The Code

of the

City of Savannah

CONTAINING

A Codification of the Acts of the Legislature of Georgia
Constituting the Charter of the City of Savannah
WITH
The General State Laws Affecting Municipal Corporations
AND
A Codification of the Ordinances Adopted by
the City Council, Now in Force,
WITH AN APPENDIX CONTAINING
A Codification of the Laws of the City Court of Savannah,
A Codification of the Laws of the Municipal Court of Savannah,
Annotated, and a List of Local Laws Enacted for Chatham County
and the City of Savannah.

(STATE LAWS INCLUDE ACTS OF 1917)
(ORDINANCES TO JULY 3, 1918)

PREPARED BY
David S. Atkinson, assistant city attorney,
BY
Authority of the Mayor and Aldermen of the City of Savannah.

Adopted July 3, 1918.

The Mayor and Aldermen *of the* City of Savannah

HON WALLACE J. PIERPONT, *Mayor*

ALDERMAN W. H. WRIGHT, *Chairman of Council*

ALDERMAN J. C. SLATER, *Chairman Pro Tem.*

ALDERMEN

J. A. G. CARSON
JOHN E. FOY
S. N. HARRIS
H. L. KAYTON
J. A. LOGAN
H. H. LIVINGSTON
W. A. PIGMAN
E. A. M. SCHRODER
J. C. SLATER
T. P. WARING
WM. W. WILLIAMSON
W. H. WRIGHT

ORDINANCE ADOPTING CODE OF 1918.

Ordinance read in Council for the first time July 3, 1918, and by unanimous consent of Council read a second time, placed upon its passage and adopted and approved.

By Committee on City Code—

An ordinance to adopt and make of force a code of the city of Savannah, prepared under the direction and authority of the Mayor and Aldermen of the city of Savannah, and for other purposes.

Section 1. Whereas, by resolution of Council dated May 9, 1917, the Mayor and Aldermen of the city of Savannah, in Council assembled, authorized David S. Atkinson, Assistant City Attorney, to revise the code of the city of Savannah, the same to be done under the supervision of Robert J. Travis, City Attorney; and,

Whereas, by resolution of Council adopted January 30, 1918, the said code as revised and prepared by the said David S. Atkinson, under the supervision of said Robert J. Travis, and approved by the Committee of Council on City Code, was accepted by the Mayor and Aldermen of the city of Savannah, in Council assembled, and the said committee was directed to have the same printed; and,

Whereas, the said code has been printed, and a corrected proof is now on file in the office of the Clerk of Council in the city of Savannah; therefore,

Be it ordained by the Mayor and Aldermen of the city of Savannah, in Council assembled, That the said code, prepared as aforesaid, is hereby adopted and made of force in the city of Savannah.

Sec. 2. Be it further ordained, That the said code does not embrace paving ordinances, temporary ordinances or resolutions, or ordinances directing conveyances of land to persons or corporations, or containing grants of special privileges or franchises and the like; and what is not embraced in said code in the way of ordinances, resolutions or laws heretofore adopted and enacted by Council, and not of general scope or operation, but touching or relating to rights of individuals or corporations, to particular streets or localities, and other special matters whatsoever, is not affected or repealed by said code, and all of such special ordinances, laws or resolutions remain unaffected by it; but all ordinances or resolutions or parts of the same, of a general character, in conflict with said code, or omitted from it, are hereby repealed, and where there is any variance between the language or text of said code and the original ordinance or resolution on which it is based, then the text of this code shall govern.

Sec. 3. Be it further ordained, That all ordinances and parts of ordinances in conflict with this ordinance be and the same is hereby repealed.

REPORT OF HON. ROBERT J. TRAVIS, CITY ATTORNEY.

As early as 1854 a complete digest of the ordinances of the city of Savannah was published by the authority of Council, the compiler being Hon. Charles S. Henry.

This compilation was revised and a new digest issued in 1858, prepared by the Hon. Edward G Wilson. In 1871 the necessity of a regular code was felt, and its publication was authorized, after careful preparation by three commissioners—W. H. Fleming, J. R. Saussy and Edward J. Harden—all distinguished members of the Savannah bar, the last named being City Attorney.

In 1888 the Municipal Code was again revised by the Hon. Alexander H. MacDonell.

In 1907 a further revision was prepared by Judge MacDonell, under the supervision of Hon. William Garrard, City Attorney.

