30.

Duty of Marshal to remove hides, &c.

(15.) It shall be the duty of the Marshal to require the removal of any hides, cured or not, which may be offensive, or in the opinion of the Health Officer, injurious to the health of the City, and should the owner, possessor, or claimant of such hides neglect or refuse to remove the same within six hours from the period of his or her being so required by the Marshal, the removal shall then be made by the Marshal or any City Constable, at the expense of the owner, possessor or claimant, who shall, in addition thereto, for each and every such refusal or neglect, be fined in a sum not exceeding fifty dollars, or if a slave or free person of color, may be fined in a like manner or be whipped, at the discretion of the Mayor, Chairman, or any two Aldermen.

Fine on owner, &c., $50.

Fines, how collected.

(20.) All fines and forfeitures incurred under this Ordinance shall be collected and enforced in the manner pointed out by law and one half of the money received from said fines or forfeitures, shall be given to the informer and the other half shall go to the City.

Ordinance 4th May, 1854.

Lawful to cure hides on lots 34 and 35, Mill street, upon paying $25 annually for license.

No. 354. (1.) It shall be lawful for any person to cure hides whether by means of salt, exposure to the sun or otherwise upon lots numbers (34) thirty-four and (35) thirty-five, Mill street, in the City of Savannah, upon taking out a license and paying there for annually the sum of twenty-five dollars.

Subject to inspection of Health and Cemetery Committee, &c.

(2.) The said lots, numbers (34) thirty-four and (35) thirty-five, Mill street, and the buildings thereupon, shall at all times be subject to the inspection of the Committee on Health and Cemetery, the City Marshal, the Mayor of the City and the Health Officer; and in case either of said City officers or Committee shall at any time deem the said curing of hides to be offensive, then the

Offensive hides to be removed.

hides so deemed offensive shall be removed by the owner or occupant of the lots and buildings above described within twenty-four hours from the time of receiving such notice, under penalty

Penalty $100.

of the sum of one hundred dollars, to be recovered by information before the Police Court—one half of said fine to go to the City, the other half to the informer.

(For the various other nuisances mentioned in the foregoing Ordinance of 2d August, 1839, see Titles, "Cattle," "Goats," "Gutters," "Horses, Mules," &c.; "Nakedness," "Privies," "Pumps," "Rice Chaff," "River," "Smoking," "Swimming," "Upper or 2d Stories of Buildings," "Washing or Drying Clothes.")

State Penal Code, 1833. (Cobb's Digest, page 817.)

What nuisances are indictable.

No. 355. (24.) All nuisances not here mentioned, which tend to annoy the community, or injure the health of the citizens in general, or to corrupt the public morals, shall be indictable, and punishable by fine or imprisonment in the common jail of the County, or both, at the discretion of the Court; and any nuisance which tends to the immediate annoyance of the citizens in general, is manifestly injurious to the public health and safety, or tends greatly to corrupt the manners and morals of the

How abated in the county.

people, may be abated and suppressed by the order of any two or more Justices of the Peace of the County, founded upon the opinion and verdict of twelve free-holders of the same County, who shall be summoned, sworn and impanneled for that purpose, which order shall be directed to and executed by the Sheriff of the County, or his Deputy. And if the nuisance exist in a

How in a town or city.

Town or City under the government of a Mayor, Intendant, Aldermen, Wardens or a Common Council, or Commissioners, such nuisance by and with the advice of said Aldermen, Wardens, or Council, or Commissioners, may be abated and removed by order of said Mayor or Intendant, or Commissioners, which order shall be directed to and executed by the Sheriff or Marshal of said Town or City, or his Deputy; and reasonable notice shall in every case be given to the parties interested of the time and place of meeting of such Justices and free-holders, or of such Mayor, Intendant and Aldermen, Wardens or Council, or Com-

Proviso as to mills.

missioners, *Provided always*, that when the nuisance complained of is a grist or saw mill, or other water machinery of valuable consideration, the same shall not be destroyed or abated, except upon the affidavits of two or more free-holders before one or more of the Justices of the Inferior Court of the County in which the nuisance complained of may exist, testifying that the health of the neighborhood, according to their opinion and belief, is materially injured by such mill dam, or other obstruction to a water course by other machinery, as may be complained of;

whereupon it shall be the duty of such Inferior Court, as soon as practicable, to cause a jury of twelve men to be drawn from the jury-box, and summoned for the trial of the cause, who together with the said Court, shall attend at the Court House of said County to adjudge the case of nuisance complained of; and both parties shall have a reasonable time allowed them to summon their witnesses and procure their attendance.

State Law, Approved Dec. 25th, 1837.

(*Pamphlet Laws* 1837, *page* 189.)

Fees in trial of nuisances.

No. 356. (1.) That when it may become necessary for the Justices of the Inferior Court of the State to cause a jury to be drawn, summoned and impanneled to try a cause of nuisance, arising from water, machinery, mill-dam or otherwise, that the Clerk, Sheriff, witnesses and jurors, be allowed such fees in said cases as are allowed by law in the Inferior Courts of this State.

For abating the same.

(2.) When any Sheriff or other officer, acting under the order of said Court, shall remove any nuisance, machinery or mill-dam, he shall be allowed such fees as the Court may deem reasonable and just.

OBSTRUCTIONS AND ENCROACHMENTS.

(*See Title*, "*Streets and Lanes.*")

OGLETHORPE FIRE COMPANY.

(*See No.* 156, *Sections* 1 & 2.)

OVERLOADING ANIMALS.

(*See Nos.* 114 & 129.)

Penalty $5.

Load for each horse is 1120 lbs.

PARAPET WALLS.

(*See No.* 120, *Section* 22.)

PAVEMENTS.

Ordinance of 19th August, 1839, as amended by Ordinances of 2d July, 1840, 3d November, 1842, and 28th August, 1851.

Paving lots.

No. 357. (16.) Whenever any person owning or leasing, or possessing any lot, shall pave, or in any manner alter the surface of a public street in front of his lot, he shall be bound to conform to the levels and inclinations, "marked and prescribed by the City Surveyor" whose duty it shall be to grade and stake down the place to be paved or otherwise altered both on the line of the lots and the limits hereinbefore determined on the street, driving a stake at every ten feet of line, and the said Surveyor shall attend within five days after he shall be requested to do so. And any pavements hereafter to be made which shall not conform to the provisions of this section, shall be considered an encroachment and may be removed in the manner specified in the fifth section of this Ordinance. (See Sec. 5, Title "Streets and Lanes;" also, No. 358.) And the person violating the same, or the owner, lessee or possessor of the lot, may be fined by the Mayor or acting Mayor, or Aldermen presiding at the Police Court, or by the Council, in a sum not exceeding one hundred dollars, and a like penalty may be inflicted upon any person who shall alter the position of any of the stakes so placed by the City Surveyor.

City Surveyor to grade and stake.

Penalty $100.

(*See Title, "Streets and Lanes," Ordinance of 2d July,* 1840.)

Ordinance of 28th August, 1851.

Pavements to be laid after six months notice.

No. 358. (1.) Every owner of a lot, piece or parcel of ground, within the corporate limits of the City of Savannah, whether the same be owned in fee simple, or held under the usual title from the City, shall be bound within six months of the notice given, to place a good and sufficient pavement or sidewalk of first quality of bricks or flag stones, the curb of which shall in every instance be of curb stones, along the whole length and depth of said lot, which may front on any street or square of the City, and said pavement or sidewalk shall be of the width now prescribed by the Ordinances of the City, and of such height and level, as shall be marked out by the City Surveyor. And any person failing to comply with the above notice, within the time aforesaid, then the City Surveyor and City Marshal shall cause the same to be done and return the amount of costs and

Penalty.

charges to the Mayor and Aldermen, who shall order the City Treasurer to issue his execution for the same, against the owner or lessee of the lot, which shall be levied and collected as all executions for taxes and assessments on real estate.

Marshal's and Surveyor's duty.

(2.) All persons who have hitherto neglected or refused to have their sidewalks paved in front of their lots, under the present Ordinances of the City, shall be forthwith notified by the Marshal to do so, within the time specified in the first section of this Ordinance, and on failing to comply, the Marshal and the City Surveyor shall proceed, as in case of default, under said first section.

Pavements to be kept in repair.

(3.) That all pavements or side walks now finished, or that may hereafter be finished, in any manner than that prescribed in the first section of this Ordinance, shall be kept in good order and repaired from time to time as the same may require repairs, by the owners or lessses of the lots. And on failure to repair and keep in order, as aforesaid, it shall be the duty of the City Marshal to give notice to the owner of the lot, or to his agent, whether the same be held in fee simple or under the ordinary City title, that the pavement is in bad order or requiring repairs. And if the same is not attended to within thirty days, then the City Marshal shall proceed as is directed in the first section of this Ordinance, in case of default under the same.

30 days notice.

Penalty.

PAVEMENTS, PORTICOES AND STEPS.

Ordinance 30th January, 1844.

Number of feet allowed for steps and porticoes and pavements.

No. 359. (1.) The number of feet upon the public squares and streets of this City which it shall be lawful to occupy for steps or porticoes to houses or for sidewalks or pavements, shall be as follows: On streets thirty-seven and a half feet in width and forty feet in width, four feet six inches for steps and porticoes, and four feet beyond that line for pavements.

On streets forty-five and fifty feet in width, five feet for steps and porticoes, and four feet beyond that line for pavements.

On streets from sixty to eighty-five feet in width, six feet for steps and porticoes, and four feet beyond that line for pavements.

On streets one hundred feet in width, seven feet for steps and porticoes, and five feet beyond that line for pavements.

On streets one hundred and forty feet in width, eight feet for steps and porticoes, and seven feet beyond that line for pavements.

On the Bay five feet six inches for steps and porticoes, and four feet six inches beyond that line for pavements.

In squares in front of all trust lots, (except those lying east of Lincoln street and west of Jefferson street,) ten feet for steps and porticoes, and six feet beyond that line for pavements.

(Penalty, same as Sec. 5 of Ordinance of 19th August, 1839. Title "Streets and Lanes.")

Ordinance 25th March, 1841.

Steps and porticoes in narrow streets; pavements.

No. 360. (1.) The space allowed for steps and porticoes in the narrow streets running east and west, on the side adjoining the trust lots, shall be four feet in width and no more, and that the space allowed for pavements, contiguous to such trust lots, shall be two feet beyond the line allowed for steps and porticoes and no more.

Ordinance 29th April, 1847.

Space allowed on Jones and other streets.

No. 361. The space allowed for porticoes on Jones, Taylor, Gordon and Gaston streets, be six feet, and for pavements eight feet.

Ordinance 15th March, 1849.

Columns.

No. 362. In lieu of porticoes or steps it shall be lawful for the owner or owners of brick or stone houses to erect columns thereto not exceeding eighteen inches in diameter. (Amended by Ordinance of August 20th, 1857, as to read, "Provided, the covering thereof is not less than ten feet high; and provided also, that the columns, which shall be of iron, shall be placed against and touching the curb-stone, either inside or outside thereof.")

Of iron.

PAWNBROKERS.

Ordinance 29th Oct., 1857.

Pawnbroker—annual tax $100.

No. 363. Each and every Pawnbroker shall pay to the said Treasurer annually, the sum of one hundred dollars; each and every Pawnbroker who shall, before the first day of January next, have paid to the said Treasurer the said sum of one hundred dollars, in compliance with the 15th section of the Tax Ordinance of 22d December, 1856, amended the 29th December, 1856, and the 22d January, 1857, shall be required to pay the like sum at the end of the current year, for which the said sum was paid under the said Ordinances, and annually thereafter, so long as he or she shall continue to carry on such business, and each and every person who shall commence the business of a Pawnbroker on or after the 1st day of January next, shall forthwith and annually thereafter, so long as he or she shall continue to carry on such business, pay to the said Treasurer the said sum of one hundred dollars.

PEDLERS.

Pedler's license for 1 year.

No. 364. (13.) It shall not be lawful for any person to follow the occupation of a pedler, or vend any goods, wares, or merchandize, in any street, lane, wharf, or improved lot or square, within the corporate limits of the City without a license, and the Mayor is hereby authorized, upon application, to grant such license in the manner pointed out in the 6th section (See Title "Shops, Stores and Bar Rooms,") of this Ordinance for issuing licenses to retailers, and such license shall continue in force for one year from its date and no longer, and every person at the time of receiving such pedler's license, shall pay to the City Treasury the sum of fifty dollars, and every person who shall be convicted of vending as aforesaid, and acting as a pedler without a license, shall forfeit and pay for each offence a sum not exceeding thirty dollars.

Price $54.44

Penalty $30.

Pedlers not to occupy with tables, &c., the streets, &c.

(14.) It shall not be lawful for any pedler or vender of goods, wares or merchandize, as aforesaid, to occupy with tables, benches or stands of any kind, any part of the streets, lanes, alleys, squares, or wharves, or to spread his, her or their wares or merchandize on the ground for sale, under the penalty of thirty dollars for each offence.

Penalty $30.

(*See Title, "Transient Dealers."*)

State Law, Approved Dec. 10th, 1817. (Cobb's Digest, page 773.)

Pedlers shall take out license in each county.

No. 365. (1.) It shall be the duty of every pedler or itinerant trader, who shall wish to vend any goods, wares or merchan-

dize in this State, to apply to the Clerk of the Inferior Court of each County in which he may be disposed to vend goods, wares or merchandize, and procure a license under the seal of the County Court, (See Act of Nov. 27th, 1845, below,) with an annexed copy of the oath which shall be administered to him by the Clerk of the Inferior Court, as follows: "That I, A. B, now applying for license to vend goods, wares, or merchandize, in the County (inserted in such license,) do solemnly swear or affirm, (as the case may be,) that I will use this license in no other County than the one for which it is granted, nor transfer or suffer any other person or persons, in mine or their name or names to use the same. So help me God." And that the Clerk shall record such oath and license in a book to be kept by him for that purpose;* * * * * * * *Provided, nevertheless*, that there shall be one license for every wagon, cart or other vehicle, employed or used in vending such goods, wares or merchandize, which they shall be bound to show to any Sheriff, Deputy Sheriff, Constable, Justice of the Peace, and to any civil or military officer whatever, when demanding an exhibit of the same, and on failure or refusal thereof, shall forfeit and pay the sum of $1,200, one half to the informant, the other half to be paid over to the Clerk of the Inferior Court, and applied to County purposes. And that in all cases where the said pedlers shall take out such license, and pay over to the Clerk the amount of taxes, and the Clerk shall neglect to pay over to the Treasurer, agreeably to the provisions of this Act, he shall be subject to indictment, and if found guilty, shall be fined in a sum not less than double the amount received by him.

And take an oath.

A license for each wagon, cart, &c., which they shall be bound to show, on pain of $1,200.

Clerk's accountability for moneys.

State Law. (Cobb's Digest, page 774.)

No. 366. (1.) It shall be lawful for all free citizens of the United States to carry from place to place, and to sell in this State, such number of books, maps, charts, and mathematical instruments as they may think proper, without procuring license for so doing, or being subject to taxation or interruption therefor: *Provided*, that this Act shall in nowise contravene the provisions heretofore or hereafter enacted in relation to itinerant traders in or venders of other goods, wares, and merchandize.

Books, maps, &c., may be sold without license or tax.

State Law, Approved Dec. 9, 1824. (Cobb's Digest, page 775.)

No. 367. (2.) It shall be the duty of the Comptroller General, (now Clerk of the Inferior Court,) issuing licenses as aforesaid, to prescribe as nearly as he can, in every license that he may issue, the age, size, complexion, &c., of the person to whom such license is granted.

License to describe the age, size, &c.

(3.) On oath being made before any judicial officer of this State, Justice of the Inferior Court, or Justice of the Peace, that a violation of this law has been committed, it shall be his duty to issue a warrant from under his hand, directed to any Sheriff, deputy Sheriff, Constable or Marshal of any Town or

Proceedings against persons violating this law.

City, commanding them or each of them, to arrest the offender or offenders, seize, bring him or them and the goods, wares, or merchandize which they may have in their immediate possession before any Judge of the Superior Court, in term time, or before any of the Justices of Inferior Court, or Justices of the Peace; and if, on trial before any of them, it shall appear from the evidence that the charge or charges are malicious or unfounded, he, she or they shall be discharged without cost; otherwise, he she or they shall be bound with one or more sufficient securities in the sum of $500, in a joint and several bond, for his, her or their appearance at the next superior Court to be held in the County where such offence shall have been committed, and on failing to give such security as the Court shall deem good and sufficient, shall be committed to jail; at which Court the Attorney or Solicitor General shall prefer a bill of indictment against the party so offending, who shall, if convicted, be fined by the Court in the sum of not less than $200, nor more than $300, for each and every violation of this law, and the party so offending shall stand committed until such fine or fines be paid.

(4.) The fine or fines which may be incurred for each and every violation of this law shall be collected as all other fines or penalties; and when so collected shall form a fund in the hands of the Clerks of the Inferior Court of the several Counties in this State; and be appropriated at the discretion of the Inferior Court, to the support and maintenance of the poor of the County where such offence is actually committed.

Fines incurred under this Act how appropriated.

(5.) This Act shall not prevent the Corporation of any Town or Village from exacting from such peddler, or other itinerant trader, a sum not exceeding $15 for every day for which he, she, or they are found offering their goods, wares, or merchandize for sale therein: *Provided*, that nothing herein contained shall be so construed as to compel any person to obtain a license for trading on the manufactures of this State.

This act not to interfere with Corporation powers.

Proviso.

(6.) The revenue arising under this Act shall be added to, and become a part of the poor school fund.

The revenue arising to belong to the Poor School Fund.

Tax Act of 1832. (Cobb's Digest, page 776.)

No. 368. (4.) Nothing contained in the first and second sections of an Act, assented to on the 22d December, 1831, entitled an Act to alter and amend an Act to impose an additional tax on peddlers, and other itinerant traders, passed 9th December, 1824, and to punish such traders for illegal trading with slaves, shall be so construed as to prevent or prohibit any individual from selling without license, any article which may be actually manufactured within this State; or any books, maps or charts, which may be made either in this State or elsewhere.

Books, maps and charts exempted

Domestic manufactures.

State Law, Approved Nov. 27th, 1845. (Cobb's Digest, page 776.)

No. 369. (1.) When any person shall wish to traffic in and

Application for license to Clerk Inferior Court.

vend wares, goods and merchandize, as an itinerant trader, he shall apply to the Clerk of the Inferior Court in which such person may thus wish to trade and traffic, for a license. And said Clerk shall issue said license granting permission to such applicant to trade and traffic as an itinerant trader within the limits of the County where such application is made, for and during one year from the issuing of said license. *Provided*, That such Clerk shall immediately notify the Justices of the Inferior Court, and the said Justices or a majority of them shall, and they are hereby authorized and empowered to impose such tax as in their judgment may seem most advisable. *Provided, also*, that said tax shall not be less than fifty dollars for said license, to be used by the Inferior Court for County purposes, and shall pay to said Clerk one dollar as his fee for issuing said license, and shall produce to said Inferior Court evidence of their good character, and shall also take and subscribe an oath before said Clerk, who is hereby authorized to administer said oath, that such applicant has resided in said State at least twelve months previous to such application. *Provided*, That nothing herein contained, be so construed as to prevent persons from peddling on such articles as are exempt under the present law.

Justices Inferior Court to fix the tax not less than $50. Clerk's fee $1.

Oath.

Subject to all penalties heretofore imposed.

(2.) Such person so applying for and obtaining such license, shall be subject to all the penalties prescribed by law, now in force, in relation to trading with slaves, and other interferences with the property of the citizens of this State, and shall be subject to the same rules and restrictions as are of force respecting the issue of the license to peddlers.

Violation of this Act misdemeanor.

(3.) If any person shall trade and traffic in goods, wares or merchandize, as an itinerant trader as aforesaid, without having first obtained the license prescribed in the first section of this Act, he shall be guilty of a misdemeanor, and liable to indictment in the Superior Court of the County where such trading and trafficking took place, and on conviction shall be fined and imprisoned, or either, at the discretion of the Court.

Savannah exempt.

(4.) Nothing in this Act shall be construed to take from the corporate authorities of the City of Savannah the power to regulate peddlers within the limits of the City.

State Law, Approved, Feb. 21, 1850. (Cobb's Digest, page 777.)

Inferior Court may grant license on terms.

No. 370. (1.) The Inferior Courts of the several Counties in this State shall upon the recommendation of the Grand Jury thereof, be empowered to grant license to peddle in their respective Counties, to indigent and infirm persons, upon such terms and restrictions as they may impose.

State Penal Code, 1833. (Cobb's Digest, page 822.)

Peddlers without license fined from $1000 to $3000.

No. 371. If any peddler or itinerant trader shall sell or vend any goods, wares or merchandize, except such as are excepted by law within this State, without a license from the proper authority for that purpose, such peddler or itinerant trader shall be guilty of a misdemeanor, and on indictment and conviction thereof, shall be fined in a sum not less than one thousand dollars, nor more than three thousand dollars, to be applied as pointed out by law; and the defendant shall stand committed until the said fine be paid.

State Penal Code, 1833. (Cobb's Digest, page 828.)

Peddlers trading with slaves without authority.

No. 372. (20.) If any peddler or itinerant trader, whether carrying his goods, wares and merchandize in a wagon or otherwise, shall at any time either buy from, or sell to, or otherwise trade with any slave or slaves, unless it be with the permission and in the presence of the owner, overseer, or other person having charge of such slave or slaves, such peddler or itinerant trader shall be guilty of a misdemeanor, and on indictment and conviction thereof, shall be fined in a sum not exceeding one thousand dollars, one half to the use of the prosecutor and the other half to the use of the County where the crime was committed, and the defendant shall stand committed until the fine is paid; and a copy of this section shall be annexed to all licenses granted peddlers.

Fined $1000.

Copy of this annexed to licenses

State Law, Approved January 19th, 1852.

(*Pamphlet Laws*, 1851–2, *page* 260.)

No foreigner allowed to peddle. Until he takes oath of allegiance, or been a resident five years.

No. 373. (1.) No foreigner coming into this State shall be permitted to peddle or vend any goods, wares or merchandize as an itinerant trader, unless said foreigner shall have taken the oath of allegiance to the United States, or shall have been a resident of the State of Georgia for the term of five years previous to said peddling.

Violation, a misdemeanor.

(2.) Any foreigner violating the provisions of this Act, shall be indicted for a misdemeanor, and on conviction shall be punished by a fine not less than five hundred dollars, and on failure to pay said fine shall be imprisoned for six months in the common jail of said County where said conviction takes place.

Punishment.

Proof necessary for conviction.

(3.) On the trial of any foreigner for a violation of this Act, all that shall be required of the State to prove is, the peddling or vending of said goods, wares or merchandize by said foreigner, and unless said foreigner shows that he has been a resident of this State as heretofore required, or that he has taken the oath of allegiance, he shall be convicted for the offence of a misdemeanor, and punished as aforesaid.

PILOTAGE.

Ordinance 2d August, 1839.

Seven Commissioners of pilotage, quorum.

No. 374. (1.) The number of Commissioners of Pilotage for the port and harbor of Savannah, shall be seven, a majority

of whom shall compose a quorum for the transaction of business.

Vacancies. How filled.

(2.) Whenever a vacancy shall occur in the said Board by death, resignation or otherwise, it shall be the duty of Council to fill the same by an election after ten days notice in one or more of the gazettes of the City of Savannah, and the person thus elected before he enters upon his duty as such Commissioner, shall take and subscribe the following oath or affirmation, to wit: "I do solemnly swear (or affirm) that I am a citizen of the United States, and an inhabitant of the State of Georgia, and that I will truly and faithfully discharge the duty of a Commissioner of Pilotage without fear, favor or affection. So HELP ME GOD."

Oath of Commissioners.

Six months absence vacates the seat.

(3.) Six months absence shall be considered to vacate the seat of a Commissioner of Pilotage, and Council shall proceed to fill the vacancy in the manner already designated.

Power to prescribe regulations for Pilots, &c.

(4.) The said Commissioners, or a regularly constituted quorum thereof, shall have power and authority to prescribe to the several Pilots of the bar and harbor of Savannah, and all other persons, such orders and regulations as the said Commissioners may deem proper in reference to such subjects as may fall within the jurisdiction of said Commissioners: *Provided*, such orders and regulations are not repugnant to the laws of the State or Ordinances of the City, and that the said Commissioners of Pilotage shall exercise all the powers and privileges, and perform all the duties prescribed by the various statutes of the General Assembly of the State of Georgia, in such case made and provided.

Proviso.

Annual elections repealed.

(5.) All Ordinances or parts of Ordinances directing the annual election of Commissioners of Pilotage, be and the same are hereby repealed, and the Commissioners of Pilotage now in office shall continue as such without any new election, and Council shall hereafter only fill such vacancies as may from any cause occur in said Commissioners of Pilotage from time to time.

Commissioners to continue in office, &c.

State Law, Approved Dec., 6th 1799. (Cobb's Digest, page 33.)

Commissioners of Pilotage for the bar of Tybee, &c.

No. 375. Article 1. (1.) That the several persons hereinafter named, be commissioners for the regulation of Pilot rates and all matters relating to the pilotage for the ports hereinafter mentioned, viz: For the bar of Tybee and river Savannah, and for the several bars and inlets lying to the northward of St. Catharine's bar, (5 persons named, now 10—see Sec. 26, and see Act of 25th Dec., 1837, below,) for the bar of St. Catharine's and river Medway, and for the several bars and inlets to

Bar of St. Catharine's, &c.

the southward of St. Catharine's bar as far as Turtle river, (5 persons named,) and for the bar of St. Marys, and for all the bars and inlets south of the said Turtle river, (also 5 persons,) Three of each respectively are hereby declared to be a quorum (now 6—see Sec. 26, and see Act of 25th Dec., 1837, below,) and who are hereby empowered to nominate, appoint and license such person or persons as they shall think to be most fit and competent (see Sec. 16, 29,) to act as pilots for the conducting of vessels inward to and outward from the several ports for which they shall be licensed during their good behavior severally and respectively. And if there shall happen to be a deficiency of the said number of five commissioners respectively, by death, resignation, or departure out of this State, the surviving or remaining number, in such case, shall apply to the Governor or Commander-in-Chief for the time being, who is hereby empowered to appoint a new commissioner or commissioners to fill any vacancy that shall so happen, and so on from time to time, and at all times hereafter, whensoever there shall be a deficiency of the said number of five commissioners for each district.

Bar of St. Marys.

Empowered to license Pilots.

Vacancies in the commission filled by the Governor.

No person to act as Pilot unless licensed.

2. (2.) From and after the passage of this Act, no person shall be entitled to receive any fee, gratuity, or reward for conducting or piloting any vessel inward to or outward from any of the ports or harbors for which a pilot shall be licensed, unless such person is properly nominated, appointed and licensed by the commissioners of the port where such vessel is bound to or going from, and that no person may meddle, interfere or disturb the licensed pilots in the way of their duty.

Pilots shall give bond and security.

3. (4.) Every pilot or pilots, warranted or to be warranted, or licensed as aforesaid, shall enter into bond with the commissioners of pilotage, with two or more securities, in the penalty of $2000 to his honor the Governor, and his successors, for the due execution of their office, and shall take and subscribe the following oath, to be tendered by the said commissioners, or any quorum of them, for the time being, before the said pilot or pilots shall be entitled to receive any fee or reward in that capacity: "I, A. B., appointed pilot for the port and harbor of ——, do solemnly and sincerely swear that I will well and truly execute and discharge the business and duty of a pilot in the said port and harbor of——, according to the best of my skill and knowledge; and that I will at all times, (wind and weather permitting,) use my best endeavors to repair on board all ships and vessels that I shall conceive to be bound for, coming into, or going out of the said port or harbor of——, that appears to want a pilot; and do further swear, that I will from time to time, and at all times, make the best dispatch in my power to carry safely out, or bring over the bar——, and to the place of discharge, every ship or vessel committed to my care; and that I will from time to time truly observe, fulfil, and follow, to the best of my skill, ability and knowledge, all such orders as I shall from time to time receive from the com-

And take this oath.

missioners of pilotage, or the major part of them, in all matters and things relating to the busines of a pilot."

Differences between pilots and masters of vessels, how to be determined.

4. (5.) In case any damage, dispute, complaint, or difference shall happen to arise, or be made against or between any master or pilot for or concerning the pilotage of any ship or vessel, or any other matter incident or relative to the business or care of a pilot, in any of the said harbors, all such damages, disputes, complaints, or differences, (when the claim does not exceed $100,) are hereby ordered to be heard and determined by the commissioners, or a majority of them, appointed for the care of the pilotage, where such damage or dispute shall happen, who, by their decree, arbitrament, or order, shall and may lawfully decide, adjust and regulate every such damage, dispute, complaint or difference; and if either of the said parties, master or pilot, shall refuse to abide by, fulfil, or perform the decree or order, or other adjudication of the said commissioners, or a majority of them, who shall hear and determine the same, the party so refusing shall be subject, in addition to the former award, to the penalty of not exceeding $100, as the said commissioners, or a majority of them, shall think proper to adjudge, the whole to be levied by warrant of distress, under the hand and seal of the said commissioners, or any three of them, and sale of the offender's goods, and such part of the said award and penalty so inflicted and recovered as the commissioners inflicting the same shall think reasonable to satisfy any damage the party aggrieved shall suffer by such neglect, act, matter or thing as aforesaid, shall be paid to the party aggrieved, and the remainder to be applied for improving the navigation of the port and harbor where such penalty is recovered; and in case of default of payment of such award and penalty, and no property to be found belonging to the party offending, then, and in that case, an attachment shall go in like manner under the hand and seal of the said commissioners, or any three of them, against the person of the party so refusing, who is hereby to be kept in prison for a term not exceeding six months, without bail or mainprize, anything in this or any former Act to the contrary notwithstanding.

Pilots answerable for damages, happening for want of skill.

5. (6.) If any ship or vessel whatsoever, or the cargo and freight therein contained, shall happen to receive any damage or miscarriage, or be lost through the neglect, insufficiency, or default of or in any of the pilots for any of the said harbors, after such pilot takes charge of the same, and the claim exceeds $100, the said pilot shall in such case, on conviction thereof in any Court of Record in this State, be obliged to answer and make good to the sufferers, or the master of such ship or vessel, all and every the damages and losses which he or they shall sustain through the said pilot's neglect or default in any manner or wise whatsoever.

6. (7.) If any of the pilots for the ports aforesaid, for the time being, shall be found not sufficiently skilled, or shall become

Commissioners may remove Pilots from office.

incapable of acting, or shall be negligent or misbehave in his duty towards the commissioners, *or any one of them*, then, and in such case, the commissioners of the port or harbor for which such pilot is licensed, shall annul or revoke the warrant or license of every such incapable or offending pilot, who shall thenceforth be totally suspended, and be deemed incapable to receive and take any fee, gratuity, or reward, for the guiding or piloting of any ship or vessel inward to or outward from, any of the said ports. (The rest of the section, and the words in italics, repealed by Act of 1830,—See Sec. 31.)

Masters of vessels refusing to receive a pilot on board shall pay him his fees.

7. (8.) Any person, master, or commander, that shall bring any ship or vessel to any of the bars or the coast of any of the said harbors, and shall refuse to receive on board any warranted or licensed pilot, the said person, master or commander, so refusing and afterwards bringing in the said ship or vessel into any of the ports aforesaid, shall, and is hereby made liable to pay the pilot first offering to come on board such ship or vessel without the bar, to take charge thereof as pilot, the same rates, dues, and payments, as are hereinafter particularly expressed and provided, and to be paid in the same manner as if the said pilot had actually piloted the same ship or vessel into any of the said ports or harbors.

Shall pay the rates fixed by the Commissioners of Pilotage.

8. (9.) The master or commander of any ship or vessel, for the consideration of the pilotage of the said ship or vessel inward to or outward from any of the ports or harbors aforesaid, shall pay unto the licensed pilot that shall take charge of the same, the several sum and sums of money, rates, and prices as are established by the board of commissioners, (See section 17,) as full and ample satisfaction unto the said pilot for his care and charge in bringing in or carrying out every such ship or vessel; and if any licensed pilot shall ask or demand more fees for his services than is specified in the rates of pilotage, on due proof thereof before the commissioners, or a majority of them, he shall forfeit double the amount of such vessel's pilotage.

Penalty for overcharge.

The pilot who brings a vessel into port has a preference to conduct it out.

9. (10.) To encourage as much as may be pilots to attend the bars, that all and every licensed pilot bringing any vessel safe from sea, shall have the preference of bringing such ship or vessel up and down the river, and to sea again, provided they give their attendance and are duly qualified, and if any master or owner of any vessel in the port, employ any other pilot to carry his vessel down the river, or to sea, but the pilot who brought her in, or one belonging to the same boat, unless good and sufficient cause shall appear therefor, on due proof thereof before the commissioners, shall be liable to a fine not exceeding 100 dollars, one half to the pilot claiming the pilotage of the vessel; but should such pilot neglect or refuse to attend, and carry down said ship or vessel when ready for sea, (wind, weather and tide permitting,) and thereunto required by the master, owner or consignee, shall, on conviction thereof before the board of commissioners, forfeit the upper pilotage of such vessel, and

be liable to a fine not exceeding 100 dollars; and every pilot acting on board such vessel where he has no right, shall be liable to the same penalty, provided the commissioners have not sufficient evidence of the necessity of his acting.

Pilots shall moor the vessels.

10. (11.) All and every pilot in any of the harbors aforesaid, when he has brought any ship or vessel to anchor, in any of the aforesaid harbors, shall, and is hereby directed and required to moor such ship or vessel, or to give proper directions for the mooring of the same, and for their safe riding at such mooring.

May be compelled to pilot to another port.

11. (12.) If any pilot or pilots belonging to any port in this State, shall meet at sea with any vessel or vessels bound to another port within the same, such pilot or pilots shall, if capable and thereunto required, take charge of and pilot the same into such port, and shall be paid two dollars per day for every day such pilot shall be on board such vessel at sea without the bar, over and above the usual rates of pilotage; and no other pilot shall interfere while the first is willing to continue his services.

What vessels shall pay pilotage.

12. (13.) All vessels entering and clearing within this State shall pay the several rates of pilotage, if a licensed pilot is offered, except the constant coasting vessels to and from Charleston, and they shall pay half the pilotage up, if a pilot is offered without the bar, if they take no pilot, and whole pilotage if they take one, any law, custom, or usage to the contrary notwithstanding; but vessels coasting from one port to another within the State, shall not be liable to pay pilotage, unless a pilot is required to act on board.

Fines appropriated.

13. (14.) All fines or parts of fines that may be recovered under this Act, which shall not be awarded by the commissioners to the party complaining, shall go to the fund for improving the navigation of the port.

And whereas, there have been instances of captains of vessels refusing to pay the pilots agreeable to rates, after getting to sea, in which case the said pilots have no remedy:

Masters may be made to give security for the outward fees.

14. (15.) *Be it enacted*, That the captains of such vessels as have no owner or consignee in the port, shall be obliged, if requested by the pilot acting on board, to give security for the faithful payment of the pilotage before said vessel leaves such port.

The general issue may be pleaded.

15. (16.) If any person or persons authorized to carry this Act into execution, shall be sued or prosecuted for any matter or thing to be done in pursuance thereof, it shall and may be lawful for such person or persons to plead the general issue, and give this Act and the special matter in evidence.

An Act supplementary to the foregoing—Approved Dec. 12, 1815.

Vol. III. pam. of 1815, p. 6.

None but a citizen of the U. S. shall be a pilot.

No. 376. 16. (1.) It shall not be lawful for any person to be commissioned as a pilot but a citizen of the United States, and whose usual residence has been therein, and who shall furnish good recommendation of his character, capability and attachment to our government. (See section 29.)

Pilots' compensation.

17. (2.) The compensation for outward pilotage shall be the same as inward, and that the sum of two dollars per day be allowed for each day that any pilot may be detained on board of any vessel bound out, from head wind or other detention.

No colored persons shall be pilots for Savannah River and bar of Tybee.

(3.) It shall not be lawful for any colored person or persons to be commissioned to act as pilots for the bar of Tybee and river Savannah.

Commissioners' Powers.

(4.) Appoints and names thirteen "Commissioners for the bar and river Savannah;" "and that any seven of them shall constitute a Board, and shall have full power to regulate the said bar and river Savannah." (See section 26.)

State Law, Approved Dec., 23d 1830. (Cobb's Digest, page 41.)

No. 377. 21. WHEREAS, it has been ascertained that under the laws now of force in this State, regulating the pilotage of vessel, to and from the several ports and harbors of this State, certain powers granted to the Commissioners of Pilotage, for the ports and harbors aforesaid, are in violation of the Constitution and laws of this land, and that certain other powers therein delegated, are inadequate for the purposes contemplated, for remedy whereof.

Pilots acting without authority, liable to a fine of $500 and imprisonment.

22. (1.) *Be it enacted*, That if any person having no authority or license to act as a pilot, or having had any authority, shall be suspended by the Commissioners of Pilotage, shall pilot any vessels inwards to, or outwards from, any of the ports or harbors of this State, for which a pilot shall be licensed, that the person so acting as pilot without authority or license, shall be prosecuted by indictment in the Superior Court, for having acted as a pilot without authority or license, in a port or harbor in this State, in which a pilot or pilots have been licensed, and for each offence of piloting without a license as aforesaid, the person so offending shall be subjected to a fine not exceeding one hundred dollars, and be imprisoned for a space of time not exceeding ten days, at the discretion of the Court.

How to be proceeded against.

23. (2.) Upon an affidavit being made, by any person before a Justice of the Peace, Justice of the Inferior Court, or Judge of the Superior Court, of any person having acted as a pilot without authority, in any port of this State, or harbor thereof, for which a pilot shall be licensed, it shall be lawful for such Justice or Judge, to issue a warrant for the arrest of the person so acting as pilot as aforesaid, without authority, and to commit him to prison to take his trial under the first section of this Act, unless he shall give bond with good security, in a sufficient penalty, for his appearance at the next term of the Superior Court of the County having jurisdiction of the offence; and the person issuing said warrant shall be entitled to add to his bill of costs, the sum of one dollar for taking said bond.

Pilots to give bond in $2,000.

24. (3.) Every pilot to be licensed, shall give to the commissioners of Pilotage, a bond with two or more sufficient securities,

to be approved of by said Commissioners, made payable to the Governor, in the sum of two thousand dollars, (See Sec., 32.) conditioned for the due execution of their office, and for their abiding by the decrees, arbitraments, and awards of the Commissioners of Pilotage, made in pursuance of the authority vested in them by law; and that such pilot shall be liable by suit on his bond, instead of an attachment as contemplated by the fifth section of an Act passed Dec., 6th 1799, to regulate the pilotage of vessels to and from the several ports of this State.

Penalties levied by warrant of distress

25 (4.) All pains and penalties inflicted under and by virtue of the authority vested in the Commissioners of Pilotage by this Act, and by the Act mentioned in the preceding section, shall be recovered by warrant of distress, under the hand and seal of said Commissioners or any three of them, and sale of the offender's goods; which warrant shall be directed to the Sheriff of the County in which such port or harbor may be situated: and in case said sheriff shall fail to levy said warrants, and to make return thereon to the said Commissioners, then and in such case, the Sheriff may be ruled before the Judge of the Superior Court, in term time, or in vacation, to make such return; *Provided, nevertheless*, That in all cases of distress and sale occurring under the provisions of this section, it shall be the duty of the Sheriff to give at least sixty days notice in one of the public gazettes of this State, of such levy and intended sale.

Sixty days notice.

Ten Commissioners of Pilotage.

26. (5.) Ten Commissioners of Pilotage, for the port and harbor of Savannah, shall be elected by the Mayor and Aldermen of the City of Savannah, at their first regular meeting in January next; any six of whom shall constitute a quorum to transact business; (See Sec., 57,) and no owner or part owner of a pilot boat, shall be eligible to the appointment of a Commissioner of Pilotage. All vacancies occurring, shall be filled by the said Mayor and Aldermen; and six months absence shall be considered to vacate the seat of a Commissioner of Pilotage.

Six make a quorum.

Vacancies.

Oath of Commissioners of Pilotage.

27. (6.) Every Commissioner of Pilotage, before he enters on his duty as such, shall take and subscribe the following oath or affirmation, to wit: "I, A. B., do solemnly swear, (or affirm, as the case may be,) that I am a citizen of the United States, and an inhabitant of the State of Georgia: and that I will truly and faithfully discharge the duty of a Commissioner of Pilotage, without fear, favor, or affection, so help me God."

Pilots may appeal from the Commissioners to the Superior Court.

28. (7.) In any case when a pilot shall be suspended, or when any fine exceeding the sum of twenty dollars shall be imposed, by any sentence, judgment, or decision of the said board of Commissioners; or when the license or warrant of such pilot shall be annulled or revoked by any sentence, judgment or decision, of the said board of Commissioners, then and in such case, the person so fined, or pilot so suspended, or whose license or warrant shall be revoked, may petition the Judge of the Superior Court of the County in which such sentence of judgment shall be passed

or made, setting forth on oath the circumstances of the case: a copy of which petition shall be served on the acting Chairman of said Board, or on the Secretary thereof, at least three days before the return of any rule thereon, and if upon the reading such petition, and upon the return of the *rule nisi* which he shall grant in such case, the said Judge shall be of opinion that there is sufficient cause for the allowance of an appeal, he shall thereon direct an issue to be made up between the said Commissioners of Pilotage and the said appellant, which shall be tried by a special jury, to be selected from the panel of the grand jury, in the usual manner, at the next term of the said Court thereafter, unless good cause be shown for a continuance; and if upon such trial, a verdict shall be returned in favor of the appellant, then and in such case, the said Judge is hereby authorized and required to make an order, remitting such fine, or restoring the said suspended pilot, or the pilot whose warrant or license has been revoked as aforesaid, and which order shall be final in the case.

Appeal to be tried by special Jury.

Pilots' qualifications.

29. (8.) No person shall receive a certificate to act as a pilot until he shall have served two full years in a decked boat, and have given satisfactory evidence of character and skill. Every certificate pilot shall serve eighteen months before he shall be entitled to an increased authority: *Provided*, That in case of emergency, the Commissioners of Pilotage shall, by and with the advice and consent of the Mayor of the City of Savannah, appoint such additional pilots as the said Mayor shall deem expedient; the restrictions contained in this section to the contrary notwithstanding.

Additional pilots

Interrogatories to examine witnesses.

30. (9.) When the evidence of any person not a resident in the County wherein an appeal may be allowed, or whose present attendance in Court cannot conveniently be had, may be required in any suit or proceeding in said Court, under this Act, it shall be lawful for the Clerk of said Court to issue a commission to two or more persons therein to be named, authorizing them to examine such person in the manner usually pursued in the Superior Court: *Provided*, the party seeking such evidence shall serve the adverse party, or his or their attorney, with a copy of the interrogatories to be exhibited to the witness at least three days before the issuing of the commission: and the examination of such witness shall be read on the trial of said case. (See sections 33 and 35.)

Notice.

Repealing parts of the Act of 1799.

31. (10.) The whole of the third section, and the words, "or any one of them," which follow the words, "in his duty to the Commissioners," in the first sentence of the seventh section, and the latter clause of the said seventh section, of the Act passed the sixth of December, 1799, beginning with the words, "if such suspended pilot shall under any pretence," and all laws and parts of laws militating against this Act, be, and the same are hereby repealed.

State Law, Approved Dec. 24th, 1832. (Cobb's Digest, page 44.)

Commissioners may require of pilots further bonds and security.

No. 378. *Be it enacted*, That whenever all or any of the securities of any of the pilots of the several ports and harbors of this State, now licensed or hereafter to be licensed, shall have or may hereafter, in the opinion of the Commissioners of Pilotage for said several ports and harbors, become insolvent or depart this life, it shall be the duty of said Commissioners of Pilotage to require said pilot or pilots, whose securities, or any one of them, shall have or may hereafter become insolvent, or shall have or may hereafter depart this life, to give other bonds with other securities, in the form and mode prescribed and required by the Act aforementioned, passed Dec. 23d, 1830; and on their refusing so to do, after thirty days notice to be given by said Commissioners through their messenger to said pilots, that said Commissioners shall be, and are hereby required to revoke the warrant or license of every such pilot so refusing to give such new bond with such new securities, and said pilots so refusing shall thenceforth [be] totally suspended, and be deemed incapable to receive and take any fee, gratuity or reward for the guiding or piloting of any ship or vessel, inward to or outward of the said ports.

Or suspend them.

May issue subpœnas.

33. That where the attendance of any person shall be required as a witness before the Commissioners of Pilotage for the several ports or harbors of this State in any matter or claim, of which said Commissioners have jurisdiction, it shall be the duty of the secretaries of said Commissioners respectively, on application, to issue summonses in the nature of writs of subpœna, to be signed by said secretaries and directed to the persons whose attendance shall be required, where such persons reside in the County where such matter or claim may be depending; which summons shall express the cause and the party at whose suit it shall be issued, and shall be served on such witness at least twenty-four hours before the meeting of said Commissioners, to which it shall be returnable; and which subpœna shall be served by the messenger of said Commissioners, or a Constable, and the return of said messenger or Constable shall be sufficient evidence that such subpœna was duly executed.

How served.

May attach defaulting witnesses.

34. That where it shall appear in manner aforesaid, that a witness in any matter or claim shall be duly summoned, and such witness shall fail to appear, it shall be the duty of said Commissioners, on motion, to issue an attachment under the hands and seals of a majority of said Commissioners against such defaulting witness, to be directed to any Sheriff, Deputy Sheriff, or Constable, and returnable to the next Superior or Inferior Court of the County in which such Commissioners may exercise their jurisdiction, and said Court to which such attachment shall be made returnable, shall fine such witness in a sum not exceeding one hundred dollars, unless he or she shall make a

sufficient excuse for such non-attendance, which shall be judged of by said Court; but such witness shall nevertheless be subject to the action of the person or persons at whose instance or suit such witness shall have been summoned, for any damage which he, she or they may have sustained, by reason of such non-attendance.

Civil remedy by the injured party.

35. *And whereas*, It frequently happens that causes arising within the jurisdiction of said Commissioners of Pilotage are delayed from the absence of witnesses, who are generally seamen, and who cannot await the meeting of said Commissioners, and which delay produces a serious injury to the interest of ship owners and others interested in commerce; for remedy whereof.

Interrogatories to transient persons.

Be it enacted, &c. That from and after the passing of this Act, where any seamen or other transient person is deemed by either party in any cause arising before said Commissioners of Pilotage, to be a material witness therein, it shall be lawful for said party to apply for and obtain a summons in the nature of a writ of subpœna, from the secretaries of said Commissioners respectively, to be directed to said witness, to appear before any one of said Commissioners, or before any Justice of the Inferior Court or Justice of the Peace, at a certain time and place therein to be mentioned, to answer all interrogatories that may then and there be put to him, (See sec. 30) which subpœna shall be served by a messenger or Constable, at least twenty-four hours before the same shall be returnable; and the depositions of such witness or witnesses shall be sealed up by the person before whom the same shall be taken, and directed to the secretaries of said Commissioners, as is usual in case of commissions issuing from Courts of this State, and shall be read on the trial of said cause, on motion of either party: *Provided*, That twenty-four hours notice be given to the adverse party, his, her or their attorney, agent or consignee, of the time and place of putting said interrogatories to said witness or witnesses.

Notice.

Officers' fees.

36. *And be it further enacted*, That from and after the passing of this Act, the said secretaries, messengers, Justices of the Peace, and Constables, shall receive the following fees:

Secretaries' Fees.

For every summons in the nature of a subpœna, twenty-five cents—Attachment fifty cents.

Messengers' and Constables' Fees.

For serving every summons in nature of a subpœna, twenty-five cents.

Fees of Justices of the Peace.

For every examination of a witness as directed by said Act, one dollar.

Fees of Sheriff, Deputy Sheriff and Constable.

For serving and executing an attachment against a witness in default, and returning the same to Court, fifty cents.

State Law, Approved Dec., 22 1835. (Cobb's Digest, page 46.)

No. 379. 37. WHEREAS, captains of vessels, after getting to sea, are in the habit of refusing to pay the pilots agreeably to established rates, in which case said pilots have no remedy; and whereas, pilots are sometimes carried away from the port to which they belong by masters of vessels against their consent:

Owner, master or consignee liable for pilotage.

(1.) *Be it enacted* &c. That whenever any pilot shall be entitled, to compensation agreeably to the rules and rates established by law, it shall and may be lawful for such pilot to demand, receive and recover, in any Court having jurisdiction, from the owner, master or consignee of the vessel, the amount of his compensation or pilotage. (See Sec. 14.)

Redress of pilots carried off against their consent.

38. (2.) In case any pilot be carried off to any port, either foreign or on the coast, against his consent, by any vessel which may have been piloted out by him, that the owner, master or consignee of such vessel shall be liable to such pilot in an action on the case for the payment of the reasonable expenses and for the sum of one dollar per day, during the necessary absence of said pilot: *Provided*, nevertheless, that the carrying away of such pilot shall not be owing to any default, misconduct, or negligence on his part.

State Law, Approved Dec. 24, 1836. (Cobb's Digest, page 47.)

Fees of pilots advanced 20 per cent.

No. 380. 39. (1.) From and after the passage of this Act, the pilots for the several ports and harbors of this State, shall receive as full and ample satisfaction, unto the pilot bringing in or carrying out every ship or vessel, inward to or outward from any of the ports or harbors aforesaid, a sum equal to twenty per cent. on the rules and prices now established by the board of Commissioners for the regulation of pilots' rates, and all matters relating to the pilotage for the several ports of this State.

But may be reduced.

40. (2.) Nothing in this Act contained shall be so construed as to deprive the boards of Commissioners of Pilotage of the several ports and harbors of this State of the power of reducing said fees of the pilots of said several ports and harbors, to the rates now established and in force: *Provided*, that said reduction be not made at any time previous to the first day of June next. (See No. 382, Sec. 2.)

State Law, Assented to Dec. 25th, 1837.

(*Pamphlet Laws* 1837, *page* 190.)

AN ACT to reduce the number of the Commissioners for the regulation of pilots' rates, and all matters relating to the pilotage for the bar of Tybee and Savannah River to seven, and to constitute a majority of the same a quorum for the transaction of business.

Preamble.

WHEREAS, the number of members of said Board as now constituted is found too large to insure the attendance of a quorum for the fulfilment of the duties incumbent on them, and the interests of the port are therefore liable to detriment,

7 Commissioners of Pilotage.

No. 381. (1.) Whenever the board of Commissioners for the regulation of pilots' rates, and all matters relating to the pilotage for the bar of Tybee and River Savannah shall be reduced in number, from resignation or otherwise, from ten members to seven, then and thereafter said number of seven shall constitute a board as aforesaid, a majority of whom shall compose a quorum for the transaction of business.

A majority to compose a quorum.

State Law, Assented to 28th Dec. 1843.

(*Pamphlet Laws*, 1843, *page* 137.)

Extends the Act of 1836 to the Pilots of the port of Savannah.

No. 382. (1.) The pilots for the port and harbor of the City of Savannah shall receive all fees allowed by the Act of the 24th December, 1836, to the pilots of the several ports and harbors of this State.

Prohibits the Commissioners of Pilotage from reducing the fees.

(2.) The Commissioners of Pilotage for the port and harbor of Savannah shall not have the power or the right of reducing the fees of the pilots of the port and harbor of the City of Savannah from the rates established by the Act of 24th December, 1836, and by this Act.

State Law, Approved Dec. 30th, 1847. (Cobb's Digest, page 48.)

Wharves on Savannah River to be annually examined.

No. 383. 44. (1.) *Be it enacted*, That it shall be the duty of the Commissioners of Pilotage to examine annually in the month of June, and at such other times as they may deem proper, the several wharves now constructed or hereafter to be constructed on either bank of the Savannah river, from Ray's Hall to the ocean, or along the shores of Hutchison's Island, and should any of such wharves seem to them to require repair, or be found in such situation as in their opinion to threaten injury to the river, they shall cause the same to be inspected by an Alderman of the City of Savannah, a wharf owner, and a master carpenter or wharf builder; and if said surveyors shall be of opinion that such wharves, or any one of them, require repair or alteration, or are, or is, in a situation to threaten injury to the river, then the owner or owners or tenant or tenants of said wharves or wharf shall, within one week after notice to that effect shall have been served upon her, him or them, begin to repair and continue in good faith and with reasonable diligence, to alter or repair said wharf, or place the same in proper condition; and if he, she or they shall neglect or refuse so to do, it shall be the duty of the Commissioners of Pilotage to cause the same to be done, and they may recover against the owner or tenant of said wharf or wharves, his or her agent or representatives the expenses incurred by them in effecting said object, together with the sum of two hundred dollars in the nature of damages, the whole to be recovered in a special action of the case, to be brought by said Commissioners of Pilotage in the

Inspectors.

Repair by owners.

On refusal by Commissioners.

200 dollars damages.

Superior Court of Chatham County, and the judgment of said Court shall operate as a lien on said wharf or wharves from the time of the institution of said action, so as to cut out all liens on said wharf or wharves, and all conveyances of the same, which may have accrued or been executed intermediate the institution of said suit and the filing of said judgment.

Lien.

Rafts.

45. (2.) Nothing in the above and foregoing Act shall be so construed as to prevent rafts of any kind from lying in the Savannah river forty-eight hours at or near the wharves on the Savannah.

Breaking up unseaworthy vessels.

46. (3.) If any vessel, wreck, or hulk, hauled up as unseaworthy, shall be broken up, or attempted to be broken up, elsewhere in the Savannah river between Ray's Hall and the ocean, than at a spot designated by the Chairman of the Commissioners of Pilotage, the person or persons breaking up the same shall be guilty of a misdemeanor, and on conviction thereof before the Superior Court of Chatham County, shall be fined in the sum of five hundred dollars, and the master, owner or consignee of such vessel, wreck or hulk shall forfeit to said Commissioners a sum not exceeding two hundred dollars, to be assessed by them, and to be recovered by action of debt in the Superior Court of Chatham County.

Fine.

Such vessels shall be removed.

47. (4.) Whenever any vessel, wreck or hulk in said river shall be deemed by said Commissioners to be unseaworthy or liable to sink, it shall be the duty of said Commissioners to give notice to the owner, consignee, master or person having charge thereof, or any one of them, to remove the same within three days to such spot as shall be designated in said notice; and in case of the failure of such person or persons so to remove the same, it shall be the duty of said Commissioners to cause the same to be removed as aforesaid, and the owner, consignee, master, or other person, shall forfeit and pay to said Commissioners a penalty not exceeding five hundred dollars, to be assessed by said Commissioners, and to be recovered by action of debt in the Superior Court of Chatham County.

Penalty.

Obstructions sunk or let loose

48. (5.) If any vessel, boat, flat, hulk, wreck, raft or other erection or obstruction of any kind shall be sunk, or permitted, or suffered to be sunk, in the Savannah river, between Ray's Hall and the ocean, or to drift up and down the said river, or to lodge to the annoyance of the navigation thereof against the wharves, banks or shores of said river, or any of them, the person who shall so sink, or permit or suffer the same to be sunk, or to drift or lodge as aforesaid, shall be guilty of a misdemeanor, and on conviction thereof before the Superior Court of Chatham County, shall be fined in a sum not exceeding two hundred dollars, and the owner or owners, consignee or consignees, or master, shall forfeit and pay to the Commissioners, to be recovered by them in an action of debt in said Superior Court.

Misdemeanor.

Any erection likely to become

49. (6.) Whenever any vessel, wreck, hulk or other erection, be deemed by the Commissioners to be likely to become an obstruction, or to cause injury to the navigation of the Savannah river, it shall be the duty of said Commissioners to serve a notice on the master or consignee of said vessel, or to the person having in charge, or having last had in charge, any such erection, or to their agent or representatives, to remove the same to such spot as may be designated in said notice, within the time therein specified; and on failure of such person so notified so to remove the same, the said Commissioners shall cause the same to be done, and the party so offending shall forfeit and pay to said Commissioners a penalty not exceeding the sum of two hundred dollars, to be recovered by action of debt in said Superior Court. And whenever any vessel, wreck, hulk or flat deemed by the Commissioners an obstruction, or likely to cause injury to the navigation of the river, shall be sold, it shall be the duty of the auctioneer, or other person selling the same, to take as one of the conditions of the sale, from the purchaser thereof, a bond, with sufficient security, to be approved by the Chairman of said Commissioners, in the sum of five hundred dollars, to remove the same in the manner hereinbefore prescribed; and if said auctioneer, or other person, shall fail to take such bond, he shall forfeit and pay to said Commissioners a penalty not exceeding five hundred dollars, to be recovered in an action of debt in said Superior Court.

injurious, on notice to be removed.

Penalty for failure.

Vessel, &c., shall be sold.

Conditions.

50. (7.) If any person or persons shall lay or place any vessel, wreck, raft or other erection on any shoal, bank, bed or bar in said river, between Ray's Hall and the ocean, except by and with the permission of said Commissioners, signified in writing, and secured in the manner specified in and by said Commissioners, such person or persons shall forfeit and pay to said Commissioners, a penalty not exceeding five hundred dollars, to be assessed by said Commissioners and recovered by action of debt in said Superior Court.

Raft, &c., on shoal, &c., without permission.

Forfeiture.

51. (8.) Whenever any action or cause of action shall accrue to, or any judicial proceeding be had by, the said Commissioners, under this Act, the same shall be had in the name of "The Commissioners of Pilotage for the bar of Tybee and port of Savannah; and the affidavit of the Chairman of said Commissioners shall be sufficient on which to found such proceedings or to hold the defendant or defendants to bail.

Name of Board.

Suits by.

52. (9.) If any master or owner, or other person in charge of any ship or other vessel, shall cast, throw out, or unload, or if there shall be cast, thrown out, or unladen from or out of any ship or other vessel being or riding in the port or harbor of Savannah, any ballast, rubbish, earth, stone, or wreck, except above high water mark, (and except the same be thrown out with the consent of the Commissioners of Pilotage, expressed in writing, for the purpose of filling up where wharves may be erecting or erected on the banks of the Savannah river,) every master or owner, or any person acting as such as aforesaid, shall be deemed the offenders, and shall be guilty of a misdemeanor, and

Ballast and rubbish thrown out.

Misdemeanor.

shall be fined in a sum not exceeding fifteen hundred dollars, one half of said sum to be paid to the person who shall prosecute to conviction the offending party; *Provided, always,* That no part of such fine shall be paid to the harbor master of Savannah, or to any one of the Commissioners of Pilotage.

Proceedings against offenders.

53. (10.) Information on oath being made before any civil Magistrate of this State of a violation of the immediately preceding section, it shall be the duty of such Magistrate to issue his warrant against the offending party, and oblige him to give bond and security to appear before the Judge of the Superior Court of Chatham County, to answer in the premises; and the said Magistrate shall return immediately said affidavit and bond to said Judge of the Superior Court, whose duty it shall be forthwith to direct the Sheriff of said County to summon twenty-four jurors to attend a special Court to be holden within seven days, for the trial of such alleged offender, and on such trial the State and the defendant shall be each entitled to six peremptory challenges.

Obstructing or injuring persons carrying out this Act.

54. (11.) If any person or persons shall obstruct, resist or beat said Commissioners or Surveyors, or either of them, or either of their agents or servants, while engaged in carrying into execution any of the provisions of this Act, every such person shall be deemed guilty of a misdemeanor, and on conviction thereof shall pay a fine or be imprisoned in the common jail, or both, at the discretion of the Court.

Fines how collected.

55. (12.) All penalties and fines inflicted by the said Commissioners of Pilotage, under and by virtue of this Act, unless otherwise herein expressly directed, shall be recovered by warrant of distress under the hands and seals of any three of said Commissioners, and sale of the offender's goods, which warrant shall be directed to and executed by the Sheriff of Chatham County; and on the failure of said Sheriff to execute such warrant, he may be ruled before the Judge of the Superior Court of said County, either in term time or vacation: *Provided,* that in all cases of distress and sale, under the provisions of this Act, sixty days public notice of such intended sale be given by said Sheriff in one of the gazettes of Savannah.

And appropriated.

56. (13.) All fines, penalties or damages, and all portions of the same imposed or recovered in any proceeding under this Act, before any tribunal which have not been herein before expressly awarded to the party aggrieved or prosecuting, shall be paid to the said Commissioners of Pilotage for the bar of Tybee and port of Savannah, to be by them applied to improving the navigation of said Savannah river.

Notice of meeting.

57. (14.) Twenty-four hours notice shall be given to each member of the Board of Commissioners of Pilotage of each and every meeting; and that said Commissioners or a majority of them, shall have the power to make all rules and regulations they may deem necessary for the transaction of their business, and may prescribe any qualifications additional to those mentioned in this Act, in relation to the granting of licenses, warrants, and certificates to pilots.

Powers.

Mode of laying out wharf lines.

58. (15.) When any wharf lines are to be laid out in the ports of Savannah river contiguous to the City of Savannah, or on the south side of Hutchinson's Island, opposite the City of Savannah, the Commissioners of Pilotage shall appoint three commissioners, the City Council of Savannah three, and the owner or owners of land four, who shall lay off and decide where such wharf lines shall be; and if they cannot agree, then and in that case the same shall be carried to the Superior Court, to be determined by a special jury of said Court, on such terms as said Court shall direct.

Not to effect vested rights.

59. (16.) Nothing in this Act shall be so construed as to interfere with any vested rights of any of the property holders on Hutchinson's Island.

Repealing clause.

(17.) The Act entitled "An Act to amend and enlarge an Act entitled an Act to grant certain powers to the Commissioners of Pilotage, and for further preventing the obstructions of the Savannah river," assented to on the twentieth December, eighteen hundred and twenty-eight, as well as all laws or parts of laws militating against this Act, be and the same are hereby repealed.

NOTE 1. The Act of 1815, sec. 4, [Vol. III, 678,] appoints thirteen Commissioners of Pilotage, any seven of whom shall constitute a Board and "shall have full power to regulate the bar and river Savannah." The same Act, sec. 3, prohibits the appointment of any colored person as a pilot for the bar of Tybee. The Act of 1807, [Vol. II. 425,] gives, (sec. 1,) the Commissioners of Pilotage for the port of Savannah, power to place in Savannah river certain anchors, buoys, and chains, for the purpose of aiding vessels in their passage from Savannah to Five Fathom Hole. For the use of which they are entitled (sec. 4) to receive from all ships under two hundred tons, five dollars; on all above two hundred and not exceeding three hundred tons, ten dollars; and on all above three hundred tons, twelve dollars. And (sec. 2) to displace, cut, break, alter or destroy any such anchors, buoys, &c., subjects the offender to a penalty of three hundred dollars, recoverable in any Court having jurisdiction to that amount. (And see Title, "River.") By the same Act, (sec. 3,) if any vessel shall intentionally be suffered to sink in Savannah river, between Ray's Hall and Cockspur Island, the owner, consigner or captain, shall be fined by the Commissioners of Pilotage for the port of Savannah not exceeding two thousand dollars, recoverable in any Court having jurisdiction to that amount, payable into the hands of the Commissioners of Pilotage, for the purpose of clearing the river.

NOTE 2. The Act of Congress of 1789, [1 Grayd, Digest 280,] directs (sec. 4,) that all pilots in the United States shall be regulated in conformity with the laws of the States respectively, until further legislative provision shall be made by Congress.

State Law, Approved February 13th, 1856.

(*Pamphlet Laws,* 1855–6, *page* 17.)

Fees of pilots of Savannah.

No. 384. (1.) The pilots for the port and harbor of Savannah shall receive as full and ample satisfaction unto the pilot bringing in or carrying out every ship or vessel inward to or

To be equal to 20 per cent. on established rates.

outward from the said port and harbor of Savannah, a sum equal to twenty per cent. on the rates and prices now established by the Board of Commissioners for the regulation of pilots' rates and all matters relating to the pilotage for said port of Savannah.

Pilots delivering letters, &c., to vessels touching off Tybee to receive full bar pilotage in and out.

(2.) Whenever any ship or vessel shall touch off the bar of Tybee for instructions, all pilots delivering on board said ship or vessel any letters or orders, shall be allowed full bar or Cockspur pilotage in and out.

PILOTS' FEES OR RATES.

No. 385. Revised Rates of Pilotage for Tybee Bar and river Savannah, State Law, approved 13th February, 1856, having added 20 per cent. to the Established Rates.

DRAFT...	*Bar Pilotage, and to Cockspur.*		*From Cockspur to Savannah.*		*Total Amount.*		DRAFT...
	Vessels.		Vessels.		Vessels.		
Ft.	U. S.	Foreign.	U. S.	Foreign.	U. S.	Foreign.	Ft.
6	$8 06	$12 10	$4 90	$7 34	$12 96	$19 44	6
7	9 00	13 50	5 40	8 10	14 40	21 60	7
8	9 86	14 80	5 98	8 96	15 84	23 76	8
9	12 17	18 25	7 36	11 04	19 53	29 29	9
10	13 68	20 52	8 28	12 42	21 96	32 94	10
11	15 98	23 98	9 58	14 36	25 56	38 34	11
12	19 30	28 94	11 66	17 50	30 96	46 44	12
12½	21 31	31 97	12 89	19 33	34 20	51 30	12½
13	23 47	35 21	14 15	21 22	37 62	56 43	13
13½	25 70	38 56	15 52	23 27	41 22	61 83	13½
14	26 57	39 85	15 91	23 87	42 48	63 72	14
14½	28 15	42 23	16 88	25 33	45 03	67 56	14½
15	30 67	46 01	18 47	27 70	49 14	73 71	15
15½	32 40	48 60	19 48	29 22	51 88	77 82	15½
16	34 20	51 30	20 52	30 78	54 72	82 08	16
16½	36 00	54 00	21 64	32 46	57 64	86 46	16½
17	38 81	58 21	23 29	34 93	62 10	93 14	17
17½	40 68	61 02	24 48	36 72	65 16	97 74	17½
18	42 70	64 04	25 70	38 56	68 40	102 60	18
18½	44 78	67 18	26 89	40 34	71 67	107 52	18½
19	47 81	71 35	28 69	43 05	76 50	114 40	19
19½	49 97	75 31	29 99	44 99	79 96	120 30	19½
20	52 20	78 30	31 32	46 98	83 52	125 28	20

Drop from Four to Five Fathom,	$7 20
" " " " 4 Mile Point,	8 64
" " " " Venus Point,	11 52
" " Venus Point to Tybee,	11 52
Detention, per day,	2 88

PITCH, TAR, TURPENTINE, &c.

(*See Title, "Docks and Wharves."*)

PLANK ROAD.

Ordinance 24th Feb., 1853.

Transport of Iron, &c., over Plank Road, lengthwise and not crosswise.

No. 386. (1.) All rail road iron, bar iron, boilers, hoop-poles, timber, plank, boards and lumber, shall be transported lengthwise, and not crosswise, upon any truck, car, wagon, dray or vehicle of any description passing over the plank roads, or through any of the streets within the limits of the City of Savannah, and for every violation of this section, the person so offending shall be fined in a sum not exceeding twenty dollars.

Vehicles keep to the right; fine $20.

(2.) All vehicles of every description shall keep to the right in passing over the plank road, and for every violation of this section the person or persons offending shall be fined in a sum not exceeding twenty dollars.

Duty of Marshal, &c.

(3.) It shall be the duty of the City Marshal and Constables to see that the provisions of this Ordinance are strictly enforced.

Half fine to informer.

(4.) Every person informing of a violation of this Ordinance shall be entitled to receive one half of the fine imposed. (For overloading on plank road, see No. 129.)

PLEASURE CARRIAGES.

Ordinance 29th Oct., 1857.

Tax on pleasure carriages or vehicles; $20 on 4 wheels drawn by 2 horses or mules; $10 on 4 wheels by 2 horses or mules; $5 on 2 wheel vehicle.

No. 387. (8.) Each and every person keeping or using any pleasure carriage, and each and every person keeping or using any other carriage or vehicle in this City, on the first day of January in each year, whether such carriage or vehicle be owned by such person or not, shall pay to the City Treasurer, as a tax upon the same, the sum of twenty dollars if a four wheeled carriage or vehicle drawn by two or more horses or mules, the sum of ten dollars, if a four wheeled carriage drawn by one horse or mule the sum of five dollars, if a two wheeled carriage or vehicle and each and every person who shall bring in to the

If after 1st Jan., pro rata.

City any such carriage or vehicle to be kept or used therein, after the first day of January and before the first day of April, or after the first day of April and before the first day of July, or after the first day of July and before the first day of October, in any year, shall on or before the first of said days next after such carriage or vehicle shall be brought into the City as aforesaid, pay to the said Treasurer such part of the taxes above required, according to the foregoing mode of assessment as shall be in proportion to the residue of the year estimated from the day on which such tax is required to be paid; and if any person or persons shall refuse or neglect to pay such tax, the said Treasurer shall issue execution for double the amount of such tax against him, her or them, within ten days after the same is hereby required to be paid; provided that nothing herein contained shall be construed to extend to carriages or vehicles of any description used or kept as merchandize or stock in trade, or to vehicles of any description for which licenses are required to be paid by any of the Ordinances of this City.

Neglect, double tax.

Proviso as to vehicles kept as stock in trade or licensed vehicles.

POLICE COURT.

Ordinance 8th Dec., 1838.

AN ORDINANCE, To establish a Police Court for the City of Savannah.

Police Court daily at 10 o'clock.

No. 388. (1.) The Mayor of the City of Savannah, and in case of his absence or sickness, the Chairman of the Board of Aldermen be and he is hereby authorized and required to hold a Court at the Mayor's office in the Exchange, every day at 10 o'clock, A. M., (Sundays excepted,) for the purpose of hearing all complaints against riotous and disorderly persons, and determining the same in a summary manner.

Mayor's docket.

(2.) In all cases in which persons are now liable under any Ordinance of Council, to be tried before the Mayor and Aldermen at the regular meeting of Council for riots or disorderly conduct of any kind, the Mayor or in his absence or sickness the Chairman of the Board of Aldermen shall, in said Police Court, take cognizance of the said offender, and have power to fine the offender or offenders in a sum not exceeding thirty dollars for each and every offence of the character aforesaid.

Appeal on payment of fines and costs.

(3.) Any person fined under this Ordinance by the Mayor or Chairman shall have the right, on payment of fines and costs, to appeal to Council, and Council shall hear and determine such appeal.

Disorderly on Saturday night.

(4.) When any person is arrested under any Ordinance of the City, for riotous or disorderly conduct on a Saturday night or on the Sabbath day, such person shall be committed to jail until the following Monday morning when he shall be brought for trial before the Police Court.

City Constables in rotation to attend Police Court, &c.

(5.) It shall be the duty of the City Constables in rotation, according to a list to be made and published by the Mayor in writing in his office, and served on such Constables, to attend at the said Police Court, preserve order and enforce the judgments and sentences of said Court.

Record of proceedings.

(6.) A record of the proceedings of the said Police Court shall be kept by the Clerk of Council and submitted to the Council at every regular meeting, and it shall be in the power of Council to remit any fine in part or in whole, which may be imposed in said Court.

Information docket.

(7.) The Mayor or Chairman shall have concurrent Jurisdiction with the Mayor and Aldermen of the City of Savannah in Council assembled, for offences or violations of any of the Ordinances of the City by any person or persons whomsoever, and he may inflict or impose such penalty on such offender or offenders as the Ordinance violated or offended against by such person or persons, authorizes: *Provided*, That in all cases where fines or penalties are imposed by the Mayor, the parties shall have the right to appeal to Council upon the payment of all costs. (See No. 389.)

Appeal on paying costs.

Duty of Marshal and City Constables to summon persons, &c.

(8.) It shall be the duty of the Marshal or any City Constable on receiving the order of the Mayor or Chairman, to summons before the Mayor or Chairman during the hours prescribed for holding his Court, all person or persons offending against the Ordinances of the City.

Fines how collected.

(10.) All fines imposed by the Mayor shall be collected in the same manner as if they were imposed by Council.

Mayor's duty.

(11.) It is the duty of the Mayor, and it is hereby required of him, to superintend the general police of the City, to have an eye on all the officers of the City and others in the employment of the City, to see that they perform the duties required of them by the Ordinances of the City, and to report to Council all violations or neglect of duty.

When Mayor and Chairman is absent three Aldermen shall act.

(12.) In case of the absence or sickness of the Mayor and Chairman, any three Aldermen shall exercise the same authority as this Ordinance confers upon said officers in all cases brought before the said Police Court, and their act shall be of the same validity as those of the Mayor and Chairman.

Ordinance 4th Jan., 1847.

Mayor to take bonds, &c., for appearance before Council.