The growth of the city and the continual change in its corporate laws, which have kept pace with the progressive spirit of the times, has made necessary a new revision. The Mayor and Aldermen entrusted this work to David S. Atkinson, Esq., Assistant City Attorney, whose qualifications for the trust were well known, the supervision being committed to the undersigned.

Having carefully examined the result of his labors, I feel confident that the usefulness of this code is assured, the codifier having spared no pains in its preparation.

ROBERT J. TRAVIS,
City Attorney.

Savannah Ga., July 3, 1918.

PREFACE

IN compiling the present Code of Savannah I have largely confined the subjects to the same classification adopted in the former codes of the city. Wherever sections are adopted from the code of 1907, the number of the former code section will be found in parenthesis next to the number of the present code section.

I have also endeavored, as far as possible, to confine the language of the code sections to the verbiage of the acts and ordinances from which they are codified. The code, having been adopted by Council, will govern where the verbiage is in conflict with the ordinance, but this is not true with respect to acts of the Legislature, and where they are brought in question it would be well to read the original act in connection with the code section.

I must acknowledge indebtedness to Hon. Robert J. Travis, the City Attorney, for his valuable assistance and encouragement in the preparation of the entire work; to Judge Davis Freeman, of the City Court of Savannah, for supervising the codification of the laws relative to the City Court of Savannah; to Judge Walter W. Douglas, of the Municipal Court, for codifying and annotating the laws relating to that court, and to Miss Eula M. Daughtry for her help throughout the preparation of the work.

DAVID S. ATKINSON.

Savannah, Ga., July 3, 1918.

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PART FIRST

Charter of the City of Savannah

CHAPTER I.

THE CITY OF SAVANNAH—ELECTIONS AND REGISTRATION

1. (1.) Style of the City as a Corporation. The City of Savannah, as a corporation, shall continue to exist under the name and style of "The Mayor and Aldermen of the City of Savannah," and by its corporate name may sue and defend in any case where a natural person might.

Code of Ga. 1882, § 4822.

2. (122.) Organization of city government. The organization of the city government of Savannah, as existing at the time of the adoption of this Code* shall continue until superseded or modified in conformity with the provisions of said Code.

Code 1882, ¶ 4883.

*This refers to the Code of Georgia adopted December 19, 1860, of which the laws having special reference to the City of Savannah, were made a part.

3. (2.) Mayor and Aldermen, election and term of office. The board of Mayor and Aldermen of said city shall consist of a Mayor and twelve Aldermen to be chosen by ballot (on the second Tuesday in January of each fourth year, beginning with the year 1915; that is to say, the next municipal election shall be held on the second Tuesday in January, 1915; that the next municipal election thereafter shall be held on the second Tuesday in January, 1919, and so on each succeeding fourth year thereafter) by votes of those entitled to vote at such elections; and the board of Mayor and Aldermen shall hold their offices until their successors are duly elected and qualified; a quorum for business shall consist of seven Aldermen, and the Mayor or presiding chairman, except in the months of August, September and October, when a majority of the Aldermen shall suffice.

Acts 1843, p. 56.
Code of Ga. 1882, § 4823.
Acts 1914, p. 1162 (1).

4. Recorder, election of, and term of office. The successors to the present Recorder of The Mayor and Aldermen of the City of Savannah (shall) be elected at the same time, for the same term and in the same manner and under the same regulations as the Mayor and the several Aldermen of said municipality are elected.

Acts 1912, p. 1245, § 5.

5. Salary of Recorder. The salary of the Recorder of the Police Court of the City of Savannah, beginning with the term of the said official elected at the regular municipal election held in said city in January, 1915, shall not be less than twenty-five hundred ($2,500.00) dollars per year.

Acts 1914, p. 1180, § 7.
See Sections 150 and 151 this Code.

6. (3.) Mayor and Aldermen, how elected. The Mayor and Aldermen shall be separately designated on the ticket. Should there be a failure to elect twelve Aldermen by reason of several candidates receiving the same number of votes, then those elected shall proceed at the first meeting, and after their qualification, to elect the number necessary to constitute twelve, out of such number as shall have received the equal number of votes as aforesaid.

Code of Ga. 1882, § 4824.

7. (4.) In case of a tie in election for Mayor. In case of a tie in the vote for Mayor, 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; and in case of a vacancy in the office of Mayor by death, resignation, or otherwise, the Board of Aldermen shall elect a Mayor for the residue of the term; and in case of a vacancy in the office of Alderman from any cause, it shall be lawful for the board to fill the vacancy, the person chosen having a majority of the votes of Aldermen present. In the event of a vacancy in the office of Mayor or Aldermen of the City of Savannah, any citizen of the City of Savannah shall be eligible to election to such office, and the Mayor and Aldermen shall elect such successor.