No. 389. (1.) The Mayor of the City of Savannah and the Hamlets thereof shall have power, and is hereby expressly authorized to bind over and take recognizance in such sum and with such security or securities as he may deem adequate and necessary, all and every person or persons who may be brought up before the said Mayor in the Police Court of the City, charged with any infraction, violation of, or offence against any of the Ordinances of the said City of Savannah, and whose trial and punishment for said offences may by law require the co-operation of the said Mayor and Aldermen or a majority of them, or when the punishment adjudged by the said Mayor in said Police Court requires by law to be confirmed by the Board of Aldermen in Council assembled, for the appearance of such person or persons so offending and charged before the Mayor and Aldermen of the City of Savannah in Council assembled, at the next meeting of Council regularly to be held thereafter.

Neglect to give bond, &c., jail.

(2.) In case of the neglect or refusal of any person or persons to give the recognizance authorized in the foregoing section, when the same shall be required that the said Mayor is hereby authorized and empowered to commit such person or persons so neglecting or refusing to give such recognizance so required, to the common jail of the County of Chatham, until the next regular meeting of Council.

Ordinance 5th March, 1857.

Half fines payable to informers

No. 390. (1.) That all fines imposed at the Police Courts, when paid shall be divided between the City and informer, one half to each.

State Penal Code, 1833. (Cobb's Digest, page 843.)

Power of Courts in punishing contempts.

No. 391. (1.) The power of the several Courts of law and equity in this State, to issue attachments, and inflict summary punishments for contempts of Courts, shall not extend, to any cases except the misbehavior of any person or persons in the presence of the said Courts, or so near thereto as to obstruct the administration of justice; the misbehavior of any of the officers of said Courts,

in their official transactions and the disobedience or resistance by any officer of said Courts, party, juror, witness or any other person or persons to any lawful writ, process, order, rule, decree or command of the said Courts.

State Law, Approved Dec. 8th, 1849. (Cobb's Digest, page 636.)

Police Court a Court of Record.

No. 392. (1.) That the Police Court of the City of Savannah be, and the same is hereby established and declared a Court of Record; that the Mayor or acting Mayor of said City be and he is hereby authorized to preside in said Court, and to hold sessions thereof as often as to him may appear to be necessary; that said Court shall have cognizance in the first instance of all offences against the laws of the State touching said City, including as well this law and the laws and Ordinances hereafter to be enacted and ordained, as those which are now of force, with power to inflict the punishments by fine and imprisonment prescribed by the existing laws and Ordinances, or which may be fixed by laws and Ordinances hereafter to be enacted or ordained, and to enforce the same by execution or mittimus, directed to the Marshal of said City, or any lawful Constable thereof, and to the Jailor of Chatham County, when necessary; and that said Court shall have power to commit to the common jail of Chatham County any and all person and persons who shall disturb said Court during its sittings, or who shall in any other manner be in contempt of its lawful authority: *Provided*, nevertheless, that an appeal may be taken from any judgment or decision of said Court (except a commitment for contempt) to the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, in Common Council assembled, all costs being first paid and bond given, to abide the decision of said Common Council.

Sessions and jurisdiction.

And powers.

Execution or mittimus.

Contempt of Court.

Appeal.

Except for contempt of Court.

Paying costs and giving bonds.

(2.) The Clerk of the Council of the City of Savannah, the Marshal of said City, and the Constables of said City, be and they are hereby constituted officers of the Police Court of said City, and that they be, and they are hereby authorized to demand and receive for services rendered or duties performed in said Court, such fees and costs for themselves, to be collected out of the defendants, as may be established by any present or future Ordinance of said City.

Officers of Court.

Fees.

POLICE AND WATCH.

Ordinance 22d June, 1854.

Foot Police or Night Watch, 50 privates.

No. 393. (1.) On and after the first day of July next, the number of privates now enrolled in the present existing Night Watch of the City, shall be, by the Mayor of the City, reduced

$25 per month. to the number of fifty, who shall receive the sum of twenty-five ($25) dollars per month; subject to such regulations as are hereinafter contained.

Special or Mounted Police, 18 privates appointed by Mayor for three years. (2.) From and after the first day of July next, there shall be added to the Police of the City of Savannah, twenty privates, (now eighteen,) who shall be known and designated as the Special Police of the City of Savannah, by day and by night; that each and all of the said privates shall be appointed by the Mayor, subject to the approval of Council, and the said privates shall hold their respective offices for the term of three years from the date of their appointment, unless, in the meantime, removed therefrom for inefficiency or improper conduct, and the pay of such privates shall be five hundred ($500) dollars per annum.

Salary $500 per annum.

Officers—Captain, 2 Lieutenants, 4 Sergeants, for three years. (3.) The officers of the said Police and City Watch shall consist of a Captain, two Lieutenants, and two mounted and two foot Sergeants, who shall hold their office for the term of three years, unless removed for inefficiency or improper conduct.

Annual salary of Captain, $2,000; of 1st Lieut., $1,200; of 2d Lieut., $1,100; of Sergeants, $700. (4.) The salary of the said Captain of said Special Police and City Watch, shall be two thousand dollars per annum; that of the first Lieutenant shall be twelve hundred dollars per annum; and that of the second Lieutenant shall be eleven hundred dollars per annum; the first mounted Sergeant the sum of seven hundred dollars per annum; and of the second, (now seven) hundred dollars per annum; the first foot Sergeant seven hundred dollars per annum; and the second, (now seven) hundred dollars per annum.

Duties and Powers of City Constables. (5.) The officers and privates of the Police created by and appointed under this Ordinance, shall be clothed with all the powers and liable to perform all the duties of the Constables of the City of Savannah, and shall be Constables of the said City.

22 horses are to be furnished and fed by the City, &c. (6.) For the Police organized by this Ordinance, the City will furnish at its own expense, and feed twenty-two horses for the privates and two mounted Sergeants, and that the other officers shall furnish their own horses—the horses of the Lieutenants to be fed at the expense of the City. (See No. 394, sec. 4.)

Duty of Officers. (7.) It shall be the duty of the Captain, Lieutenants, mounted Sergeant and mounted Privates to be at all times at the command and in the service of the City.

Duty of Captain. (8.) It shall be the duty of the Captain of the Police and Watch to have kept at the Guard House a well bound blank book, in which may be recorded the loss of any property, and

any reward that may be offered, with any other remarks that the loser may desire to make, or any other fact which any person may desire to call the attention of the Police, which shall at all times be subject to the inspection of any of the officers of the City of Savannah.

Control of existing Watch and of the present Police vested in the Captain, under Mayor's direction. (9.) From and after the said first day of July next, the entire organization, control and management of the existing City Watch, and of the Police created by this Ordinance, shall be under the control of the Captain of the Police and City Watch, under the control and direction of the Mayor, or such persons or person as may be acting in his stead, subject to such Ordinances, rules and regulations as may from time to time be passed by the Mayor and Aldermen of the City of Savannah; and the said Police, and the said City Watch, officers and privates, shall be dressed and armed in such manner as the Captain of the said Police and City Watch may from time to time direct, with the approval of the Mayor or such persons as may be acting in his stead.

How dressed and armed.

No one to be appointed unless he is a citizen of U. S., and can read and write. (10.) No person shall be appointed under the provisions of this Ordinance, unless he is a citizen of the United States, and can read and write.

Oath of Officers and privates (11.) That the officers and privates shall, before entering upon the duties of their office, take and subscribe the following oath:

"I do solemnly swear, or affirm, (as the case may be,) that I will, during my continuance in office, to the best of my skill and ability, faithfully discharge all the duties which may be required of me; and that I will in all cases conform to the Ordinances of the City, and forthwith report all violation of the Ordinances which may come to my knowledge."

Bond of Capt., $4 000; Lieuts. $2,000; Serg'ts, $500, and Privates, $500. And for a faithful discharge, the Captain of the said Police shall enter into a bond with security, to be approved of by the Mayor, in the sum of four thousand dollars; and each Lieutenant, in the sum of two thousand dollars; and each Sergeant and mounted Private, in the sum of five hundred dollars; and the Mayor shall order copies of such oath or affirmation to be printed in a book to be obtained for that purpose, and each deponent or affirmant shall take and subscribe the said oath or affirmation before the Mayor or acting Mayor; and the same shall be kept among the records of Council; and the footmen shall give bond with security, to be approved of by the Mayor, in the sum of fifty dollars.

Oath to be subscribed.

Bond of footman $50.

Tour of duty of Foot Police or Night Watch.

(12.) From the first day of April (inclusive) to the first day of October (exclusive) of each year, the members of the City Watch shall be at the guard house and commence their tour of duty at the hour of nine o'clock at night; and from the first day of October (inclusive) to the first day of April (exclusive) of each year, the members composing the City Watch shall assemble at the guard house and commence their tour of duty at eight o'clock at night, at which respective hour the guard house bell shall cease to be rung; and the said members shall continue on duty until twenty minutes before sunrise, or the ringing of the bell next morning, at which signal they shall repair and and re-assemble at the guard house, there to be dismissed or retained, as circumstances may require; but they shall not take up any slaves or persons of color after day light, without good cause; and the said City Watch shall be subject to the orders of the Mayor or acting Mayor, and may be compelled to do any further or other duty, either by day or by night, whenever the Mayor or acting Mayor and Captain may deem it advisable or necessary to demand their services.

8 o'clock at night guard house bell.

Subject to the orders of Mayor, &c.

Duty of Officers in command at the Guard House.

(13.) It shall be the duty of the Captain of the Police and the City Watch, or officers in command at the guard house, to dispose of the Policemen and Watchmen in such manner as that all parts of the City may be equally guarded and protected, as far as practicable, and he shall divide the privates into two divisions, to be denominated the first and second divisions, and each division to be distributed as aforesaid when on active duty; and only one division shall be on active duty at a time, except in cases of alarm or other necessity, when they shall be marched to the place of danger or necessity, as the officer in command or Mayor may order; and the said officers and privates of the Police and City Watch are hereby required to arrest, at night, and take into custody all felons and rioters, all disorderly or suspected persons, who may be found misbehaving themselves or in any manner disturbing the public peace or quiet; and all persons who may in any manner, assault, or oppose, or resist them when engaged in the discharge of their duty; and all slaves and free persons of color who may be found out of his or her house or enclosure or his or her owner or employers house or enclosure, after the ringing of the guard house bell at night, unless the said slave or free person of color be accompanied by a white person over the age of ten years, or be provided with an

Divide privates into two divisions.

Officers and privates to arrest at night all riotous, disorderly persons, &c.

Slaves and free negroes without a written ticket, &c.

open written ticket, drawn according to the directions of the City Ordinances, and signed by some white person having legal authority to sign the same, and the said person thus arrested shall be carried to the guard house, and the white person shall be detained until the next morning, when they shall be carried to the Police Court as hereinafter directed; *Provided, nevertheless*, That no white person shall be detained at the guard house, unless it shall appear to the officer in command at the guard house that there was just cause for the arrest.

Duty of officer in command at Guard House to leave a force to keep prisoners, &c.

(14.) It shall be the duty of the officer in command at the guard house whenever at the time of dismission of the guard he may have a prisoner or prisoners in charge, to leave on duty at the guard house a sufficient force to keep such prisoner or prisoners in custody until the Police Court hour, when it shall be his further duty to deliver him or them at the Police office, (except on Sundays, when the said prisoner or prisoners shall be dealt with as the Ordinance regulating the Police Court provides,) and the Mayor, acting Mayor or any three Aldermen may enquire into the circumstances of each case presented for examination, and make such order thereon, or affix such punishment either by fine or imprisonment as the laws of the State, the Ordinances of the City and the nature of the case require; and one half of the fine collected shall be paid to the arresting Policeman or Watchman, and the other half to the City: *Provided*, that no fine shall be inflicted for any one offence, beyond One Hundred Dollars. And if the said prisoner or prisoners be charged with felony or breach of the peace, the Mayor or Aldermen presiding as aforesaid at the Police Court may at his or their discretion order the prosecution of said prisoner and turn them over to a Magistrate of the County for that purpose.

No fine beyond $100.

Felony or breach of the peace to be turned over to a County magistrate.

50 cents guard house fees for negroes, if after 11 o'clock then $1.

(15.) The sum of Fifty Cents shall be demanded and received at the guard house for the apprehension of each and every slave or person of color, arrested under the provisions of this Ordinance, if he or she be demanded and released before eleven o'clock, P. M., but if demanded and released after that hour, then the sum of One Dollar shall be demanded and received for each person as aforesaid; and the said sum shall in all cases be equally divided between the arresting Policeman or Watchman and the City; and if it be not paid before eight o'clock the next morning, the said slave or free person of color shall be committed to Jail, there to remain until the said fine and all costs are paid.

Officers or privates receiving bribes.

(16.) If any of the officers or privates of the City Watch or Police after having taken up any prisoner or person in the execution of their duties, shall receive a bribe for liberating any person so apprehended, or if any of the said officers or Watchmen shall be guilty of violent, injurious or improper conduct whilst on duty to any person or persons, or if the said officers, Policemen or Watchmen shall in any manner misbehave in or neglect their duties as Policemen or Watchmen, the said offender if a private may be fined or dismissed or both, at the discretion of the Mayor or acting Mayor, and his bond may also be put in suit. And the said officers may also be fined or suspended or both at the discretion of the Mayor or acting Mayor, which suspension shall be reported to Council at the next regular meeting thereof, or sooner if the Mayor or acting Mayor shall deem it advisable, and the said Council shall act on such information and reinstate or dismiss said officer as to the said Council may seem proper. And whenever any officer is thus suspended, or whenever it may be necessary to fill any vacancy temporarily, the Mayor or acting Mayor shall have the power to make such appointment and fill such vacancy, until the next meeting of Council. And Council shall at all times have the power to fill any vacancies in the same manner as the vacancies of other offices of the City are filled. And the Mayor or acting Mayor as the head of the Police, shall have and exercise a general superintendance over the officers and members of the City Watch and Police, and may at any time direct the mode and places in which the Policemen or Watchmen shall be stationed, and shall give his directions accordingly to the officer in command at the guard house, by whom such orders shall be obeyed and distributed.

Or being guilty of improper conduct, &c.

Fined or dismissed, &c.

Officers fined, &c.

If suspended report to be made to Council.

Mayor to fill vacancy, &c.

General superintendence of Mayor.

Watchman in the Exchange steeple.

Lantern.

Alarm of fire, &c.

(17.) One Watchman shall be stationed during the hours aforesaid, in the steeple of the Exchange, and he shall be furnished, with a good and sufficient lantern, and he shall give the alarm to the citizens in all proper cases, by the ringing of the Exchange bell and [by] hanging his lantern in the direction from which the cause of alarm seems to proceed, and a sentinel shall always during guard hours, or whilst the watch are on duty be stationed at the guard house door, whose duty it shall be to communicate any alarm to the officer in command and to the officers and privates not in actual service; and the guard house bell shall be rung in all cases of alarm.

No Watchman to leave his ward, &c.

(18.) No Watchman assigned for the first watch or division, shall leave his ward or station, until the relief guard shall have relieved him at his post; nor shall any Watchman assigned for the second guard, leave his ward or station until the hour for discharging the guard shall have arrived and been announced by the ringing of the guard house bell, or such other signal as the Mayor or Captain of the Police and night Watch may designate.

Persons molesting, &c., Police. Fine $100.

(19.) If any person shall be convicted before the Police Court or Council, of resisting, opposing or molesting any of the officers or members of the City Watch or Police in the execution of his or their duty, the offender may be fined in a sum not exceeding one hundred dollars for each and every offence, to be collected and enforced as the laws and Ordinances provide. And the said officers or privates of the City Watch and Police are authorized and empowered in case of urgency or necessity, to demand the aid and assistance of any citizen or citizens, and all and every person refusing or neglecting to give such aid and assistance when required, may, on conviction before the Police Court or Council, be fined in a sum not exceeding one hundred dollars.

Demand aid, &c., of citizens.

Refusal, fine $100.

Duty of Captain: monthly pay roll.

(20.) It shall be the duty of the Captain of the City Watch and Police to make out a monthly pay roll of the officers and members of the Watch and Police, to be presented to the Mayor or acting Mayor on the first of each month for his approval and order thereon. And the said Captain shall make a report in writing to the Mayor or acting Mayor, or any three Aldermen, at the Police office every morning by ten o'clock, in which he shall detail the order and rotine of duty of the several divisions, subdivisions and patrol, note the misconduct or any irregularity of every and any Watchman or Policeman on duty, and shall relate the occurrences of the night; and the Lieutenants shall report to the Captain the occurrences of that portion of the night in which they may have been on duty, to enable the Captain to make the report required of him by this section, and shall attend at the Police office at 10 o'clock, for the further explanation to the Mayor, of such occurrences.

Report to Mayor daily at 10 o'clock, A. M.

Attend at Police office.

Mayor to appoint 10 Supernumeraries for Foot Police or Night Watch.

(21.) The Mayor or acting Mayor shall appoint ten men of good repute, and citizens of the United States, whose names shall be entered in the Mayor's office, and with the Captain of the City Police and Watch, and who shall be styled "Supernumeraries," and who shall report themselves every night at the

Guard House in the same manner with the other Watchmen, and under pain of fine for absence, and in case of the absence of any of the regular Watchmen, any one or more of the supernumeraries as circumstances may require shall be employed to fill such vacancy or vacancies for the night, and all the said supernumeraries not in actual service shall repair to the Guard House in all cases of alarm, and may be employed as the officer in command may direct, and when so employed the said supernumeraries shall stand in the same capacity and be subject to the same rule and discipline as the regular Watchmen, and the salary of such supernumeraries on actual service shall be deducted from that of the absent regular Watchman, and the former shall be paid the same rate as the latter. And the said supernumeraries shall take and subscribe the same oath and give the same bond and security as prescribed in the case of the regular Watchmen, before their names shall be entered on the list of supernumeraries. And whenever a vacancy shall occur in the City Watch by any means it shall be the duty of the Mayor to appoint a person from the list of supernumeraries to supply such vacancy, and also to appoint another supernumerary in the room of the individual thus transferred to the regular Watch.

Their duty.

Oath: bond.

Vacancies how filled.

Arms to be retained in Guard House, inspected once a week.

(22.) It shall be the duty of the Captain of the City Watch to retain the arms of the Watchmen in the Guard House, (except when required for duty,) and at least once in every week thereafter to inspect the same and see that they are kept and preserved in good order.

Duty of Foot Police on Sundays assemble at 9 o'clock, &c.

(23.) Hereafter it shall be the duty of the officers and privates of the City Watch to assemble at the guard house at nine o'clock on every Sunday morning, and on all other days set apart by the civil authority for religious observances, as well as upon such other occasions and at such hours on these occasions as the Mayor in his discretion shall order, prepared to perform the duties of a City Police. On Sundays they shall continue on duty until dark, and at all times unless dismissed in pursuance of orders from the Mayor. And the Mayor is hereby empowered to regulate from time to time the number of officers and privates required to be on duty; the number of relief; the hours of service of each relief; the arms and marks of office to be used, and all the other details necessary to efficiency.

Duty of Watchmen to preserve order, &c.

(24.) It shall be the duty of the Watchmen to preserve peace and good order throughout the day, and to arrest and carry to

the guard house, all rioters or disorderly persons, and all violaters of the laws of the State or Ordinances of the City; subject to the general or special instructions of the Mayor from time to time; for which purpose they are hereby vested with the power and authority of City Constables. And the officer on duty shall cause all persons so arrested to be brought before the Police Court the next morning at 10 o'clock: *Provided*, That any white person may be released until that hour upon entering upon a recognizance in the penal sum of one hundred dollars and with an approved security in the like sum jointly and severally; and that all other persons may be released until that hour upon the master, owner or guardian or other approved white person, entering into bond in the sum of one hundred dollars; conditioned in either case for the appearance of the persons charged with the offence, at the Police Court at 10 o'clock the next morning. And the Mayor is hereby vested with authority to examine into and hear and determine on the case so brought before him, and to inflict such penalties as the Ordinances prescribe in relation to persons arrested by the Watch at night, and to turn over for examination by the Justices of the Peace, all persons charged with offences against the laws of the State.

Recognizance, $100.

Bond $100.

(25.) When upon other occasions than Sundays and days set apart for religious observances, the Watch shall be called out, they shall be subject, and also on those days and on Sundays in addition to the duties set forth in the preceeding section, to perform such other police duties as the Mayor may prescribe, not inconsistent with the laws of the State and Ordinances of the City.

Foot Police on other occasions.

(26.) It shall be the duty of each and every Policeman and Watchman of the City of Savannah, to place upon the information docket the names of any and all persons who shall at any time be guilty of violating any of the existing Ordinances of the City of Savannah, and shall report to his honor the Mayor all violations of the said Ordinances which may come within his or their knowledge at any time, either *at night* whilst engaged on duty or during *the day*, or any other time when such violation of any of the Ordinances aforesaid, shall come within his or their knowledge.

Duty of Police to inform against all offenders.

Report to Mayor all violations at night or during the day.

(27.) Any Policeman or Policemen, Watchman or Watchmen, who shall or may be guilty of neglect to inform against

Neglect of duty by Police.

any person or persons, who shall at any time be guilty of violating any of the existing Ordinances aforesaid, such Policeman or Policemen, Watchman or Watchmen, shall upon conviction of such neglect of duty be fined in a sum not exceeding ten dollars, or be dismissed, or both, at the discretion of the Mayor.

Fine $10, dismissal, or both.

Ordinance 29th June, 1857.

Reduction of Police to 4 Sergeants.

No. 394. (1.) From and immediately after the expiration of the present term of service of the Officers and Privates of the Special Police and City Watch of the City of Savannah, the number of Sergeants shall be and is hereby reduced to four. All of the Sergeants shall be provided with horses, and shall be required to perform their duties on foot or on horseback, as the Mayor or acting Mayor may direct. The Watchmen shall be under the control and supervision of the Officers and Privates of the Mounted Police: Provided, that the entire force, both mounted and footmen, shall be under the control of the Mayor.

Watchmen under control of Mounted Police.

18 privates Mounted Police.

(2.) That from and immediately after the expiration of the present term of service of the Privates of the Special Police and City Watch, the number of such Privates shall be and is hereby reduced to eighteen.

No Policeman to hold any other civil office.

(3.) No member of the Special Police of said City, whether officer or private, shall, during his term of service, hold any other civil office under City, State or Federal authority; and that no individual shall be eligible to any position on the Police force who shall not have been a resident of this City for twelve months prior to the date of his appointment or election.

No one to be a Policeman unless he has been a resident for last 12 months.

City to furnish and feed 22 horses, &c., Lieuts. and Captain to furnish their own horses.

(4.) That the said City will furnish and feed, at its own expense, twenty-two horses for the Privates and Sergeants—the horses of the Lieutenants to be fed and kept at the expense of the City, as under existing Ordinance.

Ordinance 29th Oct., 1857.

Mayor to appoint 5 Supernumeraries of the Mounted Police.

No. 395. (1.) The Mayor or acting Mayor shall appoint five men of good repute, residents of this City for one year previous to their appointment, and citizens of the United States, whose names shall be entered in the Mayor's office, and with the Captain of Police, and who shall be styled "Police Supernumeraries," and who shall report themselves at the station house in the same manner with the other privates, and under pain of fine for absence, and in case of the absence of any of the regular Privates of the Police, any one or more of the Police Supernumeraries, as circumstances may require, shall be employed to fill such vacancy or vacancies, and when so employed shall stand in the same capacity and be subject to the same rule and discipline as the regular Policemen; and the salary of such Supernumeraries on actual service shall be deducted from that of the absent regular Policemen, and the former shall be paid the same rate as the latter. Said Police Supernumeraries, before their names shall be entered on the list, shall take and subscribe the same oath and give the same bond and security as are prescribed in the case of regular Policemen. And whenever a vacancy shall occur in the Police force among the privates, it shall be the duty of the Mayor to appoint a person from the list of Police Supernumeraries to supply such vacancy, and also to appoint another Supernumerary in the room of the person thus transferred to the regular Police force.

Their duty, &c.

Salary.

Oath and bond.

Vacancies how filled.

State Penal Code, 1833. (Cobb's Digest, page 806.)

Obstructing legal process, fine and imprisonment.

No. 396. (16.) If any person shall knowingly and wilfully obstruct, resist, or oppose any Sheriff, Coroner, or other officer of this State, or other person duly authorized, in serving, or attempting to serve or execute any lawful process, or order of any Court, Judge, Justice, or arbitrators, or any other legal process whatever; or shall assault or beat any Sheriff, Coroner, Constable, or other officer, or person duly authorized, in serving or executing any process, or order aforesaid, or for having served or executed the same; every person so offending shall, on conviction, be punished by fine and imprisonment in the common jail of the County for any time not exceeding one year.

Assault, &c., under color of office.

(17.) If any officer of this State, whatever, shall assault or beat any individual under color of his office or commission, without a lawful necessity so to do, such officer so offending, shall, on conviction, be punished by fine and imprisonment in the common jail for any time not exceeding one year.

Rescue defined.

(18.) Rescue is the forcibly and knowingly freeing another from an arrest or imprisonment.

Punishment in criminal cases.

(19.) If any person shall rescue another in legal custody on criminal process, such person so offending shall, on conviction, receive the same punishment as the person rescued would, on conviction, be sentenced to receive—but if the person rescued shall have been acquitted of the crime charged against him, then and in such case, the person rescuing shall be punished by imprisonment in the common jail of the County for any time not exceeding one year.

Proviso.

Punishment in civil cases.

(20.) If any person shall rescue another in legal custody on civil process, such person so offending, shall, on conviction, be punished by a fine equal in amount to the amount of the debt

or demand for which such process was issued, and imprisonment in the common jail of the County, not exceeding six months.

Attempt to rescue, penitentiary 1 to 2 years.

(21.) If any person shall attempt to rescue another in legal custody on criminal process, such person so offending shall, on conviction, be punished by imprisonment in the common jail for any time not exceeding six months, or by confinement and labor in the penitentiary for any time not less than one year, nor longer than two years, at the discretion of the Court.

Assisting to escape from custody, penitentiary 1 to 5 years.

(23.) If any person shall aid or assist any prisoner to escape, or to attempt to escape from the custody of any Sheriff, Coroner, Constable, officer, or other person, who shall have the lawful charge of such prisoner, such person so offending shall, on conviction, be punished by confinement and labor in the penitentiary for any time not less than one year, nor longer than five years.

State Penal Code, 1833. (Cobb's Digest, page 810.)

Unlawful Assemblies.

No. 397. (1.) If two or more persons assemble for the purpose of disturbing the public peace, or committing any unlawful act, and do not disperse upon being desired or commanded to do so by a Judge, Justice, Sheriff, Constable, Coroner or other peace officer, such person so offending shall be guilty of a misdemeanor, and on conviction, shall be punished by fine or imprisonment in the common jail, or both, at the discretion of the Court.

Riot, discretionary imprisonment or penitentiary 1 to 3 years.

(2.) If any two or more persons, either with or without a common cause or ground, do an unlawful act of violence, or any other act in a violent and tumultuous manner, such person so offending shall be guilty of a riot, and on conviction, shall be punished by fine or imprisonment in the common jail, or both, at the discretion of the Court; but if the circumstances attending the riot shall be of an atrocious or aggravated nature, the offenders may be imprisoned at labor in the penitentiary for any time not less than one year, nor longer than three years.

Affrays, discretional imprisonment.

(3.) Affrays are the fighting of two or more persons in some public place, to the terror of the citizens and disturbance of the public tranquility. Persons so offending shall be indicted, and on conviction, shall be punished by fine or imprisonment in the common jail, or both, at the discretion of the Court; and it shall be considered a great aggravation of this offence if any attempt or disobedience of the Magistrate or other peace officer commanding the peace, shall be proved.

Aggravation.

State Penal Code, 1833. (Cobb's Digest, page 816.)

Suspected rooms or houses may be broken open.

No. 398. It shall be lawful for any lawful officer, with legal authority, to break open suspected rooms or houses, where it is commonly known that gaming is carried on, and to take any persons found gaming, and bind or cause them to be bound over to the next Superior Court, to be held in and for the County where such offences may be committed; and if such person or

persons so found gaming, shall fail or refuse to give security for his or their appearance at Court to answer for such offences, then it shall be lawful to commit such person or persons to jail.

PORTICOES.

(*See No.* 359 *to* 362.)

PORT WARDENS.

Ordinance 14th March, 1824.

5 Port Wardens.

No. 399. (1.) By Ordinance of 2d August, 1839, "on the first regular meeting of Council in every January" in each year, there shall be appointed five persons to act as Port Wardens, for the port of Savannah, who shall be commissioned by the Mayor under the seal of the Corporation. (See No. 401.)

Duty of Port Wardens to appoint a Clerk, &c.

(2.) The said Port Wardens, be and they are hereby required to keep a fair record of all their proceedings, to appoint a Clerk for that purpose, and to furnish extracts or copies of the same at the request of any person or persons, and they shall have and use a common seal to be annexed to all extracts or copies of proceedings furnished by the Clerk aforesaid, and the Clerk shall be, and he is hereby allowed the same fees for searches, extracts, copies or certificates, as are allowed for the like services to the Clerk of the Superior Courts of this State.

Seal.

Fees.

Rules and regulations.

(3.) The said Port Wardens, at their first or any subsequent meeting, be and they are hereby authorized to make such rules and regulations as may be conducive to the good order and a proper discharge of their duties and enforce the same by reasonable fines to be, when imposed, deducted by the Clerk out of the sums collected for the use of the Port Wardens so fined, and the said Clerk before he enters on the duties of his office shall give to the Mayor and Aldermen of the City of Savannah, a bond, with two good and sufficient securities in the sum of five hundred dollars, conditioned for the faithful performance of his duties as Clerk as aforesaid, and he shall take and subscribe, before the Mayor or Chairman of Council, the following oath or affimation: "I do solemnly swear (or affirm as the case may be) that I will truly, faithfully, and impartially discharge all the duties required of me as Clerk of the Board of Port War-

Clerk's bond $500.

Clerk's oath.

dens for the Port of Savannah to the best of my ability, and shall only certify as Clerk such papers or documents as are duly passed and approved of by the said Port Wardens—So HELP ME GOD."

Two or more Port Wardens to make surveys

(4.) The said Port Wardens or any two of them or more if required by the persons applying for the survey as aforesaid, shall have power and they are hereby authorized to act upon any survey and to perform all the duties required of them by this Ordinance.

Vessels in distress, leaky, &c.

(5.) At the request of any owner of a vessel, master, merchant or consignee, it shall be the duty of the said Port Wardens or any two or more of them as aforesaid, upon the arrival of any ship or vessel within the port and district of Savannah in distress, or which may receive damage therein, or be in a leaky situation or condition, or on board of which there may be goods, wares or merchandize damaged or supposed to be damaged, to

Examine and survey.

examine and survey the said ship or vessel in her hull, masts, spars, sails, rigging and other appurtenances, and to report and certify the state thereof, and the repairs necessary, to fit her for sea, so that she may be fully seaworthy noting particularly the damages which appear to have been sustained by the perils of the sea, and the probable expense of repair as distinct from such as may become necessary from negligence or ordinary decay and to assist the said Port Wardens in such examination, they shall have access to the log book of such ship or vessel.

Stowage of cargo.

Also to examine and survey the stowage of the cargo of any ship or vessel and to report and certify, if the same be properly stowed and secured and to examine and survey any such goods, wares and merchandise damaged or supposed to be damaged

Report, &c.

and to report and certify, if the same be damaged or not, and in case of damage the rate and degree of damage; and in surveys of packages of merchandise, they shall designate particu-

Portion injured.

larly the portion injured and in no event recommend a sale of the parts not damaged, and generally to do and perform all the things, which by the custom of merchants in the port of Savannah have been usually performed on surveys; and particularly to advise and recommend such measures in relation either to said ship or vessel and cargo, as may be deemed best suited to promote the interest and benefit of all concerned.

Employ a carpenter, &c.

(6.) The said Port Wardens or any two or more of them as aforesaid, when called upon the survey of any vessel, shall have

power to employ a carpenter or carpenters to open the ceiling, strip the sheathing, bore the timber and perform such other work as shall be necessary to enable them to make a correct survey, and to employ such laborers and other persons necessary to move, open or cooper or otherwise arrange any goods, wares or merchandise they may survey, the expense of all which shall be paid by the owner, master or consignee of said vessels or goods.

No one but Port Wardens (except under order of Court,) to officiate.

(7.) If any person or persons other than those authorized by this Ordinance, (except persons appointed by order of Court,) shall act or officiate upon any survey or perform any of the duties herein required of the said Port Wardens, he or they

Penalty $30.

shall severally forfeit a sum not exceeding thirty dollars, to be recovered upon conviction before the City Council to the use of the said Wardens.

Clerk of Port Wardens to collect all sums due, &c.

(9.) The Clerk of the said board of Port Wardens, shall collect all sums due to the said board or either of the Port Wardens for services rendered, pursuant to this Ordinance, and for which he shall be entitled to such compensation as the Port Wardens shall fix, and shall quarterly make a statement of the same so received, and pay over to each Port Warden his share thereof, &c.; (Amended—see succeeding Ordinance,) and shall also make a quarterly return of the sums received to the City Treasurer, to be by him laid before the City Council at their first meeting thereafter.

Port Warden's Oath.

(10.) Each Port Warden so appointed, before entering upon the duties of his office, shall take and subscribe before the Mayor or Chairman of Council, the following oath or affirmation, as the case may be: "I do solemnly swear or affirm that I will truly, faithfully and impartially, to the best of my understanding, discharge the duties required of me by the Ordinances of the City Council, as Port Warden of the City of Savannah. So help me God." Which said oath or affirmation, after being sworn to and subscribed, shall be filed with the records of Council by the Clerk thereof.

Penalty $30 if Port Wardens neglect, &c., their duty.

(11.) If the said Port Wardens, or any of them, shall neglect or refuse to perform the duties enjoined by this or any other Ordinance, he or they, unless sufficient cause be shown to the contrary, shall severally forfeit and pay a sum not exceeding thirty dollars, to be recovered on conviction before the City Council to the use of the informer, or shall be removed from office, at the discretion of Council.

Ordinance 29th May, 1834.

Each Port Warden to receive fees only when he renders services.

No. 400. (1.) Each Port Warden shall be entitled out of the monies collected by the clerk for services rendered by the Port Wardens, to payment only of the fees received in the particular case in which the services were rendered; so that each Port Warden shall be compensated according to the amount of labor performed by him, and it shall be the duty of the clerk, or in his absence, his deputy, to summons the Port Wardens to act upon all surveys in rotation, if their attendance can be obtained, and in case of failure to summons as aforesaid, he shall be fined in a sum not exceeding thirty dollars on conviction thereof before Council, one half to the use of the informer and the other half to Council.

Clerk or Deputy's duty to summon, &c.

Fine $30.

No Port Warden to certify unless he surveys.

Penalty, dismissal from office.

(2.) It shall not be lawful for any Port Warden to certify any survey, unless the same has been held by him in person, and any Port Warden herein offending shall, on conviction thereof before Council, be dismissed from office.

Ordinance 2d August, 1839.

Election of 5 Port Wardens; how commissioned, &c.

No. 401. (7.) On the first regular meeting of Council in every January, there shall be elected five persons to act as Port Wardems for the port of Savannah, who shall be commissioned by the Mayor under the seal of the Corporation, whose duties and fees shall be conformable to an Ordinance entitled an Ordinance to regulate the duties and fix the fees of Port Wardens for the Port of Savannah, passed in Council 14th March, 1824, as amended and altered by an Ordinance entitled an Ordinance to amend an Ordinance to regulate the duties and fix the fees of the Port Wardens for the port of Savannah, passed the 29th May, 1834.

Ordinance 23d Feb., 1843.

Fees of Port Wardens.

No. 402. (1.) For the services to be performed by virtue of this Ordinance, there shall be paid to each of the Port Wardens, officiating, by the owner, master or consignee of any vessel or cargo, the following sums to-wit:

For each survey on the hatches of a vessel,.....	$1 00
" " " a vessel,.....	3 00
" " " " and cargo,.....	3 50
" " " a cargo,.....	2 50
" " on the stowage of the hold of a vessel,...	2 50
" " " goods after they are landed,.....	2 00

Proviso.

Provided, That the said vessel or goods be at or within the present extended limits of the City of Savannah. If between the present extended limits of the City and Five Fathom Hole, then fifty per centum in addition to the above enumerated rates; if below Five Fathom, and not below Long Island, seventy-five per centum in addition to the first enumerated rates; if below Long Island, double the enumerated rates; if the Port Wardens are required to furnish a boat and hands, ten dollars per diem, for such boat and hands shall be paid them. In all cases where the Port Wardens shall be employed more than one day in the performance of any duty required by this Ordinance, the said Port Wardens thus employed shall be entitled to similar fees for each day so employed.

Ordinance 6th April, 1854.

Clerk of Board of Port Wardens' office hours, 9 to 1 o'clock.

No. 403. The Clerk of the Board of Port Wardens shall be in attendance at some convenient place from 9 to 1 o'clock each day: that it shall be lawful for the Clerk of the Board to appoint a deputy, who shall take the same oath as the principal: *Provided*, in case of neglect or misconduct of said deputy, the principal and his sureties shall be liable to the penalties, fines, &c., now prescribed by Ordinances.

Deputy.

PRINTER.

Ordinance passed 24th December, 1857.

AN ORDINANCE, To amend the first section of an Ordinance passed 26th January, 1854, relative to the election, duties and salary of a City Printer.

City Printer annual salary $800

No. 404. (1.) The first section of said above referred to Ordinance shall be and the same is hereby amended, by striking therefrom the word "five" and inserting in lieu thereof the word "eight."

Bond $1,000.

(2.) Each and every City Printer, hereafter elected, shall give bond in the sum of one thousand dollars, with two or more securities, to be approved by the Mayor, conditioned for the faithful performance of the duties of the office of City Printer, and that in addition to the duties prescribed by the existing Ordinances, it shall be his duty to publish the Mayor's Annual Report, and the Treasurer's Annual Fiscal Statement, and all new bills or Ordinances when read the first time. (*See No.* 91.)

Duty.

PRIVATE AND PUBLIC PROPERTY.

Ordinance 25th March, 1852.

AN ORDINANCE, To protect the public and private buildings of the City from defacement.

Pasting, &c., papers upon wall or tree.

No. 405. (1.) It shall not be lawful for any person to paste or affix any paper or advertisement upon any building, wall or tree within the City; and for a violation of this Ordinance, the person affixing or causing the same to be affixed, or the person for whose use and benefit the same may be done, shall be fined for each offence in a sum not exceeding five dollars, one half to go to the informer.

$5 fine.

Ordinance 4th May, 1854.

Defacing, &c., buildings.

No. 406. (1.) No person or persons shall, within the limits of the City of Savannah, write, carve, indite, paste, paint, or in any manner deface, or cause to be written, carved, indited, pasted, painted or in any manner defaced, or write or cause to be written, any marks or letters with any materials whatsoever, upon any public building, the property of the City of Savannah or of the United States, or upon the property of any person or persons, corporation or corporations.

Cutting, &c., trees.

(2.) It shall not be lawful for any person within the limits of the City of Savannah, to cut, destroy, or injure in any manner, any of the public trees in the streets or squares, or any of the pailing, benches or boxes around the trees, or any other property of the City of Savannah.

Throwing brick-bats, &c.

(3.) It shall not be lawful for any person within the limits of the City of Savannah, to cast, throw or fling any stones, brick-bats, or any other thing in the squares, streets, lanes or alleys, or in any other public place in the City of Savannah, or in or at or against any of the trees or boxes around the trees in said City.

Duty of officers to arrest persons violating, &c.

(4.) It shall be the duty of any and every officer of the City of Savannah, who shall see any person violating any of the provisions of this Ordinance, immediately to arrest such person and take him or her to the guard-house, there to be detained until discharged by the written order from the Mayor or any one of the Aldermen of the City of Savannah; and any officer failing or neglecting so to do, shall, upon conviction before the Police Court, be fined not less than ten dollars.

$10 fine if officer neglects, &c.

Penalty for violating this Ordinance, $10, &c.

(5.) If any person shall violate any of the provisions of this Ordinance, he shall, or they shall, on conviction before the Police Court, if an adult person, be fined in a sum not less than ten dollars, nor more than one hundred dollars—one half to be paid to the informer, the other half to the City Treasury, and in default of the payment of such fine and all costs, the person so offending shall be imprisoned in the common jail of the County of Chatham, for not less than five days, nor more than thirty days; and if a slave or free person of color, shall be fined in a sum not less than ten nor more than one hundred dollars, or receive not less than ten nor more than thirty-nine lashes, at the discretion of the Mayor or person or persons presiding at the Police Court.

(*See Titles, "Public Property," "Springfield Plantation."*)

PRIVIES.

Ordinance 2d Aug., 1839.

Privy, how built.

No. 407. (2.) No privy shall be hereafter erected within the limits of the City, unless the same be built or sunk with brick or stone, at least six feet below the surface of the lot upon which it is sunk, and be built at least one foot above the surface; and if any person shall violate this section, he, she, or the owner, or lessee of the premises shall forfeit and pay a sum not exceeding fifty dollars for each and every offence, and the said privy shall be rebuilt in the manner prescribed by this Ordinance, or be filled up. (Amended—see No. 408.)

Ordinance 25th Aug., 1853.

Privy vault and flue; floor.

No. 408. (1.) When any privy built within the corporate limits of this City, with a vault under it, shall have a flue connected with said vault and extending one foot or more above the roof of said privy, and the floor of the privy shall be one foot above the surface of the earth, and if any person violates this section, he or she, or the owner or lessee of the premises, shall on conviction before the Mayor, forfeit and pay a sum not exceeding fifty dollars for each and every offence, and for each and every day that the said privy remains without the aforesaid flue.

Penalty $50.

(*See Title, "Board of Health," for time of cleansing Privies.*)

PROFESSIONS AND CALLINGS.

(See Title, "Income and Commission Tax.")

PUBLIC BUILDINGS.

No. 409. Engine Houses, Exchange, Fireman's Hall, Guard House, Jail, Market, Massie Common School House, Pest House, Pound, and Powder Magazine.

PUBLIC MONIES.

Ordinance 19th Feb., 1857. (James P. Screven, Mayor.)

CITY DEPOSITES.

City subscription of $500,000; Central Railroad Stock.

AN ORDINANCE, To repeal an Ordinance entitled "An Ordinance to provide for the payment of the interest on the City Loan of five hundred thousand dollars, lately negotiated with certain Banks of this City, and to provide a place of deposit for the funds of the City, passed in Council 31st January, 1839."

City money deposited in Central Railroad Bank

WHEREAS, Council did, on the 31st day of January, 1839, pass an Ordinance directing the money and funds of the City to be deposited in the Central Rail Road and Banking Company:

Because said Company guaranteed payment of the interest upon the bonds.

AND WHEREAS, said Ordinance was passed because said Company had engaged to guarantee the payment of the interest on the bonds which the City was then about to issue:

Bonds redeemed guaranty is at an end.

AND WHEREAS, the said bonds have matured and are either paid or money is provided and in the City Treasury for their payment, and therefore there being no longer any responsibility resting on said Company for interest:

City funds to be deposited in any bank selected by the Mayor.

No. 410. (1.) That said Ordinance be, and the same is hereby repealed, and that the funds of the City may be deposited in any bank of the City selected by the Mayor.

PUPLIC PROPERTY.

Ordinance 2d August, 1839.

Not lawful to take away fire ladders or hooks

No. 411. (1.) It shall not be lawful to take away any of the fire ladders or hooks from the place where they usually are or ought to be deposited under any pretence whatever unless it be for public purposes.

Or to destroy pumps.

(2.) If any person is convicted of wantonly destroying any of the public pumps, or parts belonging thereto, or of digging up,

Or injure trees, &c.

cutting down, removing or injuring any tree, post or enclosure, which has been already planted or erected in or on any street, lane, square or wharf in said City or which may be hereafter erected as aforesaid, or of driving any hook or other piece of

Or drive hooks, &c., into trees.

iron into any of the trees as aforesaid (whether planted by individuals or otherwise,) or of hitching a horse to any tree planted as aforesaid (Ordinance of 27th July 1853, says, "or of hitching any animal to any tree planted as aforesaid, or to any

Or hitch horse to any tree, fence, railings, gates, enclosures, public pumps, lamp posts, or to injure, &c., public property, &c.

part of the fences, railings, gates or enclosures of the public squares, places or buildings or to any one of the public pumps or lamp posts;") or of painting, marking, breaking, defiling or in any wise injuring any public monument or other public property, now erected or which may hereafter be erected in or on any street, square, lane or wharf in said City, he or she shall be punished as is hereinafter specified, *Provided, nevertheless,* that

Proviso as to trimming trees.

nothing herein contained, shall prevent the Mayor or acting Mayor or the Street or Lane Committee from permitting the removal of, cutting down or trimming any tree or trees, whenever a proper cause is made known to him. (Ordinance passed 27th July, 1853, says, "*And provided also,* That it shall be the

Duty of Marshal, &c. to file information and impound any animal hitched to a tree, &c.

duty of the Marshal, City Constables or other public officer, discovering any animal hitched as is hereinbefore prohibited, not only to file an information against the owner, rider or driver of such animal, but to take the animal itself and impound it, until the payment of all fines and costs which may fall upon the offender, as well as the expenses of impounding or until good and sufficient security shall be given for the payment of such fines, costs and expenses.")

(See Ordinance of 11th Dec., 1857, as to the boxes around the public trees, &c., Title, "Streets and Lanes," Sec. 3.)

(3.) If any person shall ride, lead or drive any horse, mule

No animal to be rode, &c., between the trees, or over the sidewalks or footways.

or other animal usually ridden or used for draft, in any sort of carriage whatsoever within or between the double row of trees in the centre of South Broad street, or the double and trible row of trees on the Bay (except through or across the said trees, when they are intersected by the streets) or who shall ride, lead or drive the same, over any of the sidewalks or footways within the said City, he or she shall be punished as is hereinafter specified.

Penalty $100.

(5.) Upon the conviction of any violation of any of the provisions of this Ordinance the offender may be fined in a sum not exceeding one hundred dollars, at the discretion of the Mayor, Chairman or Aldermen presiding at the police court or of the Council, or if the offender be a slave or free person of color, corporal punishment not exceeding fifty lashes, may in like manner be ordered for each and every offence, unless the master or employer of such slave, or guardian or friend, of such free person of color will pay the fine imposed upon such slave or free person of color; and the said fines and forfeitures may be levied recovered, collected and enforced in the manner prescribed by law, and one half thereof shall be paid when collected to the informer, and the remainder shall be paid to the City Treasurer for the use of the City.

How enforced.

(*See Titles, "Private and Public Property," "Springfield Plantation."*)

PUBLIC SALES.

Ordinance 20th Dec., 1816.

Sales of lots, &c., shall take place at the Court House 1st Tuesday of each month.

No. 412. (1.) No sale of lots or other property by virtue of any Ordinance for the collection of rent, taxes or assessments shall take place but on the first Tuesday of each month, at the Court House in this City.

Marshal's advertisement.

(2.) The Marshal before selling any lots or property in arrears for rent, taxes or assessments, shall advertise the same for at least thirty days, and state (if real estate) the number of tything, ward, square and street of the said lot or lots, and also the name or names of the owner or owners of the said lot or lots as may appear in the books of the Treasurer from the last person who paid the rent, taxes or assessments, and in all cases the property so advertised shall be fully described.

How offered for sale.

(3.) *And be it further ordained,* The sale of all real estate advertised for rent, taxes or assessments due to the City, shall be made by the Marshal's offering in the most public and audible manner, the described premises for lease for one year, and if no bid be given therefor, to offer the same publicly and audibly for two years, and in the case of no bid, then to proceed until he offers the premises for lease for ten years, and if no bid be given at a lease of ten years, he shall then proceed to offer the same in fee, subject to the same conditions of the Ordinances under which the premises are held, and the said Marshal is hereby authorized to execute a lease or leases, or deed in fee simple for the premises sold under this Ordinance.

Property to be advertised in one column.

(4.) All property advertised under this Ordinance be placed in one column of papers in which the same are advertised, headed "City Marshal Sales," and that in no instance (if possible) the advertisements be scattered in such papers.

All repugnant Ordinances.

(5.) All Ordinances or parts of Ordinances so far as the same are repugnant to or militate with the provisions of this Ordinance be and the same are hereby repealed.

Sales of real estate.

(6.) All sales of real estate made by the Marshal or sold under any Ordinance of the City, the same shall be superintended by a Special Committee of Council, whose duty it shall be to attend such sales and direct the Marshal or officer selling as circumstances may require.

Special Committee of Council.

Notices of re-entry.

(7.) In all notices given by the Marshal for the re-entry of lots, the name or names of the owner or owners, or of the person or persons who last paid rent, shall be inserted (with a full description of said lots,) in the advertisement.

Ordinance 19th June, 1820.

WHEREAS, offering, or exposing for sale, or lease any lot or lots, store, or buildings belonging to the City which is or may be under an anterior lease is a most unprofitable and injurious manner of disposing of public property, as few persons will buy or lease property the possession or benefit whereof is delayed for years or months.

No offering for sale lots under lease until lease has expired and the City has actual possession.

No. 413. (1.) No lot or lots of land, store or building belonging to the City, and under lease, shall at any time hereafter be sold, disposed of or leased by Council or any of its officers, until the final expiration of such former lease or leases, and actual possession of the premises vested in the City.

All other sales void.

(2.) Any sale, disposition, or lease of any lot or lots, store or building belonging to the City disposed of or leased contrary to this Ordinance shall be void and of no effect.

PUMPS.

Ordinance 2d August, 1839.

Pump Contractor when elected; duty.

No. 414. (1.) At the first regular meeting in January, in each and every year, the Council shall elect a Pump Contractor, whose duty it shall be to keep in order the public pumps and cisterns for the period of one year thereafter, for such sum of money as may be specified in the proposals of such Pump Contractor, accepted by said Council. (Amended, viz: Ordinance 15th Dec., 1853, says, "That the 10th section of the above recited Ordinance, be amended by adding thereto the following words, viz: which contract shall include the cleaning out of the wells and cess pools to their original depth, and when required by the committee on pumps, to be deepened beyond their original depth and the pumps lengthened, there shall be an additional allowance for the same at rate per foot, which rate shall be specified in the bid or proposal of each person.")

What to be specified in proposal.

Ordinance 2d Aug., 1839. *Nuisances.*

No animal to be watered within 30 feet of a pump.

No. 415. (9.) If any person shall water any animal of any kind within thirty feet of any public pump, (except the pump at the base of the Exchange,) he or she shall be fined, if a white person, in a sum not exceeding thirty dollars, and if a slave or free person of color, in a sum not exceeding thirty dollars, (to be paid by the owner of such slave,) or to be whipped not exceeding thirty-nine lashes.

Penalty $30.

No animal, &c., to be washed at the pump, nor filth or dirt thrown upon or near a pump.

(12.) If any person shall at any of the public pumps wash any animal, carriage, clothes of any description or any other thing, or do any other act whereby filth or dirt of any kind shall be thrown upon or near any of the said pumps, he or she shall forfeit and pay a fine not exceeding ten dollars, if a white person, and if a slave or free person of color, he or she may be whipped not exceeding twenty lashes, unless the owner of such slave, or guardian or friend of such free person of color will pay the fine imposed.

Penalty $10.

QUARANTINE—LAZARETTO.

State Law, Approved March 26th, 1767. (Marbury & Crawford's Digest, page 344.)

Preamble.

AN ACT to empower the Commissioners therein named to purchase from Josiah Tattnall, Esq., his executors or administrators, one hundred and four acres of land, for the purpose of erecting a lazaretto upon Tybee Island.

One hundred and four acres of land on Tybee Island, to be purchased, for the erection of a lazaretto, &c.

No. 416. (1.) *Whereas* the frequent importation of cargoes of slaves into this province, renders it necessary to have some buildings erected in a convenient and safe place, where such slaves can be landed, and in case of distempers being among them, be properly lodged and attended. *And whereas*, the general assembly of this province have thought the westernmost point of Tybee Island, and within the creek, a proper place for that purpose, which land is the property of Josiah Tattnall, Esq. *Be it therefore enacted*, That immediately from and after the passing of this Act, it shall and may be lawful for the Commissioners hereinafter named, or any three of them, to accept and take from Josiah Tattnall, Esq., his executors or administrators, a fit deed of conveyance in the law, by him or them to be duly executed, whereby to vest in them, the said Commissioners, and the survivors or survivor of them, and the heirs of such survivor, in trust to and for the use of the public of this province forever, one hundred and four acres of land, situate and being upon the island of Tybee, in the said province, and being the westernmost point of the said island, and for the purpose of erecting a lazaretto, and other buildings; and of which premises the said Commissioners, and the survivors of them, and the heirs of such survivor, shall stand seized for the use of the public of this province as aforesaid, and upon receipt of such deed or conveyance to pay to the said Josiah Tattnall, his executors, administrators or assigns, the sum of seventy pounds, lawful money of the said province, for the purchase thereof, which sum of seventy pounds the treasurer is hereby directed and empowered to pay to the said Commissioners, or any three of them, out of the produce of the tax for the present year.

Vested in Commissioners for Public Uses.

Commissioners nominated.

(2.) The Honorable Noble Jones, Grey Elliot, and Alexander Wylly, Esqs., and Joseph Gibbons, and John Smith, Esqs., be, and they are hereby nominated and appointed Commissioners for executing and putting in force this Act, according to the true intent and meaning thereof. (*See Sec.* 26.)

QUARANTINE.

State Law, Approved Dec. 14th, 1793. (Cobb's Digest, page 368.)

AN ACT, To oblige vessels and persons coming from places infected with epidemical distempers to perform quarantine, and to prevent the bringing in and spreading malignant and contagious disorders in this State.

WHEREAS, It is highly necessary to preserve the health of the inhabitants of this State, that vessels, persons, or merchandize, coming from places infected with malignant or epidemical distempers should perform quarantine, and means adopted to prevent the spreading of such disorders.

Quarantine when and how to be performed.

No. 417. 1. (1.) When any country shall be infected with the plague or other malignant distemper, all vessels, boats, persons and goods shall be subject to, and liable to perform quarantine, as in this Act directed, (See No. 425, Sec. 21, for penalty,) and during such quarantine, no person or persons coming, or goods imported in any such ship, vessel, or boat, shall come on shore, or go on board any other ship, or vessel, or boat, or be landed, or put into any other ship or vessel, or boat, in any place within this State, other than such place as shall be appointed for that purpose; nor shall any person go on board any such ship, or vessel, or boat, without license first had and obtained, in writing, under the hand of such person or persons who shall be appointed to see quarantine performed; and the said ships, or vessels, or boats, and the persons and goods coming and imported in, or going on board the same, during the time of quarantine; and all ships, vessels, boats and persons receiving any persons or goods under quarantine, shall be subject to such orders, rules, and directions, touching quarantine, as shall be made by the authority directing the same.

All persons not complying with this Act to be punished.

2. (2.) If any commander, or master, or other person taking the charge of any ship, or vessel, or boat, coming from any place infected as aforesaid, shall go himself, or permit, or suffer any seaman or passenger to go on shore, or on board any ship, or vessel, or boat whatsoever, during the quarantine, or until such ship, or vessel, or boat shall be discharged from quarantine, without such license as aforesaid: And if any person or persons whatsoever, who shall arrive in any port or place within this State, in any ship, or vessel, or boat, which shall, by reason of his coming from any country or place infected with any contagious distemper, be obliged to keep quarantine, shall quit such ship, or vessel, or boat, by coming on shore, or going on board any other ship, or vessel, or boat, before or while under quarantine, it shall and may be lawful for the person or persons appointed to see such quarantine duly performed, and they are hereby required to compel such person or persons to return on board of

such ship, or vessel, or boat, and there to remain during the time of quarantine. (For the penalties, see secs. 12 and 13.)

Persons going on board such vessels without license, compelled to remain there.

3. (3.) If any person or persons whatsoever shall presume to go on board, and return from such ship, or vessel, or boat, required to perform quarantine, before or during the time of quarantine, without a license as aforesaid, every such offender shall be compelled, and in case of resistance, by force and violence, be compelled by the person or persons appointed as aforesaid, to return on board such ship, or vessel, or boat, and there to remain during the time of her quarantine, and shall afterwards be liable to a fine or imprisonment, as hereinbefore directed, in case of persons quitting a ship, or vessel, or boat performing quarantine, and to be disposed of as in that case provided; and the master of such ship, or vessel, or boat, is hereby obliged to receive and maintain such person on board accordingly.

Boats, &c., may be seized.

4. (4.) It shall and may be lawful for any officer of the customs, or such as shall be appointed to take care that such quarantine be duly performed, to seize any boat or skiff belonging to such ship, or vessel, or which shall therewith be found, and to detain the same until the quarantine shall be performed; and in case any officer, or other person instructed as aforesaid, shall voluntarily suffer any seaman belonging to such ship, or vessel, or boat, or any passenger therein, to quit such ship, or vessel, or boat, while under quarantine, every such offender——[For penalties, see secs. 12 and 13.]

Collusion in quarantine officers.

To be relieved after due performance.

5. (5.) After the quarantine shall have been duly performed according to the directions of this Act, and upon proof to be made by oath of the master, or other person having charge of said ship, or vessel, or boat, and two of the persons belonging to the ship, or vessel, or boat, before any one of the Justices of the Peace of this State, that such ship, or vessel, or boat, and all and every person therein, have duly performed the quarantine as aforesaid, and that the ship, or vessel, or boat, and all the persons on board, are free from any infectious distemper; then, in such case, such Justice is hereby required to give a certificate (gratis) thereof, and thereupon such ship, or vessel, or boat, and all and every person therein, shall not be liable to any further restraint, by reason of any matter or thing contained in this Act.

Goods brought in such vessels to be aired.

(6.) *Provided nevertheless, and be it further enacted,* That the goods imported in such ships, or vessels, or boats, shall, after such quarantine performed, be opened and aired, in such places and for such time as shall be directed concerning the same.

Measures to prevent the spreading of contagious disorders.

6. (7.) Whenever the Governor or Commander-in-chief for the time being shall find it necessary to give any orders or directions for preventing any contagious distemper from being brought into this State, or from any part of this State infected therewith, into any uninfected part of this State, by persons traveling by land or by water, it shall and may be lawful for the said Governor or Commander-in-chief, by proclamation for that purpose to be issued, to prohibit all and every person or persons coming from

such infected places, to enter into or come within such bounds, limits, or lines as shall be in such proclamation described, for and during such time as shall be therein mentioned, and to appoint boats and sentinels to put the same in due execution; and the persons appointed, and every of them, shall have the same power to compel any person attempting to pass through or within such bounds, limits or lines, to return, as is by this Act given to the persons to be appointed for seeing quarantine duly performed, and shall be liable to the same penalties for suffering persons wilfully to pass through or within the same; and all and every person or persons wilfully passing through or within the said bounds, limits, or lines, shall be liable to the fine or imprisonment hereinbefore directed in case of any persons quitting any ship, vessel, or boat performing quarantine, and to be disposed of as in that case provided. (*See No.* 396, *Sec.* 16.)

Pilots shall inquire into the health of crews.

7. (8.) The Pilot or Pilots belonging to the several ports of this State, do before his or their entering on board any ship or vessel designed for this State, make strict inquiry of every master or commander of the same, whether the plague, small pox, malignant fever, or any other contagious distemper be in such ships or vessels; and every such master or commander is hereby strictly enjoined, without equivocation or reserve, to give just and true answers to all such inquiries of the said Pilot or Pilots, under the penalties hereinafter mentioned and expressed; and in case the said Pilot or Pilots shall, upon inquiry as aforesaid, find that the plague, small pox, malignant fever, or any other contagious distemper be in such ship or vessel, such Pilot or Pilots, are strictly forbidden and prohibited from entering therein on any pretence whatever. [The rest of this and the whole of the next section is abrogated by secs. 12 and 13.]

The Governor to enforce quarantine by proclamation.

8. (10.) On the notification of such Corporation, Justices or others herein empowered, after notifying to the people of the district they live in, of the necessity of ordering quarantine to be performed, forthwith to transmit by express or post, an exact account and statement thereof to the Governor and Commander-in-chief for the time being, who is directed to publish the same by proclamation, enjoining and requiring a due obedience to the rules adopted for the preventing contagious distempers being spread in this State, and a due obedience of the duties required of such regulations accordingly.

Fees of the Health officer.

9. (11.) The health officer of the Port of Savannah, and the visiting physicians of any other port, that shall visit any vessel or vessels, and grant a certificate of the health of the crew and passengers on board, or visit the same, if directed so to do, under this law, shall be entitled to have and receive the following fees from the captain or owner of such vessel, before such vessel shall be permitted to enter; for every ship, snow, brig or bilander, two dollars; for every schooner, sloop, perriager or boat, one dollar; coasting vessels coming from one inlet in the State to another inlet in the same, excepted.

State Law, Approved, Dec., 10th 1803. (Cobb's Digest, 371.)

WHEREAS, the high fines and penalties inflicted by the Act aforesaid, (of Dec. 14, 1793,) and the difficulties attending the conviction of offenders, together with the want of sufficient power in the Corporation of the City or Savannah to enforce the same, tend to render the said Act ineffectual, and to defeat the salutary purposes intended thereby:

Jurisdiction of Savannah in cases of quarantine to extend from Ossabaw to Tybee.

No. 418. 11. (1.) The jurisdiction of the Corporation of the said City of Savannah, shall in cases of quarantine, extend to all ships and vessels which shall enter any port or inlet from Ossabaw Sound to Tybee, including all inlets, rivers and creeks within those limits.

The powers of the Mayor and Aldermen of Savannah in carrying into effect this and the former Act.

12. (2.) It shall and may be lawful to and for the Mayor and Aldermen of the said City, and they are hereby vested with full power and authority to take cognizance of, and inquire into all violations of the said Act, committed within the limits aforesaid; and upon such inquiry the said Mayor and Aldermen shall and may, as they shall think proper, according to the nature and degree of the offence, either bind the offender or offenders over to appear at the next Superior Court, to answer to any indictment that may be preferred against him, her or them, in terms of the said Act; or they may proceed against such offender or offenders in a summary manner, as is usual and customary with the said Corporation in other cases, and inflict and levy such fine or fines on the offender or offenders, not exceeding $50, for each and every offence, as they in their judgment shall think fit and necessary, to deter others from offending in like manner; and in case no goods or chattels shall be found, whereon to levy such fine or fines as aforesaid, then it shall be lawful to, and for the said Mayor and Aldermen to commit the offender or offenders to the common jail, there to remain without bail or mainprize, for a term not exceeding one month, or until the said fine or fines, together with the costs and charges of prosecution, shall be fully paid and satisfied; any thing in the said Act contained to the contrary hereof in any case notwithstanding. [And see sec. 15.]

The same powers given to the Justices of the County and Commissioners of towns adjacent to rivers and inlets not included above.

13. (3.) With respect to the other rivers and inlets of this State, the same powers which are hereby vested in the Corporation of Savannah, is, and are hereby given to and vested in the Justices of the County, or Commissioners of the Town adjacent to such inlets or rivers, or the Commissioners of Pilotage of the port, as it may happen; and they are hereby authorized to proceed in the same manner as is hereinbefore mentioned, with respect to the Mayor and Aldermen of Savannah.

Corporation of Savannah may remove infected persons.

14. (4.) It shall and may be lawful to and for the said Mayor and Aldermen, to remove from the said City, any person or persons who may be infected with the small pox, or other contagious disorder, to such place or places without the limits thereof as they may appoint for that purpose.

State Law, Approved Dec. 2d, 1805. (Cobb's Digest, page 373.)

WHEREAS, it is highly expedient that the Corporation of the City of Savannah should exercise the power of compelling vessels coming from ports or places suspected to be infected with contagious or malignant diseases, to perform quarantine; *And whereas*, doubts have arisen whether the said Corporation is invested with such power under existing laws; for the removal of which doubts.

Corporation of Savannah may stop infected vessels or persons until searched and purified.

No. 419 15. (1.) It shall be lawful for the Corporation of the City of Savannah, whenever they shall have reason to suspect that any vessel or vessels, person or persons, has or have sailed, or come from any port or place infected, or supposed to be infected with any malignant or contagious disorder, by resolution or order to require and compel the said vessel or vessels, so arriving, or person or persons, to come to anchor, or stop at any place by the said resolution or order pointed out, until an examination is made by the health officer as to the state and condition of the said vessel or vessels, person or persons, and until sufficient purification shall have taken place, and a certificate of the health officer obtained to that effect.

AN ACT, to prevent the introduction of Passengers who are Aliens, into the Port of Savannah during the months of July, August, September and October.—Approved Dec., 22d, 1819. (Cobb's Digest, page 373.)

WHEREAS, it has been the practice of masters of vessels to bring numbers of passengers, natives of foreign countries, into the Port of Savannah, during the sickly months, thereby exposing to almost certain death individuals whose constitutions are but illy adapted to the insalubrious climate of that City, and thereby subject the community to an onerous expense:

Masters of vessels arriving in the sickly mo's shall report their passengers to the Mayor.

No. 420. 17. (1.) Any master or commander of any ship or vessel arriving between the first day of July and the last day of October, inclusive, from a foreign country, or from any other part of the United States, who shall enter his vessel at the custom house in the City of Savannah, shall within twenty-four hours after such entry, make a report in writing on oath to the Mayor of said City, of the age, name and occupation of every person, who shall have been brought as passenger in such ship or vessel on her last voyage, upon pain of forfeiting for every neglect or omission to make such report, the sum of $75, for every alien neglected to be so reported aforesaid.

And give security for their maintenance six months.

18. (2.) It shall be lawful for the said Mayor, or in his sickness or absence, any person legally authorized to act in his place, to require every such master of such ship or vessel, to be bound with two sufficient sureties to the Mayor and Aldermen of the City of Savannah, in such sums as the Mayor or such person so legally authorized as aforesaid, may think proper, not exceeding $300 for each passenger, to indemnify and save harmless the said Mayor and Aldermen, and the Commissioners of the poor-

house and hospital, and their successors, from all and every expense and charge which shall or may be incurred for the maintenance and support of any such person so introduced, and for the maintenance and support of the child or children of any such person which may be born after such importation, in case such person so imported, or any such child or children, shall at any time within six months after the said importation become chargeable to said City: and if such person so brought as aforesaid, and not being a citizen of the United States, shall be permitted or suffered to land within the said City from any such ship or vessel, before such bond shall be given, and without a permission in writing from the said Mayor, or person so legally authorized as aforesaid, the master or commander of such ship or vessel shall be subject to the penalty of $300 for every person so suffered or permitted to land as aforesaid.

Penalty for failure.

Penalty for landing them to evade this Act.

19. (3.) If any person who may have been a passenger in any such ship or vessel, and not being a citizen of the United States, shall be suffered to land from such ship or vessel at any place within the distance of fifty miles from the said City, with intent to proceed to the said City, otherwise than in the said ship or vessel, the master or commander thereof shall be liable to the like penalty of $300 for every such person so suffered or permitted to land.

Report must be made by householders of any in their houses.

20. (4.) If any householder in said City shall knowingly entertain in his house or family, any alien so landed as aforesaid, and shall not report such alien to the said Mayor, or in case of his sickness or absence, any person legally authorized to officiate in his place, within the twenty-four hours after such entertainment commences, he or she shall forfeit and pay the sum of $50 for every such alien so entertained.

Penalties how recovered and applied.

21. (5.) All and singular the said penalties and forfeitures arising in said City, shall and may be sued for and be recovered with full costs of suit by action of debt, in the Superior Court of this State, in the name of the said Mayor and Aldermen, and when recovered by them shall be applied towards the support of the poor of the said City, and the defendant in every such suit shall be held to special bail, and upon every such trial for any penalty or forfeiture supposed to be incurred by the landing of any such persons as aforesaid within the said City, the same landing shall be presumed unless the defendant shall prove that the said person was taken or sent to some foreign country without having been suffered to land as aforesaid.

Burthen of proof.

Penalties may be compounded.

22. (6.) It shall be lawful for the said Mayor and Aldermen to compound for the said penalties and forfeitures, or any of them, either before or after suing for the same, upon such terms as the circumstances of the defendant or of the case may in their judgment require.

The ship or vessel liable for penalties.

23. (7.) Every ship or vessel from which such aliens shall have been so landed without permission in writing from the said Mayor or person so legally authorized as aforesaid in his place,

shall be liable for the said penalties, and may be proceeded against by attachment or any other mode in similar cases allowed by law, unless the owners thereof or their agents shall give bond with sufficient sureties to the Sheriff or his deputy, in the name of the Mayor and Aldermen, for the payment of the said penalties and every of them which may have been incurred during or since the last voyage of the said ship or vessel, or for paying the value of such ship or vessel towards the satisfaction of such penalties as may have been so incurred by suffering any alien to land as aforesaid, and such value shall be ascertained by the wardens of the port of Savannah, or any two of them.

AN ACT, To authorize the punishment of persons concealing the existence of Small Pox or certain other contagious diseases—Approved Dec., 22d, 1830. Pam. 158.

Physicians in Savannah concealing small pox, &c., may be fined and imprisoned.

No. 421. 25. Any physician or other person or persons who shall be knowing to the existence of any case of plague, small pox, varioloid and their modifications, within the City of Savannah, or in its vicinity, and so knowing shall wilfully conceal the same, or who shall not immediately and promptly give information thereof to the health officer of said City, or to the chairman of the board of health, he, she or they shall be indicted for the same, and upon conviction, shall be subject to imprisonment not exceeding twelve months in the common jail, and a fine not exceeding $500, both at the discretion of the Court.

AN ACT, to empower the Mayor and Aldermen of the City of Savannah, and hamlets thereof to purchase land for the erection of a Lazaretto, and give them jurisdiction over the same.—Approved Dec., 26, 1831. Pam. 245.

Preamble.

No. 422. 26. WHEREAS, the preventing the propagation and spreading of small pox and other contagious diseases is a subject of deep interest to the State generally, and that any expense incurred should be borne by the citizens at large; and whereas, the said disease and others of a contagious character are more liable to occur in the principal seaport of the State, than in any other section, whereby the commerce and intercourse with other sections thereof may be greatly impaired and soon destroyed, to the injury and detriment of the citizens and the revenue of the State; for remedy whereof,

Corporation of Savannah may purchase land for lazaretto.

It shall and may be lawful for the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, to purchase for the use of said City as much land in the County of Chatham as may be deemed by them necessary for the erection of a Lazaretto, or suitable building wherein persons infected with, or laboring under small pox, or any contagious disease, shall be detained and kept, in pursuance of the quarantine laws of this State, until relieved or permitted to leave the same by the Mayor and Aldermen aforesaid; and that the said Mayor and Aldermen shall have the same powers and like jurisdiction over the land so purchased as they now have within the jurisdictional limits of the City of Savannah as at present limited, so long as the same shall be used for the purposes herein contemplated.

State Law, Approved Dec. 29, 1836. Pam. 181.

Inferior Courts and Corporations authorized to provide for the sick, and prevent the spreading of infection.

No. 423. 27. (1.) The Justices of the Inferior Court of any County, or the corporate authorities of any City in this State, within the limits of which any infectious disease may appear, are, and they are hereby authorized and empowered to provide a suitable temporary hospital for the afflicted, to furnish them with subsistence, medicine and nurses, and they are hereby further authorized to provide a guard to prevent the communication with others of the sick and their attendants, and to order the destruction of infected clothing, and also the interment of the dead.

State Law, Assented to Dec. 9, 1843. (Cobb's Digest, page 377.)

Governor to furnish vaccine matter for gratuitous distribution.

No. 424. (1.) That all laws and parts of laws requiring the expenses incurred on account of small pox and other pestilential diseases to be paid from the State Treasury, be, and the same are hereby repealed; and that his Excellency, the Governor, cause a supply of vaccine matter to be purchased and kept on hand at different and convenient places throughout the State, to be furnished to the people, gratis, for inoculation, and that he pay for the same out of the contingent fund.

State Penal Code, 1833. (Cobb's Digest, page 816.)

Spreading small pox.

No. 425. (20.) Any physician, surgeon, or other person, wilfully endeavoring to spread the small pox, without inoculation, or by inoculation with matter of the small pox, or using any other inoculation than that called vaccination, unless by special commission or authority from the Inferior Court of the County where the small pox shall make its appearance, shall be indicted, and on conviction fined in a sum not exceeding $1,000, and be imprisoned in the common jail, at the discretion of the Court.

Penalty $1,000, &c.

Violation of quarantine.

(21.) Any person who shall come into this State, by land or water, from any place infected with contagious disease, and in violation of quarantine regulations, shall be indicted in any County in this State in which he may be found, and on conviction sentenced to pay a fine not exceeding $500, and also be imprisoned in the common jail at the discretion of the Court.

Penalty $500, &c.

(*See Title, "Health Officer."*)

RAFTS.

Ordinance 1st Nov., 1791.

Owners, &c., of rafts to remove binders, &c., in 6 hours.