Code of Ga. 1882, § 4825.
Acts 1915, p. 825, § 4.

8. (5.) Newly elected Mayor and Aldermen and Recorder—Organization and oath. The newly elected Mayor and Aldermen shall meet on the second Monday after their election for organization and each Alderman shall take the following oath: "I 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 of Savannah to the best of my ability and understanding." The same oath shall be taken by the Mayor, substituting the word for "Mayor" "Alderman." The newly elected Recorder shall on the same day enter into office and take the oath prescribed for other city officers of the City of Savannah.

Code of Ga. 1882, § 4826.
Acts of 1900, p. 419, § 12.
Acts 1914, p. 1171, § 25.

9. (6.) A Chairman shall be elected. When organized according to law, the board shall elect a Chairman, who shall, in the case of the absence, death, or resignation of the Mayor, be vested with all his power and authority, and execute all the duties pertaining to the office, and in the absence of both, a Chairman pro tempore, chosen by the board, shall have the like power and authority.

Code of Ga. 1882, § 4827.

10. (7.) Rules and regulations. The Mayor and Aldermen shall have power, from time to time, to adopt all rules and regulations for their own government and the orderly dispatch of business.

Ibid. § 4828.

11. (8.) Compensation of Mayor and Aldermen.

1. The Mayor shall receive such salary or compensation for his services, payable out of the city treasury, as the City Council may determine.

Code of Ga. 1882, § 4829.

2. Each Alderman of the City of Savannah shall be paid out of the treasury of said city in the way of salary or compensation for his services the sum of ten ($10) dollars for each and every "regular meeting" of the City Council, but nothing shall be paid any Alderman for his attendance at any extra, recessed or adjourned meeting of Council.

Acts 1903, p. 665.

12. (9.) Eligibility of Mayor, Aldermen, and Recorder.

(a) No person shall be eligible to the office of Mayor or Alderman of Savannah who is not, at the time of election, a citizen of the United States, and shall not have resided in the State of Georgia for one year immediately preceding the election, and continued to do so up to the time of election, and within the corporate limits of Savannah at least six months immediately preceding the election; and who shall not have paid all city taxes, or have, in his own right, sufficient real estate to satisfy all such taxes.

Code of Ga. 1882, § 4830.

(b) All candidates for Mayor and Aldermen and for Recorder who may have been nominated by any political party at the primary election provided for by law for the City of Savannah, shall file with the clerk of Council of said city five days before the election provided for in this act, notice of their nomination by their respective political parties, and in case there should be any, independent candidates or candidate for such offices such declaration of an intention to become a candidate for Mayor or Alderman or Recorder, must likewise be filed with said clerk of Council five days before the election provided for in this act, which declaration must be accompanied by the petition described in this act regulating primary elections for Mayor and Aldermen and Recorder in the City of Savannah.

Acts 1914, p. 1170, ¶ 23.
See Section 150 this Code as to further qualifications of Recorder.

13. Voters, qualifications. The qualification of voters at elections for Mayor and Aldermen and Recorder of the City of Savannah shall be those required by this act and the Constitution of the State of Georgia for elections in State elections, except that the time of residence of voters within the corporate limits of the City of Savannah shall be six months immediately preceding such election.

Acts 1914, p. 1162, ¶ 2.

14. Permanent Registration. All electors who are residents of the City of Savannah and are now entitled to vote in State elections in Chatham county, and all electors qualifying under this act, shall be permanently registered and entitled to vote in said municipal elections; provided, that they shall be disqualified from voting for removal of residence from the City of Savannah and for any other reasons set forth in the permanent registration act of the State of Georgia approved August 19th, 1913 (Acts 1913, pages 115-117), and any amendments which may be made thereto.

Ibid. ¶ 3.

15. Voters' lists, prepared. The list of qualified registered voters of Chatham county residing within the corporate limits of the City of Savannah prepared by the duly appointed registrars of Chatham county, under the provisions of the general registration law of the State of Georgia, shall be used as the list of registered and qualified voters entitled to vote in said elections for Mayor and Aldermen and Recorder.

Ibid. ¶ 4.

16. Registration, when closes. The tax collector of Chatham county shall close the registration book for such municipal election six months before the date of the next succeeding election.

Ibid. ¶ 5.