No. 426. (5.) The owner or owners, consignee or consignees, of any raft of lumber or naval stores, or other person or persons having the charge, care or management of any raft of lumber, or naval stores, which at present may be in, or which may at any

time or times hereafter be brought to this port, shall immediately or within six hours after the breaking up of such raft, remove the frame, hoops and binders, and oars thereof, or cause the same to be removed and carried above high water mark.

Penalty £5.

(8.) If any person or persons shall in anywise offend against this Ordinance, or shall neglect or refuse to comply with the same, he, she or they so offending shall for the first offence, forfeit and pay a sum not exceeding five pounds; and for every offence thereafter a sum not exceeding twenty pounds, one half to the informer or person prosecuting for the same, and the other half to the use of the City, to be levied on his, her or their goods and chattels by warrant of distress and sale, under the hand and seal of the Mayor or any of the Aldermen.

Ordinance 18th May, 1854.

Raft limits.

No. 427. (1.) All rafts of timber, lumber, and wood shall, after the expiration of four days after the same has been brought in the Savannah Front River, be confined and kept within the following limits, to wit: On the south side of said Front River, to the south side of a line drawn from the extreme point of the wharf known as the mill wharf of W. B. Giles & Co., to the extreme point of the wharf known as the Upper Steam Rice Mill wharf. On the north side of said river, they shall be confined and kept to the north side of a straight line drawn parallel to the line of piling driven along the wharf commonly called Smets' wharf, and forty feet south of said line of piling. The said line so drawn, being extended east and west until it reaches Hutchinson's Island.

Excavation to be dug to the extent of 200 feet.

(2.) The proprietors of the shores on Hutchinson's Island, within said line so drawn, be, and they are hereby authorized to excavate and dig out to the extent of two hundred feet back from the present shore line on the Front River, and to such depth as may be necessary for the confining and keeping of rafts of timber and wood.

Fig Island Channel.

Keeping rafts therein.

(3.) Nothing in this Ordinance shall be so construed as to prevent the owners of rafts or persons engaged in the lumber trade from confining and keeping their rafts in the channel known as Fig Island channel, between Fig Island and Hutchinson's Island.

Penalty for keeping, &c., rafts longer than 4 days at any other place, $100 per day.

(4.) If any person or persons shall confine, keep or moor, any lumber, rafts, wood or timber, at any other point or place in the Savannah Front River for a longer period than four days after

the same has been brought into the Savannah River within the limits of the City of Savannah, such person or persons so offending shall on conviction before the Police Court, having first been duly notified to attend the same by a summons, to be served by the City Marshal or a City Constable, on the person so offending, specifying the time and place of the meeting of the same, which summons may be served on the owner of the said lumber, wood, raft or timber, or any person found in charge of the same, be fined in a sum not exceeding one hundred dollars for each day that the same may have been confined, moored, or kept contrary to the provisions of this Ordinance—one half of the fine to be paid to the informer, the other half to be paid into the City Treasury; and that said raft, lumber, wood or timber shall be subject to the payment of said fine, which shall be paid within twelve hours after the same shall have been imposed; and in default of such payment, it shall be the duty of the City Marshal, under and by virtue of an execution to be issued by the Clerk of Council, to proceed to levy upon said raft or rafts, lumber, wood, or timber, and after advertising the same for two days, he shall proceed to sell the same for the payment of the said fine and all costs and expenses.

How collected.

If lumber rafts, &c., are found moored longer than 4 days, and no owner appearing, &c., duty of Marshal, &c.

(5.) If any lumber, rafts, wood or timber, shall be found moored at any point or place in the Savannah Front River, for a longer period than four days after the same has been brought into the river within the limits of the City of Savannah, and no person shall appear to be the owner, or have charge of the said lumber, rafts, wood or timber, it shall be the duty of the City Marshal or any City Constable to seize the said lumber, rafts, wood, or timber, and to report the facts to the person or persons holding the Police Court, when a fine of not exceeding one hundred dollars shall be imposed by the said Court for each day that the same may have been confined, moored, or kept contrary to the provisions of this Ordinance, one half of the fine to be paid to the informer, the other half to be paid into the City Treasury; and the said Marshal shall, under and by the written order and direction of the person or persons holding the Police Court, after advertising the same for two days, proceed to sell the same for the payment of the said fine and all costs and expenses, shall pay over the residue of the proceeds of said sale to the owner of the said lumber, rafts, wood, or timber, or to any person by him duly authorized to receive the same.

RAILINGS OR ENCLOSURES.

Ordinance 19th August, 1839.

Railings or enclosures to line of lowest step.

No. 428. (8.) No railing or enclosure shall be erected by any person within the City unless the same shall be extended by the person putting it up, to the line of his or her lowest step, and in no case shall a railing or enclosure be erected within the line of the lowest step, and if a railing be extended beyond the line of the lowest step, the person erecting the same shall carry it out to the space allowed for steps, and no step or impediment shall be erected in any lane in the City to exceed two feet. (See this section amended and explained by Ordinances passed 7th August, 1845, and 12th November, 1846, below.)

No step in any lane to exceed 2 feet.

Encroachments, &c., how removed.

(10.) All encroachments and obstructions, contrary to the provisions of the 7th, 8th and 9th sections of this Ordinance, and all other obstructions not herein particularly enumerated, shall be removed in the manner pointed out by the 5th section of this Ordinance, (see 5th section Title "Streets and Lanes,") and the offenders and persons molesting or troubling the City Marshal and Constables in the execution of their duty, shall be punished and dealt with in the manner prescribed by the said fifth section of this Ordinance.

Ordinance 7th August, 1845.

No railing, &c., unless in front of a dwelling house; none but an iron or wooden railing beyond the line of lot; none in front of vacant lot.

No. 429. Nothing contained in the 8th section of said Ordinance, (of 19th Aug., 1839,) above mentioned, shall be so construed as to permit any railing or enclosure to be erected beyond the line of the lot, unless in front of a dwelling house, and that no brick or other fence, other than an iron or wooden railing, shall in any case be erected or put up beyond the line of the lots. And that no railing of any description, shall be erected in front of a vacant lot or lots not actually having a dwelling house thereon, and that whenever any railing is erected, in pursuance of the eighth section, as amended and explained by this Ordinance, the line of the lot shall be defined and enclosed, either by the house, or an inner fence. And that the said railing shall be erected as prescribed by said eighth section, as amended and explained by this Ordinance.

(*Penalties same as Sec.* 5, *Title "Streets and Lanes."*)

Ordinance 12th Nov., 1846.

No. 430. The Ordinance above mentioned of 7th August, 1845, be so amended, as to permit *open* railings, either of iron or wood, to be erected opposite the side walks of a dwelling house. *Provided*, the same shall not extend beyond one half the space allowed for said railings, as set forth in the eighth section, aforesaid.

Open railings of iron or wood opposite the side-walks of a dwelling house.

(*Penalty, same as Sec.* 5, *Title, "Streets and Lanes".*)

RAIL ROAD CARS AND LOCOMOTIVES.

Ordinance 3d Sept., 1857.

Flange wheels, how conveyed.

No. 431. (2.) All flange wheels, belonging to or appertaining to locomotive engines or rail road cars, shall be conveyed upon such conveyance as shall lift such flange wheels from off the Plank Road; and any person or persons violating the above shall be subject to a fine of fifty dollars, one half of such fine to be paid to the informer. (*See Title, "Locomotives."*)

Penalty $50.

RATES OF WHARFAGE, STORAGE AND DOCKAGE.

"See Title, "Wharfage, Storage and Dockage Rates."

REAL ESTATE—ALIENS.

State Law, Approved Dec. 21st, 1849.

(*Pamphlet Laws*, 1849–50, *page* 46.)

AN ACT to authorize aliens to receive, purchase, hold and convey, mortgage, or devise real estate.

Aliens filing his declaration of intention to become citizens of U. S. may hold.

No. 432. (1.) When any adult male alien citizen has come or shall come into this State to reside, and has given or shall give notice of his intention to become a citizen of the United States, according to the provisions of the Acts of Congress, such aliens shall be authorized to receive, purchase and hold real estate as fully and completely as if he were a citizen of the United States, and after he shall have become a citizen by taking the oath of allegiance in the manner prescribed by said Acts of Congress, shall be authorized to convey, devise or mortgage the said real estate or any part thereof.

Convey, devise, &c., real estate.

Female and minor aliens may do the same.

(2.) All adult female aliens and all minor aliens coming into this State to reside shall be authorized to receive, purchase and hold real estate, females to convey, devise or mortgage the same

without restriction upon their right to do so, and with the same power as to disposal thereof in males when they become citizens of the United States.

Dying the land does not escheat

(3.) In case of the death of any such male alien before he shall become a citizen of the United States the real estate held by him shall not escheat, but shall be disposed of as is provided by existing laws when land is devised to or descends to aliens.

REAL ESTATE—ASSESSMENTS.

Ordinance 29th Oct., 1857.

Assessors of real property, 3 to be appointed by the Mayor at 1st regular meeting of Council in January, to continue in office for 3 years subject to removal, &c.

No. 433. (9.) It shall be the duty of the Mayor of said City, by and with the advice and consent of the Aldermen, to appoint at the first regular meeting of Council in January next, and at the first regular meeting of Council in every third month of January thereafter, three fit and proper persons, being owners of real property in said City, who shall continue in office for three years, subject to suspension and removal as other City officers, and whose duty it shall be to assess the value of all real property in said City in the manner hereinafter pointed out.

Their oath.

(10.) Said assessors shall respectively, before entering on the duties of their office, take and subscribe, before the Clerk of Council, the following oath, or affirmation—to wit: I, (A. B.) do solemnly swear (or affirm) that I will perform the duties of assessor of real property in the City of Savannah, impartially, and without favor or affection to any person or persons; and that I will make a just and true return of all my actings and doings as such assessor, to the best of my knowledge and belief, so help me God.

Their duties.

(11.) Said assessors shall proceed to view all the real property within the limits of said City, subject to taxation, and to determine and assess the value of the same, and where they differ in opinion as to the value of any such property, the majority shall determine such value; and they shall make a written report of such assessments to the City Treasurer on or before the first day of February next, after the date of their appointment, designating in such report the location and valuation of all real property viewed and assessed by them, as nearly as possible by the numbers of the lots; and distinguishing between the value of lots, and buildings, &c., upon them, such assessment to be

Written report by 1st February.

Value lots and improvements separately.

subject to the approval of Council; and there shall be no appeal from any such assessment, but the same shall stand until the assessment in the third year thereafter, except that in cases where the property holder is dissatisfied with the assessment he may require the assessors to re-assess the same the ensuing year upon a month's notice; and it shall be the duty of said assessors, in the second and third years of their appointment, to proceed to view all buildings and other fixtures erected upon land since the last previous assessment, and all lots, the buildings and other fixtures upon which may have been destroyed by fire or other accident since the last previous assessment, and to determine and assess the value of the same; and to make a written report of such assessments to the said Treasurer on or before the first day of February, in such second or third year, designating as nearly as possible by the numbers of the lots, the location and valuation of such newly erected buildings and other fixtures; and there shall be no appeal from such assessments, but the same shall stand until the next general assessment under this Ordinance, except as before excepted.

If property holder is dissatisfied he can require a re-assessment the next year.

Duty of Assessors in 2d and 3d years.

(12.) Each of said assessors shall be entitled to receive out of the City Treasury, as a compensation for his services, the sum of four hundred dollars for the first year, and one hundred and fifty dollars for each of the remaining years aforesaid, payable on the completion of the return.

Their compensation, each $400 for 1st year, $150 for 2d and 3d years.

(13.) If any vacancy shall occur, from any cause whatever, in the number of said assessors, it shall be the duty of the Mayor of said City, with the advice and consent of the Aldermen to appoint some fit and proper person, being an owner of real property as aforesaid to fill such vacancy and the person so appointed shall take the oath, perform the duties, and receive the compensation above ordained.

Vacancies how filled.

REAL ESTATE, FORCIBLE ENTRY AND DETAINER.

State Penal Code, 1833. (Cobb's Digest, page 812.)

Forcible entry.

No. 434. (12.) Forcible entry is the violently taking possession of lands and tenements with menaces, force and arms, and without authority of law.

Forcible detainer.

(13.) Forcible detainer is the violently keeping possession of lands and tenements with menaces, force and arms, and without authority of law.

Punishment of forcible entry or detainer.

(14.) Any person who shall be guilty of a forcible entry, or a forcible detainer, or both, may be indicted, and on conviction shall be punished by fine, or imprisonment in the common jail of the County, or both, at the discretion of the Court: And the Court before whom the conviction takes place, shall cause restitution of possession of the premises to be made to the party aggrieved—*Provided, always*, that if the party forcibly detaining lands and tenements, or those under whom he claims, shall have been in peacable possession of the same for the space of three years or more immediately preceding the filing of the complaint, such person or party shall not be subject to the penalties of this section, nor shall restitution of possession be made. *And provided also*, that the only questions to be submitted to, and determined by the Jury in trials for forcible entry or forcible detainer, shall be the possession, and the force, without regard to the merits of the title on either side.

Unless 3 years possession.

Title not examinable.

Justices to try the fact by Jury.

(15.) Any one or more Justice or Justices of the Peace, upon complaint made on oath, of any forcible entry into lands or tenements, or of any forcible detainer of the same, shall have power to draw a Jury of twelve men from the Jury box of the district in which the lands and tenements so alleged to be forcibly entered or detained, are situated, and cause the Sheriff of the County or the Constable of the district, to summon them to be and appear at the usual place of holding Court of the said district, on a certain day to be appointed by the said Justice or Justices, for the purpose of trying the fact of such forcible entry or detainer: And the said Justice or Justices shall also issue a summons to be directed to the person or persons charged with such forcible entry, or detainer, and cause the same to be served on him or them by the Sheriff, or by the Constable, at least five days before the time appointed for trial, requiring him or them to appear and defend the charge alleged against him or them. And if all the Jurors should not attend, or if there should be any legal objection to any of them, then the Justice or Justices may cause the Jury to be completed by *tales* Jurors: And upon the trial, the only facts which the Jury shall inquire into, shall be the possession and the force; but they shall have no power to inquire into the merits of the title on either side. The following oath shall be administered to the Jurors, viz:—"You shall well and truly inquire whether A. B. has made any forcible entry into the lands or tenements of C. D. and him ejected therefrom, or forcibly detains the lands or tenements of the said C. D., and a true verdict give according to the facts as they may appear to you in evidence—so help you God." And if upon the trial of such case, the Jury shall find such forcible entry or forcible detainer, or both, then the said Justice or Justices shall give judgment accordingly, and cause

Oath of Jury.

On fact found, restitution to be made.

the Sheriff to make restitution of possession of the premises to the party aggrieved; *Provided, nevertheless*, that if the person or persons charged with such forcible entry or detainer, or those under whom he or they claim, shall have been in peaceable possession of the premises for the space of three years or more, as aforesaid, then no restitution of possession shall be made. *And provided also*, that no proceedings under this section shall exempt any person guilty of a forcible entry or detainer from indictment and punishment under and by virtue of the preceeding section of this division. (See No. 435 and 436.)

But not against 3 years possession.

No bar to indictment.

State Law, Approved January 12th 1852.

(*Pamphlet Laws*, 1851–2, *page* 261.)

AN ACT, to amend the fifteenth section of the ninth division of the Penal Code, as to service of summons upon persons guilty of forcible entry and detainer in certain cases.

WHEREAS, It so happens that persons residing on or near to the county line in one county are guilty of forcible entry and detainer or forcible entry or detainer, in the adjoining county; and, whereas, by the provision of said sections of the Penal Code, no mode is pointed out for perfecting service in such cases, for remedy whereof—

Service on persons guilty of forcible entry, &c., residing out of the County.

No. 435. (1.) When any person or persons shall be charged with forcible entry and detainer, or either, not residing in the county where the lands or tenements are alleged to be forcibly entered or detained are situated, service shall be perfected upon him, her or them, by the Sheriff or Constable, as though he she or they, resided in the county or district in which such lands or tenements are situated.

State Law, Approved February, 18th, 1854.

(*Pamphlet Laws*, 1853–4, *page* 42.)

AN ACT, to compel non-residents defendant (defendants?) in cases of forcible entry, forcible detainer or forcible entry and detainer to give bond and security in certain cases.

Forcible entry and detainer, non-resident defendants to give bonds for costs.

No. 436. (1.) All non-residents, defendents, who may forcibly enter or forcibly detain, or forcibly enter and detain, or who have already forcibly entered or detained, or who have already forcibly entered and detained, and against whom suit is now or may hereafter be instituted by his tenants any lot or parcel of land in any county in this State, shall be compelled to give bond and security for all costs and damages which may be recovered against him for such forcible entry or detainer or forcible entry and detainer; *Provided*, that such defendant shall not be compelled to give such bond until after the commencement of an action for such offence as now provided by law.

Not requirable until action brought.

Recoverable as in appeal cases, on failure to give bonds, posses-

(2.) That said bond shall be made payable to the Plaintiff in such action, subject to be recovered as in cases of bond given on appeal in this State, and on failure to give such bond the Jury

sion given to Plaintiff.

trying said cause shall award possession of the premises in dispute to the Plaintiff, any law or custom to the contrary notwithstanding.

REAL ESTATE—POSSESSORY WARRANT.

State Law, Approved Feb. 14th, 1854.

(*Pamphlet Laws*, 1853–4, *page* 52.)

AN ACT to protect the owners of lands or tenements against intruders and to provide a remedy for land owners in certain cases.

Lands, &c., summary process on affidavit that defendant is not a *bona fide* claimant.

No. 437. (1.) The following shall be a summary process for ejecting intruders from the possession of lands and tenements when any person shall subscribe an affidavit before any officer qualified to administer an oath, stating that he, either for himself or as agent for some other named person, does *bona fide* claim the right of possession to any land or tenement (describing it,) and that such land or tenement is in the possession of a named person, who does not in good faith claim a right to such possession and yet refuses to abandon the same; and when such affidavit shall be delivered to the Sheriff of the County where the land or tenement lies, then and in that case it shall be the duty of the Sheriff at the earliest practicable day to exhibit such affidavit to the person described as being in possession of the land or tenement, and to turn such person out of the possession, unless the person so in possession shall at once tender to the Sheriff a counter affidavit stating that he does in good faith claim a legal right to the possession of such land or tenement.

Sheriff to turn him out unless he tender a counteraffidavit.

Counter oath before the Plaintiff, fee $2.

(2.) The Sheriff shall be a competent officer to administer an oath for the purpose aforesaid to the person in possession, and he shall receive for the service prescribed by this Act the sum of two dollars to be paid by the applicant for the process.

Upon counter oath Sheriff to return the case to the Superior Court.

(3.) Whenever an affidavit in the terms of the first section of this Act shall be tendered to the Sheriff by the person in possession, then and in that case the process prescribed herein shall be stopped, the contending parties shall be remitted to their respective rights and the Sheriff shall deposit both affidavits in the office of the Clerk of the Superior Court of the County in which the land lies, upon which an issue may be made up and tried by a Jury according to the laws of this State, and if the finding is for plaintiff or morant, the Clerk shall issue upon the judgment a writ of *haberi facias possessionem*, including a *fi. fa.* for the cost.

Writ of possession if Sheriff succeed.

Tenant at will turned out under present Rent Laws.

(4.) Whenever a person shall be the tenant of another, upon land at will or sufferance or in any other way when there is no contract for rent that the landlord may proceed to recover possession of the same in the manner prescribed by the rent law of this State, to be returned and tried in the same manner, except there shall be no verdict (or?) judgment for any double rent.

REGISTRY OF VOTERS.

State Law, Approved January 22, 1852.

(*Pamphlet Laws*, 1851–2, *page* 408.)

No. 438. (1.) Relates to appeals from decisions of Freeholders under Act of Dec. 8th, 1849.)

Qualification of voters.

(2.) All persons shall be qualified to vote at elections for Mayor and Aldermen of the City of Savannah and the Hamlets thereof, who are citizens of the United States, have resided in the State of Georgia for one year immediately preceding the election, and continue so to do up to the time of election, and within the corporate limits of Savannah for one month immediately preceding their registration, who have attained the age of twenty-one years, and have paid all City taxes, or have in their own right sufficient real estate to satisfy any tax executions which may be issued against them, who have made all returns required by the Ordinances of the City, and have been registered according to the provisions of this act.

Registration list.

(3.) That the Clerk of the Common Council of the City of Savannah, and in case of his sickness or absence, any officer duly elected and appointed by the Mayor and Aldermen, or a majority of them for that purpose, shall open a list for the registration of voters on the first Monday in January in each and every year, which list shall be kept open until two o'clock p. m., on the first Monday in September ensuing, when it shall be finally and absolutely closed.

Mode of registry.

(4.) It shall be the duty of such Clerk or officer, upon the application in person, and not by proxy, of any person entitled to vote as aforesaid, within the time prescribed for the list to be kept open, to register the name of such person and deliver to him a certificate of such registry, expressing his name, number, and the date of registry.

Certificate.

Oath of applicant.

(5.) Such Clerk, or other officer, shall be authorized to require any applicant for registration to make an affidavit that he is entitled to vote according to the terms of this act, before issuing a certificate of registry.

Publication of list.

(6.) (By the 7th Sec. of an Act, approved March 4th, 1856, this 6th Sec. is altered and amended so as to read as follows: "That it shall be the duty of said Clerk or other officer to arrange and publish a list of the names so registered, in alphabetical order, in one of the gazettes of the City of Savannah, at least once a month from the first Monday in January to the Tuesday after the first Monday in October in each and every year, and affix and keep an alphabetical printed list of such names at the door of the Court House of the County of Chatham, and of the Exchange in the City of Savannah, for one week, from the Tuesday after the first Monday in October in every year.")

(7.) Each voter, at the time of giving his vote, shall produce

Voters to surrender certificates.

and surrender to the presiding Magistrates his certificate of registry, and no person unprovided with such certificate shall, under any circumstances, be permitted to vote.

Duplicates on the loss of the original.

(8.) In case of the loss or destruction of a certificate, the clerk or other officer shall be authorized to issue a duplicate at any time before two o'clock, p. m., of the (The 7th Sec. of an Act, approved March 4th, 1856, says: "Thursday before the second Monday in October,") upon the personal application of the voter to whom it was originally issued, accompanied with his affidavit to such loss or destruction.

Vacancy in Board how filled.

(9.) In case of the death or resignation of the Mayor or any Alderman, it shall and may be lawful for the Board to fill the vacancy, the person chosen having a majority of the votes of those present.

Oath of voter.

(10.) The presiding Magistrates shall be authorized to administer the following oath to any person attempting to vote: "You do solemnly swear that you are a citizen of the United States; that you have resided in the State of Georgia for one year immediately preceding this election and within the corporate limits of the City of Savannah for the last four months; that you are twenty-one years of age; that you have paid all taxes due the City of Savannah, or have in your own right sufficient real estate to satisfy any executions against you; that you have made all returns required by the Ordinances of the City; that you have been duly registered within the time prescribed by law; that the certificate of registry which you offer, was issued and delivered to you in person, and that you have not yet voted this day—So help you God."

Penalty for illegal voting.

(11.) Any person offering or attempting to vote, not qualified as aforesaid, shall be guilty of a misdemeanor, and on conviction before the Superior Court of the County of Chatham, shall be punished by fine or imprisonment, or both, at the discretion of the Court.

Superintendents may commit persons voting illegally, or disturbing the polls, &c.

(12.) The presiding Magistrates, or any one of them, shall be authorized to commit, instanter, to the common jail of the City of Savannah and County of Chatham, any unqualified person offering or attempting to vote as aforesaid, and any person attempting to commit, or actually committing an act of violence at or about the polls, court-house, or place of election, and any person attempting to create, or actually creating a riot or disturbance at or about the polls, court-house, or place of election, by verbal order issued to any officer of the County or City, or by warrant under his or their hand, addressed to all lawful officers of the County and City, or to any private person specially named therein; *Provided*, That any person so committed shall be entitled to be discharged, or admitted to bail, upon examination, according to law, at any time after ten o'clock, on the Tuesday after the (the 7th section of an Act, approved March 4th, 1856, says "second Monday in October.") *And provided, further*, That no person committed upon verbal order, as aforesaid shall be detained in

jail more than twenty-four hours, unless a written detainer be lodged against him.

Officers, &c., may call on posse.

(13.) Any officer, upon the receipt of the verbal order, as aforesaid, or any officer or private person specially named, upon the receipt of the warrant, as aforesaid, shall be authorized to require the assistance of a *posse comitatus*, and any officer of the City or County, refusing or neglecting to obey such verbal order or written warrant, shall be guilty of a misdemeanor, and on conviction before the Superior Court of the County of Chatham shall be punished by fine or imprisonment, or both at the discretion of the Court, and it shall be the duty of the magistrate giving such order or issuing such warrant, to present the offending officer to the Grand Jury of the Superior Court at its ensuing term.

Penalty for neglect.

Penalty for using forged certificate.

(14.) Any person attempting to use, or actually using, a forged certificate of registry, or a certificate of registry not originally issued to himself in person by the clerk, or other officer, as aforesaid, shall be guilty of misdemeanor, and on conviction before the Superior Court of Chatham County, shall be punished by imprisonment in the penitentiary for any time not exceeding four years.

One dollar for certificate in lieu of poll tax.

(15.) Upon application for a certificate of registry, the applicant shall pay to the clerk, for the City Treasury, the sum of One Dollar, which shall be in lieu of the poll tax now paid, and no certificate shall be issued until the same be paid.

RELIEF EROM VIOLATING FIRE ORDINANCES.

Ordinance 9th Nov., 1837.

AN ORDINANCE, To relieve George Anderson from the penalty set forth in an Ordinance entitled an Ordinance to secure the City of Savannah from damage by fire, passed 3d April, 1834.

Preamble.

WHEREAS, George Anderson made application to the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, in Council met, for leave to make addition or additions to his wooden house on lot number (4) four, Derby ward, and City aforesaid, of wooden materials. And whereas, a committee of Council, appointed for that purpose, examined into the expediency of said application: and whereas the same was granted by resolution of Council aforesaid.

George Anderson relieved from penalty for

No. 439. (1.) The said George Anderson is hereby relieved from all penalty incurred against the aforesaid cited Ordinance,

violating the Fire Ordinance.

by erecting or having erected addition or additions to his wooden house of wooden materials, situate and lying on lot number (4) four, Derby ward, in the City of Savannah, aforesaid,—*Provided*, that the same be covered with slate, tile or other incombustible materials.

Ordinance 25th August, 1853.

AN ORDINANCE, To relieve Charles L. Lodge from the penalty set forth in an Ordinance entitled an Ordinance to amend an Ordinance passed on the 8th June, 1852, to extend the Fire Limits of the City, passed August 26th, 1853.

Preamble.

WHEREAS, Charles L. Lodge has erected a wooden building on the corner of Huntingdon and Jefferson streets, in violation of the Ordinance entitled an Ordinance to amend an Ordinance passed on the 8th June, 1852, to extend the fire limits of the City, as said Ordinance restricts the heighth of all wooden buildings to twenty feet, and his building is twenty-five feet high: And whereas, it has been proved under oath that he committed said violation in entire ignorance of said Ordinance and was not notified by any City officer until his building was so nearly completed that he could not pull it down or alter the plan without a very serious pecuniary loss, and he has no lot of ground whither he could remove it.

Charles L. Lodge relieved from penalty for violating the Fire Ordinance.

No. 440. (1.) The said Charles L. Lodge is hereby relieved from any and all penalty incurred against the aforesaid Ordinance by having erected a wooden building of more than twenty feet in height on the corner of Huntingdon and Jefferson streets: *Provided*, that said building be covered in all its parts with slate, tile, or metal, and provided that no addition shall at any future time be made to the house of the same heighth as the present building.

Ordinance 21st Feb., 1856.

AN ORDINANCE, to relieve Joseph E. Falligant and Lewis F. Cooke, from the penalty set forth in an Ordinance entitled an Ordinance to amend an Ordinance to secure the City of Savannah from damage by fire, passed 2d June, 1854.

Preamble,

WHEREAS, Joseph E. Falligant, mechanic, has partly constructed a wooden house in Currie Town, on Wayne and Montgomery streets, on lot No. 28, in violation of the above recited Ordinance without a knowledge of there being such an Ordinance, and has duly petitioned the Mayor and Aldermen of the

City of Savannah, and the Hamlets thereof, in Council met for leave to complete said building on said lot. And whereas said petition has been referred to the Committee on the Fire Department, and said Committee have recommended that an Ordinance be passed for his relief and the relief of the owner, Lewis F. Cooke.

Joseph E. Falligant and Lewis F. Cooke relieved from penalty of violating the Fire Ordinance.

No. 441. (1.) The said Joseph E. Falligant be and he is hereby permitted to complete said building, and he and the owner thereof, the said Lewis F. Cooke, are hereby relieved from all penalty incurred against the aforesaid recited Ordinance by erecting and having erected said wooden house, situated on Wayne and Montgomery streets on lot No. 28, in Berrien ward, provided that the roof of the said building shall be covered in all its parts with slate, tile or metal, and provided that no addition shall at any future time be made to the house or building of the same heighth as the present building.

RELIEF—LIEN LAWS—BUILDINGS, &c.

AN ACT to give to masons and carpenters an incumbrance for debts due on account of work done and materials furnished in building or repairing houses, and the premises to which they may be attached, and to repeal all laws on this subject so far as relates to the Counties of Richmond and McIntosh, and in the Cities of Savannah, Macon and Columbus.—Assented to Dec. 22, 1834. Pam. 189.

Debts due to masons and carpenters shall have the highest lien on the house and premises, if no personal security taken.

No. 442. (1.) All debts which may hereafter become due to any mason or carpenter in the Counties of Richmond and McIntosh, the Cities of Savannah, Macon and Columbus in this State, for work done, or materials furnished for building or repairing any house, in all cases, when said mason or carpenter shall not have taken personal security for said debts, shall constitute and be an incumbrance on such house and the premises to which it shall be attached, superior in dignity to, and of higher claim than any other incumbrance whatever, no matter of what nature or sort the same may be, and without regard to the date of such other incumbrance.

To be recorded in 3 months.

(2.) Every mason or carpenter building or repairing any house, shall, within three months from the time the same is completed, cause to be recorded in the Clerk's office of the Counties hereinbefore named, and the Counties in which the Cities of Savannah, Macon and Columbus severally lie, where such building shall be

erected or repaired, his claim thereon, which said claim shall be in substance as follows: "A. B., a mason or carpenter, (as the case may be,) claims an incumbrance on the house and premises on which it is erected of C. D., adjoining the lots or lands of E. F. and G. H., for the building or repairing (as the case may be) of said house;" for which service he shall pay said Clerk fifty cents; and on the failure so to record said claim, the said house and premises shall stand discharged from said incumbrance, so far as respects any older lien on or any subsequent *bona fide* sale or assignment of the same. (See No. 443, sec. 1.)

Form.

Clerk's fee.

(3.) If any mason or carpenter shall not build or repair any house by him undertaken to be built or repaired, according to his contract, the debt or demand for building or repairing the same shall constitute no incumbrance on the house so built or repaired, or the premises.

Work must be done according to contract.

(4.) Any mason or carpenter having an incumbrance on a house and premises for the debt due for the building or repairing of the same, shall, within twelve months from the time said debt shall become due, institute a suit for the recovery of such debt in a Court having jurisdiction of the cause, and shall, in his declaration, describe the house and premises on which the work was done; and on the trial of said cause the jury shall find the amount due according to the evidence, and shall moreover find specially that the same shall be levied on the property described and proved in preference to any other claim whatsoever; *Provided*, The claim of the plaintiff shall have been recorded according to law; and the Court shall award judgment and execution accordingly; and on the failure so to sue on said debt and prove the same to judgment, the said debt shall be placed on the same footing of any other simple contract or claim, and the said house and premises shall stand discharged from the incumbrance created by this Act. (See sec. 2, No. 443.)

Suit within 12 months.

Declaration.

Verdict.

If not sued all lien created by this Act lost.

(5.) On the building or repairing of any house, the same shall be delivered over to the possession and emjoyment of the person for whom the same was built or repaired, without affecting the lien created by this Act.

Delivery of possession does not affect the lien.

(6.) Whenever any house and lot, or house and lands, subject to the incumbrance herein created, shall be seized and sold by authority of any process or decree of any Court in this State, the same shall pass to the purchaser free from such incumbrance which incumbrance shall attach to the proceeds of the sale in the hands of the officer making it, on a notice as in cases of claim to money raised under execution, which notice with the money shall be returned to the Court by the said officer.

If premises sold by other process the lien attaches to the proceeds.

Notice and claim.

(7.) Whenever a claim of money made under the foregoing section shall be disputed by either the plaintiff or defendant in the execution, process, or decree on which the money was raised, the Court to which the return is made shall retain the amount thereof in the hands of the Clerk, and order an issue to be made up to try the validity of the claim; upon the trial of which

Issue.

issue, should it be determined against the claimant, he shall be adjudged to pay damages to the person entitled to the money, not exceeding twenty per centum, as the Jury may assess, with interest from the date of the notice to retain, and costs.

Damages.

(8.) Any person or persons holding a lien on the premises on which any building is about to be erected or repaired, may give notice to the mason or carpenter about to build or repair a house on said premises, before the said building or repairs shall be commenced, not to proceed therewith; and if the said mason or carpenter, after having received such notice, shall proceed with said building or repairs, the said mason or carpenter shall hold his lien on the said house and premises, subject to the incumbrance of the person thus notifying him.

Persons holding other liens may give notice.

After notice his lien shall have precedence.

(9.) All laws giving master masons and carpenters or masons and carpenters liens or incumbrances on houses erected or repaired, or materials found by them, be, and the same are hereby repealed: *Provided*, however, that liens and incumbrances created or attached by any of the aforesaid laws shall be held good and valid in Law and Equity.

All laws giving liens to masons and carpenters repealed.

State Law, Assented to 21st Dec., 1835.

(*Pamphlet Laws, page* 146.)

No. 443. (1.) The second section of the above recited act (of Dec., 22d, 1834,) shall not extend to or effect any claim or lien which does not exceed thirty dollars, and that it shall not be necessary for any mechanic having a claim of a sum not exceeding thirty dollars to record the same to preserve his lien.

Lien of $30.

(2.) The requisition in the fourth section of the said act (of Dec., 22d 1834,) on mechanics to sue their claims within twelve months after the same shall have accrued, shall no longer obtain or be of force.

Requisition to sue in 12 months not of force.

NOTE.—By State Law, assented to 28th Dec., 1837, (Pamphlet Laws, 1837, page 169,) the provisions of the Lien Act of 22d Dec., 1834, are "extended to all the Counties of this State."

State Law, Approved Feb. 23d, 1850.

(*Pamphlet Laws*, 1849–50, *page* 278.)

AN ACT to amend an Act to give to masons and carpenters an incumbrance for debts due on account of work done and materials furnished in building or repairing houses and premises to which they may be attached, passed 22d December, 1834, so as to give to painters, tinners and coppersmiths, in the County of Richmond and City of Savannah, the like security for debts due on account of work done on houses in the County of Richmond, and City of Savannah, and City of Columbus.

No. 444. (1.) All debts which may hereafter become due to any painter, tinner or coppersmith, in the County of Richmond, or the City of Savannah, or City of Columbus, in this State, for painting, tin or copper work, done on any houses in said County, and in said Cities, shall constitute and be an incumbrance on

Provisions of Lien Act of 22d Dec., 1834, extended to painters, tinners and coppersmith in Richmond.

County and Cities of Savannah and Columbus.

such house and premises to which it may be attached, to the same extent, upon the same terms, and with the same qualifications and restrictions as debts due to masons and carpenters for work done and materials, furnished in the building and repairing houses now constitute and are on such houses and the premises to which they may be attached by virtue of the Act of the General Assembly of this State, entitled an Act to give to masons and carpenters an incumbrance for debts due on account of work done and materials furnished in building or repairing houses on such houses and premises to which they may be attached.

RELIEF—LIEN LAWS—VESSELS, &c.

State Law, Approved 10th Dec., 1841.

(*Pamphlet Laws*, 1840–1, *page* 122.)

AN ACT to give to ship carpenters, shipwrights, sparmakers, engineers, blacksmiths, painters, machinists, and other artisans who may be employed in the building, repairing and painting of vessels, craft and steamboats, and furnishing materials for the same, a summary process against said vessels, craft and steamboats, so far as relates to the County of Chatham and the City of Savannah.

Mechanics' claim against vessels, &c., for building, &c.

No. 445. (1.) Any ship carpenter, shipwright, sparmaker, engineer, blacksmith, painter, machinist, or other artisan who shall have any claim against any vessel, craft or steamboat, for the building, repairing, painting, or furnishing the same or any part thereof, or any machinery attached thereto, upon complaint made upon oath before any Judge of the Superior Court, Justice of the Inferior Court, or Justice of the Peace, of the amount of his demand, and that said vessel, craft or steamboat is or is about leaving the port of Savannah, and that he fears the loss of said claim or some part thereof, it shall and may be lawful for said Judge of the Superior Court, Justice of the Inferior Court or Justice of the Peace, forthwith to grant an attachment against said vessel, craft or steamboat.

Proceedings to enforce the same.

When attachment shall issue.

(2.) Said attachment shall not issue unless the sum sworn to shall exceed the amount of the jurisdiction of Justices of the Peace; and it shall be the duty of the Sheriff of the County of Chatham, or his deputy, or of the Sheriff of the Court of Common Pleas and of Oyer and Terminer for the City of Savannah, or his deputy, in cases where the sum sworn to shall fall within the jurisdiction of said Court, to serve and levy the same upon said vessel, craft or steamboat; and the subsequent proceedings to be had thereon shall be in accordance with the laws regulating attachments now of force in this State: *Provided*, the same shall not be repugnant to any of the provisions of this Act.

Proceedings how entitled, &c.

(3.) Said process and subsequent proceedings shall be entitled as against said vessel, craft or steamboat; if the same shall not be replevied, the party plaintiff, upon proving his demand, shall be allowed to enter up his judgmant and execution against the same.

Judgment and execution.

Attachment how dissolved.

(4.) In all cases where attachments shall issue under this law against any vessel, craft or steamboat, the owner or owners thereof, his or their agent, attorney in fact or at law, upon giving bond and security to the plaintiff in double the amount sworn to, conditioned for the payment of the eventual condemnation money and costs of suit, may dissolve said attachment, and said vessel, craft or steamboat shall be delivered over to his or their possession; and if said vessel, craft or steamboat shall not be replevied, it shall be lawful for the owner or owners thereof, his or their agent, attorney in fact or at law, to plead to and defend the action.

If no replevy.

Frivolous, &c., processes.

(5.) Upon the trial of all cases under this Act, where, in the opinion of the jury trying the same, it shall appear that the said process was issued upon frivolous, vexatious or insufficient cause, it shall be the duty of the said jury to assess all the costs of the proceedings against the plaintiff.

Bond and security double the amount.

(6.) In all cases of attachment issuing under and by the authority of this Act, the plaintiff shall give bond and security in double the amount sworn to, as is now required in cases of attachment.

State Law, Assented to Dec., 11th, 1841.

AN ACT, to give to all persons employed on Steamboats and other water crafts on the Chattahoochee, Altamaha and Ocmulgee rivers a lien on said Steamboats or water crafts, for his, her or their wages, and for wood and provisions furnished, and to point out and facilitate the mode of the collection of the same—Pam. 167. (This Act and the amendatory Act of 1845, are constitutional and valid. 5 *Ga.* 195.)

Lien to Captain, Pilot, &c., on steamboats, &c., in certain rivers.

No. 446. (1.) All persons employed either as captain, pilot engineer, first or second mate, fireman, deck-hand, or in any other capacity whatsoever, on all steamboats and other water craft engaged in the navigation of the Chattahoochee, Altamaha and Ocmulgee rivers, (Extended to Savannah and Flint rivers, No. 447-448. Amended and extended to all liens on personal property, by Act of 1847, see No. 449,) for any debt, dues, wages or demands that he, she or they may and shall have against the owner or owners of said steamboat or other water craft for personal services done, rendered or performed on board the same, and for wood and provisions, [shall have] an exclusive lien, (Taking a promissory note is not a waiver of the lien. 6 *Ga.* 166,) on said steamboat, or other water craft, against the owner or owners thereof, superior in dignity to and of higher claim than all other incumbrances, no matter of what nature or sort the same may be; *Provided*, he, she or they shall demand

To be prosecuted in 12 months.

and prosecute the collection of the same as hereinafter to be provided for, at any time within twelve months after the same shall become due and payable. (The affidavit should aver a demand on the owner or agent personally, should name them, and aver a refusal to pay: 6 *Ga.* 160. A demand on said owners previously named sufficient: 7 *Ga.* 56.)

Mode of procedure.

(2.) Whenever any captain, pilot, engineer, first or second mate, fireman, deckhand or any other person employed on any steamboat or other water craft navigating and running on the Chattahoochee river, shall have any claim or demands against the owner or owners of said steamboat or water craft for services rendered on board the same, and shall be desirous of collecting the same, upon the said debt becoming due, and refusal to pay the same upon demand made, he, she or they (if a negro or free person of color, see No. 448 sec. 1,) may, upon application to any Judge of the Superior Court or Justice of the Inferior Court in any County in which said steamboat or water craft may then lie, upon the same arriving at the landing, port or place of destination to which the same has been freighted, make affidavit before (the affidavit should show all facts necessary to show the case to be within the provisions of the Act. A convenient form suggested: 1 *Kelly*, 317: 6 *Ga.* 159: 7 *Ib.* 56: The Affidavit cannot be amended after judgment by substituting an entirely new one: 6 *Ib.* 160,) him of the amount due him, her or them for any labor or services by him, her or them done and performed on board of any steamboat or other water craft, and specify the name thereof; whereupon the said Judge or Justice of the Inferior Court shall grant an order to the Clerks of their respective Courts, as the case may be, requiring said Clerk to enter up judgment (the judgment should be against the owners as well as the boat: 6 *Ga.* 160,) upon said affidavit in favor of said applicant for the amount sworn to be due; (and costs, see No. 449 sec. 3,) and it shall be the duty of said Clerk to issue instanter an execution therefor against the owner or owners of said steamboat or other water craft, and also against said steamboat or other water craft, to be directed to the Sheriff of said County, whose duty it shall be forthwith to levy said execution upon said steamboat or other water craft, and advertise and sell the same, under the same rules and regulations as govern Sheriffs' sales in other cases; *Provided*, the said demand shall exceed the sum of thirty dollars. And when said sum shall be for thirty dollars or under, then and in that case the application shall be made to one of the Justices of the Peace in the district in which said steamboat or other water craft may then be as aforesaid, the same being at the landing, port or place to which the same was last freighted; and the said Justice of the Peace, upon the filing the said affidavit, shall issue execution thereon instanter for the amount sworn to be due against said steamboat or other water craft and the owner or owners thereof, and deliver the same to any lawful

Application.

Affidavit.

Order.

Execution.

Levy and sale.

Mode of proceeding when under $30.

Constable of the district aforesaid, whose duty it shall be forthwith to levy said execution on said steamboat or other water craft, and return the same to the Sheriff of the County in which the same may be, whose duty it shall be to advertise and sell as in other cases.

Defence.

(3.) Whenever any owner or other person having control of any steamboat or other water craft against which any proceedings may be had under the foregoing provisions of this Act, and may be desirous of contesting said claim or demand, on the ground that the same or some part thereof is not due and owing he, she or they shall file his, her or their affidavit, denying that the whole or some part thereof was due, at the time the applicant files his affidavit, as provided for in the second section of this Act; but when only a part is denied on oath, the amount admitted to be due shall be paid before the officer levying said execution shall deliver up the property levied on as hereinafter specified, and that after the filing of the affidavit as above required in this section, and giving bond and good security residing in the County where such proceedings may be had, to the plaintiffs, in double the amount claimed, conditioned for the [payment of the] eventual condemnation money, and all costs incurred thereon; and whenever said affidavit and bond shall be filed as aforesaid, the levying officer shall deliver up the property levied on, and return the affidavit and bond to the next Court in said County to which said execution may have been returnable, upon which an issue shall be made up and formed, and the truth of the same shall be tried by a Jury of said Courts respectively at the first term of said Court, unless good cause be shown for a continuance; but the same shall be continued only for one term by each party; and from the verdict rendered in such case either party shall have the power or privilege to enter an appeal.

Affidavit.

Payment of amount admitted to be due.

Bond.

Replevy.

Issue.

Appeal.

Extended to Altamaha and Ocmulgee rivers.

(4.) All the provisions of this Act shall apply to all steamboats and water crafts navigating the Altamaha and Ocmulgee rivers, and that all persons who furnish wood and provisions to said steamboats or other water craft shall have the same remedies as is hereinbefore provided.

State Law, Assented to December 27th, 1842.

AN ACT, to amend an Act, (see No. 446,) assented to December 11th, 1841, so as to include Savannah river within the provisions of the same, and for other purposes. Pam. 122.

Extended to Savannah river.

No. 447. (1.) The above recited Act be, and the same shall be so amended as to include the Savannah river within the provisions of the above recited Act.

Extended to all steam saw mills.

(2.) All the provisions of this Act, of which this Act is an amendment, shall apply to all steam saw mills at or near any of the water courses in this State, in behalf of all and every person or persons who may be employed by the owner or owners, agents or superintendents, for services rendered, or for timber or fire

wood of any description, provisions or supplies delivered to any such steam saw mill; and that the same course shall be pursued for the recovery of any such claim or claims, as is stated in section second or third, of the Act of which the present Act is an amendment: *Provided*, the demand for such claim be first made to the owner or owners, agents or any person having control of any steam saw mill, against which any proceedings may be had under the provisions of the said Act.

And millwrights and builders of gold machines.

(3.) All mill-[w]rights, and builders of gold machines, in this State, shall be entitled to the same lien, and shall enforce said lien in the same way as is provided by this Act and the one to which it is amendatory.

State Law, Approved Dec. 26th, 1845.

AN ACT, to amend an Act, (see No. 446,) so far as to extend the provisions of the same, and to include Flint river therein. Pam. 152.

Extended to Flint river.

No. 448. (1.) All the provisions of the above recited Act be, and the same are hereby extended to all persons employed on steamboats and other water crafts on Flint river. *And whereas*, it frequently happens that persons employed on said steamboats and other water crafts on said Chattahoochee, Altamaha, Ocmulgee and Flint rivers, are negroes and free persons of color; *Be it therefore further enacted*, that whenever any negro being a slave, or free person of color, shall be employed as pilot, engineer, first or second mate, fireman, deck hand, or in any other capacity whatsoever, on all steamboats and other water crafts engaged in the navigation of said rivers, to wit: the Chattahoochee, Altamaha, Ocmulgee and Flint rivers, that then in all such cases, the owner, master, agent, attorney at law or attorney in fact, of said negro, slave or free person of color, shall have the like remedies for wages or demands which he, she or they may and shall have against the owner or owners of said steamboat or other water crafts, for the services of said negro slaves or free persons of color, as are given to all other persons whose employments are recited in said Act.

For services of negro, master and agent, &c., to have the same remedies.

State Law, Approved Dec. 24, 1847. Pam. 214.

AN ACT to amend an Act entitled an Act to give all persons employed on steamboats and other water-crafts on the Chattahoochee, Altamaha and Ocmulgee rivers, a lien on said steamboats or water-crafts, for his, her or their wages, and for wood and provisions furnished, and to point out and facilitate the mode of the collection of the same, assented to Dec. 11th, 1841, (for this Act and the several Acts amendatory thereof, see No. 446,) so as to include all liens on personal property under certain regulations, and for other purposes.

WHEREAS, in many cases, persons having liens upon personal property, created by the Common Law or the Statute Law of force in this State, have no power to sell the same, whereby manifest injustice results to such persons, and frequently the delay works injury to both debtor and creditor, for remedy whereof:

Summary process to enforce liens on personal property.

No. 449. (1.) The above recited Act shall be so amended as to authorize any person or persons, who, by the principles of the Common Law or the Statute Law of force in this State, or which may be hereafter enacted, have or shall have a lien on personal property within the limits of this State, to pursue the course pointed out by said above recited Act, by applying, in proper person or by attorney or agent, to one of the Justices of the Peace of the district in which the said personal property may be at the time of such application, where the debt does not exceed thirty dollars, or to the Judge of the Superior, or one of the Justices of the Inferior Court of the County where the said personal property may be, at the time of such application, where the sum sworn to shall not ("not" is evidently a mistake in enrolling,) exceed thirty dollars; and by making affidavit before him of the amount due him, her or them, and the nature of the lien, and how the same has occurred, and upon what personal property the said lien has attached, and thereupon all the provisions of the said recited Act, of which this Act is an amendment, shall apply, and the same proceedings shall be had, as provided for by said recited Act, so far as the same can be applicable hereto: *Provided*, that he, she or they shall demand and prosecute the collection of the same, as provided for in said recited Act, at any time within twelve months after the same shall become due and payable: *And provided, also*, That no such proceeding shall be had until the demand for the payment of such lien shall first be made upon the owner or owners, or their agents and attorneys in fact, if they or any of them reside within the County where such proceedings shall be had, and refusal to pay the same shall have been made.

Affidavit.

To be prosecuted in 12 months.

Demand.

Affidavit in cases of steamboats, &c.

(2.) Nothing herein contained shall be construed to repeal so much of said recited Act as requires the affidavit to be made, in the cases specified in said Act, or any Act heretofore passed amendatory of the same, before a Judge of the Superior or Justice of the Inferior Court, or one of the Justices of the Peace of the district in which said steamboat or other water craft may then lie, upon the same arriving at the landing, port or place of destination to which the same has been freighted; but that the said affidavit shall, in the cases provided for by said recited Act, or any Act heretofore passed amendatory of the same, continue to be made as provided for by said Act.

Judgment for costs.

(3.) In all cases, both under said recited Act and all Acts amendatory thereof heretofore passed, and in all cases provided for by this Act, it shall be the duty of the Judge or Justice before whom the affidavit shall be made, to direct the Clerk to enter up judgment for the costs of such proceedings, and any interest that may be due or may become due, as well as for the principal

debt, as provided for in said recited Act; and it shall be the duty of the said Clerk, or the Justice of the Peace, when proceedings are had before a Justice, to issue execution for such costs and interest.

Execution.

Issue by owner or complainant.

(4.) In no case shall the said execution so issued be levied on any other property except such as shall be subject to such lien; and it shall be lawful for the owner or other person claiming the said personal property, or his agent or attorney, not only to contest such claim or demand on the ground that the same or some part thereof is not due and owing, as provided for in the third section of said recited Act, but also to contest the existence of any lien therein, by making affidavit denying the existence of such lien, and giving bond as provided for in said third section of said Act, and such proceedings shall thereupon be had as are directed in said third section of said recited Act.

State Law, Approved Dec. 29, 1847.

(*Pamphlet Laws*, 1847, *page* 216.)

AN ACT to give to all machinists, engine builders and repairers of engines, and millwrights, an incumbrance on all steam mills, steamboats, and mills of every description, which may hereafter be erected and built in the City of Savannah and County of Chatham, and upon all steamboats plying to and from the port of Savannah.

Machinists, engineers, &c., lien on mills, steamboats, &c., for work, material, &c.

No. 450. (1.) All debts which may hereafter become due to any machinists, engine builders and repairers of engines, and millwrights, of the City of Savannah and County of Chatham, for all work and labor done and performed, and for materials furnished, shall be and constitute an incumbrance on all such steam-mills, steamboats, and mills of every description, and shall be taken and allowed in law to be superior to any other incumbrance or claim; and that the same course shall be pursued for the recovery of such claim or claims as is stated in section second or third of an Act assented to the tenth day of December, eighteen hundred and fifty-one. (See No. 440.)

State Law, Approved January 19th, 1852.

(*Pamphlet Laws*, 1851–2, *page* 237.)

AN ACT, to amend an Act (see No. 446,) assented to December 7th, (should be 11th,) 1841, so as to extend the provisions of the same, and in favor of machinists.

Lien extended to all machinists on any mill, steamboat or vessel.

No. 451. (1.) All machinists in this State who may furnish any kind of machinery, or who may repair the same, which may be put up or used in any mill, building, steamboat or vessel in any County, or in any of the rivers or waters of this State, shall be entitled to the same lien and may enforce it in the same way, as is provided in the Act of the general assembly above recited in the title of this Act, (see No. 446.)

State Law, Approved Feb. 18th, 1854.

(*Pamphlet Laws*, 1854, *page* 45.)

AN ACT, amendatory of "an Act to give to Masons and Carpenters an incumbrance for debts due on account of work done and materials furnished in building or repairing houses and the premises to which they may be attached, and to repeal all laws on this subject, so far as relates to the Counties of Richmond and McIntosh, and in the Cities of Savannah, Macon and Columbus, assented to the 22d day of December, 1834; and of an Act to extend to the several Counties of this State, the provisions of said Act, assented to the 28th day of December, 1837, and to extend the provisions of said Act (Acts) to Machinists, who shall furnish or put up in any County in this State, Steam mills or other machinery, or who may repair the same."

Lien Law extended to any machinist.

No. 452. (1.) Any Machinist, who may furnish or put up, in any county in this State any steam mill or other machinery, or who may repair the same, shall be entitled to the same lien on such machinery and the premises, to which the same may be attached, and may enforce such lien in the same manner and with like benefits, privileges and restrictions, as is by said Acts extended to Masons and Carpenters.

(REF. NOTE.—The (first) Act of 1834 was local, as to several Counties, and applied to Masons and Carpenters. Cobb '554-5. The Act of '37, extended it to all Counties. Cobb 557. The Act of 1841 gave lien, as to certain waters, on steamboats, and for wages and wood, &c. Cobb 426—Act of '42 extended it to other waters,—Cobb 426—Act '45 amends Act of '41, so as to include negroes' wages, &c., and includes Flint River—Cobb 429—Act of 1847 amends the Act of 1841, and points out the mode of collecting all C. L. and Stat. liens.)

And Act of 1852, p. 237, (of the pam.) extends Act of 1841 to Machinists, and seems to be substantially the same as this.

Sup. Ct. Decis.: Under Act of '41, the party must in his case stated show himself entitled &c. 1 Kelly 317.

Equity will not aid Mason or Carpenter under Act '37, without some impediments sufficient, &c. 3 Kelly 139.

Taking note does not wave lien of—6 Geo. 166.

Under Act '41 enough to state that Boat "was navigating the River" 6 Geo. 159.

Cannot amend after judgment with new affidavit, &c. Ib.

That demand was made "of said owners', is sufficient. 7 Geo. 56.

REMOVAL OF BUILDINGS.

(*See Title, "Fire."*)

RENTS.

State Law, Assented to Dec. 6th, 1813. (Lamar's Digest, page 739.)

AN ACT to point out the mode for the collection of Rents and the recovery of possession of property within the City of Savannah and the precincts thereof.

Distress warrant for rent in the City of Savannah, when the sum due does not exceed $30, regulated.

No. 453. (1.) It shall and may be lawful for any person, who may hereafter have rent due by any person or persons within the City of Savannah, or the Precincts thereof, where the sum does not exceed thirty dollars, to make application to any Justice of the Peace within the said City of Savannah or its Precincts, and obtain from the said Justice a distress warrant for the sum claimed to be due, on oath in writing, for the said rent, and the same may be levied, by any Constable duly qualified, on any property belonging to the said tenant or tenants; and the said Constables shall advertise and sell the same, under the same rules and regulations as other sales under execution; and if the rent due shall exceed thirty dollars, it shall and may be lawful for the Judge of the Superior Court, or any one of the Justices of the Inferior Court of Chatham County, to issue a warrant authorizing the Sheriff or any lawful Constable of the said City or the Precincts thereof, to distrain on any property belonging to the said tenant or tenants, and advertise and sell the same, as in cases of execution issuing under and by virtue of the Judiciary Act: *Provided, nevertheless*, that the said tenant or tenants shall be entitled to replevy the goods so distrained, by making oath that the same, or some part thereof distrained for, is not due, and give security for the eventual condemnation money; and in that case it shall be the duty of such officer to return the same to the Court having cognizance of the same, and the same shall be determined by a jury, as practised in other cases of claims.

Proceedings where the rent due exceeds $30.

Goods distrained, how replevied.

Claims to distrained property regulated.

(2.) Where any property may be distrained and claimed by a third person, the same shall be claimed on oath, and shall be returned and determined in like manner, and under the same rules and regulations as are by law pointed out for the trial of the right of property.

Property distrained subject to previous judgments.

(3.) In no case a preference shall be given to persons distraining for rent, where there are any judgments against the person or property so distrained.

Writs of possession, when a tenant fails to pay rent at the time it becomes due, and holds over after the expiration of his lease, how and by whom issued and executed.

(4.) If any person or persons leasing or renting any lot or lots, tenement or tenements, within the City of Savannah, or the precincts thereof, shall fail to pay the rent at the time the same shall become due, and shall refuse to deliver possession to the lessor, at the expiration of his lease, it shall and may be lawful for the Judge of the Superior Court, or any one of the Justices of the Inferior Court of the County of Chatham, to issue a writ of possession, directed to the Sheriff or any lawful Constable of the City of Savannah, or the precincts thereof, commanding the said Sheriff or Constable to deliver possession of the said lot or lots, tenement or tenements, to the said lessor, which shall be by the said Sheriff or Constable forthwith executed and returned.

Interest on contracts for rent allowed. Action for rent arrear shall be tried at the first term.

(5.) All contracts for rents, whether verbal or in writing, shall bear interest from the time the same shall become due, any law, usage or custom to the contrary notwithstanding: and all actions commenced in any of the Courts within the City of Savannah, or the Precincts thereof, for the recovery of rent in arrear, shall be tried at the term to which the same shall be returnable, unless good cause shall be shown for the continuance thereof; nor shall any such action be continued more than one term at the instance of either party, any law to the contrary notwithstanding.

State Law. Approved Dec., 16th, 1811. (Lamar's Digest, page 737.)

AN ACT, to point out the mode for the collection of Rents.

Distress warrants under 30 dollars to be levied by a Constable.

No. 454. (1.) It shall and may be lawful for any person who may hereafter have rent due, where the same does not exceed thirty dollars, to make application to any Justice of the Peace within the District where his, her or their tenant may reside, and obtain from such Justice a distress warrant for the sum claimed to be due, on oath in writing, (see No. 458) for the said rent, and the same may be levied by any Constable duly qualified, on any property belonging to the said tenant, who shall advertise and sell the same under the same rules and regulations as other sales under execution; and where any distress shall issue for a sum exceeding thirty dollars, it shall be levied by the Sheriff of said County, advertised and sold as in cases of other executions: *Provided, nevertheless*, that the party distrained, shall be entitled to replevy the goods so distrained, by making oath that the sum or some part thereof distrained for, is not due, and give security for the eventual condemnation money, and in that case it shall be the duty of such officer to return the same to the Court having cognizance of the same, and the same shall be determined by a Jury as practised in other cases of claim.

If over 30 dollars, to be levied by a Sheriff.

Replevy.

Claims to be returned and tried as in other cases.

(2.) Where property distrained may be claimed by a third person, the same shall be claimed on oath, which claim shall be returned, tried and determined in like manner and under the same rules and regulations as are by law pointed out for the trial of the right of property.

Rent not to be preferred to judgments.

(3.) In no case a preference shall be given to persons distraining for rent, where there are any judgments against the person or property so distrained.

Tenants holding over shall pay double rent monthly.

(4.) Where any tenant shall refuse to give possession of the premises at the end of his lease, it shall be lawful for the person leasing the same to demand of such tenant, monthly, double the sum that the same was leased for, and may recover the same at the expiration of every month, or in the same proportion for a longer or shorter time, by distress in manner pointed out as aforesaid.

Re-entry at the end of the term.

(5.) If any person leasing or renting land, house or houses, shall fail to pay the rent at the time the same shall become due, it shall and may be lawful for the lessor immediately thereafter, to enter and retake possession of the premises so by him leased or rented.

All contracts for rent to bear interest.

(6.) All contracts for rents, whether verbal or in writing, shall bear interest from the time the same shall become due, any law, usage or custom to the contrary notwithstanding: and all actions commenced in any of the Courts of this State for the recovery of rent in arrear, shall be tried at the term to which the same shall be returnable, unless good cause shall be shown for the continuance thereof, nor shall any such action be continued more than one term at the instance of either party, any law to the contrary notwithstanding.

Suits for rent to stand for trial at the first term, but one continuance.

State Law, Approved Dec. 24th, 1827. (Cobb's Digest, page 901.)

AN ACT to amend the Rent Laws of this State.

When a tenant holds over and refuses to deliver possession, the lessor or owner, on oath of the facts, may obtain a warrant to have possession delivered, and the tenant removed.

No. 455. (1.) It shall and may be lawful upon the expiration of any lease, or time for which lands have been rented, which are now in existence, or have already expired, or which shall hereafter exist, where the tenant or his sub-tenant holds over, and where the owner of the rented property, or his agent or representative, shall desire to have possession of the same, to demand of the tenant or tenants the possession of the rented property, and in case of refusal on the part of the tenant, or omission on his, her or their part to deliver possession, it shall and may be lawful for the owner thereof, or by his or her agent or representative, to go before the Judge of the Superior Court, or any Justice of the Inferior Court, or Justice of the Peace, and make oath that the lease or term of time for which the land was rented has expired, and that the tenant refuses, omits or neglects to give possession; it shall be the duty of the person before whom the oath is made to issue or grant a warrant or process directed to the Sheriff or his deputy, requiring or commanding him to deliver to the owner, his agent or representative, peacable, full and quiet possession of the rented premises, removing the tenant or tenants with his property found thereon, belonging to such tenant or tenants therefrom. (See No. 457.)

How the tenant may stop the proceedings.

(2.) When the tenant shall declare on oath that his lease, whether written or verbal, is not expired, or that he does not hold the premises either by lease or rent from the said person who has made the said oath, or by any one holding under him or them by rent or lease, he shall not be removed from the possession of the said premises, but the Sheriff shall return the proceedings to the next Superior Court of the County where the land lies, and the fact be there tried: and if determined against the tenant or tenants, he shall pay double the rent received, and the person making the said oath shall be entitled to a writ of possession, to be issued from and under the directions of the said Superior Court, directed to the Sheriff or his deputy, who

Sheriff to return the proceedings to the Court, and the fact shall be tried.

Double rent.

Writ of possession then granted.

shall give possession of the premises as prescribed in the first section of this Act. (See No. 456.)

Sheriff's fee.

(3.) The Sheriff, for executing the process aforesaid, shall be allowed the sum of three dollars, which amount shall be paid by the tenant, and his goods levied on for that purpose.

State Law, Approved Dec. 17th, 1847.

(*Pamphlet Laws*, 1847, *page* 195.)

AN ACT to alter and amend an Act to point out the mode for the collection of rents and the recovery of possession of property within the City of Savannah and the Precincts thereof.

Tenant to give bond and security.

No. 456. (1.) The second section of the said Act of eighteen hundred and twenty-seven be so amended as to require the tenant, in addition to the requisitions thereof, to give bond and sufficient security, to be approved of by the Sheriff or other officer executing the process, conditioned for the payment of double the rent received, if in the proceedings under this Act the same shall be determined against the said tenant or tenants, and which said bond when so taken shall be returned into Court with the other proceedings.

Condition, &c.

State Law, Approved February 14th, 1854.

(*Pamphlet Laws*, 1853–4, *page* 55.)

AN ACT to amend the Rent Laws of this State.

Rent Law of 1827 extended to vendees of original lessor.

No. 457. (1.) The provisions of the Act entitled an Act to amend the Rent Laws of this State, approved Dec. 24th, 1827, be so extended as to embrace the cases of the vendors (vendee) of the original lessor or owner from whom the land was rented, so that the oath of such vendee, his agent or attorney in fact or at law, shall have the same effect as that of the vendor, and the tenant shall be required to deny on oath holding under the vendor of affiant in addition to the oath now required and all the proceedings thereafter shall be as now set forth by law.

Oath of said vendee, or his agent, &c., to be good.

New oath to tenant.

State Law, Approved February 28th, 1856.

(*Pamphlet Laws*, 1855–6, *page* 268.)

AN ACT to amend the several Rent Laws of this State.

Distress for rent to issue upon oath of agent or attorney.

No. 458. (1.) It shall be lawful for distress warrants for rent to issue as well on the oath of the agent or attorney of the party claiming rent as of the said party in person, and whether such claim for rent be made under the general or any local rent laws of this State.

State Law, Approved February 14th, 1854.

(*Pamphlet Laws*, 1853–4, *page* 55.)

AN ACT to define the liability of rent to levy and sale, and to protect the rights of owners of land in this State.

No. 459. (1.) When any person shall rent any farm or farms, land or lands in this State, and agree to pay as rent for the

Rent, part of crop shall not be sold.

same a portion of the crop or crops raised on said farm or lands, the said portion so agreed to be paid to the land owner or landlord, for rent as aforesaid, shall not be liable to be levied on and sold by virtue of any process, attachment or execution, against the tenant, but the said portion of the crop or crops so received or agreed to be paid to the owner of the land for the rent thereof, shall be the property of the owner of the land; *Provided*, the contract for rent is in writing, and the rent does not exceed one-half of the crop, any law, usage or custom to the contrary notwithstanding.

If not over half the crop, and contract in writing.

REPAIRS OF BUILDINGS.

(*See Title, "Streets and Lanes."*)

RESOURCES OF THE CITY.

(*See Appendix.*)

RETAILERS OF LIQUORS, &c.

(*See Title, "Shops, Stores and Bar Rooms."*)

RETURNS.

(*See Title, "Taxes."*)

RICE.

(*See Title, "Dry Culture."*)

RICE CHAFF.

Ordinance 2d August, 1839.

No rice chaff to be exposed to sun or rain, within half a mile of the City limits.

No. 460. (18.) Itshall not be lawful for any owner or agent of a steam rice mill to expose or cause to be exposed in a large heap or any other manner the chaff produced by the said mill, so as to subject it to the influence of the sun and rain, within the distance of half a mile from the present corporate limits of the City. And for a violation of the provisions of this section, the person

Penalty $100.

so offending may be fined in a sum not exceeding one hundred dollars for each and every such offence, and the said chaff shall be removed by him, or on failure to do so, it shall be removed to a proper distance by the City Marshal at the expense of said owner or agent.

(*See Title, "River."*)

RIDING AND DRIVING DISORDERLY.

(*See Title, "Disorderly Driving or Riding."*)

RIGHT OF WAY.

(For Right of Way granted to the Central Rail Road and Banking Company of Georgia, see title, "Lots Granted," page 254.)

Ordinance 26th April, 1854.

Right of way granted to Savannah and Albany Rail Road Company over and across Liberty street, and through Randolph street.

No. 461. (1.) The right of way is hereby granted to the Savannah and Albany Rail Road Company, or by whatever name said Company may hereafter be called, with authority and permission to lay down and construct a single Rail Road track from the depot of said Company, over and across Liberty street, and through Randolph street to the head of Lamar's Canal. The said track or right of way shall not exceed twelve feet in width, (now 16 see Ordinance below,) and be located in the centre of Randolph street, so far as said track goes in said street, with permission to construct one turn out, in addition to the right of way already given, said turn out not to exceed four hundred feet in length along Randolph street from the head of Lamar's Canal; *Provided*, that said track north of Liberty street shall only be used to transport timber, lumber, locomotives, and all material to be used in constructing and equipping said Rail Road. (Proviso repealed, see Ordinance below.)

See next Ordinance amending this.

Company to establish a uniform grade, &c.

(2.) The said Company shall be required before they commence to lay and construct said track and turn out along said streets, to establish a uniform grade of track, level with said streets, so graded by said Company, commencing from the northern line of the depot of said Company across Liberty street, through Randolph street to the head of Lamar's Canal, said grade as aforesaid to be preserved and maintained by the said

Company, always at their expense, so that no obstructions of any kind whatever shall at any time be presented to the free passage of the inhabitants of this City, across said track, and that the street shall be planked, so as to be on a level with the top of the iron on the track at every cross street, (the full width of such cross street.—Amended, see Ordinance below.)

Rate of speed of cars not over 5 miles an hour.

(3.) The rate of speed at which a car or cars on said track or turn-out shall move, be drawn or driven, shall not exceed five miles an hour; *Provided*, that if the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, in Council assembled, shall at any time hereafter determine that the passage of locomotives or engines through Randolph street, north of Liberty street, constitutes a nuisance or serious injury to the the City, they shall have power to prohibit absolutely the passage of the same between the south side of Liberty street, and the river along said Randolph street, and during the passage of any car or cars over and along said track and turn-out, notice of the same shall be given by the ringing of a bell attached to the train then passing.

Proviso.

Ordinance of 11th December, 1857.

AN ORDINANCE, to amend an Ordinance entitled an Ordinance to grant a certain right of way to the Savannah & Albany Rail Road Company.

Cut in Randolph street.

No. 462. (1.) The Savannah, Albany & Gulf Rail Road Company are hereby authorized to make a cut in Randolph street for the track of their road not exceeding five feet in depth and sixteen feet in width, from 250 feet south of President and Broughton streets, provided the sides of said cut are supported by sustaining walls of masonry, to be always kept in good order by said Company.

Proviso.

Embank or construct trestle work north of southern line of Broughton street, subject, &c.

(2.) The said Rail Road Company are hereby authorized in the extension of their line of road along said Randolph street to Lamar's canal, north of the southern line of Broughton street to embank or to construct trestle work for the track of said Company's Rail Road track at the option of said Company; subject hereafter to be embanked whenever the City Council shall require it.

Repealing 2d section of Ordinance of 26th April, 1854, relative to planking full width of streets.

(3.) That the second section of the above recited Ordinance passed 26th April, 1854, so far as relates to planking the full width of the cross streets be, and the same is hereby repealed; provided the track of said Rail Road shall be so constructed,

and in a permanent manner, as to offer no impediment to the passage of the inhabitants of this City over said track, and the Company always to keep it in good condition.

Proviso.

Repealing the restrictions on transportation.

(4.) The provision in the first section of the above recited Ordinance restricting the said Rail Road Company to the transportation of timber, lumber, locomotives and all material, to be used in constructing and equipping said Rail Road be, and the same is hereby repealed.

Ordinance Passed 15th Nov., 1855.

AN ORDINANCE, To grant to the Charleston and Savannah Rail Road, the right to cross one or more public streets in the City of Savannah.

Right of way granted to Charleston and Savannah Rail Road to cross or pass streets, &c., to its depot.

No. 463. (1.) The said Charleston and Savannah Rail Road shall have the right and authority to cross or pass through any street within the corporate limits of the City of Savannah that may be necessary to reach its own depot, when it shall purchase the necessary land, upon the same terms and conditions that are granted the Savannah, Albany and Gulf R. R. in passing from their depot to the river; Provided that all of said crossings shall be west of West Broad street; and provided also, that the same shall not block up the street or prevent the free use thereof by the inhabitants of Savannah; and provided, also, that the same shall not in any manner obstruct the free use of the Savannah and Ogeechee Canal.

Conditions.

Proviso.

RIVER.

Ordinance 2d August, 1839.

No rice chaff or any substance whatever to be thrown into the Savannah River

No. 464. (19.) It shall not be lawful for any person or persons to throw, cast, or deposit, or to cause to be cast, thrown or deposited in Savannah river, or on its banks below high water mark, within the extended jurisdictional limits of the City of Savannah, rice chaff or any substance of whatever nature or kind which might in any degree lessen the depth of the water in said river, or any part thereof within the limits aforesaid, and each and every person so offending shall for each and every such offence be fined in a sum not exceeding one hundred dollars, if the offender be a white person, or if a slave or free person of

Penalty, $100

color, he or she shall be whipped not exceeding fifty lashes, unless the owner, employer, or guardian of such slave or free person of color shall pay the fine not exceeding one hundred dollars, which may be inflicted or assessed against said slave or free person of color for such offence.

Penal Laws, 1833. (Cobb's Digest, page 823.)

Buoys, beacons, &c., penitentiary 2 to 5 years.

No. 465. (3.) If any person or persons shall maliciously or without authority, cut down, remove or destroy any beacon or beacons, buoy or buoys, erected by any Commissioners of Pilotage, or other person or persons duly authorized for that purpose, such person or persons so offending shall, on conviction, be punished by confinement and labor in the penitentiary for any time not less than two years, nor longer than five years.

(*See Titles, "Gutters," "Swimming."*)

RULES OF COUNCIL.

(*Adopted Oct.*, 1857.)

No. 466. (1.) The style of the Corporation shall be "THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH AND HAMLETS THEREOF."

Quorum.

(2.) A quorum for business shall consist of seven Aldermen and the Mayor or presiding Chairman, except in the months of July, August, September and October, when a majority of the Aldermen in the City shall suffice.

Accounts.

(3.) All accounts against the Corporation, except the Pay Roll of the City Guard, (which shall be paid by the Treasurer upon the order of the Mayor,) shall be left with the Clerk of Council at least two days before the regular meeting, and shall be registered by him. And it shall be the duty of the *Committee on Accounts*, to examine every account so registered, at any time before a regular meeting, and to report upon each, to be approved or rejected by Council; and no account or claim shall be laid before the Board, that has not previously been audited and examined by the Committee, nor paid until approved by Council, except the Pay Roll aforesaid; and the Treasurer shall keep a correct record, in a book appropriated to that purpose, of all accounts so passed, distinguishing in separate columns those paid and those unpaid.

Members speaking more than twice, &c.

(4.) No member shall address the Chair sitting, nor shall speak more than twice on the same subject without permission from the Chair, nor on any account when another member has not delivered his sentiments, and wishes to be heard.

Motions.

(5.) All motions shall be made in writing and seconded before debate, and every bill shall be read twice, that is, once at two distinct regular meetings of Council before it passes into an Ordinance, unless in case of emergency, when a bill may be read twice by unanimous consent on the same day and passed, and after the passage of any Ordinance, the same shall be signed by the Mayor or presiding Chairman as soon as fairly copied, and be immediately thereafter published, and no re-consideration of the minutes at the next meeting of Council shall operate to suspend, affect or alter the provisions of the said Ordinance, and on the first reading of the bill, the question shall be "shall the bill be read a second time?" All Ordinances, when passed, shall be fairly and correctly transcribed by the Clerk of Council in the Book of Ordinances, and when examined by the Mayor and found correct, shall be signed by him, or the officer presiding, at the time of its passing, and countersigned by the Clerk, with the seal of the City affixed.

Ordinances.

Mayor appoint Committees.

(6.) The Mayor (in his absence the Chairman) shall appoint all committees, except where a ballot is demanded by two members of Council, and shall have a vote only when the members of Council are equally divided, unless in case of balloting for officers or committees of this Board, when he shall vote as other members.

Sessions of Council.

(7.) The Council shall meet at their chamber on Thursday, in every alternate week, at Seven o'clock, P. M., from the 1st November to the 1st April, and at Eight P. M., from 1st April to 1st November, and having met, no member shall absent himself without leave from the Chair, and any member absenting himself without such permission, or who shall be absent at any meeting, shall be fined in a sum not exceeding two dollars, unless excused by the board. Any member absenting himself without leave for more than three months at one time from the City, his seat shall be declared vacant and a new election ordered.

Members absenting.

Duty of Messenger.

(8.) The Messenger shall summon the members personally or by leaving written notices at their usual places of abode, for every meeting, regular and extra, notifying precisely the hour of

meeting, and every such summons shall be served by 12 o'clock M. of the day of meeting.

Duty of Clerk. (9.) The Clerk shall read over the minutes of the preceding Council at the subsequent regular meeting, in order that any clerical mistake or omission may be corrected or supplied, but no alterations and amendments as to the substance shall be made or entered, unless on motion for re-consideration.

Extra meetings. (10.) The Mayor, or in case of his absence or sickness, the Chairman, or in case of the sickness or absence of both of these officers, any three Aldermen shall have the power to call extra meetings, and any member summoned shall be subject to the same fine in case of default as for non-attendance on regular meetings, unless excused by the Board. And it shall be the duty of the Mayor or Chairman, as the case may be, to call extra meetings whenever three Aldermen shall require him, in writing, so to do—but no appropriation of money shall be made except at a regular meeting of the Board.

Expulsion of members. (11.) It shall be in the power of this Board to expel any of its members for indecent and ungentlemanly conduct, whether before Council as a member, or in his capacity as an Alderman, and two-thirds of the members present may expel such member or members from Council.

Yeas and nays. (12.) Whenever any member shall require it, the yeas and nays of the members present shall be entered on the minutes on any question taken.

Contracts. (13.) In all cases when committees are ordered to contract for public repairs and improvements, they shall give notice in one

20 days notice. or more of the public gazettes of the City, for a period not less than twenty days; and when proposals shall have been received by the committee, they shall be reported to Council for approbation or rejection.

Each Standing Committee not over $100. Each Standing Committee may, however, order any necessary and urgent repairs to any extent not exceeding one hundred dollars, and the same shall be reported to Council at its next regular meeting, provided, however, that Council

Street and Lane Committee materials for repairs. may give general and standing directions to the Street and Lane Committee to provide such lumber, gravel, sand, oyster-shells, or other materials as may be needed in repairing, grading or ornamenting the streets and public squares. The same to be audited and accounted for at stated intervals, like all other accounts of the Board.

(14.) The Treasurer shall open a quarterly account with the

Chairman of the Committee on Streets and Lanes, and shall allow him to draw upon his own warrant a sum sufficient for the subsistency of twenty-one (21) hands, not exceeding $21 per week, and the said warrant shall be consolidated by the Treasurer quarterly, and shall be audited by the Committee of Accounts in like manner with all other claims upon the Treasury. Subsistence of hands.

Elections, majority vote (15.) It shall be necessary, in all elections by Council, that a majority of the votes of the members present shall be obtained before a candidate can be elected.

Chairman of Council (16.) Every Council shall, on the day of its organization, elect a Chairman, on whom shall devolve all the duties of the Mayor during the sickness or absence of that officer, and who shall act accordingly until the Mayor shall resume his functions.

No member to be interested in contracts, &c. (17.) No member of this Board shall be directly or indirectly interested in any contract, office or appointment, to be made with or derived from the Board, and which shall have annexed to it any pecuniary advantage or emolument.

Officers to attend Council. (18.) The only officers whose regular attendance will be required during the sittings of Council are the Treasurer, Marshal, Clerk and Messenger; but all or any other officers of the City shall be bound to attend any meeting upon the requisition of the Mayor in writing, or by special resolution of Council to that effect.

Doors of Council Chamber to be kept open. (19.) The doors of the Council Chamber shall on all occasions during the sittings of Council be kept open, nor shall any citizen be excluded therefrom, nor shall the doors on any occasion be closed but upon a vote of a majority of the members present.

City offices in Exchange. (20.) The Messenger and all other officers, except the City Sheriff, are required to keep their offices in the Exchange, and desks and apparatus shall be provided for them, and the said offices shall be attended to from 9 o'clock A. M. to 2 o'clock P. M., daily, Sundays excepted. Office hours.

Ordinances (21.) No Ordinance shall contain any subject matter which is not immediately and necessarily connected with the subject and title of the Ordinance.

Summons for extra meetings. (22.) The summons for all extra meetings of Council shall express the cause thereof, and no business shall be brought before the Board at any extra meeting which is not set forth in the summons.

Duty of Clerk of Council. (23.) The Clerk of Council shall furnish each Committee with copies of all resolutions relating to the concerns of said

Committees, which copies shall be personally served or left at the dwelling of the Chairman of such Committee, within forty-eight hours after the passage of any resolution or immediately thereafter in cases of emergency.

Members not to be security.

(24.) No member of this Board shall be accepted as security on the bond of an officer appointed by its authority, nor for the fulfilment of any contracts made with Council, nor shall any officer of Council be accepted as security on the bond of any officer appointed under it.

Suspension and alteration of Rules

(25.) The operation of any of the Rules of this Board, (except Rules 2, 16 and 17,) may be dispensed with by the unanimous consent of the members present, and any proposition to alter any of the established rules for the government of this Board, or to make new ones, shall be offered one meeting at least previous to its discussion, and can only thereafter be adopted by two-thirds of the members present agreeing to the same.

Duty of Mayor.

(26.) The Mayor shall possess a superintending power over all the salaried officers of this Board, and upon any complaint against, or for neglect of duty by said officers, he shall investigate the same, and, if he thinks it necessary, report the delinquent and the charges to this Board. The Mayor shall also have power to suspend any officer, holding an appointment under Council for any flagrant violation of duty, rendering it necessary to take such steps, which suspension he shall report to Council within forty-eight hours afterwards, by whom the said alleged offence may be inquired into.

ORDER OF BUSINESS.

(1.) Reading of the Minutes.
(2.) Information and Fine Dockets.
(3.) Reports of Committees.
(4.) Ordinances.
(5.) Petitions and Applications.
(6.) Elections.
(7.) Resolutions.
(8.) Miscellaneous Matter.
(9.) Accounts.

SABBATH.

Ordinance 11th April, 1839.

AN ORDINANCE, To amend an Ordinance entitled an Ordinance for enforcing the observance of the Sabbath or Lord's Day.

WHEREAS, the due observance of the Lord's Day is strictly enjoyed as a principal part of the true service of God, and the breach thereof is of the most evil tendency.

No. 467 (1.) If any person or persons whosoever shall disturb any congregation tolerated by the laws of this State, who are assembled together at any church or public place of worship to perform divine service, or shall cause any riot or disturbance thereabout, or therein, he, she or they shall, for every such offence, be subject to a fine not exceeding thirty dollars, and in default of payment of the same, it shall be lawful for the Mayor or either of the Aldermen, or any justice of the peace to commit him or them to the common jail for a space of time not exceeding ten days, and if such offender be a slave, to order him or her to be punished by whipping on the bare back not exceeding thirty-nine lashes.

Disturbing congregations, public worship, &c.

Penalty $30.

(2.) No tradesman, laborer or other person whosoever shall do or exercise any labor or business of their ordinary calling on the Lord's Day, (works of necessity, charity, and the absolute and necessary avocations of the family excepted) and every person of the age of discretion or fifteen years, and upwards offending herein, shall for every such offence be liable to a fine not exceeding thirty dollars.

No business, &c., on the Lord's Day.

Penalty $30.

(3.) No person whosoever shall publicly cry, show forth, or expose to sale in any shop, store, warehouse, or other place any goods, wares, merchandise, fruit, herbs, or any thing whatsoever, except medicines and ice, upon the Lord's Day, or any part thereof, nor sell, nor barter the same upon pain that every person so offending shall forfeit the goods so cried, shewn forth, or exposed to sale, and be liable to be fined in a sum not exceeding thirty dollars; *Provided always*, that nothing herein contained shall be construed to prohibit the dressing of victuals in families, or the dressing and selling to any persons except negroes, of victuals and refreshments in any inn, tavern, or victualing house, nor the baking of bread, if it be done early in the morning, nor the slaughtering of meat after divine service in

No goods, &c., to be sold on the Lord's Day.

Penalty $30.

Proviso as to families.

Owners, &c., of cookshops not to sell to negroes.

Penalty $30.

the afternoon. But the occupiers, proprietors, agents or owners of all cook-shops are hereby prohibited the sale of victuals to negroes on the Sabbath Day, and any sale shall subject the owner or occupiers of said shop to a fine not exceeding thirty dollars, and if a negro the punishment of thirty-nine lashes, and all such shops may be entered and examined as if they were retail shops, and the presence of negroes in the same shall be held and considered as a violation of this Ordinance.

No wagoner, &c., to ply about the City.

Penalty $30.

(4.) No wagoner, carter, drayman, butcher, driver or their servant or servants, or other persons whatsoever, shall ply about the City or Hamlets with their wagons, carts or drays, nor load or unload any goods, wares, merchandise or produce, except the baggage of passengers, nor drive cattle, sheep or swine, within the jurisdiction of the same, on the Lord's Day, or any part thereof, under the penalty of fine not exceeding thirty dollars for each and every such offence.

No vessel or water craft to load, &c.

Fine $30.

(5.) No vessel, boat or water craft of any kind whatever shall be allowed to load or unload at any of the wharves or docks of this City or the Hamlets thereof on the Lord's Day, (cases of imminent danger or urgent necessity only excepted,) under the penalty of a fine not exceeding thirty dollars.

No tavern keeper, &c., to suffer feasting, gaming, &c.

Penalty $30.

(6.) No tavern-keeper, inn-keeper, or other person keeping any house of entertainment shall suffer any feasting, drinking, gaming, rioting or other disorderly and indecent conduct whatsoever, on the Lord's Day, within their houses, out-houses, or enclosures, under a penalty of a fine not exceeding thirty dollars for each and every such offence.

No public sports, &c.

Penalty $30.

(7.) No public sports or pastimes, as bear bating, bull bating, horse racing, riding race horses through the streets of the City, or for exercise from stables, foot-ball, shooting, hunting or fishing, interludes or plays, dancing, singing, fiddling, or other music for the sake of merriment, or any other sports or pastimes or disorderly conduct whatsoever, shall be used on the Lord's Day, and all and every person or persons offending in the premises, shall forfeit for every such offence a sum not exceeding thirty dollars.

Marshal, &c., to walk or ride through the City during divine service.

(8.) For the better preservation of decorum and good order on the Lord's Day, the Marshal, attended by two or more Constables, is hereby required, on every Sunday, during divine service, to walk or ride through the City and Hamlets, to observe, suppress and apprehend all offenders whatsoever, who shall be

found acting contrary to the intent and meaning of this Ordinance, and to enter into any public house, tippling house, dram shop, negro cook shop, or other house or enclosure wherein they hear any riot, noise, or indecent behavior, or wherein they suspect any assembly of disorderly persons or negroes for the purpose of suppressing the same and apprehending the offenders. And in case admittance or entrance be refused, then the said Marshal or Constables are required to apply to the Mayor or either of the Aldermen, or to any Magistrate of the City, for a warrant or order to break open any of the doors of the said house or enclosure, and enter therein. And any person or persons who shall refuse entrance to the officers aforesaid, shall, for every such offence, be liable to a fine not exceeding thirty dollars.

Enter public places, &c.

If refused admittance.

Penalty $30.

Negroes found in shops, &c.

(9.) If there shall be found in the shop or enclosure of any retailer of spirituous liquors, or any negro cook shop within the jurisdictional limits of the City on the Lord's Day, any negro or negroes not the property of the owner of said cook shop, or retailer of liquors, the Marshal or Constable may enter the premises and take such negroes to jail, and the person or persons so harboring and entertaining such negroes shall be fined in a sum not exceeding thirty dollars.

Penalty.

Fines how collected.

(10.) The fines, penalties and forfeitures herein imposed, shall be levied and recovered in the usual manner, and applied, one half to the informer or informers, who shall prosecute the same, to effect, and the other half to the use of the City.

Prosecution must be commenced in 30 days.

(11.) No person shall be prosecuted or molested for any offence contained in this Ordinance, unless such prosecution be commenced within thirty days after the offence was committed.

Ordinance of 16th April, 1846.

Slaves and free negroes not to ride on horseback.

No. 468. (1.) It shall not be lawful for any slave or free person of color to ride on horseback through the streets of the City of Savannah or Hamlets thereof, on the Sabbath Day without written permission from their owner or guardian, on business of necessity to be specified in said written permission.

Duty of Marshal to arrest and report offenders.

(2.) It shall be the duty of the Marshal, City Sheriff, and Constables to arrest and report all offenders of this Ordinance to the Mayor, whose duty it shall be to fine or punish all such as in his judgment and wisdom shall seem equitable and just as violations of other Ordinances for the good order peace and dignity of the said City and Hamlets thereof.

Ordinance of 27th July, 1854.

Doors and windows of shops, stores, &c., to be closed at 12 o'clock on Saturday night, and kept so until 12 o'clock Sunday night.

No. 469. (1.) Every person who shall thereafter keep within the City of Savannah or Hamlets thereof, or its extended jurisdictional limits, shop, store, bar-room, tavern, oyster house, or cellar, confectionary, eating-house, porter, ale or beer house, shall, on every Saturday night at twelve o'clock, close and keep shut the door or doors, and window or windows of such shop, store, bar-room, bar in a or attached to a tavern, oyster house, or cellar, confectionary, eating house, porter, ale or beer house until the hour of twelve o'clock Sunday night.

No selling, &c., of goods, &c., on Sunday; except medicines, ice and milk.

(2.) No person whatsoever, shall exchange, barter, sell or offer or expose for sale, after twelve o'clock on every Saturday night, and until twelve o'clock Sunday night, any goods, wares, merchandize, fruits, herbs, malt, vinous or spirituous liquors, or any other strong drink, or any other things whatsoever, except medicines, ice and milk.

Penalty not less than $20 nor more than $100.

(3.) If any person or persons shall violate any of the provisions of this Ordinance, he, she or they shall, upon conviction thereof before the Police Court, be fined in a sum not less than twenty dollars, nor more than one hundred dollars for each and every violation—one half of such fine to be paid to the informer; the other half into the City Treasury.

(The provisions of the above Ordinances are extended to the jurisdictional limits. *See Title, "Shops, Stores and Bar-Rooms."*)

State Law, Approved Dec. 13th, 1792. (Cobb's Digest, page 851.)

AN ACT, to protect Religions Societies in the exercise of their Religious Duties.

Persons disturbing religious worship subject to a fine of £5, or be committed to jail ten days.

No. 470. (1.) If any person or persons whomsoever shall interrupt or disturb any congregation of white persons assembled at any church, chapel or meeting-house, or any other place for public worship, during the time of divine service, it shall be the duty of any Justice of the Peace, Sheriff, Constable or any civil officer of the County, being present where the offence shall be committed, to take the person or persons so offending into custody; or on complaint made by any person on oath, to issue a warrant against him or them so offending.

Negroes not to assemble.

(2.) And no congregation or company of negroes shall, under pretence of divine worship, assemble themselves.

State Law, Approved 22d Dec., 1808. (Vol. II. 480.)

AN ACT, to amend the foregoing.

No intoxicating liquors within

No. 471. (1.) It shall not be lawful for any person to sell, or cause to be sold, any wine, cider, beer, whiskey, gin, rum or brandy, or any other intoxicating liquors, within one mile of any meeting-house, or other place set apart or publicly resorted to for divine worship, during the time appropriated to such worship.

one mile of any place of public worship.

State Law, Assented to December 11th, 1841. Pam. 137.

AN ACT, to amend an Act entitled an Act to protect Religious Societies in the exercise of their religious duties, approved December 13th, 1792, and an Act to amend the foregoing Act, approved December 22d, 1808.

Violation of above Acts, misdemeanor.

No. 472. (1.) *Be it enacted*, That if any free white person shall violate the provisions of the before recited Acts, it shall be deemed and held in law a misdemeanor, and shall be indictable in the Superior Courts of this State, as in other criminal cases; and it shall be the duty of the Justices of the Peace to bind the offenders to be and appear at the Superior Courts of this State, as in other criminal cases.

Fine $10 to $50.

(2.) If any free white person shall be convicted for a violation of the aforesaid Acts, he shall be fined in a sum not exceeding fifty dollars, nor less than ten dollars.

State Law, Approved March 4th, 1762. (Cobb's Digest, page 853.)

AN ACT, for preventing and punishing vice, profaneness and immorality, and for keeping holy the Lord's Day, commonly called Sunday.

Whereas, there is nothing more acceptable to God than the true and sincere worship and service of him, according to His Holy will, and that the keeping holy the Lord's day is a principal part of the true service of God, which in this Province is too much neglected by many:

Persons working on Sunday shall forfeit ten shillings.

No. 473. (2.) No tradesman, artificer, workman, laborer, or other person whatsoever, shall do or exercise any worldly labor, business, or work of their ordinary callings upon the Lord's day, or any part thereof, (works of necessity or charity only excepted,) and that every person being of the age of fifteen years or upwards, offending in the premises, shall for every such offence forfeit the sum of ten shillings. And that no person or persons whatsoever, shall publicly cry, show forth, or expose to sale any wares, merchandises, fruit, herbs, goods, or chattels whatsoever, upon the Lord's day, or any part thereof, upon pain that every person so offending shall forfeit the same goods so cried, or showed forth, or exposed to sale, or pay ten shillings.

No goods to be sold on that day.

All games and sports forbidden, penalty five shillings.

(4.) No public sports or pastimes, as bear-baiting, bull-baiting, foot-ball playing, horse-racing, shooting, hunting or fishing, interludes, or common plays, or other games, exercises, sports, or pastimes whatsoever, shall be used on the Lord's day by any person or persons whatsoever; and that all and every person and persons offending in any of the premises shall forfeit, for every such offence the sum of five shillings sterling.

Public houses to be kept shut on Sundays.

(5.) No vintner, innholder, or other person keeping any public house of entertainment, shall entertain, or suffer any person or persons, (except strangers or lodgers) in such houses or out-houses, to abide or remain; nor shall they suffer any person or persons whatsoever, in their said houses, or out-houses, yards, orchards or fields, to abide or remain drinking, or in any manner idly spending their time on the Lord's day, upon the pains and penalties of five shillings for every person offending, payable by themselves respectively, that shall be found so drinking or abiding in any such public house, or dependencies thereof as aforesaid; and the like sum of five shillings, to be paid by the keeper of such house, for every person entertained by them.

Constables, &c., to examine tippling houses that day.

(6.) And for the better keeping of good order on the Lord's day, *Be it enacted*, That the Church Wardens and Constables of each parish respectively, or any one or more of them, shall once in the forenoon and once in the afternoon, in the time of Divine service, walk through the Town of Savannah, and the respective Towns of this Province, to observe, suppress and apprehend all offenders whatsoever, contrary to the true intent and meaning of this Act; and they shall have power, and are hereby authorized and empowered to enter into any public house, or tippling house, to search for any such offenders; and in case they are denied entrance, shall have power, and are hereby authorized and empowered to break open, or cause to be broke open, any of the doors of said house and enter therein; and all persons whatsoever are strictly commanded and required to be aiding and assisting to any Constables or other officers in their execution of this Act, on the penalty of ten shillings sterling for every refusal.

And to use force if denied entrance.

State Law, Approved January 19th, 1852.

(*Pamphlet Laws*, 1851–2, *page* 270.)

AN ACT to amend an Act entitled "An Act to protect Religious Societies in the exercise of their religious duties," approved December 13th, 1792.

Interference with religious worship a misdemeanor.

No. 474. (1.) If any free white person shall violate the provisions of the before recited Act, it shall be deemed and held in law a misdemeanor, and shall be indictable in the Inferior Courts of this State, as in other criminal cases; and it shall be the duty of the Justices of the Peace of this State upon sufficient proof being made before them of a violation of the provisions of the aforesaid Act, to bind the offender or offenders to be and appear at the Superior Courts of this State by recognizance, as in other criminal cases.

Punishment.

May be by imprisonment.

(2.) If any free white person shall be convicted for a violation of the aforesaid Acts, he or she shall be fined in a sum not exceeding Fifty Dollars nor less than Ten Dollars; *Provided*, That if the offenders are unable to pay such fine, they shall be imprisoned in the common jail of the County, not more than sixty days, nor less than five days, at the discretion of the Court.

SAILOR BOARDING AND OTHER HOUSES.

Ordinance Passed Dec. 11, 1857.

AN ORDINANCE, To compel the keeper or keepers of each and every hotel, inn, tavern, seamen, or sailor boarding house, or other house or houses where boarders or lodgers are kept within the limits of the City of Savannah, and where malt, vinous or spirituous liquors are kept and furnished by such keeper or keepers, to such boarders or lodgers, or any of them, to take out a license therefor, when no liquor license has been paid for or granted to such keeper or keepers, and for other purposes therein mentioned.

Sailor boarding houses keeping liquor and furnishing same to boarders and lodgers.

No. 475. (1.) Each and every keeper or keepers of an hotel, inn, tavern, seamen or sailor boarding house, or other house or houses, where boarders or lodgers are kept within the limits of the City of Savannah, where malt, vinous or spirituous liquors are kept and furnished by such keeper or keepers to such boarders and lodgers, or any of them, and where no liquor license has been paid for, or granted to such keeper or keepers, shall take out a license from the Clerk of Council therefor, and pay therefor the sum of one hundred dollars, exclusive of the usual license fees.

License $100 and fees.

Upon taking out license, exempt from having the usual sign

(2.) Upon taking out of the license aforesaid such hotel, inn, tavern, seamen or sailor boarding house, or other house or houses where boarders or lodgers are kept, shall be exempt from the provisions and liabilities of the tenth section of an Ordinance passed October 12th, 1826, entitled "An Ordinance to amend an Ordinance regulating shops, stores and bar-rooms and for granting licenses, for retailing spirituous liquors, or for vending goods, wares and merchandize, in the streets, lanes, alleys and squares within the City of Savannah and its extended limits."

Penalty $100.

(3.) That if any person or persons shall be convicted before Council or the Police Court of violating any of the provisions of this Ordinance, he, she or they shall be subject to a penalty of one hundred dollars, to be enforced by an execution directed to the Marshal of said City, or any lawful Constable thereof, who shall, under and by virtue thereof, proceed to levy upon the goods and chattels, and if none to be found, on the lands and tenements of the offender or offenders, and after advertising the same for fifteen days, shall sell the same for the payment of the

How levied and enforced.

said fine and all costs and expenses, or by a mittimus directed to the Marshal of said City or any lawful Constable thereof, and to the Jailor of Chatham County, if, in the opinion of the presiding officer of said Court or Council, such mittimus may be necessary to enforce the collection of said fine, costs and expenses.

SALARIES.

Ordinance 27th July, 1843.

AN ORDINANCE to authorize the payment of the Salaries of the City Officers monthly.

Salaries payable monthly.

No. 476. (1.) That from and after the passing of this Ordinance the salaries of the City Officers shall be paid monthly instead of quarterly, as hitherto.

See Title, "Elections."

SALES.

See Title, "Public Sales."

SAND.

Ordinance 19th August, 1839.

Removing sand.

No. 477. (21.) It shall not be lawful for any person to remove any sand from the bank of the bluff of this City. (The balance of this section repealed. See section first, Ordinance May 2d, 1844, below.

Ordinance 2d May, 1844.

Penalty $5, &c.

No. 478. (2.) That any person who shall dig or remove sand or earth, or deposit sand, earth or other material, at any point hereafter under the bluff, or any where else upon the public domain, or in the streets or lanes of the City, without authority previously obtained in writing from the Chairman of the Committee of Streets and Lanes, shall be fined five dollars for the first, ten dollars for the second, fifteen dollars for the third and twenty dollars for the fourth offence, and so on at the discretion of the Mayor, the half of which fines shall go to such Marshal,

Constable or other public officer as may report the offender for breach of this Ordinance.

On Slaves.

(3.) Any slave or free person of color violating this Ordinance, his owner or guardian shall be held liable for the offence.

SAVANNAH FIRE COMPANY.

See Title, "Fire Department."

SCAVENGER.

Ordinance 15th August, 1839.

Occupants of houses, &c., to sweep foot-walks.

No. 479. (3.) All occupants of houses, merchants, shop-keepers, grocers and tradesmen, (carrying on trades under roof and residing above the bluff,) shall be compelled every day in the week before seven o'clock A. M., to sweep the foot-walk before their respective houses and lots, or so much of the lot as is occupied by each for the space of six feet from the foundation of the house, piazza, railing or fence, (as the case may be) and collect the rubbish therein and therefrom, and deposit the same ready for the Scavenger's cart.

Tenants to keep in their yards a box or barrel for rubbish, &c.

(6.) The owners, tenants, or occupiers of houses shall keep within their yards or enclosures respectively a box or barrel of sufficient size in which shall be deposited all the offal, filth, rubbish, dirt, and other matter generated in said building and enclosure, and the said filth of every description as aforesaid, shall be placed in said box or barrel from the first day of April to the first day of November, before the hour of seven o'clock, A. M., and from the first day of November (inclusive) to the last day of March (inclusive,) before the hour of eight o'clock, A. M., and such matter so placed shall be daily removed (Sundays excepted) by the Superintendent to such places without the City as shall be designated by the Mayor or a majority of the Street and Lane Committee.

Not lawful to throw or put any dead animal into the streets, &c.

(7.) It shall not be lawful for any person to throw or put into the streets, lanes, or squares, or common within or without the City, any dead hog, goat, dog, cat, fowl, or other dead animal, and that all horses, cows, hogs, dogs, goats, calves, and other animals of such size, which may die or be found dead within the limits of the City, shall be removed and carried beyond the

How they shall be removed, &c.

limits of the same, and buried at least six feet under ground by the owners thereof, or his, her or their agent, or servant and at his, her or their own expense, which burial shall take place within two hours after the death of such animal, unless such death shall happen in the night, in which case such dead animal shall be removed within two hours after sunrise, and if the owner of such dead animal shall not remove the same within the time above directed, then the same shall be removed and buried as aforesaid by the Superintendent of Streets and Lanes, at the expense of the owner. And it shall be the duty of such Superintendent, at the request of the owner, or any other person, or whenever any dead animal shall be found any where within the limits of the City, to remove and bury the same without delay, and the said Superintendent shall be entitled to receive for the use of the City, from the owner of any such dead animal, for removing and burying the same, the following fees, viz: for a hog, dog, goat, or calf, one dollar and fifty cents; for a horse, cow or other large animal, three dollars. And the said Superintendent shall make a quarterly return to the City Treasury of all monies received by him for the use of the City, and shall pay the same to the said Treasurer, (now every two weeks.)

Duty of Superintendent, &c.

Returns every fortnight.

Stable keepers' duty relative to horses, &c.

(8.) Every keeper of an inn, tavern, or stable within the City, and every other person within the City who shall keep, and have the management, care or charge of more than four horses, mules, oxen, or cows, as together exceed four in number, in any one stable, yard, or other enclosure within the City, he shall remove or cause to be removed at least once in every twenty-four hours, at his, her or their own expense, all the dung, filth, or litter made and caused by keeping the aforesaid animals, to such places as may be pointed out for the deposit of the filth and rubbish removed by the Superintendent of Streets and Lanes.

Householders to keep their yards, &c., clean.

(9.) Every house-holder or occupant of a house shall keep the yard, cellar, enclosure, or premises so occupied, clean and clear of and free from all putrid and stinking water or other putrid or offensive matter or thing whatsoever, and it shall be the duty of every house-holder or occupant of a house to throw into the privies attached to their yards or enclosures, a peck or a sufficient quantity of lime once a month during the months of May, June, July, August, September October and November.

Privies.

(10.) For any violation or omission of the said Superintendent of any thing directed to be done by this Ordinance, the said Superintendent may be fined by the Mayor, Chairman, or Alderman presiding at the Police Court, or by the Mayor and Aldermen in Council assembled, in any sum not exceeding one hundred dollars for each offence, and the said Superintendent may be, for any flagrant violation or omission of duty, suspended by the Mayor, or acting Mayor, who shall report the same to Council, and the said Council may remove the said Superintendent from office, or inflict such other penalty as they may deem proper. And whenever the said Superintendent shall be suspended or removed, the Mayor, or acting Mayor, shall appoint some fit and proper person to act as Superintendent until such vacancy be filled by an election as in other cases of vacancy.

Penalty on Superintendent.

Suspension, removal, &c.

(11.) If any person or persons, other than the Superintendent shall violate any of the provisions of this Ordinance, or omit any of the duties imposed on him, her or them by this Ordinance, he or she, if a white person, shall be fined in a sum not exceeding one hundred dollars for each and every offence, at the discretion of the Mayor, acting Mayor or Aldermen presiding at the Police Court or of the Council, but if the offender be a slave or free person of color, he or she shall receive corporal chastisement not exceeding thirty-nine lashes as may seem proper to the said Mayor, or acting Mayor or Aldermen presiding as aforesaid or the Council, but the said corporal chastisement may be dispensed with at the discretion of the authority passing the sentence, if the guardian or friend of such free person of color, or the master or employer of such slave, or any white person will pay such fine not exceeding thirty dollars for each offence, as may be assessed against such free person of color or slave. And all fines collected shall be paid one half to the informer, and the other half to the Treasurer of the City for the use of the City.

Penalty on other persons, $100, &c.

Ordinance 29th Dec., 1853.

Scavenger's department by contract.

No. 480. (1.) The work of the Scavenger's department shall be given out by contract and proposals for performing the same, shall be received as hereinafter specified. All bids must be handed to the Clerk of Council before ten o'clock, A. M., on the day of election, notice of which election shall be given ten days previous to the time at which said election shall take place. And each bidder shall enclose with his bid the names of two or more securities, who shall bind themselves in a sum which shall exceed the amount of the bid for which he proposes per annum

Bids, &c.

to do the work, by one thousand dollars, for the true and faithful performance of the duties of Superintendent. The City Council shall at its first regular meeting in January next, and at the first regular meeting of Council in January of every third year thereafter, select from those who shall submit their proposals, one who shall be declared elected Superintendent, who shall execute a bond to the City, in the amount above required, to be approved by the Mayor, and enter upon the duties of his office within ten days after said election, upon failing to give such bond, or neglecting to enter upon his duties within the said time, his election shall be deemed void, and the City Council, at its next regular meeting shall elect some other person in his place.

Election.

Bond.

Duty of Superintendent.

(2.) The person who is elected such Superintendent shall, before entering upon his duties, provide himself with a sufficient number of able-bodied men and horses or mules and carts, to perform the duties of the department as hereinafter described, which men, teams and carts shall all be approved of by the Mayor, and none shall be employed in the department but such as are able and efficient; and it shall be the duty of the Superintendent to cause the men so employed to pass through all parts of the City daily, Sundays and general holidays excepted, with the carts and take up all offal, filth, manure, oyster shells or other rubbish, or that may be collected in barrels and boxes, or that may be found in any street, lane or square within the City, and carry the same to such place as may be determined by the Mayor or Chairman of the Street and Lane Committee: *Provided*, that all manure shall be at the disposal of the Superintendent, and to be carried beyond the limits of the City.

Take up offal, &c.

Manure.

Other duties to report to Mayor.

(3.) It shall be the duty of the Superintendent to report to the Mayor or acting Mayor, every Monday morning the number of hands and teams employed in the department, and the condition of the streets, lanes and squares, and on every alarm of fire it shall be his duty to repair to the place of the fire with such of his teams as are not actually loaded, and carrying off the offal, at the time of such alarm being given, and be subject to the orders of the Mayor or the person or persons acting in his place; and for neglecting or failing to perform all the requirements of this Ordinance, the said Superintendent shall, upon conviction before the Mayor or person or persons presiding at the Police Court, be subject to a fine of not less than five or more than fifty dollars for each offence, one half to go to the informer, the other half for the use of the City: *Provided, nevertheless*, for any charge of gross neglect or misdemeanor, he, the said Superintendent shall be liable to be tried before Council and removed from office, or be fined in such sum as Council may order and direct; and in case of removal from office, a new election shall be held at the next meeting of Council, to fill his place for the unexpired residue of his term, and notice of such election shall be given by the Clerk of Council ten days before the time at which said election will take place.

Fire alarms.

Penalty for neglecting, &c., his duty.

Duty to see that the Squares are daily examined, remove rubbish, &c.

(4.) It shall be the duty of the said Superintendent to see that the public squares are also daily examined, and any offal, or rubbish that may be therein found, shall be removed by his carts, and it shall be the further duty of said Superintendent to furnish the Chairman of the Street and Lane Committee with the hands, teams and carts belonging to the Scavenger's department one hour each day, from the first day of November to the first day of May, and two hours per day from the first day of May to the first day of November, Sundays and days succeeding general holidays excepted, for the purpose of assisting in grading, leveling or filling up any of the streets, lanes or squares, and it shall be the duty of the said Superintendent to keep two or more ploughs, and after every heavy rain to go through the City and open with said ploughs, such places as need opening to let the water off more freely.

To take charge of the Pound.

(5.) It shall be the duty of the Superintendent to take charge of and feed all cattle or other animals whatsoever liable to be impounded, or that shall be impounded by the City Marshal or any City Constable, and to deliver up said cattle or other animals to their owners on the customary fees being paid, for the fulfilment of which duty the Superintendent shall have possession of all the buildings belonging to the City and attached to the pound, and may use the stables for keeping the mules or horses engaged in the Scavenger's Department, and shall keep the same in good repair at his own expense and it shall further be his duty to be at the said pound, or have some agent there at two stated hours each day, when cattle or other animals are within, for the purpose of delivering said cattle or other animals to their owners when called for; and further, he shall well and truly pay all moneys collected for thus delivering up cattle or other animals to the City Marshal—the money allowed by Ordinance for feeding cattle or other animals impounded being excepted.

Use of stables, &c.

To deliver impounded cattle, and pay the fines to the Marshal.

SCUTTLES.

(See Title, "Ladders and Scuttles.")

SEAMEN.

Ordinance 5th April, 1855.

Abducting, &c., of articled Seamen, &c.

No. 481. (1.) That if any person or persons shall, from and after the passing of this Ordinance, abduct, harbor, inveigle, entice, or carry away from on board any ship or vessel of any description, any articled seamen, ordinary seamen, landsman, apprentice or mariner, from such ship or vessel, whilst lying in the port of Savannah, or within the jurisdictional limits of said City, or shall harbor, inveigle, entice or convey, or carry away any such articled seamen, ordinary seamen, landsman, apprentice or mariner, when not on board said ship or vessel, but within the jurisdictional limits of the City of Savannah, or shall afford any conveyance or facility to such seamen named, to desert or leave such ship or vessel, to which he may have been attached and articled, such person, so offending, shall, for each and every such offence, being thereof convicted before the Police Court of this City, be liable to a fine of one hundred dollars, and not less than fifty dollars.

Fine $100.

Aiding and assisting.

(2.) If any person or persons shall aid or assist in any way or manner, any articled seamen, ordinary seamen, landsman, apprentice or mariner, to desert from such ship or vessel, whilst lying within the port of Savannah, or within the jurisdictional limits of the City of Savannah, or shall aid and assist in abducting, harboring, inveigling, enticing, or carrying away, with or without violence, any such articled seamen, ordinary seamen, landsman, apprentice or mariner, whether from on board such ship or vessel, or within the jurisdictional limits of the City of Savannah, as aforesaid, such person or persons shall, upon conviction before the Police Court of the City, be liable to a fine of one hundred dollars, and not less than fifty dollars, at the discretion of said Court, for each and every such offence.

Fine $100.

Appeals upon paying costs and giving bond.

(3.) Any person or persons, convicted before the Police Court of the City of Savannah, for a violation of any of the provisions of the first or second sections of this Ordinance, may take an appeal from the judgment and decision of said Court to the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, in Common Council assembled, all costs being first paid and bond given to abide the decision of the said Common Council.

Judgment and execution how enforced.

(4.) The judgment and decision of the said Mayor and Aldermen of the City of Savannah and the Hamlets thereof, in Common Council, assembled, upon such appeal, shall be enforced by execution against such person or persons so entering the appeal and against his security, directed to the Marshal of said City or any lawful Constable thereof, who shall, under and by virtue of said execution, proceed to levy upon the goods and chattels, if any to be found, of such offender or of his security on the appeal, and if none, then upon the lands of said offender or of his security on the appeal, and after advertising the same for fifteen days, shall proceed to sell the same for the payment of said fine and all costs and expenses.

If no appeal fine enforced by execution.

(5.) If no appeal shall be entered from the judgment and decision of the Police Court, the fine imposed shall be enforced by an execution against such person or persons, directed to the Marshal of said City or any lawful Constable thereof, who shall, under and by virtue of said execution, proceed to levy upon the goods and chattels, if any to be found, of such offender, and if none, then upon the lands of said offender, and after advertising the same for fifteen days, shall proceed to sell the same for the payment of said fine, and all costs and expenses, or by a mittimus directed to the Marshal of said City, or any lawful Constable thereof, and to the Jailor of Chatham County, if, in the opinion of the presiding officer in said Court, such mittimus may be necessary to enforce the collection of the said fine, costs and expenses.

Special duty of City Police.

(6.) It shall be the special duty of the City Police and the City Watch, and all and every one of them, whether by day or night, if they shall be credibly informed, or shall be assured of their own personal knowledge, that any person or persons, within the port of Savannah, or the jurisdictional limits of the said City of Savannah and the Hamlets thereof, have been or are violating any of the provisions as they are contained in the first and second sections of this Ordinance, forthwith and as an ex-officio Constable of the City of Savannah and the extended limits thereof, to arrest such person or persons, who may have violated or attempted to violate any of the provisions of this

Ordinance as aforesaid, without any warrant for that purpose, and carry such person or persons to the guard house of the City: *Provided*, such offence or offences have been committed in the night, there to be confined and dealt with in pursuance of the Ordinance passed 22d June, 1854, relative to the Watch and Police, but if said offence or offences as described in the first and second sections of this Ordinance, shall be committed in the day time, it shall then and in that case, be the duty of the City Police and Watch, or the officers so arresting, forthwith to bring the person or persons so offending before the Mayor, or in his absence, before the Chairman of Council or such person as may be lawfully acting in his stead, then and there to stand or abide by and perform such order in the premises as the said Mayor, Chairman, or other member of Council officiating for the time being, shall then and there order and direct, or as shall be in pursuance of any Ordinance or Ordinances heretofore passed, in such cases made and provided, for regulating the Police Court of the City of Savannah.

Penalty on Police for neglect, &c., $50.

(7.) If any officer or member of the said Special Police or Watch shall be guilty of neglect of duty in arresting any person or persons who may have violated any of the provisions of this Ordinance, when the same shall come within his or their own knowledge, such officer or private shall be liable to a fine not exceeding fifty dollars, and to be dismissed from office, at the discretion of the Mayor, to be approved of by Council, at its next regular meeting.

State Law, Assented to Dec. 27, 1843. Pam. 136.

AN ACT to define the offences of abducting and harboring Seamen, and to punish the same, and for other purposes therein mentioned.

Entering ship with intent to abduct and aid articled seamen to desert.

No. 482. (1.) If any person or persons shall board any ship or vessel, in any port or harbor, or on any of the waters of this State, with intent to inveigle, entice, convey away, abduct with or without violence, or secretly carry off any articled seamen, or mariner, or apprentice, from such ship or vessel, or shall afford any conveyance or facility to such seaman, or mariner, or apprentice, to desert or leave such ship or vessel, then and in each of such cases, such person or persons so offending, shall be liable, on conviction, to fine or imprisonment, at the discretion of the Court.

Actual abduction and desertion.

(2.) If any person or persons shall aid or assist in any way or manner, any articled seaman or mariner, or apprentice, to desert from his ship or vessel, while within the waters of this State, or shall inveigle, entice, convey away, abduct, or carry,

with or without violence, or secretly carry off any articled seaman, or mariner, or apprentice from any such ship or vessel, such person or persons so offending, shall on conviction, be liable to fine or imprisonment, at the discretion of the Court.

Harboring.

(3.) If any person or persons shall harbor, secrete, entertain, lodge or keep, or shall directly or indirectly suffer to be harbored, secreted, entertained, lodged or kept in or about his house or premises, any articled seaman or mariner, or apprentice, knowing the said seaman, or mariner, or apprentice, to have deserted from his ship or vessel, such person or persons shall, on conviction, be fined in a sum of not more than five hundred dollars or imprisoned, at the discretion of the Court.

Fine $500 or imprisonment.

Repealing clause.

(4.) The fourth section of an Act entitled an Act to punish seamen or mariners neglecting or deserting their duty on board their respective ships or vessels, and for preventing seamen or mariners from being harbored or running in debt, approved March the sixth, in the year of our Lord one thousand seven hundred and sixty-six, be and the same is hereby repealed.

SECRETARY BOARD OF HEALTH.

Ordinance Oct. 1st, 1857.

Annual salary $200.

No. 483. (1.) The Secretary of the Board of Health, shall be entitled to receive on the first Monday in November, in each year, the sum of two hundred dollars for his services; *Provided*, that the Chairman of the Board of Health, certify that he has performed all duties required of him as Secretary.

SHOPS, STORES AND BAR-ROOMS.

LICENSES.

Ordinance 12th October, 1826.

AN ORDINANCE, To amend an Ordinance regulating shops, stores and bar-rooms, and for granting licences for retailing spirituous liquors, or for vending goods, wares and merchandize in the streets, lanes, alleys and squares, within the City of Savannah and its extended limits.

Shops, stores and bar-rooms in extended jurisdictional limits.

No. 484 (1.) All shops, stores, and bar-rooms, within the extended jurisdictional limits of the said City as defined in its amended charter, passed at the last session of the legislature of this State,

and all persons owning, keeping, superintending or visiting the said shops, stores or bar-rooms, shall be, and are hereby made subject to the existing Ordinances in relation to those subjects, except such as shall be repealed by virtue of this Ordinance.

To take out a liquor license.

(2.) Every person who shall hereafter keep, within the City of Savannah, or its extended jurisdictional limits any store, bar-room, tavern, inn, hotel, ordinary, oyster house or cellar, confectionary, eating house, punch, porter, ale or beer houses, for the sale of liquors, or otherwise sell or dispose of malt, vinous, or spirituous liquors, cider, beer, punch, or other strong drink, under any name whatever, in any quantity other than the original package, cask or vessel, as imported, shall first obtain a license for the same, as is hereinafter prescribed, according to the class for which it is intended to be used; in default whereof, he, she or they, upon conviction before Council, shall forfeit and pay, for each and every offence, a sum not exceeding (now $100, see No. 487,) dollars.

Class No. 1. by quart or over.

(3.) Licenses for retailing liquors shall be classed and numbered as follows, viz: Class number one, for keeping liquor stores, authorizing the holders to sell malt, vinous or spirituous liquors in any quantity not less than a quart: *Provided*, the same be not drank or consumed at the place where sold, and every person to whom such license may be granted, shall pay (now $50, see No. 488,) dollars. Class number two, for retail shops, &c., authorizing the holders to sell malt, vinous, or spirituous liquors in any quantity, with permission to drink or consume the same at the place where sold, and every person to whom such license may be granted, shall pay (now $100, see No. 486,) dollars.

Price $50 and fees. Class No. 2.

Price $100 and fees.

Penalty $100.

(4.) That every person obtaining a license of either of the two classes, or a pedlar's license, who shall transgress the terms, violate the conditions or infringe the provisions of such license, as defined in this or any other Ordinance, shall upon conviction before Council, forfeit and pay for each offence, a sum not exceeding (now $100, see No. 487,) and shall, for a third offence, forfeit such license, and shall not be entitled to obtain another until the expiration of two years thereafter.

(5.) The form of the license shall be as follows:

Form of license.

This is to certify that has given bond and security according to the Ordinances of the City, in the sum of two hundred dollars for his faithful compliance with the laws of the State, and the Ordinances of the City, which now are or may hereafter be of force respecting shops, stores, bar-rooms, taverns, retailers of spirituous liquors, so far as the same relate to the City of Savannah. Therefore, the said is hereby authorized to keep a liquor store, to retail not less than a quart, as defined in class number one, or a retail shop as defined in class number two, as the case may be, in the house where he now resides in street, ward, and in no other place whatsoever in the City of Savannah, from the day of in the year of our Lord, one thousand eight hundred and until next ensuing, and no longer. Given under my hand and the seal of the City, the day and year first above mentioned.

Bond $200.

(6.) The Mayor is hereby authorized to grant the license upon the applicants paying the sum required therefor, and giving bond with two or more approved securities, in the sum of two hundred dollars, conditioned for the due observance of the Ordinances of the City and laws of the State, and every license shall continue in force for one year and no longer.

Conditions.

Treasurer's duty.

(7.) It shall be the duty of the City Treasurer to make a fair and just entry in a book to be kept by him for that purpose of the names and places of abode of all such persons as shall have obtained licenses, the names of their securities, the class of licenses granted, and of the sum received for the same.

License transferable to place, not to person.

(8.) No license shall authorize the holder to sell liquors or exercise authority under it in more places than one, nor at any other place than the one designated in such license, without first giving notice to the Clerk of Council of his or her removal, whereupon the Clerk shall obtain from the Mayor, or in his absence from the Chairman, a certificate on the back of such license specifying the place of removal.

Clerk of Council's duty.

Penalty for selling in smaller quantities, &c., than original package.

(9.) If any person or persons without a license, shall sell at any time any malt, vinous or spirituous liquors in any quantity or parcels other than as imported in the original packages, casks or vessels and deliver the same in smaller quantities or at different periods of time with intent to evade the provisions of this Ordinance, such person or persons upon conviction before Council, shall forfeit and pay for each offence a sum not exceeding thirty dollars.

(10.) Any person obtaining a license of class number two for retailing, shall have plainly and distinctly painted in letters

Retailers by the glass or less than a quart to have signs.

not less than three inches in length over the door on the outside of the house or shop wherein the liquors are sold and fronting the street. lane or square, the name of the person so licensed together with the words "licensed to retail spirituous liquors," and every person violating this section shall be fined for each week succeeding the first ten days after obtaining the license, in a snm not exceeding thirty dollars.

Penalty $30.

Negroes found in shops after one hour after ringing of guard house bell.

(11.) If there shall be found in the shop or enclosures of any retailers of liquors within the jurisdictional limits of the City after (now "one hour after the ringing of Guard House Bell," see No. 489,) at night, any negro or person of color, not the property of the owner of said shop or retailer of liquors, who shall not have been sent there by their owners or guardians, and who shall be without a written ticket to that effect, the person or persons so entertaining or harboring such negro or person of color, shall be fined for each offence in a sum not exceeding thirty dollars, and the City Marshal, City Constables and City Watch are hereby authorized to enter the premises where such negroes or persons of color are harbored and commit them to the common jail from which they shall not be discharged until they shall have paid the expenses of such commitment.

Fine $30.

Duty of City Marshal, &c., to take negro to jail.

Retailers to pay back time and fines.

(12.) That it shall not be lawful for the Mayor to grant any license to any person who may have retailed liquors without a license, until the applicant shall have paid into the Treasury in addition to the fine imposed on such persons an amount for the time he so retailed without a license, at the rate per annum of the class required, as pointed out in the third section of this Ordinance.

Fines how enforced, (see Nos. 486 and 487.)

(16.) All fines, forfeitures and penalties imposed by virtue hereof, shall be levied and recovered by warrants of distress and sale as prescribed in the twelfth section of the amended charter of the City, one half to the use of the City and the other to the informer, and in case of neither lands, goods or chattels being found of such offender or offenders, he, she or they shall, at the discretion of Council, be imprisoned in the common jail of the county, provided that no imprisonment shall exceed ten days and nights.

AN ORDINANCE, To regulate the granting of licenses to retail spirituous liquors within the extended limits of the City of Savannah, passed 11th March, 1847.

License Ordinances extended to extended City limits.

No. 485. (1.) All and singular the provisions of the Ordinances of the City in relation to the granting of licenses to retail spirituous liquors, be and the same are hereby declared to be in full force within the extended limits of the City.

Ordinance 28th Dec., 1854.

No. 2 license, price $100.

No. 486. (2.) That all and every person taking out a license number two as specified in the third section of the above recited Ordinance, shall pay to the City Treasurer thereof the sum of one hundred dollars, with the usual fees for the same allowed by Ordinance, and be subject to all the conditions and restrictions as they are contained in the said Ordinance, passed 12th October, 1826.

Conditions.

Penalty for violations, $100, &c.

(3.) Every person obtaining a license number two, who shall transgress the terms, violate the conditions or infringe the provisions of such license as defined in this or any other Ordinance, shall upon conviction before Council, or the Police Court, forfeit and pay for the first offence one hundred dollars, for the second offence one hundred dollars, and shall for a third offence forfeit such license and shall not be entitled to obtain another until the expiration of two years thereafter.

No screens or bars for doors of retailers of liquor.

(4.) It shall not be lawful for any retailer of spirituous liquors to have before their doors or bars, any screen or other obstruction, which may prevent persons from being exposed to view while trading for or drinking liquor on the premises, under a penalty of thirty dollars, on conviction before the Police Court—one half of such penalty to be paid to the informer, the other half into the City Treasury.

Ordinance 3d May, 1855.

Penalty $100, for violating license Ordinances, how enforced.

No. 487. (1.) If any person or persons shall be convicted before Council or the Police Court of violating any of the provisions as they are contained in the second, third and fourth sections of the above entitled Ordinance of 26th Oct., 1826, he, she or they, shall be subject to a penalty of one hundred dollars to be enforced by an execution directed to the Marshal of said City, or any lawful Constable thereof, who shall under and by virtue thereof, proceed to levy upon the goods and chattels, and if none to be found on the lands and tenements of the offender, and after advertising the same for fifteen days, shall sell the same for the payment of the said fine and all costs and expenses, or by a mittimus directed to the Marshal of said City,

Execution.

Mittimus.

or any lawful Constable thereof, and to the Jailor of Chatham County, if in the opinion of the presiding officer of said Court, such mittimus may be necessary to enforce the collection of said fine, costs and expenses.

Ordinance Passed 7th Feb., 1856.

A Bill, To be entitled an Ordinance to amend an Ordinance entitled "An Ordinance to amend an Ordinance regulating Shops, Stores, and Bar Rooms, and for granting Licenses for retailing Spirituous Liquors, or for vending Goods, Wares, Merchandize in the streets, lanes, alleys and squares within the City of Savannah and its extended limits," passed in Council 12th October, 1826.

Liquor licenses Class No. 1.

No. 488. (1.) The first clause of the third section of the said Ordinance be, and the same is hereby amended as follows:

That Licenses for retailing Liquors shall be classed and numbered as follows, viz: Class number one, for keeping Liquor Stores, authorizing the holders to sell Malt, Vinous or Spirituous Liquors in any quantity not less than a quart, provided the same be not drank or consumed at the place where sold; and every person to whom such License may be granted shall pay fifty dollars.

Price $50 and fees.

Ordinance passed 11th, Dec., 1857.

An Ordinance, To amend the eleventh section of an Ordinance passed 12th Oct., 1826, entitled "An Ordinance, (See No. 483 for title.)

11th section of License Ordinance as to negroes in shops now allowed until one hour after the ringing of the guard-house bell.

No. 489. (1.) The eleventh section of the above recited Ordinance shall be and the same is hereby amended by striking therefrom the words "drum beat," and inserting in lieu thereof the words "one hour after the ringing of the Guard House bell."

Ordinance passed 24th Dec., 1857.

An Ordinance, To regulate the granting of licenses to retail malt, vinous and spirituous liquors, within the extended corporate limits of the City of Savannah, as defined in an Act by the General Assembly of the State of Georgia, approved February 13th, 1854, to regulate the granting of licenses to retail malt, vinous and spirituous liquors, and for enforcing the observance of the Sabbath or Lord's day, within the jurisdictional limits of the City of Savannah and the Hamlets

thereof, as set forth and defined in an Act of the General Assembly of the State of Georgia, assented to December 24th, 1825, and as further set forth and defined in an Act of the General Assembly of the State of Georgia, assented to December 22d, 1829, for the purpose therein mentioned.

License Ordinances extended to extended corporate limits.

No. 490. (1.) All and singular the provisions of the Ordinances of the City of Savannah in relation to the granting of licenses for retailing spirituous liquors, be and the same are hereby declared to be in full force within the extended corporate limits of the City of Savannah, as defined in the above referred to Act, assented to February 13th, 1854.

Sabbath Ordinances extended to extended jurisdictional limits.

(2.) That all and singular the provisions of the Ordinances of the City of Savannah, in relation to the granting of licenses for retailing spirituous liquors and for enforcing the observance of the Sabbath or Lord's day, be and same are hereby declared to be in full force within the jurisdictional limits of the City of Savannah and the Hamlets thereof, as set forth and defined in the acts of the General Assembly of the State of Georgia, assented to December 24th, 1825, and as further set forth and defined in an Act of the General Assembly of the State of Georgia, assented to December 22d, 1829, above referred to.

State Law, Approved February 20th, 1854.

(*Pamphlet Laws*, 1854, *page* 83.)

Penal Code.

An Act to alter and amend the 27th section of the 10th Division of the Penal Code of this State.

Altering the 27th Sec. of 10th Division—keeping tippling shop or retailing without license, fine $50 or imprisonment.

No. 491. (1.) The 27th section of the 10th Division of the Penal Code of this State shall read as follows: If any person shall keep a tippling shop, or retail liquors, or sell by retail in quantities less than one quart, any wine, brandy, rum, gin, whiskey, or other spirituous liquors, or any mixture of such liquors in any house, booth, arbor, stall, or any other place whatever, without license from the Inferior Court of the County, or without license from the Corporate authorities of any town or city where by law authority to grant license is vested in the Corporate authorities of such towns or cities, such person so offending shall be guilty of a misdemeanor, and on conviction shall be fined in the sum of fifty dollars, and on failure to pay such fine shall be imprisoned in the common jail for the space of thirty days; *Provided*, no person shall be liable to indictment in the Superior Courts of this State for a violation of this Act, where said person has already been tried by the Corporate authorities of any town or City for the same offence.

If tried by City authorities not subject to Superior Court.

State Law, Approved Dec. 24th, 1791. (Cobb's Digest, page 1037.)

AN ACT, for regulating Taverns, and reducing the rates of Tavern License.

Tavern licenses how to be granted persons obtaining them.

No. 492. (1.) Any person or persons wishing to keep a tavern or house of entertainment, (Tavern and house of entertainment held to be synonymous 7 Ga. Rep., 296,) shall petition the Justices of the Inferior Court held for the County where such petitioner resides; and the Court to whom such petition shall be exhibited, shall thereupon consider the convenience of such place intended for a tavern, and having regard to the ability of such petitioner to keep good and sufficient accommodations for travellers, their horses, and attendants, may, at their discretion, grant a license to such person or persons for the term of one year next ensuing the date of such license, and from thence to the next Inferior Court held for the said County, and no longer; which license, upon petition, may be renewed from year to year, if the Court think proper: *Provided, always,* that before issuing such license, the Court shall cause the petitioner to enter into bond, with sufficient security to be approved of by the Court, in the sum of fifty pounds, conditioned for their keeping an orderly and decent house, with good and sufficient accommodations for travellers, their horses and attendants; which bond shall be filed in the Clerk's office, and subject to be put in suit upon any breach thereof.

Bond and security.

Tavern rates to be fixed by the Court.

(2.) The Justices of every Inferior County Court at the first term in every year shall fix and establish the rates and prices to be paid at taverns for liquors, diet, lodging, provender, stabling and pasturage; and every tavern-keeper shall, within one month after the rates so established, obtain of the Clerk of the said Court a fair table of such rates, which shall be openly set up in the public entertaining room in every tavern, and there kept throughout the year until the rates shall be fixed or altered again by the Court, and then a copy thereof shall be again so obtained and kept from time to time, under a penalty of ten pounds on every tavern-keeper failing so to do; and if any tavern-keeper shall demand and receive any greater price for any liquor, diet, lodging, provender, stabling or pasturage, than by such rate shall be allowed, he, she, or they so offending, shall forfeit and pay the sum of two pounds over and above the sum extorted, for every such offence, to the informer, recoverable with cost before any Justice of the Peace in the County where such tavern shall be.

Shall be put up at taverns.

Penalty for over charging.

(5.) All Acts heretofore made respecting any thing within the purview of this Act, shall be and the same are hereby repealed: *Provided, always,* that the Corporation of the City of Savannah and Augusta shall have the sole regulation and power of governing and directing taverns and granting licenses, within their several jurisdictions.

Savannah and Augusta.

State Law, Approved Dec. 15th, 1809. (Cobb's Digest, page 1038.)

AN ACT, to regulate the rates of Tavern Licenses in this State.

The rates of tavern license shall be 5 dollars.

No. 493. (1.) Each person obtaining tavern licenses, shall pay for such license the sum of five dollars; any law to the contrary notwithstanding: *Provided,* nothing in this Act shall be construed to control the rates which now are, or may be established by the Corporations of Savannah and Augusta, or any other incorporated Town in this State.

Persons complying with this Act may retail spirits.

(2.) Any person on application, and complying with this law, may have license to retail spirituous liquors, without being obliged to keep other public entertainment; (after license is obtained, if the Legislature incorporate the place, the corporate authorities cannot require the party to pay an additional license fee, 5 Ga. Rep. 447.) *Provided,* such person shall give bond and sufficient security to the Inferior Court, in the sum of five hundred dollars, to keep an orderly house; *and provided also,* that if they do keep a house of entertainment, they shall not be allowed any other pay than agreeable to tavern rates.

State Law, Approved 24th Dec., 1825. (Cobb's Digest, page 1038.)

Tavern or retailer's license.

No. 494. (3.) When any person shall apply for a tavern or retailer's license, he shall pay to the County Treasurer the fees now required by law, and shall receive from the Treasurer a certificate directed to the Clerk as aforesaid, who shall receive and enter the same as above directed, and grant the said license, which shall specify the place where said retailing is to be done, upon the applicant's giving bond and security as required by law.

State Law, Assented to 29th December, 1838. Pam. 204.

Applicants for retail licenses to take an oath.

No. 495. (1.) Upon the application of any person for license to retail spirituous liquors, the Clerk of the Inferior Court to whom such application may be made, shall, before the granting such license, require the applicant in whose name such license shall issue, to take and subscribe the following oath, to wit: I do solemnly swear that I will not during the next succeeding twelve months, sell, barter, give or furnish to any slave or slaves, or free person of color, any measure or quantity of distilled spirituous or intoxicating liquor, without the verbal or written consent of the owner, overseer, or employer of such slave or slaves, or without the like consent of the guardian of such free person of color; and I do further swear that I will not suffer or allow any other person to do so for me by my approbation, knowledge or consent. So help me God.

Oath.

To be taken by all then employed.

(2.) On or before the first day of June next, and annually thereafter, each and every vender of any measure or quantity less than one gallon of distilled spirituous or intoxicating liquor, shall, and are hereby required to take and subscribe the above and foregoing oath.

Or thereafter.

(3.) From and after the first day of June next, and annually thereafter, each and every person who may or shall become a vender of any measure or quantity less than one gallon of distilled spirituous or intoxicating liquor, shall, and are hereby required to take and subscribe the above and foregoing oath.

Neglect or refusal.

Effect of.

(4.) Upon the neglect or refusal of any person so required to take and subscribe the above and foregoing oath, each and every person so neglecting or refusing, shall be, and are hereby made liable and subject to all the pains and penalties which a person retailing without license is now subject to by law.

Record of oath.

(5.) Each and every oath so taken, shall be subscribed by the person taking the same, and attested by the Clerk of the Inferior Court, before whom the same shall be taken, in a book to be kept by him for that purpose.

Penal Code 1833. (Cobb's Digest, page 807.)

Receiving stolen goods, punished as the thief.

No. 496. (28.) If any person shall buy or receive any goods, chattels, money or other effects, that shall have been stolen or feloniously taken from another, knowing the same to be stolen or feloniously taken, such person shall be taken and deemed to be an accessory after the fact, and shall receive and suffer the same punishment as would be inflicted on the person convicted of having stolen or feloniously taken the said goods, chattels, money or effects so bought or received.

Although the principal cannot be taken.

(29.) If the principal thief or thieves cannot be taken, so as to be prosecuted and convicted, it shall be lawful to prosecute any person buying or receiving any goods, chattels, money or effects stolen or feloniously taken by such principal or thieves, knowing the same to be stolen or feloniously taken, as for a misdemeanor, and on conviction, such person shall be punished as prescribed in the preceding section; and a conviction under this section shall be a bar to any prosecution under the 28th section.

State Law, Approved 11th Dec., 1841. Pam. 139.

Giving or selling books, &c., to slaves.

No. 497. (1.) If any shop keeper, store keeper, or any other person or persons whatsoever, shall sell to, give, barter, or in anywise furnish or allow to be furnished by any person in his, her or their employment, any slave, negro, or free person of color, any printed or written book, pamphlet, or other written or printed publication, writing paper, ink, or other articles of stationery, for his, her, or their use, or for the purpose of sale, without written or verbal permission from the owner, guardian, or other person authorized, such person or persons so offending shall, upon conviction thereof, pay a fine of not less than ten dollars, nor more than fifty dollars, for the first offence, and upon conviction for a second offence, be subject to a fine and imprisonment in the common jail of the County, at the discretion of the Court, not to exceed sixty days imprisonment and five hundred dollars fine.

1st offence, fine.

2d offence fine and imprisonment.

SIDE WALKS.

See Title, "Public Property."

SIXTH LOTS.

(*See Title, "Third Lots."*)

SLAVES, BADGES, &c.

Ordinance 2d August, 1839, as amended 10th Dec., 1857. (Amendments in *Italics.*)

AN ORDINANCE for consolidating the various Ordinances of the City in relation to the regulation of slaves and negroes, and for the better ordering of free negroes, mulattoes and mestizoes, within the City of Savannah, and for other purposes connected therewith.

All negroes hired out or employed out of owners family or houses, unless hired in a white persons family or dwelling, to take out badges.

No. 498. (1.) It shall not be lawful for any owner or other person having the care, charge or government of negro or other slaves, to let or hire, or permit to be employed or hired out of their respective families or houses any such negro or other slave (except slaves *owned by any person or persons residing in the taxable limits of the City of Savannah, and hired out in the family or dwelling house of any white person by the month or year,*) within the limits of the City without a badge being first had and obtained from the Clerk of Council, who shall keep a proper book in which the name of the person obtaining such badge shall be fully registered, and where the same is for a negro or other slave, his or her name and occupation, and the name of the master, owner, or person having charge of such slave shall be also therein inserted. And for the said badge the several sums following shall be respectively paid into the City Treasury, to wit: for any slave to exercise the trade of cabinet-maker, house or ship carpenter, caulker, bricklayer, blacksmith, tailor, barber, baker or butcher for hire, the sum of ten dollars if the owner or owners of said slave be resident in the *taxable limits of the* City of Savannah, but if the owner or owners of said slave be non-residents of the *taxable limits of the* City of Savannah, the sum of twenty dollars shall be paid for a badge for each and every mechanic slave as aforesaid, and for all other slaves being mechanics or

Price and fees.

Carpenters, &c., residents, $10.56¼, non-residents, $20.56¼.

Coopers, &c., residents, $8.56¼, non-residents, $15.56¼.

handicraft tradesmen, for hire, as also for pilots, fishermen, boatmen, and grass cutters, and hucksters, the sum of eight dollars, if the said slave be owned by a person or persons resident *in the taxable limits of the City*, or fifteen dollars if owned by a person or persons non-resident in the *taxable limits of the* City; and for

Porter or female laborer, $3.06¼. Porter or male laborer, $4.56¼.

every female slave being a porter or any other daily laborer for hire the sum of two dollars and fifty cents, and for every male slave being a porter or other daily laborer, the sum of four dollars if the said slave be owned by a resident *in the taxable limits of the City*, or

Non-residents, $10.56¼.

ten dollars if said slave be owned by a non-resident *in the taxable limits* of the City. And the said badge shall be suspended and be exposed to public view on the breast of the said slave

Badges to be suspended or exposed to view.

whilst at work or vending, and if any slave for whom a badge has been taken out be found working or vending without having his or her badge so suspended, such slave shall, by order of the Mayor, Chairman, or any two Aldermen, receive not exceeding

Penalty 39 lashes or $3 fine.

thirty-nine lashes on the bare back, to be carried into execution by any City officer: *Provided*, that if any person having charge of any slave so offending, shall pay the sum of three dollars, such slave shall be exempt from corporal punishment. *In case any*

Penalty $50 on persons hiring or employing a negro without a badge.

person shall hire or employ any slave who has not in his or her possession, the badge required to be taken out, by the provisions of the first section of the above recited Ordinance, passed 2d August, 1839, *as amended by this Ordinance; such person, on conviction before the Police Court, shall be fined in a sum not exceeding fifty dollars, one half of such fine to be paid to the informer.*

Badges for one year.

(2.) That in future all badges shall be granted for one year, commencing on the first day of January in every year, and ending on the thirty-first day of December following, and any person or persons taking out a badge, at any time hereafter, for a shorter period, he, she, or they, shall pay the same sum as if the badge had been taken out for a year. (The latter clause of this section amended as to resident citizens, see 2d section of Ordinance passed 29th December, 1853, below.)

Negroes hired to work out or sell without badges, owners fined $50, and slave sent to jail.

(3.) That if any owner or other person having charge of negro or other slaves, shall let out to hire or suffer any slave to work out or to sell fruit, garden stuffs, grass, or other commodities of any nature or kind whatsoever, without having first taken out a badge, as aforesaid, he, she or they shall be liable to a fine not exceeding fifty dollars; and said slave may be committed to jail, there to remain until said fine and all expenses are paid; *Provided*, that nothing herein contained shall be held to extend to plantation or country negroes, who may sell any articles produced or raised in the country, on producing a ticket from their owners or other persons having charge of them, which ticket shall particularly specify the articles so to be sold. On failure to produce such ticket, such country slave shall be liable to be dealt with in the same manner as slaves belonging to the City without a badge, as aforesaid.

Proviso as to country negroes with tickets.

(6.) No badge shall be issued to any negro slave, as a vender of small wares unless he or she is old, decrepit, and infirm, and unable to do hard labor, and no other articles shall be vended by such slave than those enumerated in the license. And upon any violation of this section of the Ordinance, the owner or employer of such slave so offending, shall pay a fine not exceeding fifty dollars.

Badges to sell, only granted decrepid, &c., negroes.

Penalty.

(7.) Nothing contained in this Ordinance shall be construed to prevent bakers from sending abroad bread by their own servants, or chimney sweepers from exercising their business without badge.

Baker's servants, &c.

(9.) No slave or slaves shall have, hold, occupy, reside or sleep in any house, out house, building or enclosure, other than his or her owner's, or his or her owners representative's, without first obtaining a ticket from his, her or their owner or owners, or from the agent or agents of his, her or their owner or owners, expressly describing the place which such slave or slaves is or are allowed, respectively to occupy, reside or sleep in, and specifying also the time for which the aforesaid permission shall continue, which shall not exceed fifteen days. And every slave holding, occupying, residing or sleeping in any house, out house, building or enclosure, without obtaining the permission aforesaid, shall be committed to prison by any one of the Aldermen, there to receive, not exceeding thirty lashes on the bare back, unless the owner or owners of such slave or slaves shall previously pay a fine of three dollars for each of them so offending, with all the costs and charges.

Slaves not to occupy houses, &c.

Penalty.

(10.) No person shall be permitted to let or hire to any slave, within the City of Savannah, any lot, house or out house, tenement or room, either within his or her enclosure, or elsewhere. And every person so offending, shall, for each offence, forfeit and pay a fine not exceeding fifty dollars.

Persons not to let houses to slaves.

Penalty.

(13.) Not more than two negroes or other slaves from the

Only 2 negroes from the same plantation on the same day or night.

same plantation shall be permitted to come within the limits of the City on the same day or night; and the said slaves so found within the City either with or without tickets shall be

Duty of Police.

arrested by any of the City officers or Watchmen and remain in custody until the usual fees and any costs that may have been incurred shall have been paid.

Slave mechanics not to undertake work on contracts.

(18.) It shall and may be lawful for the owner of mechanic slaves, to hire his, her or their slave or slaves to any person whatsoever and for such slave or slaves being mechanics to undertake any work, or for their owner or owners to contract for any work to be performed by such slave or slaves: *Provided, always*, if any person or persons shall employ or contract with

Proviso.

any mechanic slave or slaves without first having the written permission of his, her or their owner or owners, such person or persons so employing or contracting with such slave or slaves shall on conviction be fined in a sum not less than five dollars, nor more than thirty dollars.

Penalty for counterfeiting badges, $40, &c.

(20.) If any person or persons whosoever shall counterfeit any of the badges required by this Ordinance, he or she shall upon conviction thereof, if a white person forfeit and pay a sum not exceeding forty dollars, and if a free person of color he or she shall forfeit and pay a sum not exceeding forty dollars or receive not more than fifty stripes on the bareback at the discretion of the Mayor, Chairman or any two Aldermen, and if a slave he or she shall receive not more than fifty stripes on the bareback, at the discretion of the Mayor, Chairman or any two Aldermen.

Fines, &c., how collected and enforced.

(21.) All fines forfeitures, and penalties incurred and imposed by virtue of this Ordinance may be levied, collected and enforced in the manner prescribed by the existing laws of the State passed in reference to the City of Savannah and the corporate authorities thereof; and the moneys arising therefrom shall go one half to the informer or the person who shall prosecute the same to conviction, and the other moiety to be paid into the City Treasury for the use of the City.

Ordinnace Passed 29th Dec., 1853.

Persons coming here to be bona fide residents.

No. 499. (1.) Each and every person or persons, who may hereafter come into the City of Savannah, with the bona fide intention of residing, and carrying on business in said City, shall be allowed to take out badges for each and every slave

bona fide owned by him, her or them, upon paying therefor the same tax and price for badges, and licenses for vehicles, as are required from resident owners.

Badge and tax same as residents.

(2.) All badges issued, or licenses for vehicles taken out by residents of the City of Savannah, between the first day of July and the thirty-first day of December, shall be issued or taken out, at one half the several sums prescribed for badges, or licenses for vehicles, by the existing Ordinances of the City.

Badges when taken out after 1st July half price.

State Penal Code 1833. (Cobb's Digest, page 780.)

Slaves under coercion not punishable.

No. 500. (11.) A slave committing a crime or misdemeanor, which, if committed by a free white person would not be punishable by this Act with death, by the threats, command, or coercion of his or her owner, or any person exercising or assuming authority over such slave, shall not be found guilty; and it appearing from all the facts and circumstances of the case that the offence was committed by the threats, command and coercion of the owner, or the person exercising or assuming authority over such slave, the said owner or other person exercising or assuming authority over such slave, shall be prosecuted for the said crime or misdemeanor; and if found guilty, shall suffer the same punishment as he or she would have incurred if he or she had actually committed the offence with which the slave is charged. (See Act of 1838, Sec. 15.)