17. Registrars, duties. The said registrars of Chatham county shall prepare the said list of qualified registered voters of Chatham county, residing within the corporate limits of the City of Savannah, who have registered and paid all taxes due by them to the State of Georgia and Chatham county, six months before said municipal elections, as required by the provisions of the general registration law of the State of Georgia. The registrars in preparing said list will divide the voters in the first and second districts into three lists each and the third and fourth districts into four lists, each alphebetically arranged, upon each of which lists shall appear as far as practicable one-third or one-fourth, respectively of the names of the voters of Chatham county residing within each of the said militia districts, it being the duty of said registrars, as far as possible, to equally divide said names on said lists without dividing the names commencing with the particular letter of the alphabet between two lists.

Ibid. ¶ 6.

18. Registrars, furnish lists. The morning of the election for Mayor and Aldermen and Recorder of said city, and before the boxes for the receiving of votes are opened, said registrars of Chatham county shall furnish the managers of each and every box a list made up as hereinbefore prescribed, of the voters in the respective militia districts, or portions thereof; the persons whose names appear upon said lists shall be entitled to vote at such election, they being in all other respects qualified.
Acts 1914, p. 1162, ¶ 7.

19. Registrars, compensation. For rendering of services hereinbefore provided for the registrars of Chatham county shall receive the sum of four cents for each name upon the lists so furnished by them, to be paid out of the public treasury of the City of Savannah.
Ibid. ¶ 8.

20. Ballot boxes, number of. There shall be four ballot boxes each for the First and Fourth Districts and three boxes each for the Second and Third Districts.
Acts 1912, p. 1247, § 2.

21. Clerk of Council, duties. It shall be the duty of the clerk of Council of the City of Savannah to locate the position of the ballot boxes for the respective militia districts and the divisions thereof at the court house of Chatham county three (3) days before the election, to prepare and furnish the form of oath to be taken by the election managers and clerks, and the certificate of returns to be signed by said managers, consolidated returns and all other forms and papers to be used in said elections; except such as are herein otherwise provided for; furnish stationery to the clerks, ballot boxes to the managers and make all necessary arrangements for the election; and all expenses incident to the preparation of said papers, obtaining said stationery and ballot boxes and making said arrangements shall be borne by the City of Savannah, and paid from its treasury.
Acts 1914, p. 1162, ¶ 9.

22. Election managers, appointment, qualifications. Five days preceding the election for Mayor and Aldermen and Recorder of the City of Savannah, the judge of the Superior Court of Chatham county, the judge of the City Court of Savannah, and the ordinary of Chatham county shall appoint six election managers for the first and second militia districts each, and eight managers each for the third and fourth militia districts of Chatham county, said militia districts, for the purposes of said election, being divided as nearly as possible into thirds and quarters, as provided in the sixth section of this act, so as to conform to the division of electors as made by the registrars, two of said managers to preside at each of the boxes in the said districts, and at the particular box to which they may be appointed by said judges. Such managers shall have been for the six months immediately preceding the election for which they are appointed, residents of the city of Savannah. In the event of a contest for the office of Mayor and Aldermen, it shall not be lawful to appoint both managers at one box who are known to be adherents to any one ticket or candidate for office, but all persons contesting for office shall, as far as possible, have representation at each box.
Ibid. ¶ 10.
See Section 226 this Code; Section 913 (a) Park's Code.

23. Hours of voting, counting ballots, etc. The hours of voting at said elections shall be from eight o'clock in the morning until five o'clock in the afternoon, city time, the polls being kept open eight full hours. The managers above provided for shall have exclusive charge of all details in the arrangements and conduct of said elections, and shall allow not more than two representatives of each contending party or faction to be present when they count the ballots and certify the result of the election, and each manager before undertaking and entering upon the performance of his duties under this act, shall take an oath before the clerk of the Superior Court of Chatham county, to be filed in said clerk's office, that he will truly perform the duties of his position.
Ibid. ¶ 11.

24. Election clerks, duties and compensation. Each of the managers so appointed shall appoint a clerk or list keeper, whose duties shall be to enter upon a list prepared for that purpose the names of those voters of the division of the district who vote at such election, such names to be regularly numbered according to the order in which the votes are cast, and the ballots voted by each voter shall bear the number that appears opposite the name of said voter on said list. Each clerk or list keeper shall, before entering upon the discharge of his duties, take and subscribe an oath before the clerk of the Superior Court of Chatham county to faithfully perform the same, and each clerk or list keeper shall receive as compensation the sum of five dollars, to be paid from the treasury of the City of Savannah.
Ibid. ¶ 12.