But the person coercing them punishable in their stead.

Persons acting under fear not punishable, but the persons causing the fear punishable in their stead.

(12.) A person committing a crime or misdemeanor under threats or menaces, which sufficiently show that his or her life or member was in danger, or that he or she had reasonoble cause to believe, and did actually believe, that his or her life or member was in danger, shall not be found guilty; and such threats and menaces being proved and established, the person or persons compelling by said threats and menaces the commission of the offence, shall be considered a principal or principals, and suffer the same punishment as if he, she or they had perpetrated the offence.

Meaning of the word "felony."

(13.) The term "*felony*," when used in this Act, shall be construed to mean an offence, for which the offender, on conviction, shall be liable by law to be punished by death or imprisonment in the penitentiary, and not otherwise.

State Law, Assented to 29th December, 1838. Pam. 91.

Persons persuading or procuring slaves to commit crimes punishable instead.

No. 501. (1.) That if a slave shall commit a crime or misdemeanor, by the counsel, persuasion or procurement, or other means, of a free white person, and it appearing that the offence was committed by the counsel, persuasion or procurement, or other means, of a free white person or persons, he, she or they shall be prosecuted for the offence, and if found guilty, shall incur the same punishment as if he, she or they had actually committed the crime or misdemeanor with which the slave is charged:

Provided, that this Act shall not be construed to extend to any crime or offence which, if, committed by a slave, would, under existing laws of the State, subject him or her to the punishment of death.

State Law, Approved Feb. 22d, 1850. Pam. 374.

Attempting to procure.

No. 502. (1.) *Be it enacted*, That if any free white person or persons shall attempt to procure a slave or slaves to commit a crime or misdemeanor by counsel, persuasion, bribery or force, or other means, such free white person or persons shall be prosecuted for such attempt, and if found guilty, shall incur the same punishment as if such free white person or persons had attempted to commit the said crime or misdemeanor which he, she or they attempted to procure the said slave or slaves to commit.

Penalty.

State Penal Code 1833. (Cobb's Digest, page 782.)

Insurrection; death.

No. 503. (4.) Exciting an insurrection or revolt of slaves, or any attempt by writing, speaking or otherwise to excite an insurrection or revolt of slaves, shall be punished with death.

Circulating insurrectionary papers, &c., death.

(5.) If any person shall bring, introduce or circulate, or cause to be brought, introduced, or circulated, or aid, or assist, or be in any manner instrumental in bringing, introducing or circulating within this State, any printed or written paper, pamphlet, or circular, for the purpose of exciting insurrection, revolt, conspiracy or resistance, on the part of the slaves, negroes, or free persons of color in this State, against the citizens of this State or any part of them, such person so offending shall be guilty of a high misdemeanor, and on conviction shall be punished with death.

State Law, Assented to 22d Dec., 1829. (Cobb's Digest, page 1001.)

Any person circulating pamphlets to excite insurrection, to be punished with death.

No. 504. (10.) If any slave, negro, mustizoe or free person of color, or any other person, shall circulate, bring, or cause to be circulated or brought into this State, or aid or assist in any manner, or be instrumental in aiding or assisting in the circulation or bringing into this State, or in any manner concerned in any written or printed pamphlet, paper, or circular, for the purpose of exciting to insurrection, conspiracy, or resistance among the slaves, negroes or free persons of color of this State, against their owners or the citizens of this State, the said person or persons offending against this section of this Act shall be punished with death.

Any person teaching slaves, &c., to read or write, to be whipped, imprisoned or fined.

(11.) If any slave, negro, or free person of color, or any white person, shall teach any other slave, negro or free person of color, to read or write either written or printed characters, the said free person of color or slave shall be punished by fine and whipping, or fine or whipping at the discretion of the Court; and if a white person so offending, he, she or they shall be punished with fine not exceeding five hundred dollars, and imprisoned in the common jail at the discretion of the Court before whom said offender is tried.

AN ACT, To alter and amend the twelfth section of the thirteenth division of the Penal Code of this State, and for other purposes therein contained. Approved January 1, 1851. Pam. 268.

Cruel treatment of slaves.

No. 505. (1.) That the twelfth section of the thirteenth division of the Penal Code of this State, be and the same is hereby so altered and amended, as to read as follows, to wit: (This amendment inserts "overseers," and also "beating, cutting or wounding, or by cruelly, and unnecessarily biting or tearing with dogs," on the original section. See New Digest 827.) Any owner, overseer or employer of a slave or slaves, who shall cruelly treat such slave or slaves by unnecessary and excessive whipping, beating, cutting or wounding, or by cruelly and unnecessarily biting or tearing with dogs, by withholding proper food and sustenance, by requiring greater labor from such slave or slaves than he, she, or they are able to perform, or by not affording proper clothing for such slave or slaves, whereby the health of such slave or slaves may be injured and impaired, or cause or permit the same to be done, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by fine or imprisonment in the common jail of the County, or both, at the discretion of the Court.

Misdemeanor.

Punishment.

State Law, Approved March 5, 1856. Pam. 264.

Carrying off slaves.

No. 506. (1.) The tenth section of the 13th division of the Penal Code of this State, shall be as follows: Any person who shall remove or carry, or cause to be carried away out of this State, or any County thereof, any slave being the property of another person, without the consent of the owner, or other person having authority to give such consent, either with or without intention or design to sell or otherwise appropriate such slave to his or her own use, or shall by bribery, promises of freedom, or any other enticement, induce any slave in this State to leave the services of his owner, or who shall attempt by bribery, promises of freedom or any other enticement to induce a slave, the property of another person to run away or to leave the service of his owner, such person so offending shall be guilty of a misdemeanor, and shall be indicted and tried for the same, and upon conviction thereof, shall be punished by confinement at labor in the penitentiary for any term not less than seven years or longer than ten years.

Penalty penitentiary from 7 to 10 years.

Ordinance 29th of October, 1857.

Tax of $3 on slaves over 12 and under 60 years, and of 50 cents on slaves under 12 years.

No. 507. (8.) The owner or owners of every negro slave in this City, as are over the age of 12 and under that of 60 years, shall pay on such slave the annual tax of three dollars, and upon such slaves as are under the age of twelve years, shall pay on such slave the annual tax of fifty cents, provided that nothing in this Ordinance contained shall be construed to affect in any man-

Proviso.

ner any existing Ordinances on the subject of badges for negro slaves, but the same are hereby declared to be in full force.

Slaves in the City on 1st Jan., or come to reside afterwards, liable to the tax.

(Amended by Ordinance of 10th December, 1857, as follows, viz:

(4.) *Be it further ordained,* That said eighth section of the above recited Ordinance, passed 29th October, 1857, shall be, and the same is hereby amended by adding after the words "in full force" the words following, to wit: "Each and every slave within the City of Savannah, on the first day of January, or who shall come to reside in the City at any time during the year, shall be subject to the taxes above prescribed. And every slave coming into the City of Savannah after the first day of January, and who may be required by the Ordinance to take out a badge, shall be liable to the tax herein assessed, to be paid at the time of taking out said badge. In case the tax on such slave is not paid to the City Treasurer within ten days after such slave is brought or comes to reside in the City, the person or persons bringing or causing such slave to be brought or to reside in the City, and the person or persons hiring or employing such slave, upon conviction thereof, before the Mayor or acting Mayor in the Police Court shall be fined in a sum not exceeding thirty dollars, one half of such fine to go to the informer.")

If tax not paid in 10 days, penalty $30 on persons bringing or hiring.

SLAVE MARTS.

Ordinance of 29th October, 1857.

Tax of $200 for keeping slave marts for sale or hire.

No. 508. (8.) Each and every person who shall keep and use within the City any house, yard or other place, for the purpose of keeping slaves therein for sale or hire, or of confining slaves therein for any purpose whatever, shall pay to the said Treasurer, annually, the sum of two hundred dollars for every such house or yard, or house and yard, or other place, said sum shall be paid as aforesaid, on the first day of January next, by every person then keeping and using for the purposes aforesaid, any such house or yard, or house and yard, or other place, and annually thereafter, and each and every person who shall open or commence to keep and use any such house or yard, or house and yard, or other place, for the purposes aforesaid, after the said first day of January next, shall forthwith and annually thereafter, so long as he or she shall keep and use the same for the purposes aforesaid, pay to the said Treasurer the sum of two hundred dollars, and if any person shall violate or fail to comply with the foregoing provisions, he or she shall, on conviction thereof, before the Mayor in the Police Court, be fined in a sum not exceeding four hundred dollars, one half to go to the informer.

Penalty. fine $400.

SMOKING.

Ordinance 2d August, 1839.

Smoking in the Streets, &c., by slaves and free negroes, $3 or 10 stripes.

No. 509. (7.) It shall not be lawful for any person to smoke a segar or pipe in any of the streets, lanes, alleys, wharves or public squares within the City of Savannah, under the penalty of two dollars for the first offence, and not exceeding five dollars for each subsequent offence, if the offender be a white person, and under a penalty of not exceeding three dollars, or whipping not exceeding ten stripes if the offender be a slave or free person of color. (This section repealed so far as white persons are concerned. See section 2d of Ordinance passed 23d October, 1839. Title "Market.".)

SPECIFIC TAXES.

(*See Title,* "*Taxes.*")

SPRINGFIELD PLANTATION.

Ordinance passed 11th Dec., 1857.

AN ORDINANCE, for the protection of the Springfield Plantation, and for other purposes therein mentioned.

Persons injuring the Springfield Plantation.

No. 510. (1.) No person or persons, shall cut, destroy, remove or injure in any manner, any one or either of the trees, woods, dams, fences or buildings of the Springfield Plantation, or of any part thereof, or dig or remove any of the sand or earth from said plantation or any part thereof, unless such person or persons, is or are the owner or owners of said trees, woods, dams, fences, buildings, sand or earth, or unless he, she or they, shall receive the written permission of the Mayor or Committee on Dry Culture.

Penalty from $20 to $100.

(2.) If any person shall violate any of the provisions of this Ordinance, he, she or they shall on conviction before the Police Court, if a white person, be fined in a sum not less than twenty dollars, nor more than one hundred dollars; and if a slave or free person of color, shall be fined in a sum not less than twenty or more than one hundred dollars, or receive not less than ten nor more than one hundred lashes, to be inflicted at such time, and in such manner as the Mayor, or person or persons presiding at the Police Court shall deem proper.

SQUARES.

(*See Title, "Washing or Drying Clothes."*)

STEAM BOATS.

Ordinance 28th Nov., 1844.

Steam Boats passing the line of wharves.

Penalty.

No. 511. (1.) No Steam Boat shall, while passing the line of wharves in the City, exceed in speed five miles per hour. Every Steam Boat so violating, the owner or owners thereof, shall be subject to a fine not exceeding thirty dollars, for each and every offence.

STEAM ENGINES.

Ordinance 2d June, 1854.

No steam engine without permission of Council.

No. 512. (1.) No steam engine shall hereafter be erected or used within the corporate limits of the City of Savannah and the Hamlets thereof, without first obtaining the permission of the City Council of said City.

Penalty $25 per day.

(2.) If any person or persons shall violate any of the provisions of this Ordinance, he, she or they shall on conviction before the Police Court, be fined in a sum not exceeding twenty-five dollars per day for each and every day such steam engine shall be erected or used, one-half of the said fine to be payable to the informer, the other half into the City Treasury.

STEVADORES.

Ordinance 10th August, 1843.

Stevadores defrauding laborers or porters.

No. 513. (1.) That on proof of any Stevadore or other laborer having defrauded the person or persons hired by him in the stowing of cargoes or other work, of their just dues by retaining a part or refusing to pay over such amounts as are due the said Stevadore or laborer, having a badge from the City, shall forfeit the same, and shall not be entitled to receive another badge, until it shall be made to appear that he has paid all sums due to such hired person or persons.

Penalty forfeiture of badge.

Hearing of proof

(2.) The hearing of such proof against such Stevadore or laborer, shall be before the Mayor, once a fortnight, at such time as he may appoint, and his decision shall be final in the case, or subject to revision by the board as are his decisions in the Police Court. If the person charged be found guilty, he shall be dealt with as prescribed in the third section of this Ordinance.

Stevadores cheating hired men.

(3.) If any Stevadore or laborer found guilty of cheating, or withholding the money due his hired men, and declared disqualified to receive a badge from the City, be found at any time engaged in the business of a Stevadore or laborer without a badge, on proof thereof to the Mayor, said Stevadore or laborer shall be fined in the sum of twenty-five dollars, or receive thirty-nine lashes at two different and distinct periods, at the discretion of the Mayor, by the hands of the officer designated by him, and at such place as he may direct.

Penalty $25, &c.

STEPS.

(*See Title, "Pavements, Porticoes and Steps."*)

STOVES.

Ordinance 11th March, 1825.

How stoves shall be placed.

No. 514. (29.) It shall not be lawful to keep any Stove in the City of Savannah, unless the same be placed and fixed upon a sheet of lead, iron, copper or some enclosed fire proof place, and the funnel of such Stove be let through the light of the sash, and the vacant place around it be filled up with sheets

of tin, or if it be let through the side or end of any other part of a wooden house, then the hole through which it passes shall be at least one foot in diameter, and the space remaining shall be filled up with sheets of tin, so that the funnel aforesaid, be four inches equally distant from every part of the wood, and extended two feet from the house or eves of any roof; and when the funnel is carried through any part of the house that is lined, then it shall be let through a tube of tin which shall be at least three inches from the funnel, and the space between the tube and the wall shall be filled up with sheets of tin. And any Stove or Stoves erected or fixed in any manner other than is herein directed, shall be taken down at the expense of the owner, and the person or persons using such Stove or Stoves, shall be liable to a fine not exceeding thirty dollars for each and every such offence.

Funnel 2 feet from house.

Penalty $30, &c.

STREETS AND LANES.

Ordinance 19th August, 1839.

Suffering bricks, goods, &c., to remain longer than 6 hours, or vehicles longer than 6 hours in the streets, &c.

No. 515. (5.) No person shall bring, lay, put or cause to be brought, laid or put, any timber, bricks, stones or other materials for building, or fire wood, goods, wares and merchandise, or other bulky thing whatsoever, and permit and suffer the same to continue and remain in any square, street, lane or alley within the said City, for a longer time than six hours; nor shall any person permit or suffer any cart, dray, wagon or carriage, of any sort, to stand and remain in any square, street, lane, or alley, longer than such time as aforesaid; nor shall any person, without previously obtaining the written consent of the Mayor and two-thirds of the members of the City Council, place, erect or construct, or cause to be placed erected or constructed, in any square, street or lane, or other place, of or in the City of Savannah, any booths, tent, or other obstruction; nor shall any person dig or cause to be dug, any hole or pit, in any square, street, lane or alley, whereby the free passage of persons on foot or on horseback, or in or with any carriage, may be in any wise obstructed or rendered unsafe. And any person offending against the provisions of this section, shall, on conviction, be subject to a fine not exceeding one hundred dollars for each and every offence, if a white person, or corporal punishment if the offender be a slave or free person of color. And in case the person or persons making, causing, permitting or suffering such encroachments, obstructions and nuisances as aforesaid, shall refuse or neglect to remove the same forthwith, after notice given to him, her or them, for that purpose, then the same (in such cases as will admit thereof,) shall be removed by the Marshal and Constables of the City, or any of them, at the proper expense of the person or persons so offending. And if any person or persons shall molest or trouble the said Marshal or Constables, in the execution of such, his or their duty, such person or persons shall on conviction thereof, forfeit and pay a fine of not exceeding one hundred dollars, if a white person, or corporal punishment if the offender be a slave or free person of color; *Provided always nevertheless*, That any person or persons actually building or repairing, or about to build or repair any building, may collect and lay all such materials as may be necessary for such building or repairs, in the square, street, lane or alley next adjoining to the place or spot whereon such buildings or repairs are intended to be made: *And provided*, that such materials be so enclosed in a sufficient space (and no more) as will effectually prevent the spreading into the streets, lanes or squares, and the said space so enclosed, shall in no case extend beyond ten feet on any street, lane or square; and during all such time as such materials shall so lay in any square, street, lane or alley, the owner or proprietor of such materials shall cause a lamp or lantern, with a good and sufficient light therein, to be securely hung up, placed or fixed on a post or otherwise, at each of the two corners of such enclosure, and in such manner as clearly and plainly to show the place and extent occupied by such materials. And the said lamp or lantern shall be lighted at or before dark, in the evening, and shall continue to burn until day light. And the City Marshal and City Constables are hereby enjoined to notice and report to the Mayor all encroachments, obstructions or nuisances mentioned herein.

Erecting obstruction.

Digging holes, &c.

Penalty $100.

Encroachments, &c., how to be removed.

Proviso as to building materials.

Enclosing 10 feet.

Lantern.

Light to burn all night.

Duty of Police.

(6.) All dirt, litter, or rubbish, created by the erection or repair of any building now erecting or that may hereafter be erected or repaired, shall be carried off by the person or persons owning said building, or engaged or interested in or conducting such buildings or repairs to the place of depositing the scavenger's

Duty of persons repairing, &c., buildings, to remove litter, &c., in 5 days.

filth, or to such other place as may be pointed out by the Mayor or any one of the Street and Lane Committee. And if such litter, dirt or rubbish, shall remain on any of the streets, lanes or squares for a time exceeding five days, it shall be the duty of the Marshal, and he is hereby required, to employ any number of carts or wagons that may be necessary, and to have the same removed to such place or places as may be designated as aforesaid, at the expense of the persons owning said building or engaged or interested in or conducting the same; and any person violating any of the provisions of this section shall be punished as hereinafter directed.

Penalty, $100, &c., opposing Marshal, &c.

(10.) All encroachments and obstructions, contrary to the provisions of the 7th, 8th and 9th sections of this Ordinance, and all other obstructions not herein particularly enumerated, shall be removed in the manner pointed out by the 5th section of this Ordinance, and the offenders and persons molesting or troubling the City Marshal and Constables in the execution of their duty, shall be punished and dealt with in the manner prescribed by the said fifth section of this Ordinance.

Pay of Marshal, &c., $10 per day.

(11.) When the City Marshal or City Constables shall be engaged in the removal of any encroachment or obstruction, under any section of this Ordinance, he or they shall be entitled to receive ten dollars each, per day, whilst thus employed, and that all other person or persons acting under said Marshal or Constables, shall receive such compensation as the Mayor, acting Mayor, or Street and Lane Committee shall allow, not exceeding three dollars per day, each, which charges shall be paid by, or recovered against the person or persons interested or concerned in the encroachment or obstruction so removed, and who ought to have removed the same.

Encroachments marked out by City Surveyor.

(12.) Whenever the City Marshal or City Constables are ordered, under the provisions of this Ordinance, to remove or cause to be removed any encroachment or obstruction, the same shall be marked out and directed, under the superintendence of the City Surveyor, or the Street and Lane Committee, or a special Committee of Council, to be appointed for that purpose, and the said committee or officers, are hereby authorized to call to their aid and assistance the City Watch, who are hereby required and enjoined to aid and assist in the premises.

Aid of Police.

(14.) As soon as Council shall deem it expedient, after the passage of this Ordinance, the Committee of Streets and Lanes

shall proceed with the aid of the City Surveyor and Marshal, to graduate and level the several squares, streets and lanes, within the City, or such parts thereof as to the said committee may seem necessary, and to cause the said squares, streets and lanes to be cut down or raised up, as may be necessary, in order to produce a proper level, and the said City Surveyor shall determine the proper standard of elevation, whereby to regulate the same.

Grading of squares, streets, lanes, &c.

(15.) No person shall be permitted to increase or lower the height of the side walks in front of his or her lots above or below. (This section is amended here by striking out certain words and inserting in lieu thereof the following: "the level or grade directed by the City Surveyor, and a majority of the Street and Lane Committee.") And no person, without the permission of the Street and Lane Committee, shall throw any dirt, filth or rubbish, or any matter or material whatsoever, in any Street, Lane or Square, by which the proper level, as established, may be destroyed. And all offenders and encroachments, against the provisions of this section, shall be dealt with as prescribed in the fifth section of this Ordinance.

No person to increase or lower height of sidewalks.

Or throw filth into streets, lanes, &c.

Penalty $100, &c.

(24.) The Mayor or acting Mayor may give permission (without which it shall be unlawful,) to any owner, consignee or agent of any cotton or other bulky merchandise which may have been endamaged by rain or water in its transportation to Savannah, to expose the same while in its wet condition, not exceeding three days, in any public place contiguous to the store or warehouse in which it is intended to be deposited when dry: *Provided*, That nothing herein contained shall authorize any such exposure in any of the lanes; nor of any hides or other article of merchandise whatever which may be injurious to the health, or disgusting to the smell of the citizens, nor of any cotton not packed in bags. Nor shall any person be authorized to obstruct, block up or in any manner interrupt with cotton or other merchandise, the free passage of any citizens on foot or horseback, or in a carriage, through any of the public squares, streets or places whatsoever. And all offenders and obstructions against the provisions of this section, shall be dealt with as is prescribed in the fifth section of this Ordinance.

Damaged cotton, &c.

Proviso.

Obstructing free passage of citizens.

Penalty, $100, &c.

(25.) All offenders against any of the provisions of this Ordinance, not otherwise specially provided for, shall be punished and fined as is prescribed by the fifth section thereof, and all en-

Penalties how enforced and collected.

croachments on the public property not specially enumerated herein, may be removed in the manner pointed out in the fifth section. And all penalties and fines (when not otherwise specially provided for herein,) shall be enforced and collected in the manner prescribed by the existing charter and laws relating to the City of Savannah, and all fines when collected shall be paid one half to the City Treasury, for the use of the City, and the other half to the informer.

STREETS AND LANES—CELLARS—GUTTERS.

Ordinance passed Dec. 11th, 1857.

AN ORDINANCE, to prohibit cellar doors from being left open or kept in bad order, or repair, and to prohibit the throwing of dirt, offal, rubbish, putrid or stinking water or other putrid or offensive matter or thing whatever, into any of the streets, lanes, squares, or other public places of the City of Savannah, and for other purposes therein mentioned.

Cellar Doors.

No. 516. (1.) No person or persons shall leave his, her or their cellar door or doors open, or keep or suffer the same to remain in bad order or repair; or throw or cast any dirt, filth, offal, rubbish, putrid or stinking water, or other putrid or offensive matter or thing whatever, into any or either of the streets, lanes, squares, or other public places of the City of Savannah. In every instance the occupant or occupants of the store or building, where the cellar door or doors, is or are left open shall be deemed the offender or offenders; and where the same is kept in bad order or repair, the owner or owners shall be deemed the offender or offenders. The occupant or occupants of the store, building or premises from whence any dirt, filth, offal, rubbish, putrid or stinking water, or other putrid or offensive matter or thing whatever, shall have been thrown or cast, shall be deemed the offender or offenders.

Throwing filth, &c., into streets, lanes, &c.

Drain, sewer and gutter, how aid.

(2.) Each and every person or persons having a drain, sewer, or gutter, leading from his, her or their yard or premises into the streets, shall have such drain, sewer or gutter covered over with a flag stone or flag stones, laid even with the pavement or side walk, and connected therewith to place or have placed a

dry well or cesspool, to be constructed under the supervision and direction of the Committee on Streets and Lanes.

Dry well or cess pool.

(3.) No person shall tie or hitch any horse, mule, or other animal, to any or either of the boxes around the public trees, or to any step, railing or fence that may or will prevent any person or persons from passing over or upon any or either of the pavements or side walks in the City of Savannah.

Hitching horse to box around tree or to steps, &c.

(4.) Any person or persons violating or offending against the provisions of this Ordinance, or of any part thereof, shall, upon conviction before the Police Court, be fined for each and every such violation or offence, if a white person not less than five dollars nor more than ten dollars, and if a slave or free person of color in the sum not less than five nor more than a ten dollars or whipping at the discretion of the Mayor, or other person or persons presiding at the Police Court.

Penalty from $5 to $10.

STREETS—SQUARES—WARDS.

Ordinance 21st Feb., 1803. (Charles Harris, Mayor.)

WHEREAS, the names or titles of King, Prince, and Duke are unknown to the Constitution of Georgia, or the United States, and the permitting or suffering several streets in the City to be still called by those obnoxious names reflects highly on the police thereof:

No. 517. (1.) The Streets now called King Street, Prince Street, and Duke Street, shall be, hereafter, called and known by the names following: That is to say, the Street now called King Street shall be called President Street; the Street called Prince Street shall be called State Street, and the Street called Duke Street shall be called Congress Street.

President, State and Congress Streets.

Ordinance 30th Dec., 1822. (Moses Sheftall, Chairman of Council.)

No. 518. (2.) The name of Market Street be and the same is hereby changed to that of South Broad Street; and that an Ordinance passed 19th June, 1820, be and the same is hereby repealed.

South Broad Street.

Ordinance 4th April, 1833.

No. 519. (1.) The street laid out by Commissioners, under

Canal Street. the Act of the Legislature of Georgia, passed December, 1832, running from the Canal to West Broad Street, and nearly in a parallel line with the river and Indian Street, shall be known and designated as Canal Street.

30 feet wide. (2.) The street so named as aforesaid, shall be thirty feet wide, as laid down on the map drawn under the direction of the Commissioners.

Ordinance 26th August, 1841. (Robert M. Goodwin, Mayor pro tem.)

Rail Road Street No. 520. (1.) The Street running from West Broad Street westwardly to the canal bridge, and south of the Central Rail Road Depot, shall be known and called Rail Road Street.

50 feet wide. (2.) The width of said Rail Road Street shall be fifty feet from the brick wall of the Rail Road Depot to the buildings on the south of the said depot, the sidewalks being included in said measurement.

Ordinance 24th January, 1856.

Currie Town Ward. No. 521. (1.) All that part of the City of Savannah bounded north by Liberty Street, south by Jones Street, east by Tattnall Street, and west by West Broad Street, shall be named and designated Currie Town Ward.

Berrien Ward. (2.) All that part of the City of Savannah bounded north by Jones Street, south by Gaston Street, east by Tattnall street, and west by West Broad Street, shall be named and designated Berrien Ward, and that the unnamed Street therein shall be named Berrien Street.

Berrien Street.

Gaston Ward. (3.) All that part of the City of Savannah bounded north by Gaston Street, south by Gwinnett Street, prolonged to West Broad Street, east by Tattnall Street, and west by West Broad Street, shall be named and designated Gaston Ward.

North Oglethorpe Ward. (4.) All that part of Oglethorpe Ward between the Savannah River and Bryan Street shall be named and designated North Oglethorpe Ward; and that all that part between Bryan Street and Harrison Street shall be named and designated Middle Oglethorpe Ward; and all that part between Harrison Street and New Street shall be named and designated South Oglethorpe Ward; and that the unnamed Street between Farm and West Boundary Street shall be named and designated Lumber street.

Harrison Street.

Middle Oglethorpe Ward.

South Oglethorpe Ward.

Lumber Street.

Gilmerville. (5.) The unnamed street bounded north by Gilmerville shall be named and designated Jackson Street. That the Street between Reynolds and Randolph Streets shall be named and designated Arnold Street. That the Street east of Randolph Street shall be named and designated Anderson Street; and the next Street to the east shall be named and designated McAllister Street.

Jackson Street.

Arnold Street.

Anderson Street

McAllister St.

IN COUNCIL, March 13th, 1851.

To the Honorable the Mayor and Aldermen of the City of Savannah:

Walton Ward named. No. 522. GENTLEMEN: Having divided my lot of land, fronting eastward on West Broad Street, into small lots, which required two Streets to be opened in a south-west direction, and having tendered your Honorable Body the strip of land on West Broad Street, to induce the widening of that Street, I herewith transmit to you a plan of said lots and streets, and ask you to name it and adopt it as a portion of the plan of the City. Name the new Streets and name the Ward, make out a deed of conveyance to the City for the land required for the Streets, and I will sign the same.

Very respectfully, your obedient servant,

HIRAM ROBERTS.

SAVANNAH, March 12th, 1851.

On motion the above communication was received, and the request granted, and the Streets named as follows, viz: The southern Street "Roberts," after "Hiram Roberts," the northern Street "Stewart," after "General Daniel Stewart." The Ward named "Walton," after "George Walton," a signer of the Declaration of Independence from Georgia.

Roberts Street.

Stewart Street.

SURVEYOR AND DEPUTY MARSHAL.

Ordinance of 7th January, 1858.

AN ORDINANCE, to further regulate the duties of the Deputy Marshal and the City Surveyor, and for other purposes therein mentioned.

Duty of Deputy Marshal to superintend public works, &c., keep time of hands, &c. No. 523. (1.) It shall be the duty of the Deputy Marshal, whenever called upon by the Chairman or acting Chairman of the Street and Lane Committee or any other Committee, to attend to any public duty, superintend any public improvement or work going on in the City, keep the time of the hands

employed, purchase all the necessary materials for the work, when requested by such Chairman or acting Chairman so to do, make out the bills therefor, and hand the same to such Chairman, or acting Chairman on the Monday preceding each regular meeting of Council.

Duty of City Surveyor to superintend public works, &c., keep time of hands, &c.

(2.) It shall be the duty of the City Surveyor, upon being notified by the Chairman, or acting Chairman of the Street and Lane Committee, or any other Committee, to attend to any public duty, and superintend any public work or improvement going on in the City, keep the time of the hands employed, purchase all materials necessary for the work when requested by such Chairman or acting Chairman so to do, make out the bills therefor, and hand the same to such Chairman or acting Chairman on the Monday previous to or preceding each regular meeting of Council.

Penalty for neglecting, &c., $100, or dismissal from office.

(3.) In case the said Deputy Marshal or City Surveyor shall fail, neglect or refuse to comply with any of the provisions of this Ordinance such Deputy Marshal or City Surveyor shall upon conviction thereof before the Police Court of said City, be fined in a sum not exceeding one hundred dollars nor less than ten dollars, or be dismissed from office, or both, at the discretion of the person or persons presiding at the time in the said Police Court.

(*See Title, "City Surveyor," page* 97, *"City Marshal," page* 78.)

SWIMMING.

Ordinance 2d August, 1839.

Not lawful to swim or bathe in the river, from West Broad Street to west side of Eastern Wharf Company.

No. 524. (5.) It shall not be lawful for any person to swim or bathe in the river opposite the City, that is to say, from the western side of West Broad Street, to the western side of the Eastern Wharf Company, at any hour after seven o'clock in the morning, until sunset, under the penalty of not exceeding fifty dollars if a white person, and whipping not exceeding fifty lashes if the offender be a slave or free person of color.

Penalty, $50, &c.

Ordinance 20th August, 1857.

Not lawful to swim or bathe in the canal between the river and 2d lock.

No. 525. (1.) It shall not be lawful for any person to swim or bathe in the Ogeechee Canal, between the river and the second lock from the river, at any hour after seven o'clock in

the morning, and before sunset, under the penalty of not exceeding fifty dollars, if a white person, and whipping not exceeding fifty lashes, if the offender be a slave or free person of color.

Penalty $50, &c.

TAXES.

Gross Sales by Commission.

Ordinance of 24th January, 1842, as amended by 4th section of Ordinance of 11th November, 1842, the 1st section of Ordinance of 22d November, 1849, the 5th section of Ordinance of 13th March, 1851, and the Ordinance of 21st January, 1858.

On gross amount of sales of all negroes or other articles or things, sold upon commission or on joint account.

No. 526. (2.) That on the gross amount of sales of all negroes, goods, wares and merchandise, or other commodity, article, or thing sold, within the corporate limits of the City of Savannah, by any person or persons whosoever, upon or for a commission, premium, per centage or other profit, charged or to be charged thereon, or on joint account, and when not included in the returns as stock in trade, and whether for cash or credit, between the *first day of May, eighteen hundred and fifty-one, and the last day of December, eighteen hundred and fifty-one, inclusive,* and annually thereafter, between the first day of *January* in each and every year, and the last day of *December* in each year, inclusive, there shall be paid by the person so selling, whether commission merchant, broker or agent of any nature or kind whatsoever, THIRTY-SEVEN AND A HALF CENTS on every hundred dollars of the amount of such sales respectively. *Provided that this clause shall not extend to Rice, Cotton, Lumber or Flour, sold by any Factor, or goods, wares or merchandise sold at public auction by Vendue Masters.* That all and every person or persons selling or disposing of negroes, goods, wares, merchandise or other commodity, article or thing, on or for a commission, premium, per centage or other profit charged, or to be charged thereon, shall on the first day of *January* next, and annually thereafter on the first day of *January* in each and every succeeding year, deliver on oath a true and just return of the amount of sales, made by him, her or them within the period aforesaid to the Treasurer of the City of Savannah at his office, and then and there shall take the following oath:

Annually between 1st Jan. and the last day of Dec., inclusive.

Tax ⅜ of 1 per cent.

Deducting from such gross amount the sales of cotton, flour, lumber and rice.

Return to be made on 1st Jan., annually, for the preceding year.

Oath of person making the return.

I, A. B., do solemnly swear, (or affirm as the case may be,) that the return which I now give in, contains a just and true account of the gross amount of sales of all negroes, goods, wares, merchandise, or other commodity, article, or thing, sold by me on commission, between the *first* day of *May*, eighteen hundred and *fifty-one*, and the last day of *December*, eighteen hundred and *fifty-one*, inclusive, (and on the first day of *January* and the last day of *December* in each year, as prescribed in this section, as the case may be,) subject to taxation by the preceding clause. So help me God.

Tax of $1,000 for not making the return.

(4.) If any person or persons selling or disposing in the City of Savannah, of any of the articles or things mentioned in the second section of this Ordinance, and who is required by this section to make a return of the amount of sales thereof, shall fail or neglect to make such return, at the time and in the manner herein prescribed, every such person or persons shall be liable to a tax of *one thousand* dollars, to be paid into the Treasury of the City of Savannah, on the time and times prescribed for making said return, and on failure to pay the same, execution immediately to issue, by the City Treasurer, against the goods and chattels, lands and tenements of all and every person so making default.

How recovered.

(Ordinance of 13th March, 1851, says :

Tax to be paid at the time specified in the general tax Ordinances.

(5.) The returns by commission merchants, of the gross sales by commission under the existing Ordinances, shall be made the present year as therein prescribed, but hereafter it shall be made, and the tax paid at the time specified in the general tax Ordinances of the City.

Income and Commission Tax.

Ordinance of 22d December, 1856, as amended by Ordinance of 5th March, 1857.

Tax 1 per cent. on all profits and income, &c., except where the income does not exceed $800, and 1 per cent. on all commissions received from 1st May to 1st May next, annually.

No. 527. (9.) The following taxes shall be levied, assessed and paid to wit: one dollar on every hundred dollars of all profits and all income derived from the pursuit of any faculty, profession or occupation, trade or employment, except persons whose income does not exceed $800, or from the exercise of any office, income from the practice of dentistry, &c., and one dollar on every hundred dollars of all commissions received by factors, vendue masters or other persons vending or buying goods, wares, merchandise, produce and real and personal property, on commission, or on joint account, between the first day of January and the first day of May next, and annually thereafter, from the first day of May in one year to the first day of May in the succeeding year; and each and every person so deriving such income or commission, shall, on the first Monday in May next, and on the first Monday in May annually, thereafter, make a return of such income or commission to the City Treasurer, who shall thereupon proceed to assess and collect such tax, and if such tax shall not be paid by the fifteenth day of May to issue execution therefor, and place the same in the hands of the City Marshal for collection—provided, that nothing herein contained shall prevent any person who may be unwilling to make such returns, from paying in to the City Treasury the sum of three hundred dollars in lieu of such income or commission tax.

Returns to be made on 1st Monday in May.

To be paid by 15th May. If not paid execution to issue.

Commutation tax $300.

Persons failing to make returns, liable to a tax of $300.

"And in case any person or persons deriving income from the pursuit of any faculty, profession or occupation, trade or employment, or from the exercise of any office, income from the practice of dentistry, &c., or deriving income or commission from vending or buying goods, wares, merchandise, produce and real and personal property, on commission or on joint account, shall fail, neglect or refuse to make a return or returns of such income or commission, in writing, on oath to the City Treasurer, on or before the fifteenth day of May next, and annually thereafter on or before the fifteenth day of May in each succeeding year, such person or persons shall be liable to a tax of three hundred dollars, to be paid to the Treasurer of the City of Savannah on the day designated for making said return or returns, and on failure to pay the same the City Treasurer shall immediately issue execution therefor and place the same into the hands of the City Marshal for collection. Provided that Clergymen actually officiating in any Church of this City, and School Masters actually engaged in teaching in the literary schools of this City, shall not be required to make the returns before mentioned."

On failing to pay, executions issue.

Exceptions as to clergymen and school masters.

Life Insurance Office.

Ordinance 22d January, 1857.

Tax $50 annually.

No. 528. (2.) Each Life Insurance office, or agent, shall pay a specific tax of fifty dollars per annum.

Specific and Ad Valorem Tax Ordinance.

Ordinance of 29th October, 1857, as amended by Ordinances of 10th December, 1857, and 11th December, 1857.

A BILL, to be entitled an Ordinance, to prescribe the mode of assessing and collecting Taxes in the City of Savannah:

General enactment.

No. 529. (1.) That from and after the first day of January next, inclusive, the various Taxes prescribed in this Ordinance, shall be assessed and collected in the City of Savannah, in the manner herein pointed out.

Property subject to taxation.

(2.) All real and personal property within said City, whether owned by individuals or corporations, resident or non-resident, shall be liable to taxation under the provisions of this Ordinance except as hereinafter excepted.

Phrase "real property" defined.

(3.) The phrase "real property," as used in this Ordinance, shall be construed to include land itself, and all buildings and other fixtures erected upon land, whether the land upon which such buildings and other fixtures may be erected, be or be not, itself subject to taxation.

Real property exempt from taxation.

(4.) The following real property shall be exempt from taxation, to wit:

Each lot of land held at the time of the passage of this Ordinance upon the payment of ground rent to the said Mayor and Aldermen of the class commonly called City Lots.

All belonging to the State of Georgia, or to the United States.

All exempt from taxation by the constitution and laws of the State of Georgia, or the United States.

All belonging to any seminary of learning, literary, religious, charitable, or military associations, whether incorporated or not, provided the same be used directly for the purpose of such associations, and not as a source of profit, income or revenue.

Phrase "personal property" defined.

(5.) The phrase "personal property" as used in this Ordinance, shall be construed to include all machinery and other articles in the nature of fixtures, not actually affixed to the reality.

All capital invested in any manner whatever in said City.

All stocks in money corporations.

Negro Slaves.

Pleasure carriages.

Horses and mules.

Furniture, chattels and moveables of every description.

All goods, wares and merchandise, and stock in trade.

All debts due by solvent debtors, whether on judgments, mortgages, bonds, promissory notes, bills of exchange, foreign or inland, due bills of written promises, memoranda or evidences of debt, of every description, not barred by the statutes of limitations in the State where the debtors resides.

And such portion of the stock and capital of money corporations as shall not be invested in real or personal property, as defined in this Ordinance.

Personal property exempt from taxation.

(6.) The following personal property shall be exempt from taxation, to wit:

All belonging to the State of Georgia, or to the United States.

All exempt from taxation by the constitution and laws of the State of Georgia, or of the United States.

All belonging to any seminary of learning, literary, religious charitable or military association, whether incorporated or not, and used directly for the purpose of such association and not as a source of profit, income or revenue.

Individuals owning stock in any corporation shall not be taxed for such stock.

All negro slaves over the age of sixty years.

All drays, carts, wagons, omnibus, cabs and vehicles, upon which any sum of money shall be paid as a license under any of the Ordinances of this City.

All household and kitchen furniture not above the value of three hundred dollars, and not held as merchandise, or stock in trade, or for sale.

All books, philosophical apparatus, mechanical tools, fire arms weapons and munitions of war not held as merchandise, or stock in trade, or for sale.

All goods, wares and merchandise coming into this City in transitu.

All bonds of the State of Georgia, or of the City of Savannah.

All wearing apparel, not held as merchandise, or stock in trade or for sale.

Each regular active member of the Georgia Huzzars shall be entitled to have one horse exempt from taxation; provided that such horse be owned by the person, claiming such exemption.

Such portion of the stock and capital of banking and rail road corporations as shall not be invested in real or personal, property, as defined in this Ordinance.

Taxes assessed to be ad valorem except certain

(7.) That from and after the said first day of January next, inclusive, all taxes assessed and collected upon real and personal

property within the City, shall be ad valorem, except such specific taxes as may be imposed by this, or any other Ordinance.

Specific Taxes, viz:

(8.) That from and after the said first day of January next, inclusive, the following specific taxes shall be assessed and paid in said City, to wit:

Sales at Auction.

1 per cent. where the sum does not exceed $1,000; ½ per cent. from $1,000 and not exceeding $3,000, ¼ per cent. over $3,000.

The rates of taxes on sales at auction in this City shall be as follows, to wit: on the gross amount of sales where the sum shall not exceed one thousand dollars, one per centum; where the same shall exceed one thousand dollars and shall not exceed three thousand dollars, one-half of one per centum; where the same shall exceed three thousand dollars, one-fourth of one per centum; and all Vendue Masters or Auctioneers shall make their returns in the manner, at the times and under the penalties now prescribed by law.

Returns quarterly.

Banks.

Tax not exceeding ½ per cent. upon annual net profits.

Each and every Chartered Banking Company within this City shall pay a tax upon its annual net profits; the rate of said tax to be the same with the rate of the general ad valorem tax to be assessed under the provisions of this Ordinance as hereinafter specified, unless the rate of such general ad valorem tax shall exceed one half of one per centum; and then the rate of the tax upon such annual net profits shall be one-half of one per centum; and every such Chartered Banking Company shall upon the oath of its presiding officer, make a true return of such net profits as often as, and within ten days after such Company shall declare a dividend to the stockholders, and shall forthwith pay said tax to the said Treasurer, and in case of default, for ten days after such dividends shall be declared, the amount, of such tax shall be assessed by the Finance Committee, subject to the approval of the City Council at the first regular meeting thereafter, and execution shall be issued therefor immediately after such approval, against such defaulting Company; provided, that if any such return shall be made before the rate of the general ad valorem tax for that year shall have been assessed by the Mayor and Finance Committee as hereinafter provided for, the tax to be paid on such return shall be one-half of one per centum, and if the rate of such general ad valorem tax for that year shall be less than one half of one per centum, then such Company shall be entitled to receive the difference from

Returns how made.

Tax to be paid in 10 days after dividend declared; if default is made the tax to be assessed, &c.

the said Treasurer; and provided, further, that each and every agent for any Chartered Banking Company or Companies, having its or their principal place of business without this City, and doing business in this City by means of such agency, or by a branch, shall pay on the capital so employed in this City the general ad valorem tax to be assessed under the provisions of this Ordinance and such agent shall make a return of such capital at the time and in the manner hereinafter prescribed for general returns under this Ordinance.

Bank Agency.

Billiard Tables and Bowling Alleys.

Annual tax, $100.

Each and every person, who shall keep and use for hire, within said City, any Billiard Table or Bowling Alley, shall pay to the City Treasurer annually, for every such table or alley the sum of one hundred dollars. Each and every such person who shall have paid to the said Treasurer the said sum of one hundred dollars, before the 1st day of January next, in compliance with the Ordinance of 16th November 1843, and 29th Dec., 1853, "imposing a tax on Billiard Tables and Bowling Alleys and for regulating the same," shall be required to pay the like sum at the end of the current year for which the said sum was paid under the said Ordinances, and annually thereafter, so long as such table or alley shall be kept and used for hire, and each and every person, who shall put up or open, or caused to be put up or opened, on or after the first day of January next, any such Billiard Table or Bowling Alley, to be kept and used for hire, shall forthwith, and annually thereafter, so long as such table or alley shall be kept and used for hire, pay to the said Treasurer the said sum of one hundred dollars for every such table or alley.

If opened on and after 1st Jan.

Annual tax $100.

Dogs.

Annual tax $2.

The Ordinance passed the 16th day of November, 1843, to impose a tax upon Dogs, is hereby confirmed and continued in force, with all the provisions therein contained.

Express Companies.

Annual tax, $200.

Each and every Express Company shall pay a tax of $200, payable on the first day of January, of each and every year, and on failure to pay the same, such defaulting Company shall be fined in double the amount of such tax, upon conviction before the Mayor.

Penalty, $400.

Fire Works, Toys, &c.

Sold during holidays or otherwise by persons temporarily engaged therein, tax $30.

Each and every person residing in this City, who shall bring or cause to be brought into said City, for the purpose of sale, any stock of fancy or dry goods, toys, fire crackers, or other kinds of fire works or any other goods, wares or merchandise whatever, usually sold before, or after, or during Christmas or other holidays, either in his or her own name, and in his or her own account, or in the name and on the account of any other person or persons, shall first pay to the City Treasurer the sum of thirty dollars; and each and every person, who shall neglect or refuse to comply with the foregoing provision, shall, on conviction thereof before the Mayor in the Police Court, be fined in double the said sum, one-half of said fine to be paid to the informer;

Penalty $60.

Proviso as to storekeepers regularly engaged therein.

Provided, That this section shall not be construed to extend to any person or persons renting and keeping stores or shops yearly, for the vending of goods, wares, merchandise or other articles above specified, and who pay an annual tax to the City on the same.

Free Persons of Color.

Exercising any trade and not belonging to the Fire Com.'y, tax $10; other male free negroes between 16 and 45 years of age, and females between 14 and 45, tax $6.25.

Each and every free negro or person of color, an inhabitant of this City, not exempt from taxation under the Fire Ordinances of this City, and exercising any trade or handicraft, or the business of a carter, drayman, or huckster, shall pay a poll tax of ten dollars; and each and every other male free negro, or person of color, between the ages of sixteen and forty-five years, not exempt from taxation under the said Fire Ordinances, and each and every other female free negro, or person of color, between the ages of fourteen and forty-five years, shall pay a poll tax of six dollars and twenty-five cents;

Proviso as to badges.

Provided, That nothing contained in this Ordinance shall be construed to affect any existing Ordinances on the subject of badges or licenses for free persons of color, but the same are hereby declared to be in full force.

Free Persons of Color Coming to Reside.

Between 14 and 60 years of age, shall pay a tax of $100 in 30 days after arrival.

Each and every free person of color, between the ages of fourteen and sixty years who shall come into this City for the purpose of residing therein, shall within thirty days from the time of his or her arrival, pay to the City Treasurer the sum of one hundred dollars, in addition to such other tax or taxes as may be imposed by this or any other Ordinance; and if said sum be not paid as aforesaid, the Mayor, upon information of such default, shall and may direct the City Marshal, or the Deputy, to cause such defaulting free person of color to work on the streets, or elsewhere, for the benefit of the City, until such tax shall be paid; allowing one dollar per day for males, and seventy-five cents per day for females, for such work.

If not paid, the Marshal to work them on the Streets, &c., allowing $1 per day for males and 75 cents for females

Horses and Mules.

Annual tax, $5. Whether in the City on 1st Jan. or brought in afterwards.

Each and every person keeping or using any horse or mule in the City shall pay therefor the annual tax of five dollars, whether such person be or be not the owner of such horse or mule, *"and whether such horse or mule be in the City of Savannah on the first day of January or be brought into said City at any time during the year to be kept or used therein. Each and every person who shall bring or cause to be brought into the City of Savannah, any horse or mule to be kept or used therein, after the first day of January, or at any time during the year, shall be subject to the said tax of five dollars, and shall pay said tax to the City Treasurer within said ten days after such horse or mule is brought into the City, and if any person or persons shall neglect or fail to pay said tax within said ten days, such person or persons on conviction thereof, before the Mayor or acting Mayor in the Police Court, shall be fined in a sum not exceeding thirty dollars, one half of such fine to go to the informer.*

Penalty on any person bringing a horse or mule into the City after 1st Jan., and not paying the tax in 10 days, $30.

Insurance Companies and Agents.

Return to be made on 15th January.

Each and every Insurance Company, and Agent for an Insurance Company, located within this City, whether such Company be incorporated here or elsewhere, and each and every person who shall carry on the business of Insuring, for himself or as agent for any other person or persons, or corporation or corporations, shall on or before the 15th day of January of every year hereafter, make to the City Treasurer a true return on oath, or on the oath of the presiding officer of any such Company incorporated in this City, of all premiums received, less losses actually paid during the period for which such return is made, and shall forthwith pay to the said Treasurer a tax of five per centum on such premiums received, less losses actually paid; and if any such Company or agent shall neglect or refuse to make such return, the tax to be paid by such Company or agent shall be assessed by the Finance Committee within ten days after such default, and approved by the City Council at the first regular meeting thereafter, and execution issued there-

Tax 5 per cent. on premiums received, less actual losses. If in default, tax assessed in 10 days.

for against such defaulting person or persons, Company or Agent, immediately after such approval of the said assessment. The first return under this Ordinance shall be for all of the year 1857, except the months of January, February, March and April, and every return thereafter for the whole of the year ending with the last day of December next preceding such returns; provided that nothing herein contained shall be construed to extend to premiums received for Life Insurance.

Proviso as to Life Insurance.

Locomotives and Cars Passing Over the Plank or Macadamized Road.

Tax on Locomotives, $10; Rail Road car, $5; coal car, $3.

The owner or agent of the owner of every locomotive or railroad car drawn over the plank or macadamized road shall pay therefor the sums following, to wit: For every locomotive, the sum of ten dollars; for every other railroad car, other than coal cars, the sum of five dollars; for every coal car, or car transported on drays or trucks, and not exceeding three tons in weight, the sum of three dollars; said sums to be paid at or before the passing of such locomotive or other car over the said plank or macadamized road; and if any such person or persons shall so draw or cause to be drawn over the said plank or macadamized road any such locomotive or other car, without paying for the same the tax herein specified, such person or persons shall, upon conviction thereof before the Mayor in the Police Court, be fined in double the amount of such tax, one-half of such fine to be paid to the informer.

When paid, &c.

Penalty double amount of tax.

Lottery Tickets, Raffles, Gift Enterprises, &c.

Annual tax, $200.

Each and every person, who shall carry on the business of vending books, jewelry, or other articles by raffle or lottery, or of selling lottery tickets within said City, by selling, disposing of, delivering, ordering or receiving for another for any consideration whatever, any lottery ticket, or part or share of a lottery ticket, or by offering to carry on such business by advertisement, exhibiting a sign, or otherwise, shall pay the City Treasurer annually, the sum of two hundred dollars, and each and every such person, who shall have paid to the said Treasurer the sum of one hundred dollars, in compliance with the ordinance of August 30th, 1838, before the 1st day of January next, shall be required to pay the sum of two hundred dollars at the end of the current year for which the said sum of one hundred dollars was paid under the said Ordinance, and annually thereafter, so long as he

or she shall continue to carry on such business; and each and every person who shall commence to carry on such business, by doing or offering to do any one of the acts aforesaid, on or after the 1st day of January next, shall forthwith and annually thereafter, so long as he or she shall continue to carry on such business, pay to the said Treasurer the sum of two hundred dollars, and each and every person who shall violate or fail to comply with either of the foregoing provisions of this section, shall upon conviction thereof, before the Mayor in the Police Court, be fined in a sum not exceeding four hundred dollars for each and every such violation of, or failure to comply with the said provisions, one half of said fine to go to the informer.

Commencing business on or after 1st Jan., shall forthwith pay the tax of $200.

Penalty $400.

Non-Residents and Temporary Residents Exercising any Calling.

Each and every temporary resident or transient non-resident person, who shall carry on any faculty, profession, occupation, or employment, or shall offer to do so, by advertising, exhibiting a sign, or otherwise, shall first pay to the City Treasurer the sum of one hundred dollars; and each and every person who shall neglect or refuse to comply with the foregoing provision shall, on conviction thereof before the Mayor in the Police Court, be fined in double the said sum, one-half of said fine to be paid to the informer.

Shall pay the first tax of $100.

Penalty $200.

Pawnbrokers.

Each and every pawnbroker shall pay to the said Treasurer, annually, the sum of one hundred dollars; each and every pawnbroker who shall before the first day of January next, have paid to the said Treasurer, the said sum of one hundred dollars, in compliance with 15th section of the Tax Ordinance of 22d December, 1856, amended the 29th December, 1856, and the 22d January, 1857, shall be required to pay the like sum at the end of the current year for which the said sum was paid under the said Ordinances, and annually thereafter, so long as he or she shall continue to carry on such business, and each and every person who shall commence the business of a pawnbroker on or after the 1st day of January next, shall forthwith and annually thereafter, so long as he or she shall continue to carry on such business, pay the said Treasurer the said sum of one hundred dollars.

Annual tax, $100.

Commencing business on or after 1st Jan. shall forthwith pay the tax of $100.

Pleasure Carriages, and Other Vehicles.

Each and every person keeping or using any pleasure carriage,

On 1st Jan. annual tax $20 on 4 wheels drawn by 2 or more horses or mules; $10 on 4 wheels drawn by 1 horse or mule; $5 for a 2 wheel carriage or vehicle.

and each and every person keeping or using any other carriage or vehicle, in this City, on the first day of January in each year, whether such carriage or vehicle be owned by such person or not, shall pay to the City Treasurer, as a tax upon the same, the sum of twenty dollars, if a four wheeled carriage or vehicle, drawn by two or more horses or mules; the sum of ten dollars, if a four wheeled carriage, drawn by one horse or mule; the sum of five dollars, if a two wheeled carriage or vehicle; and each

If after 1st Jan., pro rata; quarterly, &c.

and every person who shall bring into the City any such carriage or vehicle to be kept or used therein, after the first day of January and before the first day of April, or after the first day of April, and before the first day of July, or after the first day of July and before the first day of October, in any year, shall on or before the first of said days next after such carriage or vehicle shall be brought into the City as aforesaid, pay to the said Treasurer such part of the taxes above required, according to the foregoing mode of assessment, as shall be in proportion to the residue of the year estimated from the day on which such tax is required to be paid; and if any person or persons shall refuse

Neglect, double tax.

or neglect to pay such tax, the said Treasurer shall issue execution for double the amount of such tax against him, her or them within ten days after the same is hereby required to be paid;

Proviso as to vehicles kept as stock in trade, or licensed vehicles.

Provided, that nothing herein contained shall be construed to extend to carriages or vehicles of any description used or kept as merchandise or stock in trade, or to vehicles of any description for which licenses are required to be paid by any of the Ordinances of this City.

Slaves.

Tax of $3 on slaves over 12 and under 60 years; under 12 years, 50 cents.

The owner or owners of every negro slave in this City, as are over the age of 12 and under that of 60 years, shall pay on such slave the annual tax of three dollars, and upon such slaves as are under the age of twelve years shall pay on such slave the annual tax of fifty cents, provided that nothing in this Ordinance contained shall be construed to effect in any manner any existing Ordinance on the subject of badges for negro slaves, but the same are hereby declared to be in full force. "*Each*

Proviso as to badges.

Slaves in the City on 1st Jan., or brought in afterwards, liable to the tax.

and every slave within the City of Savannah, on the first day of January, or who shall come to reside in the City at any time during the year, shall be subject to the taxes above prescribed. And every slave coming into the City of Savannah, after the first day of January, and who may be required by the Ordi-

If liable to take badges must pay the tax at the

time of taking out the badge; if tax not paid in 10 days, penalty $30 on persons bringing them into the City or hiring them.

nance to take out a badge, shall be liable to the tax herein assessed, to be paid at the time of taking out said badge. In case the tax on such slave is not paid to the City Treasurer within ten days after such slave is brought or comes to reside in the City, the person or persons bringing or causing such slave to be brought or to reside in the City, and the person or persons hiring or employing such slave, upon conviction thereof, before the Mayor or acting Mayor in the Police Court shall be fined in a sum not exceeding thirty dollars, one half of such fine to go to the informer."

Slave Marts.

Annual tax, $200 for keeping slave marts, for sale or hire, to be paid on 1st January.

Each and every person who shall keep and use within this City any house, yard or other place, for the purpose of keeping slaves therein for sale or hire, or of confining slaves therein for any purpose whatever, shall pay to the said Treasurer, annually, the sum of two hundred dollars for every such house, or yard, or house and yard, or other place; said sum shall be paid as aforesaid, on the first day of January next, by every person then keeping and using for the purposes aforesaid, any such house or yard, or house and yard, or other place, and annually thereafter; and each and every person who shall open or commence to keep and use any such house or yard, or house and

Commencing business after 1st Jan. shall forthwith and annually pay the tax of $200. Penalty $400.

yard, or other place, for the purposes aforesaid, after the said first day of January next, shall forthwith and annually thereafter, so long as he or she shall keep and use the same for the purposes aforesaid pay to the said Treasurer the sum of two hundred dollars, and if any person shall violate or fail to comply with the foregoing provisions he or she shall, on conviction thereof before the Mayor in the Police Court, be fined in a sum not exceeding four hundred dollars, one half to go to the informer.

Slaves and Free persons of Color coming here to take Ship for Liberia, &c.

Tax $200.

A tax of two hundred dollars is hereby imposed on each and every slave and free person of color, who shall come or be brought into this City for the purpose of being transported to Liberia, or any other place in Africa, directly from this City, or indirectly, through any other port, or place; and if the owners or

How collected.

other person or persons, having charge of any such slaves, shall neglect or refuse to pay such tax on demand, execution shall

Neglect or refusal to pay Marshal to work them on the streets.

be forthwith issued for the same, which shall be levied on such slave, or on any other property of such owner or other person or persons, to be found in said City; and if any such free person of color shall neglect or refuse to pay such tax on demand, the Mayor of the City on information thereof, shall direct the Marshal or the Deputy Marshal, to proceed as in other cases of default on the part of free persons of color to pay the taxes required of them by this or any other Ordinance.

Transient Non-Resident Venders of Goods, Wares and Merchandise.

Shall forthwith return on oath the value of stock, and pay a tax of 5 per cent.

Each and every transient non-resident or temporary resident person, who shall bring into this City for the purpose of vending the same, any stock of fancy or dry goods, toys or other goods, wares or merchandise, whether in his or her own name, and on his or her own account, or in the name or on the account of any other person or persons, resident or non-resident, shall forthwith return on oath, to the City Treasurer, the amount and value of such stock, and pay to the said Treasurer the sum of five dollars on every hundred dollars of such amount and value; and every person, who shall neglect or refuse to comply with the foregoing provisions, shall, on conviction thereof before the Mayor in the Police Court, be fined in a sum not exceeding five hundred dollars, of which the informer shall receive one-fifth part.

Penalty $500.

White Persons not Registering.

Tax of $3 payable on or before 1st February.

Every person an inhabitant or resident of said City, engaged in business or labor not returning any property, and not entitled to a registry ticket, shall pay a tax of three dollars, on or before the first day of February, in each and every year, under a penalty of five dollars to be assessed by the Mayor on information before the Police Court against a defaulter, one half of such penalty payable to the informer; provided that all persons who have actually lived in this City for one year previous to the time of making their tax returns, shall be taxed one dollar each per annum.

Penalty $5.

Proviso as to actual residents for 1 year; tax $1.

(9.) Assessors of real property. (10.) Their Oath. (11.) Their Duties. (12.) Their Compensation. (13.) Vacancies how filled. See page 358, No. 433. (14.) Returns. (15.) Manner of making Returns. (16.) Oath. See pages 102 and 103, No. 99. (17.) Digest. See (18.) page 103.

Mode of Assessing the Ad Valorem Tax.

Mayor and Finance Committee to examine Digest, correct errors, ascertain the amount sufficient for the wants of the City during the current year, and assess the tax accordingly.

(18.) That it shall be the duty of the Mayor and the Finance Committee to make a strict examination of said digest, and to correct all errors that may appear therein; and to ascertain therefrom the amount of the specific taxes, and the amount of property subject to the general ad valorem tax; and also to ascertain the amount in the City Treasury, if any, and the amount derived or to be derived from other sources of revenue of said City, during the current year, as nearly as possible; and to assess upon all property subject to the ad valorem tax such a rate per centum as shall, taken with the amount of specific taxes, and the amount in the Treasury, and the amount arising from other sources of revenue during the current year, produce an amount sufficient for the wants of the City during the current year; and shall report such assessment to the Mayor and Aldermen of said City, in Council assembled, at or before their second regular meeting in the month of March of each year; and no such assessment shall exceed the rate of one per centum, or shall be valid until ratified or confirmed by the said Mayor and Aldermen; and it shall be the duty of the said Mayor and Finance Committee if it shall appear that any person or persons, or corporations, has or have failed to make the return required of him, her or them, by this Ordinance to assess the property of such person or persons, or corporation, and certify the same to the Treasurer to be double taxed.

Report to Council at the 2d regular meeting in March.

Assessment not to exceed 1 per cent.

Mayor and Finance Committee to assess all those who have made no returns, &c.

(19.) Duty of Treasurer, see page 104.

Taxes to be paid by 1st day of May.

Taxes to be paid by 1st day of May.

(20.) All taxes due to the City of Savannah, unless required to be paid at some other time by this or some other Ordinance, shall be paid to the said Treasurer on or before the first day of May in each and every year.

(21.) Execution, see page 104. (22.) Duty of the Marshal, see page 79. (23.) Default or neglect of the Marshal, see page 80.

Applications for relief against tax.

Not to be considered unless Treasurer certifies that the tax is paid.

(24.) No application to the Mayor and Aldermen of said City, by any person or persons or corporation, for relief against any tax or double tax, imposed by this Ordinance, shall be considered by said Mayor and Aldermen, unless accompanied by a certificate of the City Treasurer that the same has been paid in full.

Repeals all Militating Ordinances.

Repeals all militating Ordinances.

(25.) That from and immediately after the 31st day of December next, all Ordinances and parts of Ordinances militating against the provisions of this Ordinance shall be, and the same are hereby repealed, excepting, however, the 2d section of the amended Tax Ordinance relating to Life Insurance Offices or Agents passed 22d January, 1857—the 9th section of Ordinance of 22d December 1856, as amended by section 1st of Ordinance of 5th March, 1857, relating to income and commissions, and the 2d and 4th sections of the Ordinance of 24th January, 1842, relating to gross amount of sales of goods, &c., upon Commission or profit as amended by 4th section of Ordinance of 11th November, 1842, the first section of Ordinance of 22d November, 1849, and 5th section of Ordinance of 13th March, 1851, provided that nothing contained in this Ordinance shall be construed to effect in any manner or degree any Ordinance or part of an Ordinance relating to badges or licenses, but all such Ordinances and parts of Ordinances are hereby confirmed and declared to be in full force until by some other Ordinance repealed.

Proviso as to badges or licenses.

Ordinance passed Dec. 11th, 1857.

Mayor and Finance Committee to allow Treasurer $200 for assistants, to enable him to make the Tax Digest in the prescribed time.

No. 529. (2.) That the Mayor and Finance Committee shall allow the City Treasurer such sums of money not exceeding two hundred dollars, as they may deem sufficient to compensate him for the employment of the assistants necessary to enable him to receive the tax returns and close the Tax Digest in the time above prescribed.

TENANTS.

(*See page* 399, *No.* 479.)

TENEMENTS.

Ordinance 3d April, 1834.

Preamble.

WHEREAS, the frequent visitations of this City by fire, the destruction of property and the loss of life occasioned thereby, admonishes the citizens of the evil of building other than fire-proof buildings; and whereas, there is no encouragement or inducement offered to individuals to erect fire-proof buildings so long as others are allowed to build of combustible materials in their immediate neighborhood, enhancing the cost of their insurance and subjecting them to almost inevitable loss of their property, when such combustible buildings take fire, for remedy whereof:

2 or more tenement houses shall have a partition wall of brick or stone at least 8 inches thick, &c.

4 inches above roof.

No. 530. (5.) Whenever hereafter a house or building of two or more tenements, shall be erected in the manner prescribed, in the 1st and 4th sections of this Ordinance, there shall be between every two tenements, a partition wall of brick or stone at least eight inches thick, to extend from the ground to at least four inches above the roof of such building, which wall shall be be coped with stone or brick.

Penalty $100.

(7.) If any person shall violate the provisions of the 1st, 2d, 4th and 5th sections of this Ordinance, he, she or they, on conviction before Council, shall forfeit and pay for such offence a sum not exceeding one hundred dollars, which penalty he, she or they, shall pay annually, until such house or building shall be removed or made conformable to the provisions of this Ordinance to be levied and collected in manner pointed out by law.

Mechanic, &c.

And every mechanic or artificer or other person who shall be instrumental in the erection, or building or removal of any house or building, contrary to the provisions of this Ordinance, he or they on conviction before Council, shall forfeit and pay for such offence a sum not exceeding one hundred dollars.

Penalty $100.

THIRD LOTS.

Ordinance 26th June, 1856.

AN ORDINANCE, to amend an Ordinance, entitled an Ordinance, "To authorise any person to make a half lot fee simple, and also to permit joint lessees of a lot to divide the same into two parts, and to receive titles for the same," passed 27th of February, 1851.

Lots may be divided into parts not less than 20 feet front on a public street or square.

No. 531. (1.) The above recited Ordinance be so amended as to authorise joint owners of any lot or lots, in this City, under the ordinary City deed, to divide the same in any manner that they may deem to their interest: provided, that no part or portion is less than twenty feet front on a public street or square.

(2.) All the rights and privileges granted to lot holders by

the above recited Ordinance, as to one half of a lot, be and the same are extended to them as to the division or divisions authorised by this Ordinance.

TICKETS FOR SLAVES, &c.

(*See page* 183, *Sec.* 19.)

TIMBER.

State Law, Approved February 4th 1854. Pam. 79.

Timber, Inferior Court to appoint Measurers and Inspectors

No. 532. (1.) That from and after the first day of March, 1854, the Inferior Courts of the respective Counties, shall have power to appoint two or more Timber Measurers and Inspectors of Timber, who, before they enter upon the duties of their office, shall take an oath to measure and inspect all Timber according to law, to do equal justice to all parties, to take only lawful fees and that they will not be concerned or interested directly or indirectly with any persons in purchasing Timber.

Bond $1000.

(2.) The Inferior Courts shall require of any Measurer and Inspector of Timber, appointed by them a bond with sufficient security in the sum of one thousand dollars for the faithful discharge of the duties of office, and said Measurer and Inspector, shall be entitled to receive the following fees, to wit: fifteen cents per thousand feet, one half to be paid by the seller and the other half by the purchaser.

Fees.

Rule for measuring.

(3.) All square Timbers shall be measured as follows, to wit: the length from pin holes and to take the size in the middle of each stick, taking the smallest side and the face, throwing off fractions, and allowing one half of the vane (wain?) edge on the side and face, and all flatted Timber, or what is usually termed saw or mill logs, shall be measured one third from the smallest end.

What is refuse Timber.

All sticks which are rotten, hollow, split or broken in or near the middle, shall be declared refuse by the Inspector, and the seller shall only be allowed one half that said refuse Timber measures, and all sticks which are rotten, hollow, or otherwise defective at or near the end, shall not be declared refuse by the Inspector, but only so much of each and every stick which is rotten, hollow or defective, shall be declared refuse by said Inspector.

Dip rod.

(4.) That the hook to the dip-rod shall not be less than one inch and three quarters long.

State Law, Approved 5th March, 1856. Pam. 13. (Amendatory of Act of 4th February, 1854.)

Timber to be measured at place of sale by legally appointed measurers only.

No. 533. (1.) It shall not be lawful for any person to measure timber that may be carried to the usual places of selling timber, unless such person shall have been first appointed a Measurer and Inspector of Timber according to law.

To be measured as prescribed by Act of 1854.

(2.) It shall not be lawful for any person, whether appointed Measurer and Inspector or otherwise, to measure timber in any other manner than that prescribed by said Act, approved as aforesaid. (See Section 3d of Act of 1854, above.)

Penalty $500, one half to informer and the other to County Treasury.

(3.) If any person shall violate said Act and this amendment thereof, and be guilty of measuring timber contrary to the intent of said Act and this amendment, such person shall forfeit the sum of five hundred dollars for such violation, to be recovered in the Superior Court of the County where such person may reside, upon the information of any free white person, by action of debt, one half to go to the informer, and one half to the County Treasury where such suit may be prosecuted.

TRANSIENT DEALERS.

(*See page* 288, *No.* 352.)

TREES.

Ordinance 30th January, 1840.

Trees, how planted.

No. 534. (2.) The trees shall be planted one foot beyond the line allowed for pavements, and the said trees shall be planted twenty feet from each other unless otherwise provided, but in streets forty-five and fifty feet in width, they shall be planted *twenty-two and a half feet* apart, except south of Liberty street, where they shall be planted *twenty-five feet* from each other, and in streets of sixty to eighty-five feet in width running north and south, the trees shall be planted *twenty-two and a half feet* apart when planted north of Liberty street, and twenty-five feet apart when planted south of Liberty street.

And in streets of sixty to eighty-five feet in width, running east and west, they shall be planted twenty feet apart.

And in streets one hundred feet in width, they shall be planted twenty-two and a half feet apart, and in rear of all trust lots, wherever situate, and without reference to the width of the street, they shall be planted twenty feet apart.

(*See page* 341, *No.* 411.)

State Penal Code, 1833. (Cobb's Digest, page 823.)

Altering or removing boundary tree, &c.

Fine $500 and imprisonment.

No. 535. (2.) If any person shall knowingly, maliciously or fraudulently cut, fell, alter or remove any certain boundary tree or other allowed landmark, to the wrong or injury of his neighbor or any other person, such person so offending shall, on conviction, be punished by a fine not exceeding five hundred dollars and imprisonment in the common jail of the County for any time not exceeding one year.

Cutting down trees in a City, &c.

Fine or imprisonment.

(11.) If any person shall wilfully and maliciously cut down, injure or destroy any tree or trees planted or growing in any town, village or city, or in any avenue, yard, garden, orchard or plantation, for ornament, shelter, shade, or profit, such person so offending shall, on conviction, be punished by fine or imprisonment in the common jail of the County, or both, at the discretion of the Court.

TRUSTEES COLORED METHODIST EPISCOPAL CHURCH SOUTH.

Ordinance 7th January, 1858.

Lot No. 10 Crawford Ward, East, granted to the Trustees of the Colored Methodist Episcopal Church South, upon paying 20 per cent., &c.

No. 536. (1.) Lot No. (10) ten Crawford Ward, East, be and the same is hereby granted unto the Trustees of the Colored Methodist Episcopal Church South, in the City of Savannah, and their successors in office, for the purpose of having erected thereupon a place of worship for the colored people connected with said Church, provided twenty per cent. of the City valuation thereon is paid to the City Treasurer.

Conditions.

(2.) Should said lot be appropriated to any other purpose than that of having erected thereupon a place of worship for the colored people connected with the Methodist Episcopal Church South, then said lot shall revert to the City and become again part and parcel of the City domain.

TURPENTINE.

Ordinance passd 27th October, 1849.

Office of Inspector of Turpentine.

No. 537. (1.) The office of Inspector of Turpentine be, and is hereby created.

Elected annually.

(2.) An inspector of turpentine be elected at the next regular meeting of Council, after the passage of this Ordinance, and annually thereafter, at the first regular meeting in January.

Additional Inspectors.

(3.) Additional inspectors may be elected whenever it shall be necessary to do so in order to carry this Ordinance into full effect.

Regulations.

(4.) The following regulations shall be of force:

Weight of barrel.

1st. Each barrel of soft turpentine shall be of the weight of 350 lbs. gross, and free from water or other extraneous matter.

Formation of barrel.

2d. Each barrel shall be formed of good and sufficient staves, three-quarters of an inch thick, not exceeding five inches wide, not less than thirty or more than thirty-two inches long; the heads not less than one or more than one and a half inches thick, and secured with twelve good hoops; total weight of the barrel not being over sixty lbs.

Fraudulently mixed.

3d. If the turpentine be fraudulently mixed, it shall be condemned by the inspector and delivered to the owner.

Duty of Inspector.

4th. Inasmuch as it is difficult for the makers of the turpentine so to regulate the size of their barrels and quantity of contents, that each barrel shall weigh precisely the number of pounds required by this Act, it is provided that the inspector shall, after careful examination of the barrel submitted, make out two fair bills of the same, the one for the seller and the other for the buyer, in which he shall designate the quantity and quality of the same, after proper deductions for water, &c., and making proportionate allowance to the seller when the barrel shall weigh more than the required number of pounds, and the same allowance to the buyer when the barrel shall weigh less.

Brands and marks.

5th. Each barrel of turpentine, after inspection, if found in conformity to this act, shall be branded or marked by the inspector as follows: the pure or virgin turpentine with the letter V; the yellow dip, S; the hard, H.

Fee.

6th. The fee for inspection of turpentine to be five cents per barrel, to be paid by the purchaser when passed, and by the seller when condemned.

Bond $200.

7th. Every inspector appointed under this Ordinance, shall give bond and security in the sum of two hundred dollars for the faithful performance of his duty, and be sworn before the Mayor.

8th. If any inspector shall inspect any turpentine contrary

Penalty $30.

to the directions of this Ordinance, he shall forfeit and pay the sum of thirty dollars for each offence; one-half to the informer and one-half to the party aggrieved.

State Law, Approved March 6th, 1766. (Cobb's Digest, page 11.)

Contents of each barrel of pitch.

Tar.

Turpentine.

No. 538. (4.) From and after the said first day of February aforesaid, every barrel of pitch which shall be made and sold in this province, shall contain 322 pounds gross weight, and the staves of the said barrels not to exceed half an inch in thickness; every barrel of tar made and sold as aforesaid, shall contain at least thirty-two gallons, clear of dirt, dross, chips or water; and every barrel of turpentine so made and sold as aforesaid shall weigh 460 pounds gross, clear of dirt, sand or water; and no merchant, factor, trader or other person whatever, shall ship, or put on board any ship or vessel, for exportation from this province, any tar, pitch or turpentine, before the same is marked by some packer or inspector, under pain of forfeiting for every barrel so shipped the sum of five shillings sterling, to be recovered and applied as hereinafter directed.

Penalty for shipping unmarked.

Barrels of pitch may be opened on suspicion of fraud.

(5.) If any fraud or abuse shall be suspected in any barrel or barrels of pitch, which shall be brought to market or exposed to sale, the person who shall treat for the purchase of such pitch shall be at liberty to cut open as many barrels of the same as he shall think proper, which shall be liable to be viewed, judged, and forfeited, as hereinafter directed; and where any pitch shall be condemned as fraudulent by the person or persons empowered to view and judge the same, all such condemned pitch shall be forfeited and sold by the treasurer, and applied to such uses as are hereinafter directed, and the owner or person exposing such pitch to sale shall also forfeit the sum of five shillings sterling, for each barrel so fraudulently brought to market and exposed to sale, and the same may be recovered against him, as is provided by the Act for the more easy and speedy recovery of small debts and damages, and shall be applied to uses as hereinafter directed. *Provided, always*, that when any pitch shall be ordered to be cut open as aforesaid, without the consent of the owner, or person offering or exposing the same to sale, the same shall be done at the risk of the person who shall cause such pitch to be so cut open; that is to say, if such pitch shall not be condemned as fraudulent by the person or persons empowered to view and judge the same, that then the person who caused the pitch to be so cut open and examined, shall take to himself every such barrel so cut open which shall not be condemned as aforesaid, and shall pay to the owner or person offering the same to sale, the current sum or price which good pitch shall then bear at that port or place, anything herein contained to the contrary notwithstanding.

If condemned, shall be forfeited and also 5 shillings per barrel penalty.

If not condemned shall be taken by the opener at market price.

Inspectors to be sworn.

(6.) Such persons as shall be appointed packers or inspectors, by ordinance or otherwise, of the Governor, Council, and Commons' House of Assembly, in General Assembly met, shall be, and they are hereby directed, before they enter into the execution of their offices, severally and respectively, to take the following oath before some Justice of the Peace for the parish where such port shall be, who shall grant such packer and inspector a certificate thereof: "I, A. B., do solemnly swear, that I will faithfully and impartially execute the business and duty of a packer and inspector, in the town and port of ——, to the best of my skill and judgment, without favor or prejudice, and without any delay, agreeable to the Act of the General Assembly of this province, entitled [see title of this Act.] So help me God."

The oath

Inspectors' and packers' fees.

(7.) The packers and inspectors so to be appointed, shall receive for their trouble from the seller or owner of any beef, pork, pitch, tar, or turpentine, the sum of six pence for every barrel of beef or pork, and the sum of two pence for every barrel of pitch, tar, or turpentine, which they shall view, inspect, mark, or brand as aforesaid. And the said packers and inspectors are hereby severally directed to have and make use of a separate brand, with the initial letters of the name of such packer and inspector, and in case of refusal or neglect to do and perform any of the duties by this Act required to be done and performed by such packer and inspector, he or they so refusing or neglecting, after he or they shall have accepted such office, shall for every such offence forfeit the sum of ten shillings.

Must brand all barrels with their initials, under penalty of 10 shillings.

For marking improperly, to forfeit forty shillings.

(8.) If any packer or inspector shall mark or brand any beef, pork, pitch, tar, or turpentine, not weighing or containing the weights or measures directed by this Act, such packer or inspector shall, for every barrel so marked or branded, forfeit the sum of forty shillings sterling, to be recovered and applied as hereinafter directed.

UNITED STATES BARRACKS.

(*See page* 253, *No.* 290.)

UPPER OR SECOND STORY OF BUILDINGS.

Ordinance 2d August, 1839.

Cotton &c., not to be thrown &c., from upper or 2d stories of buildings.

No. 539. (3.) It shall not be lawful for any person to cast, throw out, or suffer to fall from the upper or second stories of buildings within the limits of the City, any bale or bales of cotton or other goods whatsoever, but the same shall be lowered by a sufficient rope or tackle in so gradual a manner as to allow persons passing under, sufficient time to pass out of the way,

How lowered, &c.

and the occupiers of buildings out of which such cotton or other goods, shall be cast, thrown or suffered to fall contrary to the provisions of this Ordinance, shall be deemed the offenders, and shall for each and every offence be fined in a sum not exceeding fifty dollars. *Provided*, That this section shall not be construed to allow persons to stop and thereby prevent the lowering of cotton and other goods.

Proviso.

VENDERS SMALL WARES.

(*See page* 173, *No.* 162, *and page* 419, *Sec.* 6.)

VENDUE MASTERS.

Ordinance 2d August, 1839.

10 Vendue Masters elected on 1st Monday in January, annually.

No. 540. (9.) On the first Monday in January in each and every year, (see next Ordinance,) the Council shall elect not more than (now ten) Vendue Masters or Auctioneers for the City of Savannah, who shall give bond as required by the laws of the State, and who shall also, previous to receiving licence or acting as such, give bond, with two or more securities, to the Mayor and Aldermen of the City of Savannah and hamlets thereof, in the sum of one thousand dollars, conditioned for the payment of all dues and taxes for which such auctioneers may be liable, or which at any time may be due by him as auctioneer to the City, and to make quarterly returns, account and pay into the Treasury such sum or sums thus due, and also faithfully to perform all the duties required by Ordinance of such auctioneers; and such Auctioneer or Vendue Master shall in addition to the fee to be paid the State, and the usual fees to the officers of Council, pay for the use of the City the sum of one hundred dollars, and if the said Vendue Masters or Auctioneers shall presume to sell at public auction, or in any way act as Vendue Masters previous to receiving his license, to be signed by the Mayor or acting Mayor, or who shall refuse or neglect to do any business appertaining to their respective offices when required or called upon between sun rise and sun set, or who shall be guilty of any collusion or malpractice, in order to deceive, he shall, on conviction forfeit a sum not exceeding one hundred dollars to be paid into the Treasury of the City.

State bond.

City bond $1000.

Conditions.

Quarterly returns.

Fee for State.

$104.44 license and fees.

Penalty $100.

Ordinance 3d October, 1844.

Vendue Masters, when elected.

No. 541. (1.) Hereafter the Harbor Master, the Health Officer, and the Vendue Masters for the City of Savannah, shall be elected at a meeting of Council on the first Monday in January annually, and at such other times as vacancies may occur, and that the present incumbents shall hold their offices until the appointment and qualifications of their successors.

(*See page* 5, *No.* 1, *and page* 6. *No.* 2.)

State Law, passed Dec. 8th, 1794. (Cobb's Digest, page 92.)

AN ACT, for the better regulation of Vendues within this State.

Powers and duty of Vendue Masters.

No. 542. (2.) The said Vendue Masters and no others, shall from and after the passing of this Act, have full power and authority to set up and expose to sale by public outcry and vendue, all and any houses, lands, ships and vessels, goods and wares, and merchandise and property whatsoever, rendering and paying to the State Treasurer for the use of the State, one per centum of the gross amount of the sale so by him or them made as aforesaid.

Not to extend to sales by ex'rs, sheriffs, &c.

(4.) *Provided, always*, That nothing herein contained shall extend or be construed to extend to hinder any lawful executor or executors, administrator or administrators, to expose to sale, by way of public auction, vendue or otherwise, any lands tenements, goods or chattels, or other property of their respective testators or intestates; or to hinder any Sheriff, Constable, or other officer, to sell, and dispose of, by way of vendue, any lands, houses, ships, vessels or other property whatever, taken in execution and liable to be sold by order of law, but that all and every such person or persons may do therein as they might have done, any prohibition in this or any former law contained, to the contrary notwithstanding.

They shall not sell out of their districts.

(5.) No vendue shall be held by any Vendue Master in the district of any other Vendue Master, and that their fees or recompense for selling at public vendue, collecting the money, and paying over the same without loss or waste shall be as follows: for houses, lands, negroes, ships, sloops, schooners and other vessels, two and a half per centum, and for all other goods and property whatsoever five per centum.

Their compensation.

Moneys, how to be recovered of them.

(6.) If any Vendue Master shall neglect or refuse to pay over the moneys arising from the sales of any houses, lands, goods, wares, merchandise or other property sold as aforesaid, either at private sale, or public auction, to the owner of the same, or his or her legal representatives, within a reasonable time after demand made, and after the sale of the property aforesaid, all such debts due by such Vendue Master shall be considered as coming under, and may be sued for and recovered from them or their securities, as in cases of Courts merchants.

State Law, assented to Dec. 16th, 1811. (Cobb's Digest, page 93.)

AN ACT, to alter the mode &c., and to prescribe the method of taking Bonds of and qualifying the Vendue Masters throughout this State.

Shall be sworn and give security.

No. 543. (2.) The Vendue Masters throughout this State shall give bond and good security to the Governor for the time being, and to his successors in office, conditioned for the true and faithful performances of the duties required of them by law, and shall take and subscribe an oath truly and faithfully to perform and discharge, all such duties; which bond shall be taken and approved of, and oath administered by the Justices of the Inferior Court, or any two of them, of the County in which such Vendue Masters may be, under a *dedimus potestatem* from the Executive department.

State Law, Assented to 21st December, 1819. Lamar's Digest, page 1073.

AN ACT to amend the several Laws now in force relative to Vendues.

The number of Vendue Masters for Savannah, Augusta, St. Mary's, Darien and Milledgeville limited.

No. 544. (1.) It shall not be lawful, in future, for the Corporation of the City of Savannah to appoint more than six; that of Augusta, more than four; that of St. Mary's, more than two; that of Darien, more than two; and that of Milledgeville, more than two Vendue Masters for said places.

How appointed in future.

(2.) After the expiration of the time for which Vendue Masters may have been appointed by the Corporations of the aforesaid places, agreeably to the existing laws in this regard, the following shall be the manner of appointing and licensing Vendue Masters therein; that is to say, the respective Corporations of said places may, annually, on the first Monday in December, appoint the number of Vendue Masters allowed to each place by this Act, and shall take bond in the sum of five thousand dollars, with two good and sufficient securities, for each Vendue Master so appointed, payable to the Governor of the State for the time being, and his successors in office, conditioned for the faithful performance of the duties required of Vendue Masters, in and by an Act of the Legislature, passed the 8th day of December, seventeen hundred and ninety-four, entitled an Act "for the better regulation of Vendue Masters within this State;" and shall immediately cause such bonds to be forwarded to the treasurer of this State; who, upon the receipt thereof, and the payment of one hundred dollars by each Vendue Master in Savannah, twenty-five dollars by each in Augusta, fifty dollars by each in St. Mary's, fifty dollars by each in Darien, and twenty-five dollars by each in Milledgeville, for the use of the State, shall issue to each person so appointed, provided he is not in arrears to the State on account of any prior appointment as a Vendue Master, a license, authorizing him to act as a Vendue Master in the place for which he may have been appointed, for one year, to commence on the first day of January next ensuing the time of said

Each vendue Master to give bond and security.

Said bonds to be forwarded to the State Treasurer, who (upon the payment of a certain sum by each Vendue Master of the places aforesaid) shall issue a license to each for one year.

appointment; *Provided, nevertheless,* that if Vendue Masters have not been appointed in any of the aforesaid places, for the ensuing year, it shall be lawful for the corporation of any such place, to make such appointment at any time after the passage of this Act, and previous to the first day of February next, and for the Treasurer to issue a license to any person so appointed for one year, to expire on the thirty-first of December, eighteen hundred and twenty, upon the foregoing conditions as to bond, and payment of premium for license being complied with. Proviso

Penalty on persons selling or attempting to sell at auction, &c., without a license.

(3.) If any person shall sell, or attempt to sell, any goods, wares or merchandize, or any other property whatever, as a Vendue Master, or at public auction, in any of the aforesaid places, without having first obtained a license from the treasurer as aforesaid, he shall forfeit and pay for every sale, or attempt to sell, the sum of five hundred dollars, to be recovered of him in any court of competent jurisdiction; and to be applied, one half to the use of the State, and the other half to the person giving information and suing for said fine; *Provided always,* that nothing contained in this section shall be construed to extend to sales made by lawful officers, under executions issuing from the proper authority, or to sales made by or under the authority of executors, administrators or guardians. How recovered and disposed of. Proviso.

Vendue Masters shall keep a book of sales, and make quarterly returns.

(4.) Every Vendue Master in this State shall keep a book, in which shall be entered every article by him sold at public auction, and the price at which the same was sold, and shall quarter-yearly on the last days of the months of March, June, September and December, in every year, cast up the amount of his sales, and prepare a return thereof, to be made to the Treasurer of this State, which return shall be sworn to by him before some Judge, Justice of the Inferior Court, or Justice of the Peace of this State, as containing the true and accurate amount of his sales at auction, of every description whatever, during the quarter or time therein expressed. And if any Vendue Master shall fail or neglect to make a return, sworn to in the manner above pointed out, to the Treasurer, within thirty days after the expiration of either of the said quarters, or having made the same, shall within that time fail to pay to the Treasurer the tax or duty of one *per centum* on the amount of such return, it shall be the duty of the Treasurer, as soon as he thereafter can cause to be published in one of the gazettes of the town or City in which such delinquent may be a Vendue Master; and in case of no gazette being published therein, in the gazette of the nearest town or City thereto, a notice of such failure to make a return or to pay said duty; and if any such delinquent Vendue Master shall, after the publication of such notice sell, or attempt to sell any goods wares, and merchandise, or property of any kind whatever, at public auction, or as a Vendue Master, he shall incur a penalty equal to that mentioned in the preceding section, to be recovered of him in the manner and for the purposes therein expressed.

If he makes none, or an untrue return, or fails to pay the duty of one per cent, he shall be published in the gazette, and be prohibited from selling, on pain of $500.

In such cases, execution to issue for the duty.

(5.) It shall be the duty of the Treasurer, and it is hereby made lawful for him when returns are made, as in the preceding section directed, and the tax or duty thereon not paid within the time required, to issue his execution against the Vendue Master so in default and his securities, for the amount of the tax or duty accruing to the State on his return; and the Sheriff in whose hands such execution may be placed, shall be bound to collect and pay over the same within the time therein required, and in case of failure so to do, to be proceeded against in the manner pointed out by law for failing to collect and pay over the amount of any executions against a tax collector; and in case no return shall have been made, the Treasurer shall immediately transmit the bond of any Vendue Master so delinquent to the Attorney or one of the Solicitors General to be put in suit.

Bond to be put in suit.

Vendue Master shall deliver to the Clerk of the Corporation a duplicate of his return; and if he has made no sales within the quarter, he shall state that fact on oath.

(6.) Every Vendue Master shall, at the time of transmitting a return of the amount of his sales, for any quarter, to the Treasurer, deliver to the clerk of the corporation of the place for which he is a Vendue Master, a duplicate thereof, which the said clerk is hereby required to file in his office; and if any quarter shall expire, during which a Vendue Master may have made no sales at auction, it shall be the duty of each Vendue Master to state the same on oath to the Treasurer, and on failing so to do, shall be prohibited from further acting as such in the manner prescribed by the fourth section of this Act, for failing to make such return or pay the duty on his sales, and shall incur the same penalties as that therein pointed out for disregarding such prohibition, to be recovered and applied as therein directed.

Vendue Masters making fraudulent or untrue returns, guilty of perjury.

(7.) If any Vendue Master shall make a fraudulent return to the Treasurer of the amount of his sales for any quarter, or shall return a less amount than that actually sold by him, he shall, upon due conviction thereof, before any Court of competent jurisdiction, be deemed and held guilty of perjury; and his securities shall moreover, be liable for any loss which may accrue to the State or any individual by reason of such fraudulent or improper return.

State Law, Approved 21st Feb., 1850. Pam. 381.

AN ACT to regulate the tax on sales at auction in Chatham County.

State tax on auction sales same as City Tax.

No. 545. (1.) The State Tax on sales by public outcry and vended in the County of Chatham shall be as follows, to wit: on the gross amount of the sale where the same does not exceed one thousand dollars, one per cent.; where the same exceeds one thousand dollars and falls short of three thousand dollars, one-half of one per cent; and where the same exceeds three thousand dollars one-quarter of one per cent.

State Law, Approved 18th February, 1856. Pam. 548.

Auctioneers how appointed in Savannah.

No. 546. (1.) That the Mayor and Aldermen of the City of Savannah shall have power to elect or appoint ten Auctioneers or Vendue Masters at such time or times as the said Mayor and Aldermen may, by resolution or Ordinance, appoint or direct instead of the number now authorized by law.

(*See pages* 281 *and* 282, *Nos.* 336 *and* 337.)

VAGRANTS.

State Law, Approved 10th Feb., 1787. (Cobb's Digest, page 366.)

AN ACT to prevent Felons, transports from other States, coming into or residing in this.

Felons transported from other Governments ineligible to any office or privilege of a freeman of this State.

No. 547. (7.) In order to prevent the dangerous evils arising from the communication with felons, transported from other States or Nations, whereby the morals of many, who would otherwise be good citizens, may be corrupted, That from and immediately after the passing of this Act, no person or persons, felons from other Countries or States, transported or banished from the same for any crime or charge whatever, shall be eligible to any post or office of trust or profit, or be otherwise entitled to any of the privileges, immunities, or liberties of a freeman or freemen of this State; and on proof of the same by one legal evidence, or by the authentic certificate, under seal of any State, Nation, Corporation, or Court, from whence he, she, or they may be banished or transported, such felon or felons shall be, by warrant and mittimus, under the hand of the Chief Justice of the State, or one of the Justices of the Court where such proof shall be established, committed to the common jail of the County, without bail or mainprize, there to remain until a convenient opportunity may be procured by the Honorable the Executive, to ship or otherwise send off such felon or felons, from and without the limits of this State, never thereafter to return. And in case such felon or felons should, after such shipping or sending off, return within the limits of the same, he, she, or they shall, on conviction, suffer death without benefit of clergy; *Provided, nevertheless*, on such first proof of transportation, such offender or offenders charged as felons as aforesaid, shall not be debarred the right of trial by Jury, and shall be allowed every right of evidence to counteract such proof.

To be committed to jail and shipped or sent off.

To suffer death on returning.

But have in the first instance the right of Jury trial.

State Law, Approved 1st February, 1788. (Cobb's Digest, page 852.)

AN ACT to amend an Act entitled "an Act for the punishment of Vagabonds and other idle and disorderly persons." Passed the 29th day of February, 1764.

AND WHEREAS, it may be that some evil disposed persons, after having committed some felonious crime against the laws and good order of some one of the States of the Union, and after being apprehended and found guilty of the charge, so far as to be committed to jail, or to have been bound in a recognizance to appear before any Court of record for further trial, and have since either broke jail or from the custody of the officer, or have forfeited their recognizance, and have fled from the laws of the State where the crime was committed, and have come to this State for refuge, to the great prejudice of the same:

Criminals fleeing from other States to be adjudged vagabonds. How to be treated in other respects.

No. 548. (3.) Any person now within the limits of this State, or that may hereafter come within the same, who may have been found guilty of any felonious crime prior to his coming within this State, so far as to have been committed to jail for the same, or to have been bound in a recognizance to appear before any Court of record for further trial, and has since broke jail or from the custody of the officer, or have forfeited their recognizance, and fled from the laws of the State, where the crime was committed and done, in any such case the said person or persons shall be deemed and adjudged vagrants, and subject to all the pains and penalties expressed in this law, and shall be confined in jail until applied for by the executive authority of the State where the crime was committed, or until the Executive of this State shall find it convenient to send such offender or offenders under a safe guard to the State where the crime was committed and done.

State Penal Code, 1833. (Cobb's Digest, page 817.)

Having possession of false keys, picklocks, &c., or found under other circumstances showing an intent to commit crime, punished as a rogue and vagrant.

No. 549. (23.) If any person shall be apprehended, having upon him or her, any picklock, key, crow, bit, or other instrument, with intent to break and enter into any dwelling-house, warehouse, store, shop, coach-house, stable or out-house, in order to steal or commit any other crime; or shall have upon him any pistol, hanger, cutlass, bludgeon or other offensive weapon, with intent to commit a crime on any person, which, if committed, would be punishable by death, or confinement in the penitentiary; or shall be found in or upon any dwelling-house, ware-house, store, shop, coach-house, stable or out house, with intent to steal any goods or chattels, every such person shall be deemed a rogue and vagabond, and on conviction, shall be punished by confinement and labor in the penitentiary for any time not less than one year, nor longer than five years, or by imprisonment in the common jail of the County, at the discretion of the Court.

State Law, Approved Dec., 29th, 1847. Pam. 199.

AN ACT, to alter and amend the twenty-second section of the tenth Division of the Penal Code.

Vagrancy.

No. 550. (1.) The twenty-second section of the tenth Division of the Penal Code shall be as follows, to wit: Any person wandering or strolling about, or leading an idle, immoral or

profligate course of life, who has no property to support himself, or herself, and who is able to work or otherwise to support himself or herself in a respectable way, shall be deemed and considered a vagrant, and shall be indicted as such as in other cases, and on conviction shall be punished by confinement and hard labor in the penitentiary for any time not less than two years nor longer than four years: *Provided nevertheless*, that after such indictment has been found against any person, such person shall be discharged and released from prosecution, if he or she, after the indictment has been found, and before the trial, shall tender in open Court a bond with sufficient security, for his or her good behavior and future industry for one year, *Provided also*, that the said bond shall be for any amount not more than four hundred dollars.

Penitentiary 2 to 4 years.

Released on bond for good behavior and future industry.

VESSELS.

Ordinance 28th Nov., 1803.

No vessel lying at or near the wharf, &c., to have fire in any caboose, &c., unless said caboose, &c., be safely covered, &c.

No. 551. (6.) No vessel, ship or boat lying at or near any wharf or store or alongside of any ship, vessel, or boat lying at or near any wharf or store, shall be allowed or permitted to kindle, light or have, or keep any fire in any caboose, fire-place, or otherwise upon or above the deck of said vessel, ship or boat, unless said caboose, fire-place, or other convenience for that purpose, be well and safely covered and surrounded with a good secure and sufficient caboose-house, or other convenience, or enclosure, to prevent the communication of fire or sparks from the said caboose, fire-place, or other convenience.

Penalty $50.

(7.) The master, commander, or other person having charge of any ship, vessel or boat on board of which there shall have been kindled, lighted, or kept any fire or fires contrary to the intent and meaning of the sixth section of this Ordinance, shall, upon conviction thereof before the City Council, forfeit and pay a sum not exceeding fifty dollars for each offence if a white person, and if a colored person, he shall receive any number of lashes at the public market not exceeding thirty-nine, unless the fine inflicted by Council for such offence be paid by such person of color, if free, or his master, if a slave.

If a colored person, 39 lashes at the market.

Disposition of Fines.

(8.) All fines and penalties inflicted by this Ordinance shall be recovered as heretofore, before Council, and one half of said fines to go to the informer and the remainder to the use of the City.

Ordinance 11th June, 1810.

Fires on board of Augusta boats.

No. 552. (1.) Whenever after the passage of this Ordinance it shall be made to appear to the Mayor of any one of the Aldermen of said City that any fire or fires have been kindled, or lighted, or used except in a covered caboose, on board of any boat or other small craft, and particularly on board of boats commonly called and known by the name of Augusta boats, lying at or being near any of the wharves, of the City of Savannah,

Warrant for appearance of Captain before Council.

he shall forthwith issue a warrant, directed to the Marshal of said City commanding him to compel the captain in case he be a white man, or any white person on board said boat to give good and sufficient security by bond or otherwise to appear before the Mayor and Aldermen, at the next regular meeting of the City Council to answer for the said offence and abide by

If no captain, &c., summons for owner or the lessee of wharf.

the decision of Council; and in case it should be made to appear that there be no such person on board, or commanding, or having direction of said boat, then to issue a summons requiring the person or persons to whom the said boat shall belong, or come consigned, to appear before Council at the next regular meeting, and in case it shall appear that there is no such white person commanding or having direction on board said boat and no particular consignee residing in said City as aforesaid, then and in that case to issue a summons to the owner residing within the jurisdiction of the City, or the lessee or lessees of said wharf or water lot to appear and answer as aforesaid. When the person or persons so cited to appear shall make default, or after appearance it shall appear to Council that the said fire or fires were lighted, kindled or used on board said

Fine $30.

boat or boats, then and in such case Council shall inflict a fine on said persons so summoned in a sum not exceeding thirty dollars, to be levied by distress and sale of the defendant's goods and chattels in the usual manner of levies in such case made and provided, or where in cases in which security has been given, then, and in such cases, on the goods and chattels of said security as well as principal.

Augusta boats obstructing wharf, &c.

(2.) When any of the said boats, called Augusta boats, shall be found moored or lying at any public wharf, or wharves, of said City, so as to obstruct said wharf or wharves, or be found discharging, or taking in a cargo, or any part thereof, at such wharf or wharves, contrary to the Ordinance, in such case made and provided, then, and in such case, the white person commanding or having direction on board said vessel or boat, if any such there be, or the owner or owners, consignee or consignees of such boat or cargo shall be summoned and obliged to appear before Council in the manner provided in the foregoing section, to answer for such violation of the Ordinance, and, on conviction thereof, shall be fined in a sum not exceeding thirty dollars.

Penalty $30.

Ordinance 15th March, 1827.

Vessel loaded with lumber, certificate of measurement.

No. 553. (10.) Every vessel loaded wholly or in part with lumber of any description, cleared at the custom house of this district for any port (other than a port in this State,) shall receive a certificate of the measurement of such lumber, to which certificate when for a foreign port, the seal of the City shall be affixed, and for which the measurer or inspector of said lumber shall receive as his compensation the sum of one dollar and the Clerk of Council for affixing the seal of the City, the sum of fifty cents, to be paid by the shipper thereof.

Ordinance 19th August, 1839.

No landing of ballast, &c.

No. 554. (23.) It shall not be lawful for the master, owner, consignee or any other person concerned, to land ballast from any vessel, unless the same be immediately removed to such place as may be pointed out by the Marshal of the City, or any of the Street and Lane Committee.

Ordinance 31st Dec., 1840.

Sales of goods from vessels.

No. 555. (1.) It shall not be lawful for any person or persons to bargain, sell or vend, by wholesale or retail, any goods, wares or Merchandise, or articles from on board any ship or vessel, or from any of the wharves of the City, brought into the City by said ship or vessel, unless the person or persons so desiring to sell shall first obtain a license, by paying into the City Treasury the sum of fifty dollars, with the usual fees; and on said payment the clerk shall issue a license certificate, under his hand and seal of the City, which shall be null and void as soon as the goods, wares and merchandise, are sold, which constituted or made the cargo of said ship or vessel, and a new license shall be obtained for every new or different cargo brought in any said ship or vessel, if the same be exposed for sale or sold on board any said ship or vessel or on any wharf.

License $50 and fees.

New license for every cargo.

(2.) Any person or persons violating or attempting to vio-

Penalty $100.

late or evade the above section of this Ordinance or any part thereof, shall be fined by the Mayor in a sum not exceeding one hundred dollars, one-half of which shall go to the informer.

Productions of the Floridas or South Carolina excepted, also apples and cabbages.

(3.) This Ordinance shall not effect nor operate on ships or vessels laden with the productions of the Floridas or South Carolina, nor shall it compel any person to take a license for the sale of tropical fruits, nor for apples and cabbages brought by any ship or vessel into this port.

Ordinance of 19th February, 1846.

Vessel lying in the stream to keep a lamp burning, suspended, &c., all night.

No. 556. (1.) From and after the twenty-fifth day of February, instant, it shall be the duty of the master or commander of every vessel or craft, of whatever description, not moored at some wharf within the limits of the City, and lying in the stream of the river Savannah, within the said limits or below the same, between the City and Tybee, to suspend and keep suspended, during all the hours of night, at the mast-head, or in some prominent part of the rigging of such vessel or craft, a lamp properly trimmed and lighted, sufficiently large and brilliant to give timely notice of the presence of such vessel or craft to all navigating the stream.

Penalty $30.

(2.) For any violation of this Ordinance, the offender shall be fined in a sum not exceeding thirty dollars, upon information and conviction before the Police court.

Ordinance 16th January, 1851.

Vessels under weigh to keep a lighted lantern suspended, &c.

No. 557. (1.) It shall be the duty of the master or commander of every vessel or craft of whatever description, under weigh, within the limits of the City or below the same, between the City and Tybee, to suspend and keep suspended during the time said vessel or craft is under weigh at night, a lighted lantern at the bowsprit or jib-boom, so that another vessel or craft may know how she is standing.

Penalty $30.

(2.) For any violation of this Ordinance the offender shall be fined in a sum not exceeding thirty-dollars, upon information and conviction before the police court, one-half to the informer and the other half to the City.

Ordinance 20th March, 1856.

AN ORDINANCE to be entitled an Ordinance to protect the shipping in the port of Savannah from fire.

WHEREAS, recent disasters by fire to vessels in the river, demand that prompt and efficient aid should be rendered on such occasions.

Vessel on fire in Savannah river, Chief Fireman or Mayor to permit an engine and company to repair to assistance of vessel.

No. 558. (1.) It shall be lawful, on application being made by any ship owner, consignee, agent or captain, for the Chief or commanding Fireman, or, in the absence of the Chief or commanding Fireman, for the Mayor or acting Mayor, to detail or give permission to the Foreman or Manager of any Engine Company belonging to the Fire Department of the City of Savannah to repair with his engine and company to the assistance of any vessel which may be on fire in the waters of the River Savannah, between Ray's Hall and the Ocean.

Expense, &c., to be paid by owners.

(2.) All expenses incurred by said company, and which are now allowed by law in cases of fire, and all damage, injury or loss, which may thereby accrue to engine or apparatus so employed, shall be paid by the owners, agents or consignees of such vessels so assisted. *Provided further,* That not more than two engines shall be sent out of the City at any one time.

Proviso as to more than 2 engines.

(*See Titles, "Free Negro Seamen," Nos.* 170 *and* 171; *"Gunpowder," Nos.* 192, 195 *and* 197; *"Harbor Master's Rules," No.* 205.

State Penal Code, 1833. (Cobb's Digest, page 793.)

Plundering or stealing from wrecked or distressed or any other vessel, penitentiary from 4 to 5 years.

No. 559. (19.) Plundering or stealing any article of value from a vessel in distress, or from a wreck, or any other vessel, boat or water craft, within the jurisdictional limits of this State, is simple larceny, and shall be punished by imprisonment and labor in the penitentiary for any time not less than four years nor longer than five years.

State Penal Code, 1833. (Cobb's Digest, page 824.)

Firing or sinking vessels, penitentiary 3 to 7 years, or fine, &c.

No. 560. (10.) If any person shall maliciously and wilfully burn or set fire to any ship, boat or other vessel, above the value of two hundred dollars, alongside of any wharf or at anchor in any river or in any waters in this State; or if any person shall wilfully or maliciously make or assist in making any hole in the bottom, side or any other part of any ship, boat or other vessel above the value aforesaid, or do any other act tending to the loss or destruction of such ship, boat or other vessel within the waters of this State as aforesaid, such person so offending shall, on conviction, be punished by imprisonment and labor in the penitentiary for any time not less than three years, nor longer than seven years. And if the ship, boat or other vessel thus injured or destroyed, as aforesaid, be of the value of two hundred dollars, or under that value, then the person convicted of injuring or destroying such, ship, boat or other vessel, as aforesaid,

shall be punished by fine or imprisonment in the common jail of the County, or both, at the discretion of the Court.

State Law, Assented to 26th December, 1842.

(*Pamphlet Laws*, 1842, *page* 159.)

Jurisdiction over vessels between the City and Tybee given to the Mayor and Aldermen.

Porters, &c., working on board compelled to take out badges.

AN ACT, to give the Mayor and Aldermen of the City of Savannah, jurisdiction over vessels lying in the river Savannah, between the City and Tybee, and to compel porters working on board such vessels to take out badges.

No. 561. (1.) The Mayor and Aldermen of the City of Savannah, shall have jurisdiction over vessels lying in the river Savannah, between said City and Tybee; and that all porters working on board such vessels, shall be compelled to take out badges, as provided for by the Ordinances of said City, regulating porters and other laborers.

WARRANT FOR POSSESSION OF PERSONAL CHATTELS.

State Law, Approved Dec. 25th, 1821. (Cobb's Digest, page 590.)

AN ACT, the more effectually to quiet and protect the possession of personal property, and to prevent taking possession by fraud or violence.

Preamble.

WHEREAS, a practice hath been followed by some persons having or laying claims to negroes and other personal property, to take or convey away the same by violence, seduction or other means, or to harbor or otherwise take, or cause the same to be taken, out of the possession of the adverse claimant without due course of law, and oftentimes to remove the same out of the State to the great injury of the true owner; and whereas, manifest injustice, and many serious mischiefs may arise from such a practice, which is productive of frauds, violence and quarrels, and bloodshed.

On complaint to a Judge or other magistrate that negro or other chattel has been carried away, a warrant shall issue for the offenders and the property.

No. 562. (1.) Upon complaint made on oath by the person injured, his agent or attorney, to any Judge of the Superior, or Justice of the Inferior Court, or any Justice of the Peace, that any negro or negroes, or other personal chattels, have been taken enticed or carried away by fraud, violence, seduction or other means, from the possession of such deponent, or that such negroes or other personal chattels having been recently in the quiet, and legally and peacably acquired possession of such deponent, have absconded or disappeared without his or her consent, and as he or she believes, have been harbored, received, or taken possession of, by any person or persons under some pretended claim or claims, and without lawful warrant or authority and

that the said deponent, or the person for whom he is agent or attorney bona fide claims a title to or interest in the said negroes or other chattels, or the possession thereof, it shall be the duty of such Judge or Justice to issue a warrant, as well for the apprehension of the party so seizing, taking, enticing, receiving, harboring, obtaining, or having possession of such negroes or other chattels as for the seizure of such negroes or other chattels themselves; and upon the return of such warrant the Judge or Justice shall hear evidence as to the question of possession in a summary way, and cause the said negroes or other chattels to be delivered over to the party from whose possession the same were violently or fraudulently taken or enticed away, or from whom the same absconded, or in whose peaceable possession they last were: *Provided*, such party shall, before such Judge or Justice, enter into a recognisance, with good and sufficient security, in double the amount of the value of such negroes or other personal property, and the hire claimed, if any, to cause the said negroes to be produced and forthcoming, to answer any judgment, execution, or decree that may be had, issued or made upon such suit or action at Law or in Equity as the opposite party may commence or prosecute within the next four years touching the same; and such recognisance shall be returned by such Judge or Justice to the next Superior Court of the County where the same is taken, to be transmitted to the Court where such suit or action may be commenced; and the securities upon such recognisance shall be bound and liable for the eventual condemnation money, and execution shall issue against them in the same manner as against securities on appeals: *Provided also*, that when the party taking out the warrant shall refuse or be unable to give such security, then the Judge or Justice may in his discretion deliver over such negroes or other personal property to the opposite party, upon their entering into a like recognisance, with security of the same nature and effect, and to be disposed of in the same manner. And if, upon return of the warrant, it shall appear that the negroes or other personal property are in the possession, power, custody or control of the defendant, or any agent or friend of his or acting for or intrusted with them for him, and the said defendant doth not produce or cause to be forthcoming the said negroes or other personal property to be dealt with as the law directs, the said defendant shall be committed to jail; there to remain in safe and close custody, without bail or mainprise, until the said negroes or other personal property shall be produced or forthcoming to be disposed of, as aforesaid; *Provided always*, that no person or persons shall be so committed for refusing to produce, or cause to be forthcoming, any negro or other personal chattel which he, she, or they shall satisfactorily prove to have been in his or their quiet and peaceable possession for four years next immediately preceding the passing of this Act, or next immediately preceding the issuing of the warrant.

On the return of which, the question of possession to be tried in a summary way, and possession to be delivered accordingly.

Proviso.

Bond, how to be given, if by the complainant. If he fails, then a like bond to be given by the other party. If property is not produced, the party goes to jail.

Proviso: 4 years quiet possession a good defence.

WASHING OR DRYING CLOTHES.

Ordinance 2d August, 1839.

Washing or drying clothes in the streets, &c., penalty $30.

No. 563. (13.) If any person shall wash or dry any articles of clothing, or expose the same for the purpose of drying in the streets, lanes, or squares of the City, he or she, if a white person, shall be fined in a sum not exceeding thirty dollars, and if a slave or free person of color commit the said offence, he or she may be whipped not exceeding twenty lashes, unless the owner of such slave, or the guardian or friend of such free person of color will pay the fine imposed.

WASHINGTON FIRE COMPANY.

(*See Fire Department, page* 165, *No.* 156.

WATCH AND POLICE.

(*See page* 321, *No.* 393.)

WATER WORKS.

Ordinance 4th May, 1854.

AN ORDINANCE, to provide for the care and management of the Savannah Water Works.

Board of Commissioners appointed by the Mayor, annually, on 3d Monday in December.

No. 564. (1.) The Mayor shall appoint two Aldermen and three citizens at large, to constitute a Board of Commissioners for the care and management of the Savannah Water Works, who shall hold their offices until the third Monday in December in the year 1855, at which time, and annually thereafter, the Mayor shall appoint, as their successors in office, a like number of Aldermen and of citizens at large.

Organization.

(2.) The persons so appointed shall meet and organize themselves into a Board, by the choice of a chairman, from their own number, and may make such rules and regulations for their own government as they may deem expedient.

Vacancies.

(3.) In the event of vacancies in said Board by death, resignation, removal or otherwise, the Mayor shall have power to fill said vacancies.

Power to make rules and regulations.

(4.) The said board shall have power to make rules and regulations for the government of the Water Works, and to digest a system of revenue to be derived therefrom, all of which shall be subject to the City Council for its approval.

Annual report 1st Monday of November.

(5.) The said Board shall, on or before the first Monday of November annually, present to the City Council a report of the condition of the Water Works, and of the lands and other property connected therewith; an account of all receipts and expenditures; together with any information or suggestions which they may deem important, and shall, at the same time, submit to the City Council the report of the Superintendent and Engineer, and that of the Secretary.

Chairman.

(6.) The Chairman of the said Board shall exercise a general supervision over the Water Works, the property connected therewith, and over all officers and agents.

Bills.

(7.) All bills for expenditures by the said Board shall be certified by the Chairman.

Reports.

(8.) The said Board shall have power to make all necessary repairs of the works; but shall not make any addition to said works, nor extend the mains and pipes of distribution without the approval of Council being first had and obtained.

Board not to be interested in contracts.

(9.) No one or more of said Board, shall be interested directly or indirectly in any contract entered into by them with any other person, nor shall they be interested either directly or indirectly, in the purchase of any material to be used for the Savannah Water Works.

To appoint and remove, &c., officers.

(10.) The said Board shall have power to appoint and remove the following officers and employees, to prescribe their duties, and to fix their salaries, provided said salaries be approved of by the City Council:

First. A Superintendent and Engineer.

Second. A Secretary or water registrar, who shall also be Clerk of the Board.

Third. An assistant Engineer.

Fourth. Such number of turncocks, firemen and laborers, as may be found necessary for the proper and economical management of the works.

Water rents to be collected by Secretary.

(11.) The Secretary or water registrar, shall pay over to the City Treasurer all water rents collected by him in accordance with the rules and regulations for the government of the works, to be hereafter adopted by the Board of Commissioners.

City Treasurer to keep an account, &c.

(12.) The City Treasurer shall keep an account current with the Water Works, and whenever the receipts shall accumulate, so that there shall be a surplus, not needed for the payment of current expenses, including interest, or the alteration or extension of said works, it shall be the duty of the Mayor, to invest the same in some safe stock, so as to make it available for the payment of interest and principal of the City Bonds issued for the Water Works.

Mayor to invest surplus.

Persons opening hydrants, penalty $10 to $100

(13.) If any person shall open any hydrant within the limits of the City of Savannah, or lift or remove the cover of the same, without the license of the said Board, or of the Superintendent and Engineer, or the Secretary, except in case of fire, and then only under the direction of the Fire Company, he, she or they so offending shall be liable to a penalty of not less than ten, nor exceeding one hundred dollars, one half to be paid to the informer, the other half into the City Treasury.

Making connections, penalty $10 to $100.

(14.) If any person shall make any opening or connection with any pipe or reservoir, without the license mentioned in the preceding section, he or she so offending shall be liable to a penalty of not less than ten nor more than one hundred dollars, one half to the informer, the other half into the City Treasury.

Turning off or on the water, penalty $10 to $100.

(15.) If any person shall turn on or turn off the water in any of the pipes or reservoirs, without the license mentioned in the thirteenth section, he, she or they so offending, shall be liable to a penalty of not less than ten nor more than one hundred dollars, one half to the informer, the other half into the City Treasury.

Destroying, &c., engine houses, &c., or any other property, penalty $10 to $100.

(16.) If any person shall destroy, deface, impair, injure, or wantonly force open any gate or door, or in any way whatsoever, destroy, injure or deface any part of the engine houses, reservoir-building, or other buildings, or the appurtenances, fences, trees or fixtures, thereunto appertaining, or any water pipes, gates, cisterns, hydrants, fountains, or any fixtures or other property appertaining to the City Water Works, he, she or they so offending, shall be liable to a penalty of not less than ten nor more than one hundred dollars, one half to the informer, the other half into the City Treasury.

Penalty on slaves or free negroes $10 to $100, or to 39 lashes.

(17.) If any of the provisions of this Ordinance shall be violated by any slave or slaves, or free person of color or free persons of color, such slave or slaves, free person of color or free persons of color, shall be fined in a sum not less than ten, nor more than one hundred dollars, or receive not less than ten, nor more than thirty-nine lashes, at the discretion of the Mayor, or person or persons presiding at the police court.

Ordinance 22d June, 1854.

Board to license plumbers.

No. 565. (1.) The Board of Commissioners of the Savannah Water Works may, from time to time, authorize and license plumbers to make and repair connections with the water pipes under their control, and any person not duly authorized or licensed as aforesaid, who shall make such connection, shall, on conviction before the police court, pay a sum not exceeding one hundred dollars—one half of the fine to be paid to the informer, the other half to be paid into the City Treasury. Each licensed plumber shall give bond in the sum of two hundred dollars, conditioned for the faithful performance of the duty of his office.

If not licensed, $100 penalty.

Bond of plumbers $200.

Duty of plumbers.

(2.) It shall be the duty of the plumbers, to make returns in writing to the office of the Secretary, on the completion of all connections made by them, giving a description of the premises, location of service cock, length of service pipe, number of feet from the easterly or westerly line of the lot or premises where the pipe enters the same, and the size of the service pipe, the number of the hydrants, baths, water closets, fountains, street washers, apparatus for garden hose, or other apparatus supplied therefrom, together with the name of the occupant or owner of such premises. It shall be the duty of the Superintendent to inspect the connections, and upon being approved by him, he will allow the water to be turned on.

Neglect of duty, penalty $50.

(3.) If any plumber shall neglect or refuse to make the return required by the preceding section, or shall make a false return of connections and fixtures attached thereto, he shall, on conviction, pay a sum not exceeding fifty dollars, and be subject to removal or withdrawal of his license.

Material of all service pipe.

(4.) The material of all service pipe, connected with the distributing pipes, shall be approved by the Board of Commissioners.

Supply of water.

(5.) No supply of water will be granted to any house, except on the written application of the owner or occupant of the same, at the office of the Board.

Connections with the distributing pipes.

(6.) All connections made with the distributing pipes, shall be provided with a good and sufficient stop-cock therein, located at the main pipe, for the purpose of stopping or shutting off the supply of water whenever the same shall be necessary.

Fee for permit, &c.

(7.) Upon receiving a permit to connect the service with the distributing pipes, there must be paid such sum as the Board of Commissioners may require, to cover the expense of the service cock and inserting the same, which service will be inserted by persons employed by the said Board for that purpose; and any person not so employed, who shall tap or bore any main or distributing pipe, for the purpose of inserting a service cock therein, or for any other purpose, shall, on conviction, forfeit for each offence a sum not exceeding one hundred dollars and costs, one half payable to the informer, the other half into the City Treasury.

Who inserted by. Tapping, &c., any main illegally, fine $100.

If connections, &c., become leaky, &c., $10 penalty for not repairing same in 24 hours.

(8.) If the connection or branch pipe, stop or hydrant cock, through which the premises of any person shall have been supplied with water, shall become leaky or out of repair, it shall be the duty of such person forthwith to have the same repaired; and if such person shall neglect to have the same repaired within twenty-four hours after notice, he, she or they, on conviction before the police court, shall be fined in the sum of ten dollars, and if such person shall continue to neglect to have the same repaired, the supply of water on such premises shall be shut off.

Person using false key, &c., penalty $100.

(9.) If any person shall, by any false key or otherwise, after the water shall be shut off from any premises, cause or suffer such premises to be supplied with water, such person, his aiders and abettors, each and every, shall, for every such offence, be subject to a penalty not exceeding one hundred dollars and costs, one half to the informer.

Wasting water, penalty $10.

(10.) If any person shall knowingly and unnecessarily waste the water on his premises, he, she or they shall be liable to a penalty of not less than ten dollars and costs; and the supply of water may be withheld from such premises.

Polluting water, $50 to $100.

(11.) If any person shall wilfully pollute the water in the reservoirs or pipes, he, she or they shall be subject to a penalty of not less than fifty nor more than one hundred dollars and costs, one half payable to the informer, the other half into the City Treasury.

Officers to enter lots, &c., for inspection, alterations, &c.

(12.) The officers and employees of the Board of Commissioners may, when directed by the Superintendent at any seasonable hours, enter upon any lot or premises to inspect the condition of the Water Works, and make such alterations and repairs therein, or do such other acts as shall be deemed by them necessary and appertaining to their duties; and any person whose

premises are or may be supplied with water, in pursuance of this Ordinance, shall be deemed and taken to assent to the terms and requirements of the same or any Ordinance amendatory thereof.

Servants, &c., guilty, master, &c., liable for payment of penalties.

(13.) In all cases where any servant, apprentice or minor shall be guilty of any breach of this Ordinance, the master, mistress, employer, parent or guardian of such, so guilty, shall be responsible for, and subject to the payment of the penalties imposed for such breach or violation.

Persons taking water to prohibit other persons from procuring water from their premises, penalty $20 and costs.

(14.) It shall be the duty of every person whose premises may be supplied with water, to prohibit persons from procuring any water from such premises, under a penalty of twenty dollars and costs, and the supply of water may be shut off from such premises, at the discretion of the Board of Commissioners, and every person who may use the water without paying therefor upon conviction before the police court, shall be subject to a penalty of twenty dollars and costs, one half payable to the informer, the other half into the City Treasury.

Persons using water without paying, penalty $20 and costs.

Leaks, &c., to be reported by employees of the Board.

(15.) It shall be the duty of all persons regularly employed on the works, to report to the office of the Board in writing, any leaks or unnecessary waste of water that may come to their knowledge, also any violations of this Ordinance.

Use of private fountains.

(16.) Private fountains or jets shall not be used more than three hours each day, unless specially permitted and on additional payment, and the right is reserved to suspend their use, whenever in the discretion of the Chairman of the Board of Commissioners the public exigency may require.

Supply of water withheld when the Ordinances, &c., are violated, and when again let on $2 to be paid.

(17.) The supply of water may be withheld from all premises when the Ordinances, rules or regulations adopted by the City Council and the Board of Water Commissioners have in any manner been violated, and the supply not again let on, except upon a rectification of the cause of withholding the same and satisfactory assurance given that no further cause of complaint shall arise, and upon payment of the sum of two dollars to cover the expense of shutting off and letting it on.

Fines how credited.

(18.) All fines received for penalties under this Ordinance, shall be placed by the City Treasurer to the credit of the Water Works.

Penalty on slaves or free negroes $100 or 39 lashes.

(19.) If any of the provisions of this Ordinance shall be violated by any slave or slaves, or free person or persons of color, such slave or slaves, free person or persons of color, shall be

fined in a sum not exceeding $100, or receive not less than ten nor more than 39 lashes, at the discretion of the Mayor or person or persons presiding at the police court.

(20.) (Repealed, see Ordinance 10th January, 1856.)

Assessed rates. (21.) The rates when assessed shall be final and conclusive, subject only to revision by the board.

Persons desiring water. (22.) It shall be the duty of all persons who may desire water for building purposes, to make application at the office in writing, accompanied by an estimate of the amount of brick, perches of stone, or yards of plastering for which it is required, and pay the rate assessed therefor before using the same; and any person using water in violation of this section shall be subject to the penalties provided for in sections 7th and 14th of this Ordinance.

Water rates. (23.) The following shall be the rates to be charged annually for the use of the water, *Provided*, that no house shall be assessed at less than five dollars:

Water Rates.

Dwelling houses. Dwelling houses when valued for the assessment of taxes, as follows:

Valuation.	Water Rate.
$1,000	$5 00
over 1,000 and not exceeding $2,000	6 00
" 2,000 " " " 3,000	8 00
" 3,000 " " " 4,000	10 00
" 4,000 " " " 5,000	12 00
" 5,000 " " " 6,000	13 00
" 6,000 " " " 7,000	14 00
" 7,000 " " " 8,000	15 00
" 8,000 " " " 9,000	16 00
" 9,000 " " " 10,000	17 00
" 10,000 " " " 15,000	18 00
" 15,000 " " " 20,000	20 00

Which latter sum shall be the maximum for any private family. If the houses are occupied by more than one white family, an additional rate will be charged.

The commissioners are hereby authorized to assess the valuation of the improvements upon the fee simple lots.

Hotels. Hotels, taverns and boarding houses, not including water for baths or for uses within the house, will be charged for each bed for boarders and lodgers within the same $1.

Stores. For stores and offices $5. For each water closet more than one, five dollars additional, and for each urinal or wash-hand basin, more than one, $2,50 additional.

Stables. Private stables, including water for washing Carriages, $6, for each horse over two, $2. Livery stable, including water for washing carriages, for each stall, $2. Omnibus stables for each horse, $2. Truckmen's stables, for each horse, $2.

Hose. For the right to attach a hose $\frac{5}{8}$ inch orifice, for washing houses and pavements in addition to the charge for other uses, not less than $3.

Printing offices. For each printing office, according to the number of presses used, not including supplying of steam engine, $6 to 40.

Refectories. Confectionaries, eating houses, provision shops, refreshment and oyster saloons, according to the amount of water used, $5 to 40.

Steam engines. For stationary steam engines, working not over twelve hours per day, on each horse power $6.

Building purposes. For each thousand brick or perch of stone laid, and for each barrel of lime used for plastering 5 cents.

Bakeries. For the average daily use of flour, for each barrel the sum of $3 per annum, and in no case less than $25.

Fountains. Fountains are only to be used at the discretion of the Board of Commissioners, and shall be charged by special contract. No fountain will be allowed when the water is not used for other purposes.

Baths. Hotels, taverns and boarding houses, shall be charged for each tub exceeding one, the sum af $5. Public bathing establishments shall be charged for each tub $5. Private families are allowed as many tubs as they may desire.

Water Closets. For every water closet beyond one, the sum of $5 each.

License for sprinkling streets, watering gardens, and matters not hereinbefore embraced, are reserved for special contracts by and with the Board of Commissioners, who shall have authority to make special contracts, and to make such alterations in the foregoing rates as in their judgment the interests of the City may require.

Water rates 1st November. (24.) Until the first day of November next, the water will be furnished gratis to all who will make the necessary connections for its use, under the rules and regulations of the Board of Commissioners, except when the same is used for manufacturing purposes, or as a source of revenue.

Ordinance 10th January, 1856.

AN ORDINANCE to amend an Ordinance entitled an Ordinance to amend an Ordinance to provide for the care and management of the Savannah Water Works, passed in Council 22d June, 1854.

Repeal of 20th section.

No. 567. (1.) The twentieth section shall be and the same is hereby repealed, and the following shall be and is hereby substituted for the same.

Water rates payable semi-annually, on 1st May and 1st Nov.; failure to pay in 15 days, 10 per cent. added, &c ; $2 for shutting off. &c.

(2.) The rates to be charged for water shall be payable semi-annually in advance, at the office of the Board, on the first day of May and of November, [and on the first Monday thereafter, when the said day shall fall on the Sabbath,] and rateably for any fraction of a term, and on failure to pay the same within fifteen days, ten per cent. shall be added to the assessment for collection, and if not then paid promptly the water shall be shut off, and not again let on said premises until arrearages are paid, and at least two dollars in addition for shutting off and letting on.

Ordinance 29th February, 1857.

A BILL to be entitled an Ordinance to prevent the mooring of vessels or flats of any description, or rafts of timber, lumber, or reeds, alongside the line of pilings attached to the land belonging to or used by the Board of Commissioners of the Savannah Water Works, near the mouth of Savannah and Ogeechee Canal, on the Savannah river.

WHEREAS, it is highly important that the inhabitants of Savannah should receive a supply of pure water, by means of the Water Works aforesaid, and experience has shown that said object is much hindered by the practice of persons mooring vessels, flats and rafts alongside the said line of pilings, thus rendering the said supply of water muddy and impure, for remedy whereof:

Persons moving rafts, vessels, &c., alongside line of pilings attached to land of Water Works, &c., penalty $20 per day, &c.

No. 568. (1.) It shall not be lawful for any person or persons to moor any vessel, or flat of any description, or any raft of timber, lumber or reeds alongside the line of pilings attached to the land belonging to or used by the Board of Commissioners of the Savannah Water Works, near the mouth of the Savannah and Ogeechee Canal, on the Savannah river, under a penalty of twenty dollars per day for the first day, or part of day, and ten dollars for each succeeding day, or part of day, such vessel, flat or raft may be moored as aforesaid; and that any person or persons so offending shall be liable to be fined before the Police Court in the said sum or sums, and that said fines shall be collected in the same manner and under the same rules and regulation as are now provided for the recovery of fines under existing Ordinances.

WEIGHERS OF COTTON, RICE, TOBACCO.

Ordinance 15th March, 1857.

One of the weighers of cotton, &c., to be located in Market Square, &c.

No. 569. (12.) One of the weighers of cotton, rice, tobacco, and other goods, appointed under and by virtue of this Ordinance, shall be located in Market square, and the others at convenient places, whose duty it shall be, upon application for that purpose made to them, to weigh all such cotton, rice, tobacco, and other articles presented, for which they shall severally be entitled to the following fees to be paid by the person selling the same: for each bale of cotton 6¼ cents, including labor at the scales; for each tierce of rice 6¼ cents; for each hhd. tobacco 6¼ cents; and for other goods agreeably to rates prescribed in the usual rules of the Chamber of Commerce.

Fees.

Cotton, &c., to be weighed upon application.

(16.) All cotton, rice, or tobacco may, at the direction of the purchaser, seller or shipper, be weighed by any one of the weighers appointed by virtue of this Ordinance, whose duty it shall be upon application being made to him, to weigh said articles.

(*See page* 277, *No.* 331.)

WEIGHERS OF HAY.

Ordinance 10th Dec., 1857.

AN ORDINANCE relative to the time of electing Weighers of Hay.

Election of 2 weighers of hay on 1st regular meeting of Council in January, annually.

No. 570. (1.) The election of two weighers of hay shall take place at the first regular meeting of Council in January annually, instead of at the first regular meeting of Council, after the fifth day of February in each succeeding year.

(*See Title, "Hay," pages* 204 *and* 205.)

WEIGHTS AND MEASURES.

Ordinance 22d March, 1855.

Standard of weights and measures same as used in the Custom House; weights; No. of cubic inches that the measures shall contain.

No. 571. (1.) The standard of weights and measures, capacity and extension adopted by the United States and by law distributed to the several States, and used in the Custom House in this City, shall be the standards of weights and measures, of capacity and extension, to be used exclusively for the purposes of trade and commerce in this City. That is to say:

The troy weight grain shall be the unit standard for weight, from and by which the standard avoirdupois pound and ounce weights are to be computed and adjusted. The pound avoirdupois weight used for commercial purposes shall contain seven thousand grains troy, and the ounce avoirdupois weight shall contain four hundred and thirty-seven and a half grains troy, and the troy weights used by the banking institutions in this City are hereby declared to be the proper standards for adjusting avoirdupois weights; and the cubic inch which is used in this State, shall be the unit standard for the adjustment of all measures of capacity, and as the standard for dry measures, the bushel shall contain two thousand one hundred and fifty and four-tenths cubic inches, the half bushel shall contain two thousand and seventy-five and two-tenth cubic inches, the peck shall contain five hundred and thirty-seven and six tenths cubic inches, the half peck shall contain two hundred and sixty-eight and eight-tenths cubic inches, the quarter peck shall contain one hundred and thirty-four and four-tenths cubic inches, the quart shall contain sixty-seven and two-tenths cubic inches, and the pint shall contain thirty-three and six-tenths cubic inches. And in the adjustment of wine or liquid measures, the gallon used in this City for purposes of trade and commerce shall contain two hundred and thirty-one cubic inches, the quart shall contain fifty-seven and three-quarters cubic inches, the pint shall contain twenty-eight and nine-tenths cubic inches, the half-pint shall contain fourteen and four-tenths cubic inches, and the gill shall contain seven and two-tenths cubic inches, and the standard measures used in the Custom House shall be the standard for comparing and adjusting dry and liquid or wine measures to be used in trade and commerce in this City, and the inch, the foot and the yard, now used in this State shall be the standard measures of extension to be used for commercial and mechanical purposes in this City.

Office of Inspection, &c., created.

(2.) For the purpose of establishing uniformity in the weights and measures used in trade and commerce in this City, and to conform them to the foregoing standards, Council shall establish an office for the inspection and regulation of all such weights and measures, except apothecaries' weights, used for compounding or vending drugs and medicines, and troy weights, used by Banking Institutions in this City, for weighing gold, silver, &c.

Kept open

(3.) The said Inspector of weights and measures shall open an office in some convenient and accessible place in the City, to be approved by the Committee on the Market, and the sign of the office, that is to say "Inspector of Weights and Measures," shall be fixed over the door of said office, and the same shall be kept open as a public office during such times and such hours as the Market Committee may establish by rules or regulations.

Fees of Inspector.

(4.) (See Ordinance of 22d December, 1856, for repeal of the election and salary of Inspector, and the appointment of the Clerk of the Market as Inspector.) (The Inspector receives no salary, he receives) all fees for adjusting all and every weight and measure.

Market Committee to furnish the weights, measures, apparatus, &c.

(5.) The Market Committee shall furnish, or cause to be furnished to the said Inspector standard measures of extension, dry measures, and liquid or wine measures, also brass weights of the avoirdupois standard, together with balances, scales, stamps, and all other apparatus required for the adjustment and regulation of weights and measures, according to the standards heretofore prescribed by this Ordinance. And the said standard weights and measures, balances, scales, and stamps shall be paid for out of the City Treasury, and shall be deposited in the office of inspection for the use of the Inspector, and by him shall be examined, adjusted and regulated, as often as may be necessary, by the standards hereinbefore expressed and declared.

Duty of Inspector

(6.) So soon as the standard weights and measures of extension and capacity are furnished to the said Inspector, and the office of "Inspection of Weights and Measures" is duly organised and established, the said Inspector shall give public notice thereof, requiring all persons interested to apply forthwith to the said Inspector, to have their weights and measures, scales, beams and balances regulated and adjusted, according to the standards aforesaid, and the Inspector shall stamp, or cause to

be stamped, on all weights and measures of extension and capacity [other than those used by apothecaries or bank officers, for compounding medicines, or weighing gold, silver, &c.,] which shall be used in this City for purposes of trade and commerce, the letters C. S. for "City Standard," and in case any weights or measures, scales or balances, which may be examined and adjusted by the said Inspector, cannot be thus stamped, the said Inspector shall furnish the proprietors in lieu of the stamp, with a certificate of the examination and adjustment of such weights and measures, scales or balances.

Penalty for not having weights and measures regulated, &c., $30.

(7.) Within sixty days after notice from the Inspector of his readiness to inspect, regulate and adjust weights and measures, every person using weights and measures, scales and balances in this City, for the sale or purchase of articles and commodities of any kind or nature whatever shall be required to have the same examined and regulated by the said Inspector, according to the standards aforesaid, and every person refusing or neglecting to comply with this provision, shall upon conviction before the Police Court be fined in a sum not exceeding thirty dollars, said fine to be inflicted every ten days if he, she or they continue to refuse or neglect to comply with the provisions of this Ordinance.

Duty of Inspector to inspect, &c., once in every 3 months.

(8.) It shall be the duty of said Inspector, once in every three months, and as often as he shall be directed or required by the Mayor, to examine, regulate and adjust by the aforesaid standards, all yard-sticks or other measures, of extension, and all liquid measures, dry measures, and all scales, beams, balances, and weights, which are now or may hereafter be used in this City for purposes of trade and commerce, and all measures of extension or capacity, all scales, beams, balances and weights which have not been stamped according to the provisions of this Ordinance, or which may be found so defective from any cause as not to be capable of adjustment and regulation, shall be deemed and considered as forfeited, and shall be retained in the said office of inspection, and all persons using such defective weights and measures shall be placed upon the information docket.

Not lawful to buy or sell unless weights and measures have been stamped, &c.

(9.) It shall not be lawful for any person or persons in this City, to buy or sell any produce, grain flour or other commodity, nor any molasses, syrup or treacle, nor any spirituous, vinous, or malt liquors, nor any goods wares or merchandise usually sold by weight or measure, by any measurer of extension or capacity,

scales, beams or weights, which shall not have been first examined, adjusted and stamped, or certified by the said Inspector as hereinbefore required. And all and every person who shall use in his business, as merchant or trader, any false or fraudulent weights or measures, or such as have not been examined, regulated, adjusted and stamped, or certified, by the said Inspector, he, she or they shall upon conviction before the Police Court, be fined in a sum not exceeding fifty dollars. And it shall be the duty of the said Inspector to place upon the Information Docket, all and every person or persons who shall use any weights or measures not regulated and stamped according to the provisions of this Ordinance.

Penalty $50.

Duty of Inspector—Information Docket.

Weights and measures in the market.

(10.) The provisions of this Ordinance shall apply to all weights and measures, scales, beams, and balances which are or may be used in the public Market for the purchase or sale of meats, grain, vegetables and provisions usually sold by weights or measures. And when any false or fraudulent weights or measures, scales, beams or balances which have not been regulated and stamped according to the provisions of this Ordinance, shall be found in possession of any slave, and by her or him used for weighing or measuring any article or commodity exposed or offered for sale by such slave, the same shall be seized by the said Inspector, and upon conviction of such slave before the Police Court, for using false or fraudulent weights and measures, he or she shall receive twenty lashes, unless the owner or person having control of such slave, shall pay into the treasury the sum of ten dollars.

Slaves using false weights, &c., 20 lashes or pay $10.

Shops, groceries, &c., to have a full set of weights and measures regulated by the standard, &c.

(11.) Every person being an owner or keeper of a retail shop or grocery store where groceries, liquors, meat, grain, fruit and other articles are exposed or offered for sale, whether he or she has a license from the City or not, shall have and keep a full and complete set of weights and measures in every such retail grocery shop or store, regulated by the standards hereinbefore declared. The set of weights to consist of half an ounce, one ounce, two ounces, quarter pound, half pound, one pound, two pounds, four pounds, seven pounds, fourteen pounds and twenty five pounds of the avoirdupois standard. The set of liquor measures to consist of a gallon, half gallon, quart, pint half pint and gill. The set of dry measures to consist of a half bushel, peck, half peck, quarter peck, quart and pint, and all and every person or persons being the owner or keeper of any such retail gro-

cery shop or store, who shall or may refuse or neglect to deliver such weights and measures to the said Inspector for examination, during his visits of inspection of weights and measures, as directed by this Ordinance, such person or persons upon conviction of such refusal or neglect before the Police Court, shall forfeit and pay for each and every such offence a sum not exceeding one hundred dollars. Penalty $100.

(12.) The Mayor with the assistance of the Market Committee, shall establish a tariff of fees to be charged by the Inspector, for inspecting, regulating and stamping or certifying all weights, measures, scales, beams and balances which are or may be used for purposes of trade or commerce in this City, such fees to be collected by the Inspector from the owner or owners of such weights, measures, scales, beams and balances, by him inspected and regulated, and all fees for stamping or certifying each and every weight and measure, scale, beam and balance to be paid into the City treasury. Tariff of fees. How collected.

Schedule of charges for adjusting, Stamping, Sealing or Certifying Weights and Measures, Scales, Balances, etc.: Rates.

For adjusting	each	Measure	6¼	cents.
do	do	do 50 lb. Weight	25	do
do	do	all other Weights	6¼	do
do	do	each Scale or Beam	25	do
do	do	do Yard Stick	6¼	do
do	do	do Dip Rod	6¼	do
For stamping	do	Yard Stick	6¼	do
do	do	Wine Measures	6¼	do
do sealing		Dry do	6¼	do
do stamping		Weights, to include weights used on Platform Scales	6¼	do
do certificate for		Scales or Balances	12½	do
do stamping		Dip Rod	12½	do
do	do	Tape Measure	12½	do

The Inspector will, upon all occasions where it is practicable, stamp instead of certify.

Where weights, scales or measures are found to be correct, no charge shall be made for adjustment.

Ordinance of 22d Dec., 1856.

AN ORDINANCE to amend an Ordinance entitled "An Ordinance to establish a uniform system of weights and measures in the City of Savannah, and to establish an office of Inspection to regulate the same, and for other purposes therein named," passed in Council 22d March, 1855.

No. 572. (1.) That from and after the eighth day of January next so much of the above recited Ordinance as elects an Inspector of Weights and Measures, and prescribes the salary of said Inspector, shall be and the same is hereby repealed. Election and salary of Inspector abolished.

(2.) That the Clerk of the Market shall be the Inspector of Weights and Measures mentioned in the above recited Ordinance, and shall perform all the duties and receive all the fees prescribed in and by said Ordinance. Clerk of the market to perform the duty and receive the fees.

State Law, Approved Dec. 10th, 1803. (Cobb's Digest, page 65.)

AN ACT to regulate Weights and Measures in this State.

No. 573 (1.) If any person or persons whosoever, shall sell or attempt to sell any article or thing by any other or less weight or measures than that so established, he, she or they, so offending, shall forfeit and pay three times the value of the articles so sold or attempted to be sold, to be recovered before any Justice of the Peace, if it should not amount to more than thirty dollars, and if above that sum, before any Judge of the Superior Court, or the Justices of the Inferior Court, by action of debt; one half whereof shall be for the use of the informer or person bringing the action, and the other for the use of the County in which such act or offence may happen. Penalty for selling by any other than lawful standard.

(3.) It shall be the duty of the Justices of the Inferior Court, or a majority of them, of the respective Counties of this State, to procure a marking instrument, seal or stamp, for the purpose of marking, sealing or stamping, all weights and measures within their several Counties, which marking instrument, seal or stamp, shall remain in the Clerk's office of the Inferior Court, by him to be affixed to any weight or measure, which he may find to correspond with, or not less than the standards established by said corporations of Savannah and Augusta. Weights and measures to be marked by the Clerk of the Inferior Court.

(4.) The said Clerks of the Inferior Court shall receive six and one-fourth cents for each and every weight or measure by them so marked, sealed or stamped, to be paid by the person obtaining the same. Clerks' fees.

State Law, Approved Dec. 8th, 1806. (Cobb's Digest, page 66.)

AN ACT, to regulate the weighing of Cotton and other commodities in this State.

No. 574. (1.) Nor shall it be lawful for any person to ask, demand, or receive more than six and a quarter cents for weighing any such bale, bag, or package of cotton, tierce or half tierce of rice, box or barrel of indigo. Fee for weighing.

(2.) It shall not be lawful for any person or persons in the Cities of Savannah and Augusta to weigh any bale, bag or package of cotton, tierce or half tierce of rice, box or barrel of indigo, No persons in Savannah and Augusta to weigh certain

articles, unless previously sworn. The oath.

without first taking and subscribing the following oath before some one of the Justices of the Inferior Court, or Justice of the Peace of the said Counties: "I, A. B. do solemnly swear or affirm, (as the case may be,) that I will justly, and without partiality, weigh all bales, bags or packages of cotton, tierces or half tierces of rice, boxes or barrels of indigo, that may be brought to me for that purpose, and mark the true weight thereon, without any deduction whatever, and render a true and accurate account thereof to the parties concerned if required: So help me God." (See page 120, No. 113.)

Penalty for breach of this law.

(3.) Each and every person who shall offend againgt the provisions of this Act, shall forfeit and pay for every such offence the sum of twenty dollars for each bale, bag or package of cotton, tierce or half tierce of rice, box or barrel of indigo, to be recovered in any Court having jurisdiction thereof; one moiety thereof to the party injured, or the informer, and the other to the County.

State Law, Approved Dec. 16th, 1815. (Cobb's Digest, page 66.)

AN ACT, to regulate the manner of weighing with Scales or Steelyards, throughout the State of Georgia.

WHEREAS, It is customary to deduct for every draft or turn of the scales or steelyards, a certain number of pounds in proportion to the weight of the article weighed, which custom is evidently contrary to every principal of justice or propriety; for remedy whereof—

No deduction from the true weight to be allowed.

No. 575. (1.) That immediately from and after the first day of January next, it shall not be lawful to make any such deduction from the true weight of any article or articles for or on account of the draft or turn of the scale or steelyards. (See sec. 1, Act of 1847.)

500 dollars penalty for offending against this Act.

(2.) Any purchaser or weigher of any article or articles whatever, who shall require or make the deduction or deductions intended to be provided against by the aforegoing section, shall forfeit and pay for each and every such offence the sum of $500, to be recovered by action of debt before any Court having competent jurisdiction to take cognizance thereof, one moiety of which forfeiture shall go to the use and for the benefit of the County in which such offence shall have happened, and the other to the informer.

State Law, Assented to 23d Dec., 1839. (Cobb's Digest, page 67.) Pam. 224.

U. S. standard adopted.

AN ACT to amend an Act passed 10th Dec. 1803, entitled an Act to make uniform a standard of Weights and Measures, in this State.

No. 576. (1.) That the standard of weights and measures adopted by the Congress of the United States, shall be, and the same are hereby adopted and considered a standard of weights and measures for this State.

(2.) From and immediately after the passage of this Act, it

shall be the duty of his Excellency, the Governor of this State, to cause to be procured in some cheap and economical way, one hundred standards of each, to correspond in weight and measures, with those now in the Executive office in Milledgeville. Governor to procure 100 of each.

(3.) So soon as the said standards shall have been procured, as contemplated in this Act, his Excellency, the Governor, is hereby authorized to issue his proclamation, giving publicity to the same, calling upon all the citizens of this State, and others within the jurisdiction of the same, to conform thereto, and abide the same. Proclamation.

(4.) When his Excellency, the Governor, shall have made his proclamation, in pursuance of this Act, it shall be the duty of the Justices of the Inferior Courts of the several Counties of this State, or a majority of them, and they are hereby required to obtain from the Executive office, by their Clerk, or some other person by them appointed for that purpose, one of each of the standards of weights and measures, to be kept in the Clerk's office of said Inferior Court of said County, for the benefit of all the citizens thereof. Inf. Court in each County to procure one of each.

(5.) It shall be the duty of the Justices of the Inferior Courts aforesaid, or a majority of them, upon the receipt of such standard of weights and measures, to give sixty days' notice at the Court house of the County, and three of the most public places in the same, in order that all may be informed thereof. On receipt notice to be given.

(6.) If any person or persons within the limits of this State shall use or cause to be used, or in any wise sanction the use of any weights and measures, for their own use and benefit, either for themselves, or any other person with whom they may be connected, of less dimension than those adopted by this Act, as standards, after six months shall have expired from the proclamation of his Excellency, shall, upon proof and conviction thereof, be subject to all the pains and penalties, both civil and criminal, improved [imposed] by the Penal Code of this State, and in the Act to which this is amendatory; and if he, she or they shall be the proprietor, superintendent, weight clerk, or assistant, in warehouses, or places where cotton or other produce are weighed or sold, he, she, or they shall be liable to a penalty, civil or criminal, in a fourfold amount. Penalty for using any other.