25. Election managers, vacancies; compensation. If any election manager shall become disqualified or unable to perform his duties, his place shall be immediately filled by another, appointed as prescribed in the tenth section of this act, and each manager shall receive for his services the sum of ten ($10.00) dollars, to be paid from the treasury of the City of Savannah.
Ibid. ¶ 13.

26. Election, how held. The election of Mayor and Aldermen and Recorder of the City or Savannah shall be held at the court house of Chatham county, in said city, at the times hereinbefore prescribed for same, and it shall be the duty of said district managers and clerks to attend said court house at the time appointed for the election, each voter shall vote in the box assigned to the district, or division of the district, in which he resides and not elsewhere, and when the right of any person to vote is challenged, one of said managers shall swear him, touching his right to vote, and propound to him the questions answered by him at his registration, and if his answers do not satisfactorily identify him as the person whose name he offers to vote, he shall not be allowed to vote. Upon receiving any vote, the name of the voter shall be immediately checked off the list furnished the managers as hereinbefore provided for.
Ibid. ¶ 14.

27. Election result, how declared. Upon the conclusion of the counting of the votes of each box, the managers of each box shall immediately make out and sign certificates of returns under oaths of the election, said certificate to give the name of each candidate voted for at such box and the number of votes received by him for the position for which he is a candidate. One copy of such certificates, the ballots voted, the lists furnished by the registrars, and all other papers used in such election shall be delivered under seal by the election managers to the clerk of the Superior Court of Chatham county, and another copy of the certified returns shall be delivered to the judges who appoint the managers for said election, before twelve o'clock of the day following the election. The election managers shall also at the conclusion of the counting of the ballots publicly announce the result of the election at each box, and the judges shall immediately upon receipt of the certified returns of each box publicly consolidate the same, and publicly announce the result of the election, and the candidate for Mayor receiving the highest number of votes shall be deemed elected and declared Mayor, and the candidates so

receiving the highest number of votes for Aldermen shall be deemed elected and declared Aldermen, and the candidate so receiving the highest number of votes for Recorder shall be deemed elected and declared Recorder and the consolidated returns as made by the said judges shall be filed in the office of the clerk of Council, as an official paper of the City of Savannah.

Ibid. ¶ 15.

28. Ballots destroyed, when. All ballots and papers deposited with the clerk of the Superior Court of Chatham county shall be kept by him unopened for the space of thirty days after such elections; provided, however, that no contest is had. In the event of a contest it shall be his duty to keep all papers until he is called on to produce them in court having jurisdiction of said contest. After any such contest is decided he shall destroy all papers without further examination.

Ibid. ¶ 16.

29. Police, under control of Mayor. Upon election day the police force of the City of Savannah shall be under the direction and control of the Mayor of the City of Savannah, for the purpose of preserving order at and around the court house of said county; there shall be no interference on the part of said force or any member thereof with any voter who is in good faith attempting to deposit his ballot, and who is not violating any provisions of this act, any law of the State of Georgia, or municipal ordinance of the City of Savannah, and any member or officer of said force so interfering shall be held and deemed guilty of a misdemeanor under the laws of the State of Georgia, and shall be punished as provided in section 1065 of the penal code of the State of Georgia.

Ibid. ¶ 17.

30. Managers, illegal conduct, penalty. Any election manager who shall use or attempt to use his position for the purpose of aiding any candidate for office, or who in any manner attempts to secure a partisan advantage for any such candidate, or who shall allow any person to vote who is not a qualified elector under the provisions of this act, shall be held and deemed guilty of a misdemeanor under the laws of the State of Georgia, and shall be punished as provided in section 1065, of the penal code of the State of Georgia.

Ibid. ¶ 18.

31. Illegal voting, penalty. Any person who, without being legally and properly entitled to do so, votes or attempts to vote at any election for Mayor and Aldermen or Recorder for the City of Savannah, or who in any way interferes with the orderly and peaceful conduct and management of the same, shall be held and deemed guilty of a misdemeanor, under the laws of the State of Georgia, and punished as provided in section 1065, of the penal code of the State of Georgia.

Ibid. ¶ 19.