State Law, Approved 30th Dec., 1847. Pam. 294.

AN ACT to abolish the allowance of tare or gross weight on bales of unmanufactured cotton.

Tare or draft on cotton abolished

No. 577. (1.) The custom of making a deduction from the actual weight of unmanufactured bales of cotton, as an allowance for tare or draft thereon, be, and the same is hereby abolished, and that hereafter all contracts made in relation to such cotton, shall be deemed and taken as referring to the true and actual weight thereof, without deduction for any such tare or draft. (See page 120, No. 113.)

(2.) Any purchaser or purchasers of cotton in this State, who

Offender subject to indictment.

shall hereafter violate the provisions of this Act, shall be subject to indictment in the Superior Court of the County where the offence was committed; and on conviction thereof, shall be fined in a sum not less than five dollars for each and every bag or bale of cotton, from the actual weight of which such deduction shall have been made, or imprisoned in the County jail, at the discretion of the Court, not to exceed sixty days: *Provided*, That nothing in this Act contained shall prevent the usual deduction of two pounds from being made from the weight of each bag of cotton having knobs or tugs thereon.

State Law, Approved January 20th, 1852. Pam. 263.

AN ACT to be entitled an Act to alter and amend the fourth section of the eleventh division of the Penal Code.

No. 578. (1.) That from and after the passage of this Act the fourth section of the eleventh division of the Penal Code shall be amended, so as to read as follows:

Selling or buying by false weights or measures.

If any person shall knowingly buy or sell by false weights or measures, he or she shall be deemed a common cheat, and on conviction shall be punished by fine or imprisonment in the common jail of the county, or both, at the discretion of the Court.

WHARVES.

(*See Title*, "*Docks and Wharves*," *pages* 124 *to* 128, *also*, *Title* "*Pilotage*," *pages* 311 *to* 315.

State Law, Assented to 21st Dec., 1833. Pam. 326.

Water line of Harbor of Savannah

AN ACT in addition to an Act, entitled "An Act to make permanent the water line for certain Wharves in the City of Savannah, to lay out a Street between Indian Street and said water line, and to appoint commissioners for carrying the same into effect," passed 24th December, 1832, and to confirm the report of the Commissioners appointed by virtue of said Act.

Preamble.

WHEREAS, in pursuance of the said Act of the General Assembly of the State of Georgia, passed the 24th day of December, 1832, the following Commissioners were appointed, to wit:

Commissioners.

Samuel B. Parkman, Richard R. Cuyler, Joseph W. Jackson and James Hunter, appointed by the Honorable the Mayor and Aldermen of the City of Savannah—Peter Mitchel, Richard F. Williams, and Francis Sorrel, appointed by the Commissioners of Pilotage for the bar of Tybee and river Savannah—George Anderson, William Taylor, and George Jones, appointed by the owners and proprietors of wharf lots in the City of Savannah, and their representatives, commencing with the Steamboat Company's wharves, and including all wharf proprietors and owners eastwardly of the City; and Robert W. Pooler, Gazaway B. Lamar, and John Davidson, appointed by the wharf proprietors and owners westwardly of the said Steamboat Company's wharves in the said City. And whereas, the said Commissioners have, in pursuance of said act of 24th December, 1832, established the water line of the wharf lots in the City of Savannah, and have laid out a Street between Indian Street and the said water line, called Canal Street, as appears by their report, by them transmitted, within the time mentioned in said Act, and now remaining in the office of the Secretary of State.

Water line of wharf lots established.

No. 579. (1.) That the water line of wharf lots in the City of Savannah shall be, and the same is hereby permanently established as the same is set forth in the report of the said Commissioners, which report is in the words and figures following, to wit:

STATE OF GEORGIA,

City of Savannah.

Report of Commissioners.

WHEREAS, by an Act of the Legislature of the State of Georgia, passed on the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and thirty-two, entitled, "An Act to make permanent the water line for certain wharves in the City of Savannah, to lay out a Street between Indian Street and the said water line, and to appoint Commissioners for carrying the same into effect," it was enacted, that Commissioners be appointed for the performance of certain duties, in manner and form, as will more particularly appear by reference to the said Act. And whereas, in pursuance of the said Act, the following Commissioners have been appointed, to wit: Samuel B. Parkman, Richard R. Cuyler, Joseph W. Jackson, and James Hunter, appointed by the Honorable the Mayor and Aldermen of the City of Savannah, and the Hamlets thereof; Peter Mitchel, Richard F. Williams, and Francis Sorrel, appointed by the Commissioners of Pilotage for the bar of Tybee and river Savannah; George Anderson, William Taylor and George Jones, appointed at a meeting of the owners and proprietors of the wharf lots in the City of Savannah, commencing with the Steamboat Company's wharves, and including all wharf proprietors and owners eastwardly of the City, held at the Exchange, on the twenty-second day of January, one thousand eight hundred and thirty-three, after due notice of the said meeting having been published in the gazette called "The Georgian," and Robert W. Pooler, Gazaway B. Lamar, and John Davidson, appointed at a meeting of the wharf proprietors and owners, westwardly of the said Steamboat Company's wharves in the said City, held at the Exchange, on the sixteenth day of January, one thousand eight hundred and thirty-three, after due notice of said meeting having been published in the gazette called "The Georgian. *Now be it known*, That the said Commissioners, after divers meetings by them held, and after consulting, advising and deliberating upon the subject matter committed to them by the aforesaid Act, have determined upon, established, and hereby report and make

known, that the water line of the harbor of Savannah, shall be as follows, to wit: At the west, the said line shall commence at the following point, to wit: That point on a place known by the name of Vale Royal point, whence a line drawn from the north west corner of Goodwin's wharf, shall form a tangent to the said place at its most north eastern point at high water mark; from the said described point, the said water line shall proceed eastwardly, in a straight direction, to the eastern corner of the public dock at the foot of West Broad street, as it now stands built up, and thence along the line of the wharf heads as they now exist, to the east side of Telfair's upper wharf, known in the plan of Savannah as wharf lot number (14) fourteen, west of Bull street; thence in a straight line to the west of Barnard Street dock, thence along the line of wharf heads as they now exist, to the lower corner of the Savannah Steam Rice Mill wharf, thence to continue to the upper corner of the wharf head at present occupied by Frederick Willink, being the eastern side of Reynold Street dock, and thence along the said last mentioned wharf head, as it now stands, upon the course south seventy degrees east, until it strikes the marsh on the south side of the river Savannah, where it shall terminate.

Canal Street established.

And the said commissioners have determined upon, and report, and make known, that they have established a Street between Indian Street and the above described water line, to be called Canal Street, which Street shall have for its northern boundery, or boundery next to the river, a line commencing eastwardly at a point (10) ten feet south by west of the south west corner of the Steam Boat Company's wharf, known in the plan of Savannah as wharf lot number (10) ten west of Bull street, thence the said line shall proceed westwardly in a straight direction, by forming a tangent to the south east corner of Blake's Steam Rice Mill, which is situate on the wharf lot known in the plan of Savannah by the number (5) five Yamacraw, to the Canal, and the south side of the said Street be formed by a line thirty feet apart from and parallel to the said described northern line of the said Street. And the said commissioners further report, that as the above mentioned landmarks of the water line are subject to dilapidation and decay, from the action of the tides and otherwise, they have caused to be drafted a diagram of the same, (which diagram also shows the said Street,) having for its title these words, to wit: "A

Diagram.

Map of the water line of the harbor of Savannah and of Canal Street, made in pursuance of an Act of the Legislature, passed on the 24th day of December, 1832, and entitled 'An Act to make permanent the water line for certain wharves in the City of Savannah, to lay out a street between Indian Street and the said water line, and to appoint commissioners for carrying the same into effect,' drafted to conform with the report of the said commissioners, and dated the 14th day of March, 1833, and which report is recorded and on file in the office of the Clerk of

the Superior Court of Chatham County, and in the office of the Secretary of State," and which diagram thus described, represents the distances in horizontal measurement, of various points of the said water line, from various points on the lines of the bay and Indian Street, which last mentioned lines are adopted as permanent bases, and indices from whence the several points of the said water line may be ascertained. And to guard against injuries to arise from the loss or destruction of the said diagram, the said Commissioners report the following measured distances from the lines of the bay and Indian Street, to the said water line, by which the latter, as now established, may at any time hereafter be ascertained, to wit: From the line of Bay Street extended 1249 feet eastwardly, a line drawn at right angles 200 feet; from the line of Bay Street extended eastwardly, a line drawn along the east side of Reynold's Street 291 feet; from the east end of the line of Bay Street down the west side of East Broad Street 368 feet 6 inches; and the following measurements from the base line of Bay Street to the said water line, to wit: From a point 335 feet west of the west side of East Broad street 449 feet; from a point 423 feet west of the west side of East Broad Street, 454 feet; from a point 493 feet west of the west side of East Broad Street, 462 feet; from a point 693 feet west of the west side of East Broad Street, 464 feet; from a point 793 feet west of the west side of East Broad Street 455 feet; down the east side of Lincoln Street Dock 407 feet 6 inches; down the west side of Lincoln Street 393 feet; from a point 153 feet west of the west side of Lincoln Street, 384 feet; down the east side of Abercorn street 360 feet 6 inches; down the west side of Abercorn street 359 feet; from a point 101 feet 4 inches west of the west side of Abercorn street 356 feet, to the head of the wharf on lot number (4) four, east of Bull street; and 362 feet to the head of the wharf on lot number (5) five, east of Bull street; down the east side of Drayton street 351 feet 6 inches; down the west side of Drayton street 349 feet; down the east side of Bull street 361 feet 6 inches; down the west side of Bull street 367 feet 6 inches; from a point 85 feet west of the west side of Bull street 369 feet 6 inches; from a point 140 feet west of the west side of Bull street 366 feet 6 inches; down the east side of Whitaker street 364 feet 6 inches; down the west side of Whitaker street 367 feet 6 inches; down the east side of Barnard street 406 feet 6 inches; down the west side of Barnard street 422 feet; and from a point 77 feet west of the west side of Jefferson street 528 feet; from the line of Bay street extended 33 feet westwardly, a line drawn at right angles to the eastern corner of West Broad street dock, as it now stands built up, 671 feet 6 inches; from the line of Bay street extended, to the west side of West Broad street, and thence down the west side of West Broad street 184 feet 6 inches, thence a line drawn 20 feet from and parallel to the south side of Indian street 1512 feet, and thence a line at right

Report recorded in Clerk's office of Inf. Court.

Measured distances from the lines of the Bay and Indian Street to the water line of the Harbor of Savannah.

angles to the point of intersection in the river with the said water line 803 feet 8 inches.

Done and certified, this 14th day of March, in the year of our Lord one thousand eight hundred and thirty-three, and in the one hundred and first year of the settlement of Savannah.

Samuel Breck Parkman, Peter Mitchell,
R. R. Cuyler, R. F. Williams,
Joseph W. Jackson, Francis Sorrel,
James Hunter.

George Anderson, R. W. Pooler,
Wm. Taylor, Gaz. B. Lamar,
George Jones. John Davidson.

Canal Street a public Street.

(2.) That the Street called Canal Street, as laid out by the said Commissioners, shall be and the same is hereby declared to be a public Street, subject to the control and regulation of the Honorable the Mayor and Aldermen of the City of Savannah, and the Hamlets thereof, in the same manner as the other public streets, squares and lanes in said City.

WHARFAGE, STORAGE AND DOCKAGE RATES.

State Law, Approved 22d Dec., 1829. (Cobb's Digest, page 39.)

Owners and occupiers of wharves in Savannah allowed to charge for the wharfage, &c.

No. 580. (1.) The several owners or occupiers of wharves in Savannah shall be allowed to charge, demand, and receive the several rates hereinafter mentioned, for the wharfage or dockage of vessels lying at the wharves for the landing of produce and other goods, and for the shipping of the same, and for the storage thereof, and no more; that is to say:

Rates of dockage, wharfage and storage.

	$ cts.
Anvils, each,	3
Anchors, five hundred pounds, and under twelve hundred pounds,	12
Anchors, twelve hundred pounds, and upwards of twelve hundred pounds,	18 25
Butts and casks, two hundred gallons and upwards,	25
Barrels ale, apples,	3
Barrels alchohol,	5
Barrels beef, beer, bread, bacon,	3
Barrels coffee, corn cider,	3
Barrels empty,	1
Barrels fish, flour,	3
Barrels gunpowder, one hundred pounds and upwards,	5
Barrels gunpowder, under one hundred pounds,	4
Barrels gin,	5
Barrels hams, herrings, or indigo,	3

	$ cts.
Barrels lime,	4
Barrels molasses,	5
Barrels nuts, or onions,	3
Barrels oil,	5
Barrels potatoes, pitch, plaster paris, porter, pork, pimento, pepper,	3
Barrels rice, same in half barrels,	4
Barrels rosin,	3
Barrels rum and other spirituous liquors,	5
Barrels salt, sugar, turpentine, tar,	3
Barrels vinegar, wine, whiskey,	5
Barrels halves and half-quarter casks of liquors,	3
Barrels, halves, of provision, ale, beer, cider, &c.,	2
Bolts bagging, canvass, duck, oznaburgs, (or per piece,)	2
Boxes dry goods, upwards four feet square,	6
Boxes dry goods, under four feet square,	4
Boxes axes, candles, chocolate, cheese, cordials, dates, figs, glass of fifty feet, herrings, indigo, prunes, raisins, starch, segars, tin plate,	2
Boxes lemons and oranges,	3
Boxes sugar,	5
Boxes tobacco,	3
Bales cotton,	5
Bales bagging, canvass, carpeting, blankets, and other dry goods,	5
Bales deer skins,	5
Bales hay,	6
Bales empty bottles,	5
Baskets, nests,	2
Baskets oil, wine, cordial, &c.,	2
Bacon, per thousand pounds,	37½
Bark, (tanners') per cord,	37½
Bellows, (house)	2
Bellows, (blacksmith's)	6
Brick and tile per thousand,	25
Bundles brooms, band-boxes, collars, hames, pans, scythes spades, shovels, trees, vines, vices, &c.,	3
Bags almonds, coffee, cocoanuts, pepper, pimento, ginger,	3
Bags grain,	1
Bags shot,	½
Ballast, per ton,	25
Bale rope, per coil,	3
Cultivators,	6¼
Cornshellers,	6¼
Cambooses,	20
Cheese, per hundred pounds, in bulk,	2
Carriages of four wheels,	1 00
Carriages of two wheels,	50
Chairs, (sitting)	1

	$ cts.
Carboys vitriol,	3
Cannon Carriages,	3
Cordage, per coil,	3
Cannons of six hundred pounds and under,	25
Cannons over six hundred pounds,	50
Cables, (chain) per ton,	25
Coal, per ton,	35
Crates crockery, onions, &c.,	10
Cabbages, per hundred,	12½
Casks crockery, coffee,	8
Casks cheese,	4
Casks porter, six dozen and upwards,	8
Cattle, bulls, oxen, cows,	25
Demijohns, liquor,	2
Demijohns, empty,	1
Furniture, tables, bureaus, &c.,	6
Fish, dry, per hundred pounds,	2
Furnaces, portable,	2
Grain in bulk, barley, corn, peas, wheat, and other kinds, per hundred bushels,	25
Hams, each,	½
Hogshead liquors, molasses, oil, &c., eighty gallons and upwards,	10
Hogsheads, sixty gallons and upwards,	8
Hogsheads sugar, one thousand pounds and over,	12½
Hogsheads sugar, under one thousand pounds,	8
Hogsheads coffee, seven hundred pounds and over,	10
Hogsheads coffee, under seven hundred pounds,	8
Hogsheads dry goods,	12½
Hampers bottles,	6
Hampers potatoes,	2
Horses, mules, jackasses, &c.,	37½
Iron, bar and pig, per ton,	25
Iron, hollow ware, and other castings, each under forty pounds weight,	1
Iron, hollow ware, over forty pounds weight, per hundred pounds,	2½
Iron grates, stoves, &c.,	6
Iron pots, kettles, and ovens with covers, dogs per pair, wagon boxes, per set, to be considered as one piece,	1½
Jugs, jars, and other clay and stone ware,	½
Jugs pickles, grapes, raisins, &c.,	1
Kegs nails, tobacco,	3
Kegs, fifty pounds and under,	2
" over fifty pounds,	3
Kegs liquor, twenty gallons and under,	2
Kegs powder, per twenty five pounds,	2
Kegs biscuit, crackers, lard, &c.,	1
Kegs paints, and others, same size,	1

	$ cts.
Kegs shot, lead, &c., per hundred pounds,	1
Lumber, timber, boards and other sawed lumber, per thousand superficial feet,	30
Lumber, mahogany, per thousand superficial feet,	40
Lumber, pipe and hogshead staves, per thousand,	30
Lumber, barrel staves, per thousand,	20
Lumber, heading for pipes and hogsheads,	50
Lumber, heading for barrels,	25
Lumber, shingles,	12½
Lumber, reeds and hoops, per thousand,	25
Lumber, laths,	12½
Lumber, light wood, cedar posts and other logs, each,	½
Nests tubs,	3
Onions, per one hundred ropes,	12½
Oranges, per thousand,	12½
Pipes liquor, one hundred gallons and upwards,	12½
Pipes liquor, of sixty gallons and upwards,	8
Pipes liquor, halves, under sixty gallons,	6
Pipes liquor, quarters, under forty gallons,	5
Pipes liquor, eighths, under twenty gallons,	3
Ploughs and cultivators,	6¼
Pine apples, per hundred,	6
Potatoes, per hundred bushels,	25
Paper, bundle of two reams,	5
" printing,	2
Paper, wrapping, one ream, large size,	2
Paper, wrapping, small, per ream,	1
Paper, writing, per ream,	1
Quarter casks, under forty gallons and over twenty,	5
Salt in bulk, per hundred bushels,	25
Salt in bags, per bushel,	½
Stones, ballast and paving, per ton,	25
Stones, mill, large, each,	25
Stones, mill, small, each,	12½
Stones, grind,	1½
Stones, quern,	6
Stones, marble, per ton,	50
Sheep, each,	6¼
Sofas, each,	12½
Settees, each,	10
Stills, two hundred gallons and over,	25
Stills, under two hundred gallons,	12½
Sugar boilers, large size,	12½
Sugar boilers, small size,	6¼
Tobacco in hogsheads,	20
Tobacco in kegs and boxes,	3
Tierces goods, sixty gallons and under,	8
Tierces goods, forty gallons and under,	5
Tierces rice and halves,	4

	$ cts.
Trunks goods,	4
Trunks, empty,	3
Tea chests, fifty pounds and upwards,	5
Tea chests, under fifty pounds,	3
Tea chests, under twenty pounds,	2
Wagons, large two-horse,	50
Wagons, small one-horse,	25
Wheelbarrows, each	6¼
Every other article in proportion to the foregoing rates.	
Goods lying on wharf more than two nights after two working days, to be subject to storage rates.	
Storage. Storage on cotton, per week, for the first and last week,	8
and for each intervening week,	5
Rice, per week,	6
Tobacco, per hogshead,	20
Every other article, the same as its wharfage.	
Dockage. Dockage of vessels, per day, under one hundred tons, employed,	50
Dockage of vessels under one hundred tons, when idle,	1 00
Dockage of vessels over one hundred tons, employed,	75
Dockage of vessels, when idle,	1 50

WHARF HEADS.

State Law, Assented to December 22d, 1857.

AN ACT to grant to the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, certain lines of Wharf Heads therein named.

Line of wharf head at the entrance of the channel of the Savannah river, granted by the State to the City of Savannah.

No. 581. (1.) *Be it enacted by the General Assembly of Georgia*, That all the rights and interest of the State of Georgia in and to the line of wharf head recently erected at the entrance of the channel of the Savannah river, between Hutchinson and Fig Islands, by the General Government, are hereby transferred, granted and set over unto the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, any law to the contrary notwithstanding.

WIDTH OF STREETS AND SQUARES.

(*Prepared by John B. Hogg, City Surveyor, 1st Feb.*, 1858.)

No. 582.

Name of Streets.	Feet.	Name of Streets.	Feet.
Abercorn,	75	Jones,	95
Anderson,	40	Jones, continued,	60
Ann,	30	Laurel,	30
Arnold,	40	Liberty,	130
Barnard,	75	Liberty, continued	85
Bay,	95	Lincoln,	50
Bay, continued,	65	Lumber,	60
Berrien,	60	Margaret,	51
Boundary, (East,)	40	McAllister,	40
Boundary, (West,)	40	McDonough,	75
Broad, (East,)	100	Mill,	40
Broad, (South,)	140	Minis,	60
Broad, (West,)	100	Montgomery,	75
Broughton,	75	New,	40
Bryan,	37 6	Orange,	60
Bryan, continued,	40	Perry,	40
Bull,	75	Pine,	30
Canal,	30	Poplar,	30
Charlton,	60	President,	75
Charlton, continued,	50	Purse,	30
Congress,	37 6	Price,	50
Drayton,	45	Railroad,	50
Farm,	66	Randolph,	60
Floyd,	37 6	Reynolds,	60
Gaston,	75	River,	25
Gaston, continued,	40	Roberts,	50
Gordon,	60	State,	37 6
Gwinnett,	50	Stewart,	50
Habersham,	75	St. Gaul,	30
Hall,	80	St. Julian,	75
Harris,	60	Stone,	50
Harris, continued,	40	Taylor,	60
Harrison,	40	Taylor, continued,	40
Houston,	75	Walnut,	30
Hull,	40	Wilson,	45
Huntingdon,	75	Wayne,	60
Huntingdon, continued,	30	Wayne, continued,	60
Indian,	66	Whitaker,	45
Jackson,	30	William,	51
Jefferson,	51	York,	37 6
Joachim,	40	Zubly	40

Contents of Squares.

Names of Squares.	Acres.	Roods.	Perches	Names of Squares.	Acres.	Roods.	Perches
Calhoun,	2	1	4	Monterey,	2	1	4
Chatham,	2	1	4	Oglethorpe,	1	3	34
Chippewa,	2	3	1	Orleans,	1	3	38
Columbia,	1	0	34	Pulaski,	2	1	4
Crawford,	1	0	37	Reynolds,	1	3	38
Elbert,	1	0	37	St. James,	1	3	34
Ellis,	1	3	38	Troup,	1	1	26
Franklin,	1	0	34	Warren,	1	0	34
Greene,	1	0	34	Washington,	1	0	34
Johnson,	2	2	35	Whitfield,	1	1	26
Liberty,	1	0	34	Wright,	1	3	33
Lafayette,	2	1	4	Forsyth Place,	10	2	36
Madison,	2	1	4	Military Parade Gro'd,	19		

WITNESSES.

(*See page* 215, *No.* 222.)

WOODEN BUILDINGS—WORK SHOPS.

Ordinance 28th March, 1839.

Erecting or removing work shops, &c.

No. 583. (1.) It shall not be lawful for any person or persons to raise, erect, construct or build, (amended, see No. 584,) or remove from one place to another, any work shop of wood, or any bakery or public oven, for baking within the following limits, to wit: between East Broad street and West Broad street and between South Broad street and the river Savannah: *Provided* nothing herein contained shall preclude the erection of temporary work shops to aid in the erection of permanent buildings.

Temporary work shops.

Penalty $100 a day.

(2.) Any person erecting any work shops or bakeries as described in the first section of this Ordinance, shall be liable to a fine of one hundred dollars for each day the same shall remain, and the same shall be removed by the owners of said shops or bakeries after ten days' notice, and if they refuse, then the same shall be immediately removed by the Marshal at the expense of the owners.

Ordinance 15th August, 1839.

Title of above Ordinance altered and amended.

No. 584. (3.) The title of an Ordinance entitled an Ordinance to prohibit the erection of wooden work shops or bakeries of any kind within the old limits of the City of Savannah, and for other purposes, passed on the 28th day of March, 1839, be altered and changed so as to read, an Ordinance to prohibit the erection or use of wooden work shops or bakeries of any kind within certain limits in the City of Savannah, and that said Ordinance be so amended as to prohibit any person, under the penalty mentioned therein, from hereafter converting any building within said limits, into a bakery or work-shop, or from using any building already erected for such purpose.

(*See Title "Fire," page* 148 *to* 152.)

WORK HOUSES, LEWD HOUSES, TAXES, BANKS.

State Law, Assented to December 22d, 1857. Joseph E. Brown, Governor.

AN ACT, To authorize the City Council of Augusta and Savannah, to establish Work Houses in their respective Cities, and to empower them to affix imprisonment and labor, in said Work Houses as a penalty for violation of the City Ordinances, and for other purposes.

City Council authorized to erect a work house.

No. 585. (1.) The City Council of Augusta, are hereby authorized to erect a Work House, within the limits of the City of Augusta, and to pass such Ordinances in relation to the Government of said Work House, and to adopt such rules and regulations in relation thereto as may be necessary, or proper, or convenient in their discretion.

Adopt rules, &c.

To affix a penalty for violation of any City Ordinance.; imprisonment and labor not exceeding 6 months.

(2.) The said City Council of Augusta, are hereby empowered to affix as a penalty for a violation of any City Ordinance imprisonment and labor in said Work House, for a term not exceeding six months, and are hereby vested with full authority to enforce the same.

To pass all Ordinances relative to tippling houses, lewd houses, &c.

(3.) The said City Council of Augusta, are hereby further empowered to pass all Ordinances, in relation to keeping open tippling houses on the sabbath day in said City, and in relation to lewd houses or houses of ill fame, for the purpose of suppressing them in said City, and in relation to selling or furnishing intoxicating liquors to slaves or free persons of color in said City, and to tax all real estate lying within the corporate limits of said City, and all banking capital used or employed in said City, for the support of the City government.

Furnishing liquor to slaves or free negroes. To tax real estate, banking capital, &c.

Above provisions extended to the City of Savannah.

(4.) The provisions of this Act be and the same are hereby extended to the City of Savannah, and the City Council of Savannah are hereby invested with the powers and authority in reference to the City of Savannah hereinbefore given to the City Council of Augusta.

APPENDIX.

CONTAINING

THE CITY CHARTERS, THE LAST STATE LAW IN REFERENCE TO THE CITY COURT, THE RESOURCES OF THE CITY OF SAVANNAH.

CITY CHARTERS.

State Law, Assented to May 1st, 1760.

AN ACT, for the better regulating the town of Savannah, and for ascertaining the common thereunto belonging.

No. 586. (2.) That the common appertaining to the said town, extending southerly from the extremity of the Bluff on the river Savannah, to the north line of the garden lots, and westerly from the west line of the garden lots, lying east of the said town to the east line of the lots lately laid out between Musgrove's Creek and the said town, including all the squares, streets, lanes, and passages, described in the plan of the said town in the Surveyor General's office, and have been heretofore accustomed or made use of by the inhabitants of the said town, shall be and continue the common property of the lot holders in the said town, and shall not be aliened or granted away for any purpose, whatsoever, than by act of the General Assembly.

Town common ascertained.

State Law, June 9th, 1761.

AN ACT, for amending an act entitled "An act for the better regulating of the town of Savannah, and for ascertaining the common thereunto belonging.

No. 587. (1.) WHEREAS, by an act of assembly passed the first day of May, in the year of our Lord one thousand seven hundred and sixty, entitled, "An act for the better regulating the town of Savannah, and for ascertaining the common thereunto belonging," the lots theretofore allotted for the use of the public, and on several of which buildings have been erected, where not ascertained, whereby the inhabitants of Savannah

Preamble.

may be deprived of the benefits intended them by such allotments, and unnecessary disputes, and suits at law may arise for want of such lots being ascertained. *Be it therefore enacted*, That the several lots hereinafter mentioned, and particularly described in the plan of the town of Savannah in the Surveyor General's office of this province, and to which reference may be had, shall be and continue for the uses and purposes to which by this act they are respectively appropriated, and shall not be aliened or granted away to, or for any other use or purpose whatever, unless by act of the General Assembly, that is to say, the lot D, whereupon the church now stands, as also the lot E, whereupon the parsonage-house now stands, shall be and continue for the uses and purposes to which they are respectively appropriated and allotted in and by an act entitled, "An act for constituting and dividing the several districts and divisions of this province into parishes, and for establishing religious worship therein according to the rites and ceremonies of the church of England, and also for empowering the church wardens and vestry men, of the respective parishes, to assess rates for the repair of churches, the relief of the poor and other parochial charges;" C, whereon a prison formerly stood, shall be and continue for the use and purpose of a public jail or prison, and for the use of the keeper of the same; the lot H, whereupon the court house now stands, shall be and continue for the use and purpose of a court house for this province; the lot S, whereupon the filature now stands, shall be, and continue for the use of a public filature; the lot V, whereupon the state house now stands, shall be and continue for the use and purpose of a state house, for this province; as also the water lots at the end of every street, also sixteen acres of land laid out for the use of the public, joining the common of the said town, and known by the name of the Spring, shall be held, deemed, and reputed, as public lots and lands, and reserved for the use of the public only.

Lots herein named set apart to certain uses.

State Law, March 4th, 1762.

Preamble.

No. 588. (1.) WHEREAS, in and by an act of the second General Assembly of this province, entitled "An act for the better regulating the town of Savannah, and for ascertaining the common thereunto belonging," the said common is ascertained, and declared, to be the common property of the lot holders of the said town, and not to be aliened or granted away for any purpose whatsoever; other than by act of the General Assembly: *And whereas*, the exchanging a small part of said common, consisting of about fifteen acres, for four garden lots severally joining to other parts of the said common, and to become a part thereof, will not only enlarge the common of said town, but also render it more complete and uniform: *Be it therefore enacted*, That from and after the passing of this act, it shall and may be lawful to and for the commissioners named and appointed in and

by the said recited act of the General Assembly, by any fit deed or conveyance in the law, by them, or any three of them, to be made and executed, to grant, alien and convey unto his Excellency James Wright, Esq., or to any person or persons for his use, and to his and their heirs and assigns forever, all that part of the said town-common on the south-east boundaries of the common, of the town of Savannah, adjoining the garden lots number seven, eight, thirteen and fourteen, extending on a direct line twenty-five chains, and course of the garden lots to the eastern road, and from the upper westernmost corner of the late trustees' gardens on a direct line and course of the garden lots aforesaid, fourteen chains to the eastern road, and bounded to the northward by the said trustees' gardens, and particularly described by the letters A, B, C and D, in the plan hereunto annexed, containing fifteen acres more or less, he the said James Wright first granting and conveying, or causing to be granted and conveyed unto the said commissioners all those four garden lots containing together twenty acres, more or less, situate southward of the said common, and adjoining thereunto, and particularly described in the said plan to this act annexed, by the numbers nineteen, twenty, thirty-one and thirty-two, to hold the same unto the said commissioners and their successors forever, as part and parcel of the common of the said town of Savannah, for the use of the lot holders thereof.

Commissioners of the town authorized to exchange fifteen acres of the common for four garden lots.

(2.) That from and after the alienation and exchange respectively made of the said part of the said common hereinbefore described for four garden lots in manner as before mentioned, the said tract of fifteen acres, more or less, described as aforesaid in the said plan by the letters A, B, C and D, shall and is hereby declared to be severed from the said common, and become and continue the absolute property of the said James Wright, or other person, for his use, and his or their heirs or assigns forever.

Which property to become the property of James Wright.

(3.) And that the said four garden lots before mentioned and described, shall from thenceforth be and continue as part and parcel of the said common of the town of Savannah, for the use of the lot holders of the said town, to all intents and purposes whatsoever, as any other part of the said common is, according to the true intent and meaning of this Act; anything in the said recited Act contained to the contrary notwithstanding.

And the garden lots to be a part of the common.

State Law, March 6th, 1766.

Preamble.

WHEREAS, in and by an Act of the fourth General Assembly of this province, entitled, "An Act for regulating the town of Savannah, and for ascertaining the common thereunto belonging," the said common is ascertained and declared to be the common property of the lot holders of said town, and not to be aliened or granted away for any purpose whatever, otherwise than by Act of the General Assembly. And whereas, Henry Ellis, Esq., late Governor of this province, had prior to the

passing of the said Act, that is to say, on or about the seventh day of February in the year of our Lord one thousand seven hundred and fifty-eight, obtained his late majesty's grant, under the great seal of the said province, to him, his heirs and assigns, forever, for a lot of land, situate part on the bay, and part on the common of the said town of Savannah, containing one hundred and twenty feet in front, and four hundred and ninety feet in depth west, and four hundred and sixty-five feet in depth east. And whereas, the same is since by purchase from the said Henry Ellis, Esq., become vested in the honorable William Simpson, Esq. And whereas part of the said lot may hereafter be of general benefit, for the conveniency of a street or passage from the bay of the said town to the hamlets of Yamacraw and Ewensburgh, and would now, if stopped up or built upon, be of great detriment to the public, and the said William Simpson, being willing to exchange the part of the said lot convenient for the above intended street or passage for an adequate proportion of land on the common to the westward of and adjoining his said lot.

Commissioners empowered to exchange part of the town common, for other lands adjoining.

No. 589. (1.) *Be it therefore enacted*, That immediately after the passing of this Act, it shall and may be lawful to, and for the Commissioners named and appointed in and by the said recited Act of the General Assembly, by any fit deed or conveyance in the law, by them, or any three of them, to be made and executed, to grant, alien, and convey unto the said William Simpson, Esq., and his heirs and assigns, forever, a part of the said common of Savannah to adjoin westward to the lot of the said William Simpson, and to contain thirty feet in width, and three hundred and six feet in depth and particularly described by the letters, F, G, H, I, in the plan hereunto annexed, he the said William Simpson, first granting and conveying unto the said Commissioners, a part of his lot aforesaid, containing forty-seven feet in width, and one hundred and twenty feet in depth, and particularly described in the said plan hereunto annexed by the letters, A, C, E, F, to hold the same unto the said Commissioners, and their successors Commissioners forever, as part and parcel of the common of the said town of Savannah, for the use of the lot holders thereof.

The said lot to be severed from the common, and that obtained in lieu thereof to be part of the common.

(2.) That from and after the alienation, conveyance and exchange respectively made of the said part of the said common, for part of the lot of the said William Simpson, as hereinbefore mentioned, the said part of the said common, containing thirty feet in width, and three hundred and six feet in depth, and described in the plan aforesaid by the letters, F, G, H, I, shall and is hereby declared to be severed from the said common, and become and continue the absolute property of the said William Simpson, to and for the use of him, his heirs and assigns forever; and that the part of the lot of the said William Simpson, containing forty-seven feet in width, and one hundred and twenty feet in depth, as before mentioned and described, shall from

thenceforth be and continue to be part and parcel of the said common of the town of Savannah, to all intents, constructions and purposes whatever, and as any other part of the said common is or may be, according to the true intent and meaning of this Act; any thing in the Act hereinbefore recited, to the contrary notwithstanding.

State Law, May 10th, 1770.

Preamble.

No. 590. (1.) WHEREAS, in and by an Act of the General Assembly passed the ninth day of June, in the year of our Lord one thousand seven hundred and fifty-one, entitled "An Act for amending an Act for the better regulating the town of Savannah, and for ascertaining the common thereunto belonging," it was enacted, That the plan to that Act annexed should be thenceforth taken for and deemed to be the true plan of the said town, and that the several references made therein to the plan in the Surveyor General's office should from thenceforth be taken and deemed to be made to the plan thereunto annexed, anything in the said Act contained to the contrary notwithstanding: And whereas, in the plan to the said Act annexed the several wharf lots under the bank or bluff of the said town and common of Savannah, and the lines or limits of the said common were not laid down or ascertained, for want of which many disputes, controversies and suits of law may arise; And whereas mistakes were made in the figures respecting the width of several of the streets and lanes in the said town:

What plan to be deemed the true one of the town.

Be it therefore enacted, That the plan annexed to this act shall from henceforth be held, taken for and deemed the true plan of the said town and common of Savannah, including the several wharf lots under the bank or bluff of the said town and common, and that the several references made in the said recited acts to the plan in the Surveyor General's office shall be henceforth taken and deemed to be made, and shall be made and had to the said plan hereunto annexed, any thing in the said acts to the contrary notwithstanding.

State Law, February 10th, 1787.

Savannah and its Hamlets divided into seven wards.

No. 591. (1.) WHEREAS, the town of Savannah and the hamlets thereof require regulation, *Be it enacted by the freemen of the State of Georgia in General Assembly met, and by the authority of the same*, That the said town and hamlets be divided into seven wards, the town as usual to consist of six, viz: Percival, Derby, Anson, Reynolds, Heathcote and Dicker wards and the hamlets of Ewensburgh and Yamacraw, shall constitute the seventh, and be known by the name of Oglethorpes' ward.

To rent or lease all lots and sixteen acres called the Spring and the Vendue house.

(5.) That the wardens to be chosen under this act, or a majority of them, are hereby vested with full power and authority to let, lease, or rent at public sale, any lot or lots of land including the lot of land containing sixteen acres, called the Spring, westward of the said town of Savannah, and the building com-

monly called the Vendue-house, and the moneys arising therefrom shall be applied by the said board of wardens, to the carrying this act into execution.

Boundary of certain lots to be established by the President and Board of Wardens.

(8.) WHEREAS, it appears by the petition of a number of persons owning wharf lots in the said town of Savannah, that the boundary of the back part of said lots fronting the Bay street of said town, was established by a law passed under the British government, and a plan thereof was recorded in the Surveyor General's office of the State, (then province) which plan was lost during the late war, in consequence of which the owners of said lots are put to great difficulty in placing their buildings: *Be it enacted by the authority aforesaid.* That the president and board of wardens, appointed under this act, are fully empowered to fix the boundary of said lots, in such manner as to them may appear just and equitable; and that a plan thereof be recorded in the Surveyor General's office, and also in the office of the clerk of the county of Chatham.

Plan thereof to be recorded.

Board of Wardens to regulate the public docks.

(9.) That the said board of wardens shall have full power to regulate the public docks between the wharfs so as to prevent the injury which is now done to the navigation of the said river, by the docks being open.

State Law, Dec. 23d, 1789.

To be styled the City of Savannah.

No. 592. (10.) *And whereas,* by an act of Assembly, passed the tenth day of February, one thousand seven hundred and eighty-seven, entitled "An Act for better regulating the town of Savannah, and the hamlets thereof," it is therein enacted, That certain persons, styled wardens, are to be elected in the said town annually by the proprietors of lots or houses, who are to elect from such wardens a person, that is styled President of the Board of Wardens: *Now be it enacted,* That the said town of Savannah shall be hereafter known and called by the style and name of the City of Savannah; and that on the first Monday in March, one thousand seven hundred and ninety, and thereafter annually, the owners or occupiers of any lot or house in the said City or hamlets shall, under the direction of any two or more Justices in the said City, elect an Alderman for each ward, mentioned in the said Act, from among the citizens generally, who shall, on the Monday following after the election of such Aldermen, choose from their own body a Mayor, and from and after the election of such Aldermen and Mayor, their style shall be the Mayor and Aldermen of the City of Savannah and the Hamlets thereof: and are hereby empowered to carry into execution the powers intended by the said Act, and shall be a body politic and corporate, to have and to use a common seal, with power to sue and be sued, plead and be impleaded, and may acquire, have, hold and enjoy real or personal property, for the use and benefit of the said City and hamlets.

Election of Mayor and Aldermen.

Their style.

Their powers.

State Law, January 7th, 1795.

Preamble.

No. 593. (1.) WHEREAS, the limits of the jurisdiction of the Corporation of Savannah, over part of the Hamlets of the said City, has never been fully and clearly defined: Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That all the lots in that part of the suburbs of the said City, called Carpenter's Row, and all those in the trustees' gardens, including the magazine at Fort Wayne, shall be subject thereto, and shall be considered as a part of the ward to which it is most contiguous.

Limits of the Corporation of Savannah further defined

State Law, Assented to 22d Dec., 1808. (Clayton's Digest, page 489.)

AN ACT, to extend the limits of the City of Savannah.

Preamble.

WHEREAS, doubts have arisen as to the western limits of the City of Savannah; for remedy whereof,

Limits of the City of Savannah defined.

No. 594. (.1) That immediately from and after the passing of this act, the limits of the City of Savannah shall be, and they are hereby extended as far westward as the east side of Musgrove creek, running thence a southern course as far as the north side of Spring Hill road, and thence along said road until intersected by the known boundary of said City, leaving all the improvements on the south side of the said road, without the limits of said City.

Regulations of the Corporation extended to certain limits.

(2.) That said boundaries be, and hereby are declared to be within the limits of the said City of Savannah, and under all the Ordinances and regulations of the Corporation of said City, any law to the contrary notwithstanding.

(*See No.* 109, *page* 117, *also, No.* 603.)

State Law, Assented to December 21st, 1820. Dawson's Compilation, page 427.

AN ACT to grant to the citizens of Savannah the right of erecting, at their own expense and cost, a public Market on a certain square of ground in said City called Ellis's Square, allotted and appropriated for the use and convenience of a public Market by an Act passed April 7th, 1763, now in force; to be absolutely vested free of any charge in the Corporation of said City, and for the sole benefit of the same.

Preamble.

WHEREAS, by the late distressing conflagration at Savannah, the public market of that City, situate on a spot of ground called Ellis's square, and appropriated by the aforesaid Act of April 7th, 1763, for the use and convenience of a public market, was entirely consumed: and whereas, a large number of respectable inhabitants of the City of Savannah have petitioned the General Assembly of this State to grant them the right of erecting, at their own expense, a public market on said square, which they are willing [shall] be absolutely vested in the Corporation of Savannah, for the sole and separate use of said City, and also the rents, issues and profits thereof.

The citizens of Savannah authorized to erect, at their own expense and cost, on Ellis's square on the market ground, a public market.

No. 595. (1.) That from and immediately after the passing of this Act it shall and may be lawful for the citizens of Savannah to erect, or cause to be erected, at their own proper charge, expense and cost, on a spot of ground in said city called Ellis's square, allotted and appropriated for the use and convenience of a public market by the aforesaid Act of 7th April, 1763, now in force, a public market; *Provided*, that in the erection of said market, no more ground is occupied on said square than that upon which the former market was erected, and also that the said market when so erected shall be vested in the Corporation of said City of Savannah, free of any charge, cost or expense, and that all rents, issues and profits thereof to be applied to the use of said City.

Proviso.

Said market, when erected, vested in the Corporation of said City, free of expense.

The right forfeited unless said market be commenced and finished in a given time.

(2.) That the right herein granted to the citizens of Savannah shall be deemed and considered as forfeited, unless the said market shall be commenced by the first day of April next, and completed by the 20th day of December, 1821.

State Law, Assented to December 3d, 1821. Dawson's Compilation, page 436.

The Corporation authorized to allow a salary to the Mayor.

No. 596. (2.) The Corporation of the City of Savannah shall have full power and authority and the same is hereby given unto the Corporation aforesaid, to allow the Mayor a salary as compensation for his services, and which salary shall be fixed by the said Corporation, payable out of the public treasury of said City.

State Law, Assented to December 21st, 1822.

Preamble.

The Mayor and Aldermen of the City of Savannah having been prohibited, by an Act passed on the first of December, seventeen hundred and sixty, from alienating or granting away for any purpose whatsoever, than by an Act of the General Assembly, the common appertaining to the said town; and it being represented to the Legislature that the said Mayor and Aldermen, to the great advantage of the lot holders, and with much profit to the treasury of said City, have at different times heretofore alienated, granted and conveyed certain parts or lots of the said common; and justice requiring that the agreements made by the Corporation with the purchasers be confirmed.

All conveyances heretofore made by the Mayor and Aldermen legalized and made valid.

No. 597. (1.) That all and singular the conveyances heretofore made of the said town common under the authority of the Mayor and Aldermen, whether in fee-simple or otherwise, shall be, and they are hereby declared to be legalized, confirmed, and made valid, to all intents and purposes, according to the covenants, limitations and agreements of the same.

State Law, Assented to Dec. 24th, 1825.

AN ACT, entitled An Act to amend and consolidate the several Acts which have been passed in relation to the powers and privileges of the Corporation of the City of Savannah and the hamlets thereof, and for the purposes herein mentioned.

Preamble.

WHEREAS, the various acts of the Legislature passed in relation to the incorporated and chartered rights of the City of Savannah and the hamlets thereof are subjects of much difference of opinion, thereby occasioning much embarrassment, and requiring frequent appeals to legislative interference, and in relation to concerns purely municipal and local:

Jurisdictional limits of the City of Savannah extended one mile, to prohibit the cultivation of rice.

No. 598. (1.) That from and after the passage of this act the jurisdictional limits of the City of Savannah and the hamlets thereof shall be extended to one mile beyond the present boundary, so as to enable the Mayor and Aldermen for the time being to pass an ordinance or ordinances prohibiting the cultivation of rice within the aforesaid extended limits; and if any person so prohibited in the cultivation of rice within the limits of the said City shall feel himself aggrieved by the said prohibition, he shall have the privilege of appeal to a special jury before the Superior Court of Chatham County; and the point at issue shall be: Is the cultivation of rice in the place prohibited injurious to the health of any portion of the citizens or inhabitants of Savannah; and if it shall be determined that the said cultivation in said prohibited place be not injurious to the health of said citizens or inhabitants of said City, then and in that event the said prohibition shall be null and void, otherwise to remain in full force and vigour; *Provided nevertheless*, that nothing herein contained shall authorize the said Mayor and Aldermen to impose any tax upon persons or property in the aforesaid extended limits.

Persons prohibited to have the right of appeal to a special jury before the Superior Court of Chatham Co.

Proviso.

Mayor and Aldermen to have control of shops, &c., within extended limits.

(2.) That the said Mayor and Aldermen shall have the control and regulation of all shops, stores or bar-rooms that are or hereafter may be erected within said extended limits.

Mode, &c., of electing Aldermen not changed.

(3.) That the mode, manner, and time for the election of Aldermen, together with the qualification of voters and candidates, be and remain the same as are now established by law.

To regulate the election of officers of Council, and fix their fees

(4.) That the said Aldermen are hereby authorized to regulate the time, mode, and manner of electing the officers of council, to establish their fees or salaries, and prescribe their duties.

The election of officers for the port and river of Savannah authorized.

(5.) That the said Mayor and Aldermen shall have power to elect a health officer being a physician, harbor-master, port-wardens, commissioners of pilotage, and any other officer or officers which may be found necessary for the police and good government of the harbor and river of Savannah, and also to enact such Ordinances, rules and regulations as may be required to impose and carry into full force and effect the duties which may be required of such officer.

Mayor and Aldermen to carry into effect quarantine laws.

(6.) That the said Mayor and Aldermen shall have power to carry into effect within the County of Chatham all the quarantine laws which now are or may be hereafter enacted, and also to enforce all State laws committed to their enforcement by such Ordinances, rules and regulations as may be required and deemed necessary; and shall have full power to remove all nuisances within the limits of the corporation.

Removal of nuisances.

Their powers in regard to the taxes and assessment upon real and personal estate.

(7.) That the said Mayor and Aldermen, or a majority of them, are hereby authorized to raise, by a poll-tax upon all such persons as reside within the corporate limits of Savannah (except those as excepted as aforesaid,) or by tax and assessment upon all real and personal estate within the corporate limits as aforesaid, any sum or sums of money necessary for the use and good government of the said City of Savannah and the hamlets thereof in all matters of internal police and general safety, as respects health, fires, City guard, salaries of officers, and any other exigences usual to incorporated Cities; and to enforce the receipts and collection of such assessments and taxes [by the proper officers in such manner as the assessments and taxes] of the State are collected and enforced.

May borrow money and pledge the funds of the Corporation for its redemption.

(8.) That the said Mayor and Aldermen, or a majority of them, shall have the power and authority to borrow money or contract loans for the use of the City, both from bodies corporate or from individuals, either residing in or out of the State, and to pledge the funds or property of the Corporation of the City of Savannah and the hamlets thereof for the redemption of such loan or loans; and also shall have power to purchase any real or personal estate for the use and benefit of the Corporation, and sell and dispose of all or any part of the property, domain, land, or lots, or any personal property to the said corporation belonging or appertaining, by lease for years or fee-simple, as to the said Mayor or Aldermen, or a majority of them, shall seem meet and proper.

Purchase and sell property.

Acts 1855-6 p. 290

May remove encroachments on the river.

(9.) That the said Mayor and Aldermen, or a majority of them shall have power to remove all encroachments by wharves on the river Savannah.

Shall have the power of Justices of the Peace to suppress riots, &c.

(10.) That the Mayor or any one of the Aldermen shall be vested with the powers of Justice of the Peace, so as to enable him or any one of them, within the corporate limits of the City of Savannah or the Hamlets thereof, to suppress riots or breaches of the peace, arrest, confine, or bind over offenders against the laws of the State to answer for such offence before the proper tribunal.

May pass by-laws, &c.

(11.) That the said Mayor and Aldermen, or a majority of them, shall have power and authority to make such by-laws and regulations, and to inflict and impose such pains, penalties, and forfeitures for the violation of the same, as shall be conducive to the good order and government of the said City of Savannah and the Hamlets thereof; *Provided*, *nevertheless*, that no fine or forfeiture for one individual offence shall exceed one hundred dollars; although the said Mayor and Aldermen, or a majority of them, may inflict and impose several and distinct fines or forfeitures, at the same meeting of Council, for several and distinct offences.

Fine not to exceed $100.

Fines forfeitures and penalties how to be collected.

(12.) That all fines, forfeitures, and penalties incurred and imposed by virtue of the authority granted in this Act to the said Mayor and Aldermen shall be levied and collected [recovered] by warrant of distress and sale of the goods and chattels, if

any to be found, otherwise of lands of such offenders, in manner and form as is now established by law; and in case of neither lands, goods, or chattels being found, it shall then be lawful for the said Mayor and Aldermen, or a majority of them, by execution duly issued, to imprison such offender or offenders in the common jail of Chatham County; *Provided*, *nevertheless*, that no imprisonment shall exceed ten days and nights. (*See Act of Dec. 27th*, 1847.) Proviso.

Corporation to have the sole government of taverns, &c.

(13.) That the Corporation of the City of Savannah and Hamlets thereof shall have the sole regulation and power of governing and directing taverns and granting licenses within its jurisdictional limits, under such rules and regulations as from time to time may seem advisable.

Authorized to appoint vendue masters.

(14.) That the said Mayor and Aldermen of the City of Savannah are hereby authorized to appoint and license annually such number of vendue masters for said City as they in their discretion may think proper, such vendue master first paying to the said Corporation the sum required by law.

Empowered to tax peddlars and other venders of goods, &c.

(15.) That the said Mayor and Aldermen are hereby empowered to tax and regulate the conduct of peddlars within the jurisdictional limits of the Corporation of Savannah, and to tax all and every person or persons vending any goods, wares or merchandise in the city of Savannah or hamlets thereof; *Provided*, *nevertheless*, that any license granted to a peddlar by the said Corporation, shall supersede the necessity of a County license within the City of Savannah and the Hamlets thereof. Proviso.

May appoint Inspectors, Measurers, Weighers and Gaugers.

(16.) That the said Mayor and Aldermen shall have power to pass Ordinances for the admeasurement and inspection of wood and lumber, and in inspection of all articles of merchandise and produce sold within the limits of the City of Savannah and the Hamlets thereof, to appoint inspectors, measurers, weighers, and gaugers for the purposes of carrying into effect all such Ordinances as may be passed by virtue of the authority hereby granted, to fix the fees of the same, and prescribe their duties in [such manner] as may be conducive to the good order and welfare of the City. And fix their fees.

To have the government of slaves and free persons of color within the City.

(17.) That the said Mayor and Aldermen shall have power to pass all Ordinances, rules and regulations necessary for the government of slaves and free persons of color within the City of Savannah and Hamlets thereof.

Their chartered and corporate rights confirmed

(18.) That all the [chartered and] corporate rights of the City of Savannah and the Hamlets thereof, as now existing and of full force and effect according to the laws of the State, be, and the same are hereby confirmed.

To regulate the police of the several markets.

(19.) That the Corporation of the City of Savannah and the Hamlets thereof shall have power to regulate the police of the several markets which now exist, or may hereafter exist within the jurisdictional limits of the same, by such fines, forfeitures, and penalties as to the majority of the said Mayor and Aldermen may seem just and reasonable.

No powers hereby granted to contravene the laws and constitution of this State.

(20.) That no power or powers hereby granted to the Corporation of the City of Savannah and the Hamlets thereof shall be so interpreted as to permit the said Corporation to pass any Ordinance, rule or regulation contravening the laws of the State or the constitution thereof.

State Law, Assented to Dec. 19th, 1828.

AN ACT, to amend an Act entitled An Act to authorize and provide for the building of an Arsenal in the City of Savannah, for the preservation and better security of the arms and munitions of war, the property of the State in said City.

All arms and ammunitions of war belonging to the Corporation of Savannah to be deposited in the Arsenal.

No. 599. (1.) That from and after the passing of this act, it shall and may be lawful for the corporation of the City of Savannah, or any and every volunteer corps now, or which may hereafter be raised in said City, to deposit in the arsenal about to be erected in said City all arms and munitions of war belonging to the said corporation, or any volunteer corps of said City now, or which may hereafter be raised therein.

State Law, Assented to Dec. 22d, 1829.

AN ACT, to extend the jurisdiction and powers of the Corporation of the City of Savannah for certain purposes, and to allow persons residing within the said limits to vote for Aldermen of the said City.

The jurisdictional limits of the City of Savannah extended one mile.

No. 600. (1.) That from and after the passage of this act, the jurisdictional limits of the City of Savannah and the hamlets thereof shall be extended to one mile beyond the present jurisdictional limits as fixed by law, for the purposes only which are hereinafter specified.

The Mayor and Aldermen to have control of all shops, &c., within the extended limits.

(2.) That the Mayor and Aldermen of the said City shall have the control and regulation of all shops, stores, or bar-rooms that now are or may hereafter be erected within the said extended limits, and shall have the sole regulation and power of governing and directing taverns and granting licenses for retailing liquors within such extended limits, under such rules and regulations as may from time to time seem advisable.

All persons within said limits entitled to vote for Aldermen.

(3.) That all persons residing within the said extended limits shall be entitled to vote for Aldermen of the said City and hamlets, in the same manner and upon the same conditions as if they resided within any of the wards of the said City; *Provided*, that nothing in this act shall be construed as to authorize the Mayor and Aldermen of the said City to impose any tax upon persons or property in the aforesaid extended limits, except taxes for licenses aforesaid, and fines imposed by any Ordinance of said corporation made to carry this act into effect.

Proviso.

State Law, Assented to 21st Dec., 1835. Pam. 1835, page 63.

AN ACT, to enable the corporation of the City of Savannah to obtain and collect the Jail Fees of the prisoners committed to the jail of Chatham county, to authorize the erection of a Tread-mill therein, and in the jail of Darien, and to subject offenders and negroes to work thereon, and to enable jailors of other jails to collect their jail fees.

WHEREAS, the said corporation, under the act of the 8th of December, 1834, is vested with the charge and control of the jail of Chatham County, and is obliged to provide necessaries for the prisoners therein confined, and it is but just that each County should bear the charge of its own prisoners whilst in said jail, or in any other jail in the State.

Jail fees for prisoners committed to jail on other than civil process or process from the City of Savannah to be settled for by the Inferior Courts periodically.

No. 601. (1.) That any and all prisoners heretofore or hereafter committed to said jail on other than civil process, or process from the corporate authorities of the City of Savannah, shall be a charge on the County from which said prisoner or prisoners was sent, and that the corporation of Savannah shall have authority to demand and receive from the respective inferior courts of such counties, periodical payments for the fees accruing on such prisoners; and it shall be the duty of such respective justices of the inferior courts of such Counties to make periodical settlements and payments to the said corporation; and persons confined in any other jail in this State shall be a charge on the County from which he or she was committed, and the jailor thereof shall be entitled in like manner to recover and receive periodical settlements and payments.

In case of neglect or refusal the Superior Court, on application, to compel payment.

(2.) That in case of neglect or refusal of any such inferior Courts to make such settlements and payments for fees heretofore due, or which shall hereafter accrue, it shall and may be lawful for the superior court of such county by mandamus or other process, on the application of said corporation or jailor, to compel such settlement and payment.

Erect tread-mill.

(3.) That the corporation of the City of Savannah shall have power to erect, in or about said jail a tread-mill or mills, on which negroes therein confined may be made to work in such manner and at such times as the said corporation may prescribe, with the approval of the Inferior Court of Chatham county.

State Law, Assented to Dec. 26th, 1835. Pam. 131.

AN ACT to incorporate the Savannah Poor House and Hospital.

Persons annually paying $5, &c., constituted a body corporate, &c.

No. 602. (1.) That Joseph Cumming, S. C. Dunning, Ralph King, John Gardner, Matthew Hopkins, Francis Sorrel, R. D. Arnold, P. M. Kollock, William R. Waring, Charles S. Henry, Samuel D. Corbitt, Samuel Philbrick, and Nicholas J. Bayard, and all other persons who shall annually pay the sum of five dollars or more towards the support of the said institution shall be, and they are hereby constituted a body corporate under the name and style of the Savannah Poor House and Hospital, with all the powers, rights, privileges and liabilities incident to a Corporation.

Election of managers.

(2.) That for the due conduct of the said Corporation there shall be elected by ballot on the first Monday in February next,

and on the first day of February annually thereafter, seven managers, and that at such elections a plurality of votes shall elect; and each person who shall have contributed the sum of five dollars or more to the purposes of said institution shall be entitled to vote.

Auction tax collected by the City and paid to the Hospital.

(3.) That from and after the passing of this Act the auction duties payable to the State in the County of Chatham be, and the same are hereby given and appropriated to the support of the said institution; and the same shall be collected by the Corporation of Savannah and paid over to the managers of the said institution: *Provided*, that the said appropriation may be by any future legislature withdrawn and withheld when considered proper so to do.

State Law, Assented to 27th Dec., 1838. Pam. 63.

AN ACT, to extend the limits of the City of Savannah, and to authorize the corporate authorities of said City to borrow money for works of internal improvement.

Corporate limits extended.

No. 603. (1.) That from and immediately after the passage of this act, the corporate limits of the City of Savannah shall be bounded as follows: on the south, by the present southern boundary line of said City prolonged; on the east, by a line parallel with Bull street, and extending from the eastern side of the mouth of the creek which bounds the wharf of the Eastern Wharf Company on the east, southwardly, to said prolonged line; and on the west, by Musgrove creek to the Augusta road: thence along the said road eastwardly to the point at which said road crosses the Savannah, Ogeechee and Altamaha Canal; thence south, on a line parallel with Bull street, to the said southern line of the City prolonged. (See No. 109, page 117.)

Authority over the waters of the Savannah river, &c.

(2.) That the corporate limits and authority of said City be, and they are hereby, extended over the waters of the Savannah river, and the land covered by said waters which lie south of Hutchinson's Island, west of the above described eastern boundary line of said City prolonged; northwardly to said Island, and east of a line parallel to Bull street, and extending from the western side of the mouth of Musgrove creek northwardly to said Island.

Ordinances, &c.

(3.) That the Ordinances, regulations and anthority, of the corporation of said City, and the jurisdiction of the Court of Common Pleas, and Oyer and Terminer, for said City, be, and they are hereby, extended and made of force, in and over said limits.

Police jurisdiction.

(4.) That the limits heretofore prescribed for the police jurisdiction of the corporate authorities of said City shall not be narrowed or restricted by any provisions contained herein, but the same shall be extended and continued, for the purposes of, and agreeably to, the provisions of the act passed 22d December, 1829.

(5.) That the Mayor and Aldermen of said City be, and they

are hereby authorized and empowered to obtain money on loan, on the faith and credit of said City, for the purposes of contributing to works of internal improvement. Borrow money.

State Law, Assented to Dec. 25th, 1843. Pam. 56.

AN ACT, to alter the time for the election of Mayor and Aldermen of the City of Savannah; to reduce the number of Aldermen; to make the Mayor elective by the people, and to prescribe his duties; and to provide for the election of certain officers therein named.

Mayor and 12 Aldermen how chosen.

No. 604. (1.) The Board of Mayor and Aldermen of the City of Savannah and hamlets thereof, shall hereafter consist of the Mayor and twelve Aldermen, to be chosen by those entitled to vote at said election; and that the next election shall be held on the first Monday in December, in the year one thousand eight hundred and forty-four, and annually thereafter on the first Monday in December; (now 2d Monday in October, see No. 611,) and that the present and all future boards of Mayor and Aldermen shall hold their offices until their successors are duly elected and qualified.

Designated separately on the ticket. Majority vote elects the Mayor; the 12 highest in number elected Aldermen.

(2.) The Mayor and the Aldermen shall be separately designated on the ticket; and the candidate for Mayor receiving a majority of the votes for that office, shall be declared elected; and the twelve who shall receive the highest number of votes for Aldermen, shall constitute the Board of Aldermen: *Provided*, that should any portion of the twelve receive an equal number of votes with others, not elected, then from these having the highest number of votes, the board of Aldermen on its first meeting, and after the members shall have been qualified, shall elect the number necessary to constitute twelve.

Oath of office.

(3.) The newly elected Mayor and Aldermen shall meet on the first Monday thereafter for organization; (See No. 611, sec. 6,) and each Alderman shall take the following oath: "I (A. B.) do solemnly swear (or affirm) that I will faithfully execute the duties of an Alderman of the City of Savannah, according to the laws of the State, and the ordinances of the City, to the best of my ability and understanding—So help me God." The same oath shall be administered to the Mayor substituting the word "Mayor" for an "Alderman." When organized according to the provisions of this Act, the board shall elect a Chairman, who shall, in case of the absence, death, or resignation of the Mayor, be vested with all his power and authority, and exceute all the duties pertaining to the office; and in the absence of both, a Chairman pro tem., with like powers and authority, shall be chosen by the board.

Chairman of Council. Chairman pro tem.

Duty and power of Mayor.

(4.) The Mayor shall examine the powers now vested in the Mayor of the City of Savannah, and which may hereafter be conferred upon him by the Ordinances of the City; shall exercise all the rights and powers of an Aldermen; shall preside at all meetings of this board; shall be entitled to vote on all elec-

Seven Aldermen and the Mayor constitute a quorum. Exception.

tions or appointments. A quorum for business shall consist of seven Aldermen and the Mayor or presiding Chairman, except in the months of July, August, September and October, when a majority of the Aldermen in the City shall suffice.

Election of City Officers.

(5.) The health officer and all such officers of the City, or appointments, as by law are required to be held in December, shall be held at such times as the Mayor and Aldermen shall prescribe.

State Law, Approved Dec. 27th, 1845. Pam. 72.

AN ACT to amend an Act entitled an Act to alter the time for the election of the Mayor and Aldermen of the City of Savannah; to reduce the number of Aldermen; to make the Mayor elective by the people, and to prescribe his duties; and to provide for the election of certain officers therein named, assented to twenty-fifth day of December, eighteen hundred and forty three, so far as regards the second, sixth and seventh sections of said act.

Election of Mayor.

No. 605. (1.) If at any time there should be more than two candidates for the office of Mayor of the City of Savannah, and no one candidate shall receive a majority of the votes for that office, then and in that case, the Board of Aldermen, after having completed its own organization, shall elect the Mayor from among those who were candidates before the people, for the office of Mayor, (see Act of Dec. 27th, 1847,) and in case of a vacancy in the office of Mayor, by death, resignation, or otherwise, the Board of Aldermen shall elect from their own body a Mayor, for the remainder of the term.

Vacancy.

Certain City Officers elected yearly at the first meeting of Council in January.

(2.) The sixth and seventh sections of the said Act be, and the same are hereby repealed; and that the officers therein named, to wit: the Treasurer of the City of Savannah, the Superintendent and Deputy Superintendent of the City Watch, the Marshal of the City, the City Constables and the Sexton, shall be elected at the first meeting of Council in January next, for the term of one year, and regularly thereafter, at the expiration of the said terms of office, and shall hold their office during that period, unless sooner removed by Council for misconduct or faithlessness in the discharge of their duties.

State Law, Approved Dec. 27th, 1847. Pam. 25.

AN ACT, to amend an Act to amend and consolidate the several acts which have been passed in relation to the powers and privileges of the corporation of the City of Savannah, and the hamlets thereof, assented to the 24th of December, 1825; and also to amend an Act entitled an Act to alter the time for the election of the Mayor and Aldermen of the City of Savannah and for other purposes therein mentioned, passed the 25th December, 1845.

Fines how collected.

No. 606. (1.) In all cases of fines, forfeitures and penalties incurred and imposed in the first entitled Act, it shall be lawful

for the Mayor of the said City of Savannah to collect the same by warrant of distress and sale of goods and chattels, or in case no goods and chattels can be found, it shall then be lawful for the Mayor of said City, by execution duly issued, to imprison such offender or offenders in the common jail of Chatham County: *Provided, nevertheless,* that no imprisonment shall exceed ten days and nights.

Imprisonment not to exceed 10 days and nights.

Election of Mayor.

(2.) Whenever the people of said City of Savannah shall fail to elect a Mayor, then and in that case, the Board of Aldermen which shall have been elected, and after their organization, shall proceed to elect a Mayor from the two who shall have received the greatest number of votes, at the election before the people.

State Law, Approved Dec. 10th, 1847. Pam. 221.

City watch exempt from militia duty.

No. 607. (1.) All officers and privates of the City Watch of Savannah shall be exempt from the performance of militia duty, under the peace establishment of this State.

State Law, Approved Dec. 8th, 1849. Pam. 83.

(*For sections* 1, *and* 2, *See No.* 392, *page* 321)

Powers of the Mayor and Aldermen.

No. 608. (3.) The Mayor and Aldermen of the City of Savannah and the Hamlets thereof, be and they are hereby vested with full power and authority, from time to time, to make, ordain and establish such by-laws, rules, regulations and ordinances as shall appear to them requisite and necessary for the security, welfare and convenience of the said City, or for preserving health, peace and good government within the present or future limits of the same; and that the said the Mayor and Aldermen be and they are hereby also vested with full power and authority to make such assessments and levy such taxes on the inhabitants of said City, or those who hold taxable property within the same, for the safety, benefit, convenience and advantage of the said City, as shall appear to them expedient, and enforce the payment of any and all such assessments and taxes by the proper officers of said Corporation, in the same manner as the payment of the assessments or taxes of the State is enforced.

Ordinances confirmed.

(4.) That all and singular the ordinances of said Corporation heretofore passed and now in operation for the laying and collecting of any tax or assessment, be and they are hereby adopted and confirmed and declared of full force.

Widen, open, &c., streets and lanes.

(5.) The Mayor and Aldermen shall have power and authority to widen, extend and straighten any street or lane in the City of Savannah, and shall also have power and authority to open, lay out and establish any new street or lane, within the present or future jurisdictional limits of the said City.

Five free-holders to assess damages, &c.

(6.) Whenever the said Mayor and Aldermen shall exercise the power delegated in the fifth section of this Act, they shall appoint five free-holders, who shall assess the damages sustained,

or the advantages derived by the owner or owners of the lots fronting on said streets or lanes, so widened, extended, straightened, opened, laid out or established, with power and authority to said Mayor and Aldermen to levy, collect and enforce the same. (*See No.* 610.)

Pavements or sidewalks.

(7.) Said Mayor and Aldermen shall have power to order such pavements or sidewalks as they may deem proper, and upon the failure of any person to comply with the same within the time prescribed, the said Mayor and Aldermen may have the same done, and levy and collect the expenses thereof by executions against the lands and goods and chattels of the owner of the lot, whether holding the same under leasehold title from the City, or by title otherwise derived.

Expenses how collected.

Mayor and Aldermen exempt from jury duty.

(8.) The Mayor and Aldermen of said City during their continuance in office be and they are hereby exempted from the performance of any and all jury duty.

Construction of this Act.

(9.) As often as any doubts shall arise in the construction of this Act, or any Act heretofore passed touching the City of Savannah, the same shall in all Courts of law and equity, and elsewhere, be construed and taken most favorably for said Corporation.

State Law, Approved Jan. 7th, 1852. Pam. 449.

AN ACT, to preserve the purity of public elections in this State, and to prevent Magistrates who hold county, or City, or town offices, from presiding at County, or City or town elections, so far as relates to the County of Chatham.

Justices of Inferior Court or Justices of the Peace holding office of profit, not to be a superintendent of elections.

No. 609. (1.) It shall not be lawful for any Justice of the Peace or Justice of the Inferior Court, in the County of Chatham, who may hold an office besides the office of Justice of the Peace, or Justices of the Inferior Court, of profit or emolument, conferred upon him by the vote of the people, to preside as a Magistrate at any election for County or State officers, or members of Congress of the United States, so far as relates to the County of Chatham.

If he holds office under the City not to preside at City elections.

(2.) It shall not be lawful for any Justice of the Peace or Justice of the Inferior Court, who may hold any office of profit or emolument under any City or town corporation, to preside as a Magistrate at any election for Mayor, or other Chief Magistrate or officer, or Alderman or Commissioner, or other officer of any incorporated City or town, within this State, so far as relates to the County of Chatham.

Nor if he has resigned within thirty days.

(3.) The resignation of any Justice of the Peace or of the Inferior Court, within thirty days of the time of holding a public election for County or State officers, or members of Congress, or Mayor, or other Chief Magistrate or officer, or Alderman or Commissioner, or other office of any incorporated City or town in this State, shall not remove the disability created by this law.

State Law, Approved January 22d, 1852. Pam. 408.

AN ACT to amend an Act, entitled "an Act amendatory of, and in addition to the various Acts heretofore passed in reference to the City of Savannah," approved December 8th, 1849, to allow an appeal to a special jury in the Superior Court of Chatham County, from any decision made under the sixth section of that Act, and also to provide for the registry of the names of all persons entitled to vote for Mayor and Aldermen of said City, and to prevent persons from voting for such Mayor and Aldermen, whose names are not registered.

Appeal from the decision of Freeholders.

No. 610. (1.) That when any decision of freeholders shall hereafter be made under the sixth section of said Act of December eighth, eighteen hundred and forty-nine, the owner or owners of land affected by such decision, shall have the right to appeal therefrom to a special jury, in the Superior Court of Chatham County, and the verdict of such jury shall be final and conclusive in the premises.

(For the remaining Sections, see page 363, No. 438, Title, "Registry of Voters.")

State Law, Approved March 4th, 1856. Pam. 388.

AN ACT, to confer certain additional powers upon the Mayor of the City of Savannah, and to authorize the Mayor and Aldermen of said City to pass Ordinances for the more effectual suppression of certain offences concerning slaves within the limits of said City, and to provide for the taking of testimony in certain criminal causes triable at special terms of the City Court of Savannah; also to amend an act, entitled an act, to alter the time for the election of the Mayor and Aldermen of the City of Savannah; to reduce the number of Aldermen; to make the Mayor elective by the people and to prescribe his duties; and to provide for the election of certain officers therein named, assented to December the 25th, 1843, and also to amend an act, entitled an act, to amend an act entitled an act amendatory of, and in addition to, the various acts heretofore passed in reference to the City of Savannah, approved December 8th, 1849, to allow an appeal to a special jury in the Superior Court of Chatham County from any decision made under the sixth section of that act, and also to provide for the registry of the names of all persons entitled to vote for Mayor and Aldermen of said City and to prevent persons from voting for such Mayor and Aldermen, whose names are not registered, approved January 22d, 1852, and for other purposes therein named.

Power and authority of the Mayor to issue warrants, take examinations, commit to prison, let to bail, &c.

No. 611. (1.) The Mayor of the City of Savannah, for the time being, and during his absence or inability to discharge his official duties, the Chairman of Council, or such other officer as may by law, or Ordinance, or rule of Council, of the said City, be at such times his substitute, shall have full power and

authority to issue warrants for the arrest, of all persons charged upon affidavit with having committed within the limits of the City of Savannah, offences against any present or future penal laws of this State, and to take the examination of such persons, and the same to discharge, or to commit to prison, or let to bail, according to law, to answer such charge before the proper Court having jurisdiction of the same, in the same manner as Justices of the Peace of the several counties of this State now have or may hereafter have power and authority to do, under the laws of this State, and that said Mayor or his temporary official substitute as aforesaid, shall also, henceforth, have power and authority to issue search warrants in accordance with the laws now or hereafter to be of force in this State, to be executed within the jurisdictional limits of the City of Savannah; all which said warrants may be executed by the Marshal, Deputy Marshal, or any Constable of the City of Savannah, and shall be returned before the said Mayor or his temporary official substitute as aforesaid.

Issue search warrants.

Power of the Mayor and Aldermen to pass Ordinances to suppress illicit trading with slaves, &c.

(2.) The Mayor and Aldermen of the City of Savannah in Council assembled shall have full power and authority to pass all such Ordinances and establish such police regulations not repugnant to the Constitution of this State, as in their judgment and discretion may be deemed best calculated to suppress within the jurisdictional limits of the said City, the dangerous and demoralizing practice of illicit trading with slaves, and furnishing spirituous liquors to slaves, and receiving stolen goods from slaves and free persons of color, and to designate and affix punishment for violation of such Ordinances and police regulations, to be awarded, inflicted and appropriated, in the same manner as in the case of other punishments for the violation of Ordinances and police regulations, which punishment in the cases of free white offenders shall be by fine, and in the cases of slaves and free persons of color by corporal punishment or by imprisonment in the common jail, for a period not exceeding ten days, or both, for each offence.

Extent of punishments.

Examination of witnesses before Judge of City Court; manner of taking testimony.

(3.) Whenever after any order shall have been granted by the Judge of the City Court of Savannah, appointing a special or extraordinary term of said Court, for the trial of any criminal offence therein cognizable, and application may be made to the said Judge by the prosecuting officer of the said Court, or by the defendant or defendants or parties charged with such offences, or his or their council, (such application, if made by the parties themselves, to be verified by affidavit,) setting forth that a material witness or witnesses for the applicant is or are about to leave the City of Savannah, and on that account or from imminent sickness or other cause, will not, in reasonable probability, be able to be present at the trial of the cause in which his testimony is needed, it shall be the duty of the said Judge, forthwith, to order process of subpœna, to issue requiring the said witness or witnesses to appear in person before him, at a

certain place, and at a certain time (of which time and place the said prosecuting officer and the said defendant or defendants, or parties charged, shall have at least twelve hours notice) to give testimony in the said cause, at which said time and place, the said Judge shall take down, in writing the answers of the said witness or witnesses given under oath to the questions which may be propounded to him or them, touching the said cause, on examination and cross examination by the parties, respectively, or their council; such examinations to be made and testimony to be received in accordance with the usual practice in Courts of Justice and with the rules of evidence, which said answer, when so taken and committed to writing, shall be sealed up, appropriately endorsed and certified under the hand of said Judge, and shall remain in the office of the Clerk of said Court for the benefit of both parties, and may be read as evidence, upon the trial of the cause in which or with reference to which the said testimony may have been taken as aforesaid; *Provided*, the said witness or witnesses shall not be personally present, to testify in such cause at the said trial, and not otherwise.

Upon 12 hours notice.

Proviso.

Election of Mayor and Aldermen on 2d Monday in October.

(4.) The election for Mayor and Aldermen of the City of Savannah, and the Hamlets thereof, shall hereafter be held on the second Monday in October in each and every year.

Term of office.

(5.) The term of office of the Mayor and Aldermen of said City, to be elected on the second Monday in October next, shall not begin until the expiration of the time for which the Mayor and Aldermen of said City were elected, and shall continue only until their successors to be elected on the second Monday in October, 1857, shall be duly qualified.

Organization of the Board of Mayor and Aldermen.

(6.) The Mayor and Aldermen of said City, to be elected on the second Monday in October next, shall meet for the purpose of organization on the second Monday in December next, at which time they shall take the oath prescribed in the third section of the Act, whose title is above recited, assented to Dec. 25th, 1843, and of which this Act is amendatory, and that thereafter each newly elected board of Mayor and Aldermen shall meet for organization on the first Monday after the election of the same, and take the oath aforesaid.

Duty of Clerk of Council relative to registry of voters.

(7.) That the sixth section of the Act, whose title is last above recited, approved January 22d, 1852, and of which, also, this Act is amendatory, be and the same is hereby altered and amended, so as to read as follows: "That it shall be the duty of said clerk or other officer to arrange and publish a list of the names so registered, in alphabetical order, in one of the gazettes of the City of Savannah, at least once a month from the first Monday in January to the Tuesday after the first Monday in October in each and every year, and affix and keep an alphabetical, printed list of such names at the door of the Court House of the County of Chatham, and of the Exchange in the City of Savannah, for one week from the Tuesday after the first Monday

in October in every year; and that the eighth section of said Act be and the same is hereby altered and amended, by the substitution of the words "Thursday before the second Monday in October," for and instead of the words, "Third Monday in November," and that the twelfth section of said Act be and the same is hereby altered and amended by the substitution of the words "Second Monday in October," for and instead of the words "First Monday in December."

Last day for duplicate registry tickets.

Election day.

(8.) And whereas doubts have been entertained whether certain Bonds, issued and disposed of by the City of Savannah, for internal improvements, were legal and valid, therefore, be it further enacted, That all bonds heretofore issued by the constituted authorities of the City of Savannah, are hereby declared legal and valid, and from and after the passage of this Act, the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, upon the recommendation of a public meeting of the citizens of Savannah, called for that purpose, shall have power and authority to cause bonds to be issued and disposed of in such manner as they may direct, for purposes of internal improvement, which bonds, so issued, shall be legal and valid.

All bonds heretofore issued by the City declared valid; bonds to be hereafter issued upon the recommendation of a public meeting.

Acts 1855-6 p 390

State Law, Approved February 18th, 1856. Pam. 546.

Springfield Plantation exempt from tax, &c.

No. 612. (1.) The City of Savannah shall be exempt from taxation upon certain property known as the Springfield Plantation, now embraced within the Corporate limits of said City.

State Law, Assented to Dec. 22d, 1857.

AN ACT to authorize and empower the City Council of Augusta, and the several City authorities in this State, as well as the several Inferior Courts in this State, to elect or appoint a liquor inspector, and prevent and punish the selling and manufacturing of drugged or other poisonous and deleterious liquors, spirits and wines.

No. 613. The General Assembly of Georgia do enact as follows:

City authorities to elect an inspector of liquors, &c.

(1.) It shall and may be lawful for the City authorities of Augusta, as well as the several City authorities in this State, and the Inferior Courts of the several Counties in this State, to elect or appoint an inspector of liquors, spirits and wines.

His duties.

(2.) It shall and may be lawful for said inspector after being duly elected as aforesaid and qualified, to faithfully discharge the duties of inspector, to examine and inspect all liquors, spirits and wines, kept by any person or persons within their respective jurisdictions for sale in any quantities, and if upon said inspection and examination of said liquors, wines or spirits, shall be found or ascertained to contain any strichnine or other poisonous drug or drugs or offensive matters injurious to health by drinking or other uses, to give notice to the owner thereof who shall immediately remove the same out of the State.

(3.) If any person or persons shall sell or offer to sell any liquors, spirits or wines knowing them to be so drugged, or after said notice within this State, said person or persons shall be indicted in the Superior Court of the County where said offence was committed, and on conviction shall be fined for the first offence one hundred dollars, for the second offence two hundred dollars, for the third offence four hundred dollars, and for the fourth offence one thousand dollars, and imprisonment until paid.

Persons selling drugged liquors, &c., after notice, shall be indicted, &c.

Fined from $100 to $1000 and imprisonment.

(4.) If any persons shall refuse or in any way prevent said inspector from making said examination and inspection provided for in this Act, after the second demand being made by said inspector, upon indictment and conviction therefor, he shall be fined and punished as above provided in the third section of this Act, provided said inspector shall make the second demand in the presence of a competent witness, and prove the same by said witness on the trial.

Penalty upon persons refusing, &c., inspection, &c.

(5.) Said inspector shall receive from the owner of said liquors, spirits or wines, for every ten gallons so inspected five cents, for twenty gallons ten cents, for forty gallons fifteen cents, for eighty gallons twenty cents, for one hundred and sixty gallons, twenty-five cents, and at the same rate and proportions upwards for any and every gallon he may so inspect, and shall if required give a receipt and certificate therefor, and brand said barrels, kegs or pipes when the means is or may be provided therefor by the owner or owners thereof, and shall also receive one half of all fine monies arising under convictions for violating the third and fourth sections of this Act, which shall by no means disqualify him from being a witness for the State in all cases of indictment for violations of this Act, or the section or sections hereof.

Inspectors fees.

Certificate, brand, &c.

(6.) If any person or persons shall manufacture any drug, poisonous or other deleterious and offensive liquors, wines, or spirits, other than from grapes, corn, rye, wheat, barley, peaches, apples, and like commodities, such person so offending shall and may be indicted in the Superior Courts of the County where the offence was committed in this State, for a misdemeanor, and on conviction thereof shall be fined and imprisoned in the common jail of the County at the discretion of the Court.

Manufacturing drugged, &c., liquors, fine and imprisonment in the jail.

CITY COURT.

State Law, Assented to December 22d, 1857.

AN ACT to amend the various Acts in relation to the City Court of Savannah, to add to the jurisdiction and powers of said Court and for other purposes therein named.

No. 614. (1.) The City Court of Savannah shall have jurisdiction in all cases of attachment and garnishment, when the debt

Attachment and garnishments.

is within the jurisdictional amount of said Court, and that all the provisions of an Act entitled "An Act to authorize the issuing of attachments and garnishments, and to regulate proceedings in relation to the same, and for other purposes therein mentioned," approved March 4th, 1856, shall apply to said City Court of Savannah, as if therein expressly named with the Superior, Inferior and Justices' Courts of this State. Said attachments to be directed to the Sheriff of said Court, and to all and singular the Constables and ex-officio Constables of the City of Savannah, and be served by said Sheriff or Constables aforesaid, and said garnishments to be served by the Sheriff aforesaid or his lawful deputy.

How directed and served.

Discoveries. 30 days subpœna.

(2.) In all cases in said Court when a discovery may be desired from the adverse party, a thirty days subpœna may issue upon application to the Clerk, as provided for by an Act entitled "An Act to amend an Act passed 17th December, 1847, to authorize parties to compel discoveries at common law, approved February 20th, 1854, and that all the provisions of said Act apply to said City Court of Savannah, as if therein expressly named.

Acts upon the subject of attachments, &c., in Superior Court applicable to City Court.

(3.) All Acts or parts of Acts hereafter passed upon the subject of attachment and garnishment or legislating as to any matter whatever in the Superior Courts of this State, shall apply to the said City Court of Savannah, as if named with the Superior Courts, so far as the nature of that tribunal will admit.

Horses, mules, &c., levied on. Levying officer allowed stabling

(4.) In all cases where, under Fieri Facias or attachment process returnable to said Court, horses, mules, and other live stock, be levied upon, the Sheriff or other levying officer be allowed the amount of stabling according to the current rates actually expended by him, and in all cases where, under Fieri Facias or attachment process as aforesaid, horses, mules, hogs, or other live stock, or dry goods, groceries, or other property of a perishable nature, be levied upon, the Judge of said Court, upon application under oath, shall have power to order the sale thereof at such time and place as may to him seem most advantageous. *Provided*, That not less than ten days notice be given in a public gazette and at the Court House in said City of the time and place of said sale.

Perishable property. Order for sale. 10 days notice.

Special bailiffs, how selected. Their duty. Their pay, $2 per day. Empowered to serve criminal warrants, &c.

(5.) The Judge of said City Court of Savannah be and he is hereby empowered to select in conjunction with the Mayor of said City five members of the mounted police of Savannah, special bailiffs in said Court, who shall remain bailiffs as aforesaid one year, unless removed as bailiffs by the Judge, or in case of dismissal or resignation from said police it shall be the duty of three of said bailiffs to attend all sittings of said Court, subject to the orders of the Judge thereof, and they shall receive two dollars per diem whilst so attending, to be paid from the fines and forfeitures in said Court. Said bailiffs to be and they are hereby empowered to serve any criminal warrant within the criminal jurisdictional limits of said Court, and for the purposes

thereof shall be considered lawful constables of the State of Georgia, and receive the same fees as are now allowed by law to constables of this State. *Provided*, nothing herein contained shall be construed to relieve such bailiffs from any duties now imposed by law which shall not interfere with the duties above imposed.

Their fees. Misdemeanors committed within 2 miles of corporate limits.

(6.) The criminal jurisdiction of said City Court of Savannah be extended over all misdemeanors committed within two miles of the corporate limits of the City of Savannah as defined by "An Act to extend and define the corporate limits of the City of Savannah, approved February 15th, 1854." And in all cases of misdemeanors committed within the jurisdictional limits of said City Court of Savannah, where the committing magistrate has returned the same to the Superior Court of said County instead of said City Court, as directed by an Act entitled "An Act to amend the third section of an Act entitled an Act to amend the several Acts relative to the Court of Common Pleas and Oyer and Terminer for the City of Savannah, and for other purposes, approved 9th December, 1853," and for other purposes therein named, approved March 1st, 1856. The Judge of said Superior Court be and he is hereby empowered to order said case to be transferred for trial to said City Court of Savannah, and that all bonds and other papers forming said record shall be deemed and considered as valid and binding as if returnable in the first instance to said City Court of Savannah, and in all such cases of misdemeanor returned to the Superior instead of the said City Court of Savannah, the Magistrate so returning said case shall forfeit all costs and charges in the same, and it shall be the duty of the Solicitor General of the Eastern Judicial District of Georgia to appear in said Court and prosecute all criminal offences therein cognizable, and be entitled to the fees now allowed by law and in consideration of the additional labor imposed, that he shall have and receive the sum of five hundred dollars per annum, to be paid quarterly to the said Solicitor from the fines and forfeitures in said Court, in case of the absence of the Solicitor General at any term of said Court, the Judge thereof be, and he is hereby empowered to appoint a Solicitor General pro tempore.

Cases to be returned to City Court. Duty of Solicitor General. His pay. Solicitor General pro tem.

(7.) Out of any moneys arising from fines imposed for violation of the penal laws or collected from forfeited recognizances in said Court, the Solicitor General bringing the money into Court: and the Clerk and Sheriff then in office shall be entitled to have their insolvent bills first paid, and then bills of former Solicitors, Clerks and Sheriffs, paid according to priority, but that no bill that has remained unpaid for longer than four years shall take any part of said fund.

Moneys arising from fines, &c., appropriated for payment of officers' bills.

(8.) An Act entitled "an Act to anthorize the Judge of the Court of Common Pleas, and Oyer and Terminer for the City of Savannah, to hold special or extraordinary Courts for the summary trials of causes therein enumerated and to amend" an Act

Special or extraordinary Courts.

entitled an act, to authorize the Judge of the Court of Common Pleas, and Oyer and Terminer for the City of Savannah to hold special or extraordinary Courts for the summary trials of causes therein enumerated and to empower the Mayor of the City of Savannah, also to hold such special or extraordinary Courts, and to regulate seamen or mariners and to prevent them from being harbored or running in debt, passed December 26th, 1831, "approved December 27th, 1847, be amended so as to apply to all cases where any person or persons shall be charged and prosecuted for the offence of abducting, entertaining, retaining or harboring any mariner or apprentice as well as any articled seaman as those offences are defined by an act to define the offence of abducting and harboring seamen and to punish the same, and for other purposes therein named" assented to December 27th, 1843.

Abducting, &c., any mariner, apprentice, articled seaman.

(9.) Each and every case before said Court where judgment is not confessed shall be tried by a jury at the term to which it is returnable without a demand being entered as heretofore practiced, and that a fee of one dollar for all verdicts which may be signed, be paid to the jury by the party taking such verdict, to be taxed in the bill of costs provided, that if either of the parties should be unprepared for the trial of such case, the Court may continue the same under the same, rules and regulations by which suits are now continued, the Attorney's tax fee in said Court to be hereafter two dollars in each case instead of five, as heretofore allowed.

Jury trials.

$1 fee for each verdict.

Continuances.

Attorneys' tax fee $2.

(10.) In case either party should be dissatisfied with the verdict of the jury, then, and in all such cases either party may enter an appeal as now provided by law.

Appeals.

(11.) In each and every case brought in said City Court of Savannah, judgment be entered up for the principal and interest or amount of damages that may be recovered, and for the Attorney and city tax fees and jury fees in the manner now pointed out by law by the Attorney of record, and that the Clerk enter up judgment for his costs and the costs of the Sheriff, and judgment being so entered up that the Clerk of said Court issue two executions in the manner now pointed out by Statute, one for the amounts so entered up by the Attorney of record, the other for his costs and the costs of the Sheriff, and in case the latter execution be not paid by the Defendant then upon a return thereon by the Sheriff to that effect and of nulla bona execution shall issue against the Plaintiff and said costs be collected from him. In case the Plaintiff is cast in said suit, said judgment shall be entered up and execution issued for said costs in the first instance against said Plaintiff. In all cases where the Plaintiff liable as above for costs resides beyond the civil jurisdictional limits of said Court, said judgment shall be entered up and execution issue as above for costs against the Attorney of record.

Judgments how entered up.

Clerk to enter up judgment for his and the Sheriffs costs.

Issue two executions, &c.

Execution to issue against plaintiff for costs, if the costs be not paid by defendent.

Judgment entered up against the attorney of record.

(*See Title, "City Court of Savannah," page* 44.)

State Law, Assented to December 22d, 1857.

AN ACT, to extend the Act approved March the 4th, 1856, entitled An Act to authorize the issuing of attachments and garnishments and to regulate proceedings in relation to the same, and for other purposes therein mentioned, and to amend said Act, and forother purposes therein mentioned.

No. 615. The General Assembly of the State of Georgia do enact as follows :

(1.) The provisions of the Act approved March 4th, 1856, entitled An Act to authorize the issuing of attachments and garnishments, and to regulate proceedings in relation to the same, and for other purposes therein mentioned, are hereby extended to all Courts established in incorporated cities in this State, which are Courts of Record, exercising civil, common law jurisdiction, and to the extent of their respective jurisdictions and no further.

Attachment and garnishment Acts extended to City Courts, &c.

(2.) When the amount sworn to shall be within the jurisdiction of such City Courts, the attachment may be made returnable to the City Court of that city where the defendant resides or where he last resided, except when the defendant resides out of the State; then, and in that case, the attachment may be returned to any City Court having jurisdiction of the amount.

Attachment how returnable.

(3.) Attachments returnable to any City Court shall be directed to the Sheriff of such city and to all and singular the sheriffs and constables of this State, who shall have all the authority in levying the same that is given to officers by the seventh section of said Act.

How directed.

(4.) All attachments made returnable to the City Courts aforesaid, shall be issued at least ten days before the sitting of the Court next thereafter, and shall be levied at least nine days before such sitting, and all such attachments issued within ten days of any such sitting shall be returnable to the Court next to be held after the expiration of such ten days.

Issued and levied.

(5.) The Judge of any such City Court may order sales of property levied on under attachments returnable to this Court, in the same manner that a Judge of the Superior Court may do under the twelfth section of said Act, and such property when so ordered to be sold, shall be sold by the Sheriff of the city in such manner, at such place, and after such notice as the Judge ordering the sale may direct.

Sales of property under attachments.

How sold.

(6.) When it is desired to garnishee persons not residing in the city in which the attachment issues, the same proceedings shall be had as are provided for in the fourteenth section of said Act: *Provided*, that the garnishee shall be required to answer at the Superior Court of the county of his residence.

Garnishments.

(7.) The notice provided for in the twenty-second section of said Act, may be served by the sheriff or any constable of the city in which the attachment issues, and plaintiffs in attachment may examine witnesses residing out of the city in which the attach-

Notice, how served.

Examination of witnesses.

ment issues upon complying with the requisites of the twenty-fourth section of said Act.

10 days notice by scire facias.

(8.) In all attachment cases in such City Courts, ten days notice by scire facias, as provided in the thirteenth section of said Act shall be held and deemed sufficient.

Proceedings in garnishments.

(9.) The proceedings authorized by the forty-seventh section of said Act, shall be allowed in such City Courts where the person sought to be garnisheed resides elsewhere than in the city where the judgment was obtained, or when suit is pending, and the garnishee shall be required to answer at the Superior Court of his county next to be held thereafter; but if the next Court shall be held within less than ten days from the time such garnishment issues or is served, such summon of garnishment shall require such garnishee to appear and answer at the next Court thereafter.

Judge of City Courts, Mayor, &c., may administer oaths, and issue attachments, &c.

(10.) Any Judge of such City Courts, or any Mayor or Intendant of such incorporated cities, or any member of the City Council may administer the oaths and issue attachments and do all other things requisite or proper under said Act, in the same manner and to the same extent as a Justice of the Peace, Magistrate, or Notary Public may do under said Act: *Provided*, that in all such cases the attachments shall be returnable to, or the judgment has been obtained, or the suit is pending in the City Court of their respective cities.

Proviso.

COTTON.

State Law, Approved December 30th, 1847.

An Act, to abolish the allowance of tare or gross weights on bales of unmanufactured Cotton.

Tare on cotton abolished.

No. 616. (1.) The custom of making a deduction from the actual weight of unmanufactured bales of cotton, as an allowance for tare or draft thereon, be and the same is hereby abolished, and that hereafter all contracts made in relation to such Cotton shall be deemed and taken as referring to the true and actual weight thereof without deduction for any such tare or draft.

Penalty, fine or imprisonment.

(2.) Any purchaser or purchasers of cotton in this State, who shall hereafter violate the provisions of this Act shall be subject to indictment in the Superior Court of the County where the offence was committed, and on conviction thereof shall be fined in a sum not less than five dollars for each and every bale or bales of cotton, from the actual weight of which such deduction shall have been made, or imprisonment in the County Jail, at the discretion of the Court, not to exceed sixty days; *Provided*, that nothing in this Act contained shall prevent the usual deduction of two ponnds from being made from the weight of each bag of cotton having knobs or tugs thereon, (see No. 617.)

Proviso. (See No. 617.)

State Law, Assented to December, 21st, 1857.

An Act, to amend a portion of an Act, assented to December 30th, 1847, entitled an Act to abolish the allowance of tare or gross weight on bales of unmanufactured cotton.

Above Act re-enacted with the proviso stricken out.

No. 617. (1.) The proviso in the second section of the above recited Act be and the same is hereby declared to be null and void, and that the above mentioned Act be re-enacted and remain in full force with the proviso in said Act stricken out; and that all laws militating against this Act be and the same are hereby repealed. (*See No.* 113.)

INTEREST COUPONS UNSIGNED.

Ordinance passed Feb. 18th, 1858.

An Ordinance, to authorize the Treasurer of the City of Savannah to sign certain coupons attached to bond No. 244, issued for the construction of the Savannah Water Works.

Whereas, the coupons attached to Bond No. 244 were accidentally left unsigned by the Treasurer at the time of the sale of said bond.

Treasurer to sign coupons to bond, No. 244, Savannah Water Works.

No. 618. (1.) That the City Treasurer be and he is hereby required to sign such coupons as are attached to bond No. 244, issued for the construction of the Savannah Water Works, and that said coupons shall be due and payable at the times thereby specified as though they had been originally signed. (*See No.* 22.)

UNITED STATES LIGHT HOUSE ON THE BAY.

State Law, Assented to Dec. 22d, 1857.

An Act, to grant to the United States certain Territory within the limits of the City of Savannah.

Whereas, it is proposed by the United States to erect a Light House in the City of Savannah for the protection of commerce at a point near the intersection of East Broad and Bay streets in said City.

An area of 20 feet square on the Bay granted to the United

No. 619. (1.) That for the purpose of securing the erection of a Light House, the State of Georgia, hereby grants to the United States of America, a certain area of twenty feet square

States for the erection of a light house.

within the limits of the City of Savannah, which area of twenty feet square, or the centre of the same, is sixty-seven feet and one inch on a perpendicular line drawn from the western line of East Broad street, extended at a point on said extended line one hundred and nineteen feet and seven inches from the southern line of Bay street; or such other area of twenty feet square as may be agreed upon by the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, and the United States Government: Provided, that this grant shall not be adjudged to be perfected without the assent and concurrence of the Mayor and Aldermen of the City of Savannah and the Hamlets thereof.

Proviso.

Reversion.

(2.) That should said area of land so granted as aforesaid be diverted in the future from the purposes for which it is granted, then and in that event, said area of land shall revert to its present ownership and the grant hereby made shall become utterly void.

NOTE, The City Council on 18th February, 1858, authorized the Mayor to execute the title for the area of 20 feet square specified in the above Act.

JAIL FEES.

State Law, Assented to December 22d, 1857.

Jail fees.

No. 620. (4.) The Jailors of the several counties of this State be, and they are hereby entitled to demand and receive the fees hereinafter stated:

	$ cts.
For receiving prisoner or debtor	60
For turning the key or discharging the prisoner by virtue of Habeas Corpus by order of the Court, Judge or Justice	60
For dieting a white person per day, allowing 2 lbs. of bread, 1½ lbs. of beef, 1 lb. of pork or ½ lb. of bacon, with sufficiency of coffee, water	50
For dieting negro criminal per day, allowing one quart cooked rice, or one and a half pounds of bread, and ½ lb. of bacon, or 1½ lbs. of beef, with sufficiency of water	30
For dieting runaway negro per day, allowing 1 lb. of corn bread, 1 lb. of pork or ½ lb. of bacon, with sufficiency of water	30
For dieting person confined for debt per day, allowing a sufficiency of wholesome provision, coffee, water, &c	50
For turning key on commitment of any prisoner	60
For whipping runaway negro	1 00

Whipping of negroes.

But not allowed to give runaway negro more than thirty-nine lashes at any one whipping, and not allowed to whip more than twice without the consent of the owner. (*See No.* 233.)

RENTS OF CITY LOTS.

No. 621.

WARDS.	NO. OF LOTS.	BALANCE DUE CITY.	ANNUAL RENT.
Brown	33	$26,627 50	$1,597 62
Calhoun	32	24,660 60	2,077 49
Charlton	16	13,056 00	783 36
Chatham	37	27,828 00	1,668 31
Columbia	31	25,371 80	1,268 63
Crawford	48	23,896 80	1,434 50
Elbert	34	24,645 10	1,232 08
Forsyth	29	46,222 00	2,773 32
Franklin	30	17,492 04	869 84
Franklin New	16	21,379 60	1,229 20
Greene	31	17,621 80	886 47
Jackson	40	22,060 80	1,323 66
Jasper	23	18,787 60	1,114 01
Lafayette	42	35,030 40	2,101 46
Liberty	26	14,450 00	722 50
Monterey	46	38,720 10	2,327 82
Pulaski	27	19,141 80	1,148 52
Reynolds	1	2,528 00	151 68
Springfield Plantation	55	23,174 48	1,621 53
Troup	31	24,394 20	1,462 52
Warren	19	7,157 09	357 92
Washington	32	9,993 86	499 94
Wesley	15	12,336 00	737 48
Total	694	$496,575 57	$29,389 86

RICE.

State Law, Assented to Dec. 22d, 1857.

AN ACT, for the protection in certain cases of Planters and Rice Sellers within the State of Georgia and for other purposes.

Rice sold by Planters, &c; ownership not changed until the cash is paid.

No 622. (1.) Rice sold by Planters and Commission Merchants on cash sale, shall not be considered as the property of the buyer, or the ownership given up until the same shall be fully paid for, although it may have been delivered into the possession of the buyer, any law, usage or custom to the contrary notwithstanding.

Penalty on persons making way with rice and failing to

(2.) Any person engaged in the business of buying Rice, either on his own account or for others, who shall buy or engage to buy Rice on sale from a Planter or Commission Merchant,

pay therefor, penitentiary from 1 to 5 years.

and shall fail or refuse to pay for the same, and shall make way with or dispose thereof before he shall have paid for the same, shall be deemed guilty of fraud and embezzlement, and shall be liable on conviction to be imprisoned in the Penitentiary, not less than one nor more than five years, at the discretion of the Judge trying the case.

TAX ON BANK AND RAIL ROAD STOCK.

State Law, Assented to 3d Dec., 1811.

AN ACT, to amend "An Act to incorporate the Planters Bank of the State of Georgia, and for other purposes," passed the 19th day of December, 1810, also to provide against embezzlement and forgeries.

Capital stock and property of the bank subject to taxation.

Proviso as to the City of Savannah.

No. 623. (2.) The capital stock of the said Bank and every other property, real or personal which it may hereafter acquire and hold shall be subject to a taxation not exceeding the ratio of other taxable property in this State; *Provided*, the Corporation of the City of Savannah shall not have the power to tax said Bank Stock, but may tax any property, real or personal, which said bank may acquire in the ratio of taxation against the like property in the said City.

State Law, Assented to 14th Dec., 1835.

The City not authorized to tax the stock, &c., but may tax any property, &c.

No. 624. (Extract from the Act amending the Act incorporating the Central Rail Road and Canal Company of Georgia, now the Central Rail Road and Banking Company of Georgia,)

(18.) The said Rail Road and the appurtenances of the same shall not be subject to be taxed higher than one half of one per centum upon its annual net income, and no municipal or other corporation, shall have power to tax the Stock of said Company, but may tax any property, real or personal, of the said Company, within the jurisdiction of said Corporation in the ratio of taxation of like property.

State Law, Assented to 31st Dec., 1838.

AN ACT, to incorporate the Augusta and Waynesboro' Rail Road.

The City not authorized to tax the stock, &c., but may tax any property, &c.

No. 625. (13.) That the said Rail Road, and the property of said Company, shall not be subject to be taxed higher than one half of one per centum on its annual income; and no City or Town Corporation shall have power to tax the Stock of said Company, but may tax any property, real or personal of said Company, within the jurisdiction of said City or Town in the same ratio of taxation of like property.

RESOURCES OF THE CITY OF SAVANNAH.

23D FEBRUARY, 1858.

Stocks at par Value.		
200 shares Central R. R. & Banking Co.....		$20,000 00
10,000 shares Savannah, A. & G. R. R.....		1,000,000 00
2,517 shares Augusta & Savannah R. R. Co....		251,700 00
2,500 shares South Western R. R. Co.....		250,000 00
1,058 shares Montgomery & W. Point R. R....		105,800 00
50 shares Ogeechee Plank Road Stock.....		5,000 00
13 shares Bank of the State of Georgia.....		1,300 00
2,000 shares Atlantic & Gulf Rail Road, 20 per cent. paid in.....		40,000 00
		$1,673,800 00
City Domain.		
639 Lots in twenty-two Wards under lease, valued at.....	$473,401 09	
55 Lots in Springfield Plantation valued at.....	23,174 48	
694 Total under lease.....	$496,575 57	
Lots laid off in the Wards and valued, not under lease.....	71,750 00	
Lots laid off and valued, Springfield Plantation, not under lease.....	17,235 00	
Approximate Value of Land not Laid off nor Valued.		
20 Lots south of Hospital.....	18,000 00	
20 Lots east of Hospital.....	20,000 00	
9 Acres of land of the Old Cantonment, reserved for City Lots...	20,000 00	
Remainder of the Springfield Plantation.....	60,000 00	
Site purchased for Water Works....	22,000 00	
Water Works, valued at.....	200,000 00	
		$925,560 57
Total value of Stock and Domain, as above....		$2,599,360 57

This Statement does not include the public buildings, five lots in possession of the Academy and Union Society, under lease, which expires on the 6th of June, 1862; Wharf lot at

the foot of West Broad Street, 46½ feet, vacant; slip on the canal, one-half of Fig Island, and a small encroachment by lot No. 3, Decker Ward; also, 22 horses and other property purchased for the Police, and three carts and three mules for use on the Streets and Lanes; also, line of wharf heads between Hutchinson and Fig Islands.

COMPARISON OF THE TAX DIGESTS.

ASSESSMENTS ON VALUE OF LANDS AND IMPROVEMENTS.

1836	Taxable Value	.....	$2,357,250
1853	"	"	5,483,159
1854	"	"	8,133,270
1855	"	"	8,746,621
1856	"	"	8,999,015
1857	"	"	9,261,465
1858	"	"	9,903,825

City Lots, or Lots under lease, (in 1854, valued at $1,485,952,) not being liable to City Taxation, are not included in above comparison.

SLAVES—FIRE.

Ordinance passed Dec. 17th, 1857.

AN ORDINANCE, to protect the owners of slaves within the City or Savannah, and for other purposes therein mentioned.

Slave Firemen injured at fires.

No. 626. (1.) That from and after the passage of this Ordinance, on every male slave between the ages of sixteen and sixty years, who receives a badge from the City, and are regularly enrolled under the Savannah Fire Company, and who, while in the employ of said company receives damage or injury in consequence of such employment at the time of fire from the falling or pulling down of walls, buildings, fences or chimneys, or while going to, or returning from the fire by engines running over such slave or slaves, there shall be paid to the owner or owners of such slave or slaves whatever sum of money shall be assessed as the equivalent for such damage or injury. Such

assessment shall be made by two assessors, one to be appointed by the owner or owners of such slave, and the other by the Mayor of the City, in case of the two disagreeing they shall call in a third, whose decision shall be final. Such assessment to be made and the money paid within three months after the damage or injury has been sustained by such slave.

INDEX.

Abducting Seamen, ... 404, 530
Academy, ... 247
Addition to Houses, ... 152
Ad Valorem Tax Ordinance, ... 440
Alarm of Fire, ... 153
Aliens, ... 357
Animals, Overloading, ... 121, 133
Apothecary, Prescriptions, ... 214
Appeals, ... 319, 320
" Freeholders Decisions, ... 523
Appendix, ... 505
Armory Buildings, ... 246
Arsenal, ... 251, 516
Assessments, ... 358
Assize of Bread, ... 22
Attachments, ... 527, 531
Asylum, Female, ... 256
Auctioneers, ... 1, 460
Auctions, ... 1
Auction Tax, ... 6, 518
Badges, Price of, ... 7
" For Free Negroes, ... 173
" Market, ... 271
" Slaves, ... 417
Bakers, ... 20, 40
Banks, ... 442, 503
Bank Stock Exempt from Tax, ... 536
Bar Rooms, ... 407
Basins for Lumber, ... 23
Billiard Rooms, ... 8
Billiard Tables, ... 8
Board of Health, ... 9, 407

Boarding House Keepers, ... 13, 34, 397
Bonds, Atlantic and Gulf Railroad, ... 19
" Augusta and Waynesboro' Railroad, . . 15
" Market House, ... 18
" Muscogee Branch Railroad, ... 16
" Opelika Railroad, ... 18
" Outstanding, ... 19
" River Improvement, ... 17
" Savannah and Albany Railroad Company, . 18
" Savannah Gas Light Company, ... 17
" Savannah and Ogeechee Plank Road Company, 16
" South Western Railroad Company, . . 14, 16
" Springfield Plantation, ... 15
" Water Works, Site, ... 17
" " " Construction, ... 17
Bowling Alleys, ... 8
Bribery of Police, ... 326
Bread, ... 20
Brick Basements, ... 149
Buildings, Liens on, ... 149
" Carrying on Trades, ... 367
Bulls, ... 26
Butcher Pens, ... 265
Canal Basins, ... 23
Carpenters' Lien, ... 367
Carriages, ... 317
Cars, ... 357
Cattle Limits, ... 25
Cellars, how built, ... 26
" Doors, ... 482
Cemeteries, Evergreen, ... 37, 38
" Hebrew, ... 27, 34
" Israelites, ... 37
" Keepers exempt from jury duty, . . . 38
" Laurel Grove, ... 27
" Old Brick, ... 33
" Persons Visiting, ... 27
" Public Vault, ... 36
" Register of Interments, . . . 33, 37
" Roman Catholic, ... 37, 39
Central Rail Road and Banking Company, . 254, 255, 536

Chatham Artillery, ... 246
Chief Fireman, - 155, 166
Chimney Contractors, ... 39
Chimneys, Bakeries, &c., ... 40
" Coal used, ... 41
Churches, Disturbance at, ... 394
" Lots exempted, ... 245
" Lots Granted, ... 246
Circus, ... 144
Cisterns, ... 146
City Charters, ... 505 to 526
City Court of Savannah, ... 42
" " State Laws, ... 44, 527, 531
City Deposits, ... 340
City Domain, ... 48
City Lots, ... 76
City Marshal, ... 76
" Deputy, ... 78, 435
" Synopsis of Duty, ... 80
City Officers, ... 94
City Printer, ... 97, 337
City Surveyor, ... 97, 435
City Treasurer, ... 100
" Synopsis of Duties, ... 105
Clerk of Council, ... 107
" Synopsis of Duties, ... 109
Clerk of the Market, ... 111
Coal, ... 41, 115
Coal Cars, ... 116
Columns, ... 294
Commissioners of Pilotage, ... 299
Commission Tax, ... 213
" Gross Sales, ... 190
Committees of Council, ... 116
Concerts, ... 144
Constables, ... 117
Contempt of Court, ... 320
Coppersmiths Lien, - 369
Cord of Wood, ... 168
Corporate Limits, ... 117
Corporation Attorney, ... 118

Cotton, ... 120
" State Laws, ... 119, 532
Council Rules, ... 386
" Order of Business, ... 390
Counterfeiting Badges, ... 421
Court House, ... 221, 250
Cruelty to Animals, ... 121
" State Law, ... 122
Deputy Marshal, ... 78, 435
Digest Taxes, ... 103
Disorderly Conduct, ... 122, 324
Disorderly Driving or Riding, ... 123
Disorderly Houses, ... 122, 183, 228
Disinterring Dead Bodies, ... 190
Dispensary, ... 214
Distress Warrant, ... 378
Disturbing the Public Peace, ... 324
Dock and Wharves, ... 124
Dockage Rates, ... 500
Dogs, ... 128
Drainage of Low Lands, ... 137
" " Springfield Tract, ... 141
Drains, ... 432
Drays, License, ... 130
" Overloading, ... 133
" Rates, ... 132
Driving through Lanes, ... 131
Dry Dock Company, ... 127
Dry Culture Committee, ... 136
" " Contracts, ... 133
" " Inspector, ... 136, 138
Dry Wells, ... 12
Elections, City Officers, ... 143
" Massie School Commissioners, ... 274
" Mayor and Aldermen, ... 525
Elevating Buildings, ... 149
Enclosures, ... 356
Encroachments, ... 150, 356, 428
Engines, ... 166
Engine Companies, ... 154
" Houses, ... 144

Engine, Steam, ... 426
Episcopal Orphans' Home, ... 245
Exhibitions, ... 144
Express Company, ... 146
Extortion, ... 133
Fast Driving or Riding, ... 123
Fee Simple Lots, ... 259
Fees, Chimney Contractor, ... 41
" City Court Attorney's Tax, ... 530
" " " City Tax, ... 46
" " " Clerk, ... 46
" " " Jury, ... 530
" " " Sheriff, ... 46
" City Marshal, ... 77
" City Surveyor, ... 98
" City Treasurer, ... 101
" Clerk of Council, ... 108
" Clerk of Market, ... 113
" Guard House, ... 325
" Harbor Master, ... 199
" Health Officer, ... 207
" Inspector of Flour, ... 169
" Inspector and Guager of Liquors, ... 216
" Inspector of Liquor, ... 527
" Inspector of Turpentine, ... 457
" Inspector of Weights and Measures, . . . 488
" Jail, ... 534
" Keeper of L. G. Cemetery, ... 32
" " Powder Magazine, ... 195
" Measurers and Inspectors Lumber, ... 280
" " Salt, Grain, &c., ... 283
" " Wood, ... 285
" Pilots, ... 316
" Port Wardens, ... 336
" Pound, ... 25, 208, 403
" Scavenger 400
" Vendue Masters, ... 461
" Weighers of Cotton, &c., ... 483
" Weighers of Hay, ... 205
Female Asylum, ... 256
Fig Island, ... 146

Fines, (See penalties,) 147
Fire, Alarms, ... 153
" Apparatus, ... 166
" Boiling Pitch, &c., ... 147
" Department, ... 154
" Districts, ... 153
" Insurance, ... 167
" Limits, ... 148
" Proof Buildings, ... 148
" Relief from, ... 366
" State Laws, ... 147, 154, 164
" Wood, ... 168
" Works, ... 168
Firemens' Hall, ... 167
Flour Inspectors, ... 168
" State Law, ... 171
Foot Police, ... 321
Forcible Entry and Detainer, ... 359
Free Negroes, Badges, ... 173
" " Non-Residents, ... 175
" " Registry and Tax, ... 174
" " State Laws, ... 175
" " Work at Fires, ... 156
Free Negro Seamen, ... 179, 181
" " " State Laws, ... 177, 180
Free Negroes and Slaves, ... 181
" " " " Liberia, ... 232
" " " " State Laws, ... 184
Free School, ... 258
Gambling, ... 183, 332
Garnishments, ... 527, 531
Gas Contract, ... 189
Georgia Historical Society, ... 246, 257
Gift Enterprises, ... 259
Goats, ... 189
Grain, ... 282
Grants, ... 246
Graves, ... 190
Gross Sales by Commission, ... 190
Ground Rents, ... 192, 535
Guard House, ... 193

Gunpowder, ... 193
" in Transitu, ... 195
" Shopkeepers, ... 196
" State Laws, ... 196
" Vessels, ... 194
Gutters, ... 197, 432
Half Lots, ... 197
Harbor Master, ... 198
" " Rules, ... 200
Hay, ... 204, 483
Health Officer, ... 205
" " Quarantine Laws, ... 346
Hearths, ... 41
Hides, ... 249
Hitching Animals, ... 341, 433
Hogs, Limits, ... 207
" State Law, ... 208
Horses, Mules, &c., ... 208
" " " State Law, ... 209
Householders, ... 399, 400
Houses Numbered, ... 210
Houses, Stores, &c., ... 212
Improper Conduct, ... 122
Incendiary Publications, ... 422
Income and Commission Tax, ... 213
Indigent Sick, ... 214
Informers, ... 215
Inspectors and Guagers of Liquor, ... 216
Inspector of Dry Culture, ... 136, 137, 138
Inspector of Liquors, ... 526
Inspector of Weights and Measures, ... 115
Insurance Companies and Agents, ... 217
Insurrections, ... 422
Interest Coupons Unsigned, ... 533
Iron Steam Boat Company, ... 127
Jail, ... 220, 221, 225
" Fees, ... 517, 534
" Rules, ... 226
Jailor, ... 218
" State Laws, ... 221
Jurisdictional Limits, ... 513, 516

Jury Fines, ... 44
Keeper, City Clocks, ... 228
" Laurel Grove Cemetery, ... 27, 228
" Old Brick Cemetery, ... 27
" Pest House, ... 143
" Pound, ... 403
" Powder Magazine, ... 193
Keeping Disorderly House, ... 224
" Boarding House. 13, 34, 397
Ladders, ... 229
Lamps, ... 230
Lamp Posts, ... 231
Lanes, ... 231, 356
Lazaretto, ... 345
Lewd Houses, ... 503
Liberia, ... 232
Licenses, Exhibitions, ... 144
" Market, ... 266, 273
" Peddlers, ... 295
" Price of 232
" Retailers of Liquors, ... 407
" Sell from Vessels and Wharves, . . . 469
" Vehicles, ... 7, 130
Lien Laws, Buildings 367
" " Vessels, ... 370
Life Insurance Office, ... 518
Light House, Bay, ... 233, 533
Loans, Subscription Central Rail Road Stock, . . 234
" Works Internal Improvement, ... 237
" for paying Interest, &c., ... 238
Locomotives 238, 357
Lots Exchanged, ... 239
" Exempted from Ground Rent, ... 245
" " " Taxes, ... 246
" Granted, ... 246
" in Fee Simple, ... 259
Lottery Tickets, ... 259
Lumber Basins, ... 23
" Inspection, ... 260
" Yards, ... 151
" State Laws, ... 262

Machinists' Lien, ... 376
Market laid out, ... 263, 511
" Regulations, ... 263
" Smoking, ... 270
" Stalls Assessment, ... 272
" State Law, ... 274
" Unwholesome Meats, ... 265
" Vehicles, ... 268
" White Aprons, ... 264
Masons' Lien, ... 367
Massie Common School, ... 275
Mayor, General Duties, ... 276, 318
" Power to borrow Money, Administer Oaths, &c., 532, 238
" " to Suspend Officers, ... 96
" " to take Recognizances, ... 320
" " to issue Warrants, &c., ... 523
Mayor and Aldermen, ... 510, to 526
Measurers and Inspectors, ... 277
Measurers and Inspectors of Lumber, ... 279
" " State Laws, ... 280
Measurers of Salt, Corn, &c., ... 282
Measurers of Wood, ... 284
Messenger of Council, ... 285
Militia, at Fires, ... 287
Military Parade Ground, ... 286
Military Salutes, ... 287
Millwrights' Lien, ... 374
Misdemeanors, ... 529
Mounted Police, ... 322
Music, ... 144
Nakedness 287
Negro Badges, ... 7
New York and Savannah Atlantic N. Company, . . 126
Non-Resident Venders, ... 288
Nuisances, ... 289
" State Laws, ... 290
Order of Business, ... 390
Obstructing free passage of Citizens, ... 431
Obstructions, Railings, Steps, ... 356
" Streets and Lanes, ... 428
Oglethorpe Fire Company, ... 165

Open Railings, ... 356
Open Sheds, ... 148
Opening Streets, Appeals, ... 523
Opposing Police, ... 327
Overloading Animals, ... 121, 133
Painters' Lien, ... 369
Parapet Walls, ... 126
Pavements, ... 292, 293
Pawnbrokers, ... 294
Peddlers, ... 295
" State Laws, ... 295, to 299
Penalties, Auctions held without License, . . . 1
" Bakers, Adulterating Flour, . . . 20
" Bakers, selling Bread deficient in weight, . . 20
" Basins, improperly drained, ... 23
" Basins, Floodgates improperly built, . . 23
" Billiard Rooms, kept disorderly . . . 8
" Board of Health, refusing admittance to . 9, 12
" Boarding House Keepers not reporting sick persons, 13
" Bowling Alleys, kept disorderly, . . . 8
" Buildings untenanted not ventilated, . . 9
" Buildings untenanted, not white-washed, . 10
" Buildings, Yards not kept clean, . . . 11
" No Privy to each tenement, ... 12
" Privies, Sinks, not cleansed out at proper times, 12
" Butcher Pens within 1 mile of the City limits, 265
" Butchers cutting up Meat without White Aprons, 264
" Butchers not dividing Small Meats, . . . 264
" Butchers not taking Hides, &c., to Market Clerk, 264
" Butcher Waggons near Market, . . . 268
" Carriages, not paying tax on, . . . 318
" Cattle running at large, ... 25
" Cellars improperly built, ... 26
" Cellar Doors left open, ... 433
" Cellar Doors, kept in bad order, . . . 433
" Cemeteries, persons misbehaving in, . . 27
" " Interments in improper, . . 30
" " Keepers not preparing Graves, . . 31
" " Defacing Tombs, Trees, &c., in . 32
" " Shooting, &c., in, . . . 32
" " not keeping records of interments, 34

Penalties, Cemeteries, not reporting interments, . . 34
" Chimneys, opposing Contractor, . . . 39
" " Neglect of Contractor, . . . 40
" " Hearths improperly built, . . 42
" City Officers, neglect of duty, ... 96
" " " Removing records, . . . 109
" Clerk of the Market, neglect of duty, . 112, 114
" " Persons opposing him, . . . 114
" Coal, sold less than 2240 lbs. for a ton, . . 116
" Commission Tax Return, failing to make, . 214
" Cruelty to Animals, ... 121
" Deputy Marshal, neglect of duty, . . . 436
" Disorderly Conduct, ... 122
" Disturbers at fires, ... 123
" Disorderly driving 123
" Docks and Wharves, fires on, ... 124
" " Built improperly, ... 125
" " Landing at, or shipping from, . . 125
" " Fastening Water Crafts to, . . . 126
" Dogs, running at large, ... 128
" " Biting Persons, ... 128
" " Free Negroes and Slaves keeping them, 129
" " Tax not paid on, ... 130
" Drains, improperly constructed, . . . 433
" Drays and other vehicles, driven without license, 131
" " Having improper drivers, . . . 131
" " Drivers refusing to haul, ... 131
" " Drivers guilty of extortion, . . . 133
" " Using lanes, ... 131
" " Overloaded, ... 133
" Dry Culture, Owners not draining low lands, . 138
" " " Persons planting rice, . . 139
" Exhibitions without having license, . . . 145
" Express Company, not paying tax, . . 146
" Fire, burning Pitch, Tar, &c., ... 147
" " Erecting Wooden Buildings, . . . 148
" " " Insecure Buildings for carrying on trades, ... 149
" " Removing Wooden Buildings, . 149, 152
" " Mechanics erecting Wooden Buildings, . 150
" " Roofing Buildings without Tin, &c., . 151

Penalties, Fire, keeping more than 250 cords of wood, . 151
" " " " 60,000 ft. of lumber, . 151
" " Additions to Buildings, ... 151
" " Negro Firemen neglecting duty, . . 157
" " " " " parades, . . 157
" " Slaves not appearing at Fire Alarms, . 162
" " Persons not aiding to fill Engines, . . 158
" " " Secreting Axes, Buckets, &c., . 158
" " " Opposing Firemen in removing combustibles, ... 159
" " " Improperly pulling down houses, &c., 160
" " Owners neglecting to alter or remove dangerous chimneys, ... 160
" " Houses having insufficient Ladders, . . 164
" " Houses having defective Scuttles, . . 164
" " Persons using Engines, Fire Apparatus, &c., 166
" " " Disobeying Chief Fireman, . . 166
" Fire Works, not paying tax on, . . . 144
" Flour, Persons opposing inspection of, . . 169
" Free Negroes, Selling without Badges, . . 173
" " " Not Registering their names, . 174
" " " Non-Residents not paying tax, 175
" Free Negro Seamen found on shore, . . 179
" " " Captains of Vessels not reporting, &c., 180
" " Negroes and Slaves, attending in shops, &c., 181
" " " " " Unlawfully Assembling, 181
" " " " " Dancing, &c., without permission, . . 182
" " " " " Teaching to Read or Write, 182
" " " " " Keeping Disorderly House, 183
" " " " " Playing at Cards &c., . 183
" " " " " Following Parades, &c., 183
" " " " " Without Tickets, . . 183
" Goats Running at Large, ... 189
" Gross Sales by Commission, returns not made, 191
" Gunpowder, Persons firing off poppers, &c., 193
" " " Carrying through the streets, 194
" " Vessels not placing in Magazine, . 195
" " Shipped on Vessels, . . . 195
" " Visiting Powder Magazine without woollen socks, ... 195

Penalties, Gunpowder, carried without a tarpaulin, . 195
" " Dealers having more than 25 lbs. in store, ... 196
" Gutters, Leading from Kitchens, . . . 197
" " Improperly Constructed, . . . 433
" Gutters and Leaders to buildings on or below bluff, 197
" Harbor Rules, Violation of, ... 200
" Hay, Persons objecting to have weighed, . 205
" Hides, Curing in City Limits, ... 289
" " Owner not removing, . . . 289
" Hitching Horses, &c., to boxes around trees, or to fences, railings, or steps, ... 433
" Hogs, kept in the City Limits, . . . 208
" Horses, &c., Running at Large, . . . 208
" " Diseased, &c., ... 209
" " Persons not paying tax on, . . . 209
" Improper Conduct, ... 122
" Income Tax Returns, failing to make, . . 214
" Indigent Sick Persons obtaining medicines under false pretences, ... 215
" Informers, failing to attend Police Court, . . 215
" Inspection, failing to have liquors inspected, . 217
" Insurance Companies, failing to make tax returns, 218
" Ladders and Scuttles, buildings deficient in, 229
" Lamps, Persons injuring them, . . . 230
" Lamp Posts, Persons defacing them, . . 231
" Lanes, Loaded Vehicles using, ... 232
" Liberia, negroes going to, not paying tax, . 232
" Locomotives, Flange Wheels on Plank Road, . 357
" " Not paying tax on, . . . 446
" Lottery Tickets, Persons selling without license, 259
" Lumber, selling loblolly pine, . . . 260
" " " Without Inspection, . 261, 279
" " " Without Measurement cut on each piece, ... 261
" Market, Persons Refusing to Pay Fees, . . 264
" " " Bringing Offal to, . . 265
" " " Selling unwholesome Meat, . 265
" " " Selling Butter, Codfish, &c., without license, ... 266
" " " Buying to sell again, . . 266

Penalties, Market, Persons feeding animals at, . . 268
" " " Having wagons near, . . 268
" " " Selling by false Weights and Measures, ... 269
" " " Weighing at other Scales, . 269
" " " Having no Scales, . . 269
" " " Sleeping on Stalls in, . . 269
" " " Having dogs in, . . . 270
" " " Smoking in, ... 270
" " " Injuring Stalls in, . . 271
" " " Selling Beef, Veal or Mutton in other places than at, . . 271
" " " Selling Eggs, Poultry, &c., without license, ... 273
" " Col'd Persons selling Grist or Vegetables in, 271
" " " " " Poultry in, . . 271
" " Slaves Selling Fruit in, . . . 267
" " " Acting as Butchers in, . . 267
" " " Selling Poultry in, . . . 267
" Measurers and Inspectors, without license, . . 277
" " " Neglect of duty, . 278, 280
" " " Persons refusing to pay fees, . . . 279
" " " Persons using false Measures, . . . 283
" " " Selling Corn, &c. by improper weights, . 284
" Nakedness, in the streets, . . . 287
" " Persons indecently exposing, . . 287
" Non-Resident Venders not paying tax, . . 288
" Non Resident Professors not paying tax, . 447
" Nuisances, ... 292
" Pavements, Persons not paving, . . . 292
" " Persons not keeping in repair, . . 293
" " Persons encroaching, . . . 293
" " " Prevented from passing over, 433
" Peddlers, Selling without License, . . 295
" " Occupying Streets, &c. with Tables, &c., 295
" " Violating License, ... 411
" Plank Road, Transporting Iron improperly, . 317
" " " Vehicles not keeping to the right, 317

Penalties, Plank Road, Flange Wheels of Locomotives, and Rail Road Cars, . . . 357
" Police, Taking up Disorderly Persons, . . 325
" " " Felons and Rioters, . . . 325
" " Receiving Bribes, ... 326
" " Guilty of Improper Conduct, . . . 326
" " Persons Molesting, ... 327
" " " Refusing to Aid, ... 327
" " " Arrested at night, . . . 329
" " " Neglect of Duty, ... 329
" Port Wardens, Persons Illegally Officiating, . 335
" " " Neglect of Duty, . . . 335
" " " Neglecting Summons, . . 336
" Private and Public Property, Pasting &c. papers on Trees &c., ... 339
" Private and Public Property, Persons defacing &c. Buildings, &c., ... 339
" Private and Public Property, cutting boxes, benches, trees, ... 339
" Private and Public Property, throwing brickbats into streets, &c., ... 339
" Private and Public Property, throwing brickbats at trees, &c. 339
" Privies, Improperly Built, . . . 12, 339
" " Without Flues, ... 339
" " Cleaned at Improper Times, . . . 12
" " Sinks Surcharged, ... 10
" Public Property, Persons taking away Fire Ladders, Hooks, &c., . . 341
" " " Destroying or injuring Pumps, 341
" " " " " Trees, 341
" " " Driving Hooks into Trees, . 341
" " " Hitching Horses to Trees, &c., 341
" " " Leading Animals over sidewalks or between row of Trees, . 342
" Pumps, Watering Animals, &c. at, . . . 344
" " Washing Animals, &c. at, . . 344
" Rafts, Persons not Removing Hoops, . . 354
" " Moored Longer than 4 days. . . 355
" Railings, Encroaching, ... 356

Penalties, Rail Road Cars and Locomotives, flange wheels on Plank Road, . . . 357
" " " " Not paying tax on, . . 448
" Religious Worship, Persons disturbing, . . 391
" Retailing Liquors, without license, . . . 411
" Rice Chaff, Exposed to influence of sun and rain, 382
" " " Persons throwing into the river, . 385
" " Persons cultivating within 1 mile of City, 139, 140
" Sabbath Day, Persons Violating Sabbath Ordinance, ... 391, 394
" Sabbath Day, Persons Working on, . . . 391
" " " " " Selling on, . . . 391
" " " " Entertaining negroes on, 392, 393
" " " " Opposing officers entering Tippling Shops on, 393
" " " " Public sports on, . . 392
" " " " Negroes found in shops on 393
" " " " Shops not being closed on, 394
" " " " Slaves and free negroes riding on horseback, . 393
" " " " Tavern keepers entertaining on, . . . 392
" " " Vehicles plying on, . . . 392
" " " Vessels loading. &c. on, . . 392
" Sailor Boarding Houses, without license, . 397
" Not reporting sick persons, ... 13
" Sand removed from the bluff. . . . 398
" " " " Public Domain, . . . 398
" Scavenger, neglecting duty, ... 402
" Seamen, Persons abducting, &c. articled, . . 404
" " " Aiding and assisting to escape, 405
" Police not arresting persons, ... 406
" Sewers, improperly constructed, . . . 433
" Shops, Stores, &c. retailing liquors without license, 411
" " " " " without a sign, 410
" " " Selling liquor in less quantities than original packages, . . . 409
" " " Violating terms of Retailers' license, 411
" " " Entertaining negroes after bell ring, 410
" " " Having screens before doors or bars, 411
" Side Walks, Persons prevented from passing over, 433

Penalties, Slaves, working without Badges exposed to view, 418
" " Owners hiring them out without Badges, 418
" " " Suffering them to sell without Badges, 418
" " Persons hiring or employing them without Badges, ... 418
" " Brought Sick from plantation to avoid diseases, ... 13
" " Occupying Houses, ... 419
" " Persons letting Houses to, . . . 419
" " More than 2 from same plantation, . 419
" " Mechanics contracting, ... 420
" " Persons counterfeiting Badges for, . 420
" " Persons bringing them in after 1st January, and not paying tax, . . . 424
" " Persons hiring them without their taxes being paid, ... 424
" " Smoking in the streets, &c. . . . 425
" Slave Marts, Persons keeping without paying tax, 425
" Smoking, Persons smoking in Market, . . 270
" " Slaves " in the streets, . . 425
" Springfield Plantation, persons injuring, . 426
" " " Removing sand, &c., . 426
" Stable Keepers, not removing filth, &c., . 401
" Steamboats, exceeding in speed 5 miles per hour, 426
" Steam Engines, erected without permission of Council, ... 426
" Stevadores, defrauding laborers, . . . 427
" Stoves, improperly constructed, . . . 428
" Streets and Lanes, Obstructed with boxes &c., longer than 6 hours, 428
" " " Persons digging holes, &c., into, 428
" " " " Placing obstructions into, 428
" " " " Neglecting to remove obstructions, &c., 429
" " " " Throwing dead animals into, . 399
" " " " Throwing dirt, filth, &c. into, 431, 432, 433
" " " " Throwing offal, filthy water, &c. into, . 432

Penalties, Streets and Lanes, Persons repairing buildings not having lighted lamp burning all night, 429
" " " " Repairing buildings, not removing the litter in 5 days, 429, 430
" " " " Increasing height or level of sidewalks, . . 431
" " " " Blocking up free passage of citizens, . . 431
" " " " Placing damaged cotton, &c., into, . 429, 431
" Surveyor, neglect of duty, ... 436
" Swimming, in the Canal, ... 436
" " in the River, ... 436
" Tenants, not having box or barrel in yard, . 399
" " Not sweeping sidewalks, . . . 399
" " Not keeping yards clean, . . 400
" " Not keeping privies clean, . . . 401
" Tenements, not having partition walls, . . 453
" Turpentine, inspected contrary to Ordinance, . 457
" Upper or 2d story of buildings, throwing cotton, &c., from, ... 459
" Upper or 2d story of buildings, throwing rubbish, &c., from, ... 433
" Vehicles, Persons not paying tax on, . . 318
" Vendue Masters, neglect of duty, . . . 460
" Vessels, having fires in improper caboose, 467, 468
" " " " improperly, . . . 467
" " Obstructing Wharves, ... 468
" " Landing ballast improperly, . . 469
" " Persons selling from, without license, . 469
" " In the stream not having lighted lamps burning all night, . . . 470
" " Under weigh without lighted lamps, . 470
" " Not removing gunpowder to Magazine, &c., 195
" Washing or drying clothes in squares, &c., . 474
" Water Works, Persons opening hydrants improperly, 476
" " " " Making connections " 476
" " " " Turning off or on water " 476
" " " " Injuring engine houses, &c., 476

Penalties, Water Works, Unlicensed Plumbers making connections, ... 477
" " " Plumbers neglecting duty, . . 477
" " " Persons tapping any main illegally, 478
" " " " Neglecting to repair connections, &c., . . 478
" " " " Using false keys, &c., . 478
" " " " Wasting water, . . 478
" " " " Polluting water, . . 478
" " " " Taking water and allowing others to use it, . 479
" " " " Using water without paying, 479
" " " " Mooring rafts, &c., alongside of pilings attached to, 482
" " " Servants, &c., violating Ordinance, 479
" " " Slaves and free negroes violating Ordinance, ... 479
" Wharves, Persons selling from without license, 469
" White Persons not registering, not paying tax, 450
" Weights and Measures, Persons not having them regulated, . 486
" " " " Buying or selling with unstamped, 486
" " " " Using false or fraudulent, . . 487
" " " " Using false weights, 115
" " " Slaves using false weights, &c., 487
" " " Shops, &c., refusing to have them inspected, . 487
" Witnesses failing to attend Police Court, . . 215
" Workshops, erected contrary to Ordinance, . 502
" " Used contrary to Ordinance, . . 503
Physicians, Puting up prescriptions for indigent sick, . 214
" Concealing small pox, ... 352
" Wilfully spreading small pox, . . . 353
Pilotage, ... 299
" State Laws, ... 300 to 316
Pilots, ... 301 to 311
" Fees or Rates, ... 316
Pitch, Tar, Turpentine, ... 124
Plank Road, ... 317, 357

Pleasure Carriages, ... 317
Police Court, ... 318
" " State Laws, ... 321
Police and Watch, ... 321
" " Foot Supernumeraries, ... 327
" " Mounted " 330
" " Special Bailiffs City Court, . . 528
" " Neglect of duty, not arresting persons abducting articled seamen, . 406
" " State Laws, ... 331
Poor House and Hospital, ... 250
" " " Charter, ... 518
Porticoes, ... 293, 294
Port Wardens, ... 333
Possession Personal Chattels, ... 472
Possessory Warrant, ... 362
Pound, ... 403
Printer, ... 337
Private and Public Property, ... 338
Privies, ... 12, 339
Professions and Callings, ... 213, 288
Public Buildings, ... 340
Public Monies, ... 340
Public Property, Fire Ladders, &c., ... 341
" " Driving over sidewalks, ... 342
" " Hitching horses, ... 341
" " Injuring trees, ... 341
" " Impounding animals, ... 341
" " Pumps, injuring, ... 341
Public Sales, ... 342
" " Unexpired leases, ... 343
Pumps, Contractor, ... 344
" Watering or washing at, ... 344
Quarantine, Pilots Duties, ... 348
" Regulations, ... 346
" Small Pox, ... 352, 353
" State Laws, ... 346
" Temporary Hospitals, ... 353
" Vaccine Matter, ... 353
" Vessels in sickly months, ... 350
Raffles, ... 259

Rafts, ... 353
" Limits, ... 354
" State Law, ... 312
Railings, ... 356
Rail Road Cars, ... 238, 357
Rail Roads, Central, ... 234, 254
" " Rights of Way, ... 383
" " Tax on, ... 536
Rates of Dockage, ... 500
" Drayage, ... 132
" Harbor, ... 199
" Pilots, ... 316
" Storage. 500
" Water, ... 480
" Wharfage, ... 496
" Weights and measures, ... 488
Real Estate, aliens, ... 357
" " Assessments, ... 358
" " Forcible entry and detainer, . . . 359
" " Possessory Warrants, ... 362
Registry of Interments, ... 33, 37
" Voters, ... 363
Relief from Fire Ordinances, ... 365
" Jury fines, ... 44
" Lien Laws, ... 367
" from payment of taxes, ... 451
Religious worship, ... 394
Removal of Buildings, ... 151, 149, 150
Rents of City lots, ... 535
Rents, State Laws, ... 378
Repairs of Buildings, ... 429
Resources of the City, ... 537
Retailers of Liquor, ... 407, 413
Returns, Officers, ... 97
" Taxes, ... 102
Rice, cultivation of, ... 139
" State Law, ... 513, 535
Rice Mill, ... 127
Rice Chaff, ... 382
Riding and driving disorderly, ... 383
Right of Way, Charleston and Savannah Rail Road, . 385

Right of Way, Savannah and Albany Rail Road, . . 383
" " Savannah, Albany and Gulf Rail Road, 384
River, ... 385
" State Law, ... 386
Rules of Council, ... 386
" Jail, ... 226
" Harbor Master, ... 200
Sabbath, Jurisdictional limits, ... 413
" Persons disturbing congregations, . . 391, 394
" " Selling and working on, . . . 391
" Public sports and tavern keepers, . . . 392
" Shops to be closed, ... 394
" Slaves in shops, ... 393
" State Laws, ... 394, 395, 396
Sailor Boarding Houses, ... 397
Salaries, payable monthly, ... 398
" City Marshal, ... 77
" City Printer, ... 337
" City Surveyor, ... 100
" City Treasurer, ... 101
" Clerk of Council, ... 108
" Clerk of the Market, ... 113
" Corporation Attorney 119
" Deputy Marshal, ... 78
" Harbor Master, ... 200
" Health Officer, ... 207
" Judge City Courts, ... 44
" Keeper City Clocks, ... 228
" " Laurel Grove Cemetery, . . . 228
" " Old Brick Cemetery, ... 33
" " Pest House, ... 143
" Inspector of Dry Culture, ... 137
" Jailor, ... 219
" Mayor, ... 277
" Messenger of Council, ... 285
" Police Officers, ... 322
" " Foot Privates, ... 322
" " Mounted Privates, ... 322
" Pump Contractor, ... 344
" Scavenger, ... 401
" Secretary Board of Health, ... 407

Salaries, Water Works, ... 475
Sales, ... 242
Sand, ... 398
Sav'h Fire Co., Bye-laws and officers, ... 155
" Absence of members, ... 162
" Arresting persons, ... 160, 166
" Axe, hose, hook and ladder men, . . . 157
" Charter, ... 155
" Chief Fireman, ... 155, 156
" Clerk and salary, ... 155
" Compensation for alarms, ... 162
" Engine Company organized, ... 154
" Engines, ... 156
" Engine houses, ... 166
" Examination of apparatus, &c., . . 156, 157
" " of chimneys, ... 160
" Firemen to enter houses, ... 159
" Free negroes exempt from poll tax, . . 157
" " and hired slaves, . . . 157
" Gunpowder, ... 159
" Houses, &c. to pull down, ... 160
" Incorporation of, ... 164
" Ladders and scuttles, ... 161, 164
" Marshal's duty, ... 156, 158
" Mayor and Aldermen at fires, . . . 159
" Mayor and Chief Fireman to remove nuisances, 151
" Members' Badges, ... 156
" " at fires, ... 156
" Militia at fires, ... 161
" Nomination to Council, ... 162
" Officers at fires, ... 158
" Persons to assist in filling engines, . . 158
" Riding through the streets, &c., . . . 161
" Rewards for good conduct, ... 163
" Scavenger at fires, ... 160
" Scuttles and ladders, ... 164
" Semi-annual examination, ... 164
" Slaves having badges, ... 162
" " Injured at, ... 538
" Using fire apparatus, ... 166
" Vacancies how filled, ... 161, 162

Savannah Floating Dry Dock Company, . . . 127
Savannah Free School, ... 258
Savannah Medical College, ... 245
Savannah Poor House and Hospital, ... 250
" Steam Rice Mill Company, ... 127
Scavenger, charge of the pound, ... 403
" Deliver cattle, ... 403
" Duty of house holders, ... 400
" " Stable keepers, ... 400
" " Superintendent, ... 400, 402
" Election of 401
" Examination of Squares, &c., ... 403
" Occupants of Houses, ... 399
" Offal, ... 402
" Pay fees to Marshal, ... 403
" Tenants to have boxes, &c., ... 399
" Throwing animals, &c., into streets, &c., . 399
" Use of stables, ... 403
Scuttles, ... 229
Seamen, Abducting, &c., ... 404
" Harboring, ... 406
" Special duty of, ... 405
Secretary Board of Health, ... 407
Sewers, ... 432
Sextons, ... 33
Sheds, ... 148
Shipping from Fire, ... 471
Shops, Stores and Bar Rooms, back time, . . . 410
" " " " Bonds, ... 409
" " " " Classes, ... 408
" " " " Clerk of Council's duty, 409
" " " " Corporate limits, . . 413
" " " " How long kept open, . 412
" " " " Jurisdictional limits, . 413
" " " " Liquor licenses, . 408, 412
" " " " Screens or Bars, . . 411
" " " " Signs, ... 410
" " " " State Laws, ... 413
" " " " Transferable to places, 409
" " " " Treasurer's duty, . . 409
Shows, ... 144

Sidewalks, ... 293, 342, 431, 433
Sisters of Mercy, ... 256
Sixth Lots, ... 453
Slave Marts, ... 424
Slaves, Badges, ... 417, 418
" " After 1st July, ... 421
" Carrying off, ... 423
" Circulating pamphlets, ... 422
" Coming into City after 1st January, . . . 423
" Cruel treatment of, ... 423
" From plantations, ... 13, 419, 420
" Hired out, ... 417
" Injured at Fires, ... 538
" In tippling shops, ... 186
" Mechanics, ... 417, 420
" Non-resident owners, ... 417
" Not to occupy houses, ... 419
" Persuaded to commit crimes, ... 421
" Procured to " " 422
" Resident owners, ... 417
" Sick with infectious diseases, ... 13
" State Laws, ... 421
" Tax, ... 423
" Teaching to read or write, ... 422
" Under coercion, ... 421
" Working without badges, ... 418
Smoking, ... 425
Special Courts, ... 529
Specific Taxes, ... 442
Springfield Plantation, ... 141, 425
" " Exempt from tax, ... 526
Squares, Contents of, ... 502
" Drying clothes in, ... 474
" Named, ... 51
Stable Keepers, ... 400
Steamboats, ... 426
Steam Engines, ... 426
Steam Saw Mills, ... 373
Steps, ... 293, 356, 433
Storage Rates, ... 500
Stoves, ... 427

Streets and Lanes, ... 428
Streets, Names of, ... 52, 433
" Width of, ... 501
Surveyor, ... 435
Swimming, ... 436
Taverns, ... 397, 414
Taxes, ... 437, 503
" Applications for relief from, ... 451
" Comparison of digests, ... 538
" On bank stocks, ... 536
" On railroad stock, ... 536
" Time for making returns, ... 102
" Time for payment of, ... 451
Temporary Residents, ... 447
Tenants, ... 399
Tenements, ... 452
Theatrical Representations, ... 144
Third Lots, ... 453
Tickets for Free Negroes and Slaves, ... 183
Tinners', Lien of, ... 369
Tippling Shops, ... 413
Transient Dealers, ... 288
Tread Mill, ... 517
Trees, ... 455
Trustees Colored Methodist Episcopal Church, South, 456
Turpentine, ... 456
" State Law, ... 458
Unoccupied Buildings, ... 9
Undertakers, ... 33
United States Barracks, ... 253
United States Light House on the bay, ... 533
Upper or 2d story of buildings, ... 459
Vagrants, ... 465
Vehicles, ... 130, 317
Venders of small wares, ... 173, 419
Vendue Masters, ... 460
" " State Laws, ... 461
Vessels, ... 467
" Lien on, ... 370
" State Laws, ... 312, 471
Voters, ... 363

Wages, Wood and Provisions, Lien for, ... 371
Waggons, ... 130
Wards, Laid off, Berrien, ... 434
" " Brown, ... 60, 61
" " Calhoun, ... 71
" " Charlton, ... 75
" " Chatham, ... 68, 71
" " Columbia, ... 52
" " Crawford, ... 66
" " Currie Town, ... 64, 434
" " Elbert, ... 54
" " Forsyth, ... 75
" " Franklin, ... 48, 51
" " " New, ... 57, 59
" " Gaston, ... 434
" " Greene, ... 52
" " Jackson, ... 60
" " Jasper, ... 62, 63
" " LaFayette, ... 62, 63
" " Liberty, ... 52
" " Monterey, ... 68
" " Oglethorpe, Middle, ... 434
" " " North, ... 434
" " " South, ... 434
" " Pulaski, ... 62, 63
" " Springfield Plantation, ... 73
" " Troup, ... 71
" " Walton, ... 435
" " Warren, ... 48, 51
" " Washington, ... 48, 51
" " Wesley, ... 71
Wards, Rents of City Lots, ... 535
Warrants, ... 523
" For possession, ... 472
" For search, ... 524
Washing or drying clothes, ... 474
Washington Fire Company, ... 165
Watch and Police, ... 321
Water line of harbor of Savannah, ... 492
Water Works, ... 474
Weighers of Cotton, Rice, Tobacco, ... 483

Weighers of Hay, ... 483
Weights and Measures, ... 484
" " State Laws, ... 489
Wharf Heads, ... 500
Wharf Lines, ... 315
Wharfage, Rates, ... 496
Wharves, Examination and repairs of, ... 311
" Water line, ... 492
White Persons not registering, ... 450
Width of Streets, ... 501
Witnesses, ... 215, 524
Wooden Buildings, ... 148, 502
Work Houses, ... 503
Work Shops, ... 502, 503