32. Voters, regulations for protection of. No person whosoever shall be permitted upon the curb or sidewalk in front of any ballot box, except persons who are regular employees about the court house of Chatham county, and whose duties may require them, by reason of the location of the ballot boxes in the several offices of the court house to be closer to the same, members of the police force of the City of Savannah who are charged with the enforcement of law and order around the polls, and the electors approaching to vote, who shall form in as many lines as there are contending candidates for Mayor, and who shall vote alternately from each line; no elector, however, shall be nearer than ten feet to the ballot box except the one in the act of voting, and it shall not be lawful for said clerks about the court house, persons having business about the court house, or members of the police force above excepted, to speak to

any manager or clerk of the election or elector, either directly or indirectly, about the election. Any one violating the provisions of this section shall be held guilty of a misdemeanor under the laws of the State of Georgia, and shall be punished as provided in section 1065, of the penal code of the State of Georgia.

Ibid. ¶ 20.

33. Illegal conduct at polls, penalty. No elector shall speak to or consent to be spoken to by any other person than the election managers while at the polling place or within fifteen feet thereof, and then only in the pursuance of official duty. No election manager or clerk shall be permitted to speak to an elector for the purpose of influencing his vote in any manner whatever. Any one violating the provisions of this section shall be held guilty of a misdemeanor under the laws of the State of Georgia and shall be punished as provided in section 1065, of the penal code of the State of Georgia.

Ibid. ¶ 21.

34. Ballots, how prepared and furnished. In all elections for Mayor and Aldermen and Recorder of the City of Savannah there shall be provided for use in said elections official ballots containing in separate columns the names of the candidates for Mayor and Aldermen and Recorder there shall be as many columns as there shall be respective tickets or independent candidates, and the voter shall scratch thereon the names of all candidates against whom he proposes to vote. The ballots shall be printed upon thick blue paper and all ballots shall be of uniform size and color. The ballots shall be prepared by the clerk of Council at the expense of the city, and shall contain at least two inches margin on every side of the printed matter. On the morning of the election the clerk of Council shall deliver to the representatives of each of the tickets not less than 15,000 of said ballots. The representatives of each of said tickets may on the day before the election procure from the clerk not more than 15,000 of said ballots, but said ballots shall be delivered at the expense of the parties requesting same, and it shall be the duty of the clerk to deliver said ballots to said applicants not later than twelve o'clock on the day preceding the election. No vote cast on any other ballot shall be received by the managers of the election; if received by error or otherwise it shall not be counted.

Ibid. ¶ 22.

35. Ballots not to be examined. It shall be unlawful for any manager of the election or any clerk to examine any ballot offered by any voter except for the purpose of counting the ballot after the polls have closed, and any manager or clerk violating this provision shall be held guilty of a misdemeanor under the laws of the State of Georgia, and shall be punished as provided in section 1065, of the penal code of the State of Georgia.

Ibid. ¶ 23.

PRIMARY ELECTIONS.

36. Primary elections, when held. On the second Tuesday in December, 1914, and thereafter upon the second Tuesday in December of each year immediately preceding the regular municipal election for Mayor and Aldermen and Recorder of the City of Savannah, primary elections shall be held in the City of Savannah by all political parties which have a state or national organization and which desire to have candidates for Mayor and Aldermen and Recorder in the next ensuing general municipal election fixed by law for said city.

Acts 1914, p. 1172, ¶ 1.

37. Managers and clerks. At such primary elections each candidate for Mayor and Recorder shall be entitled to name one manager and one clerk at each voting box.

Ibid. ¶ 2.

38. Voters, qualification, lists furnished. At such primary elections every person qualified to vote in the next succeeding regular municipal election and who is further qualified under the rules of the state executive committee of his respective party, shall be entitled to vote. The list of qualified registered voters of Chatham county residing within the corporate limits of the City of Savannah prepared by the duly appointed registrars of Chatham county under the provisions of the general registration law of this State shall be used as the list of registered and qualified voters entitled to vote in such primary elections subject to the restrictions of the first paragraph of this section, and said list shall be certified and furnished by the said registrars of Chatham county to the managers of such primary elections at the time and in the manner required by law for the furnishing of lists of voters at the regular general election for Mayor and eldermen of the City of Savannah.

Ibid. ¶ 3.

39. Number of boxes, hours of voting, etc. At all such primary elections there shall be the same number of boxes, the same hours of voting and the same place of voting, that is, at the court house of Chatham county, as provided by law for the regular election for Mayor and Aldermen of the City of Savannah in an act of the General Assembly of 1914, entitled "An act to provide for the registration of voters to vote at the municipal elections in the city of Savannah, and to fix, regulate and determine the time, place and manner in which such elections shall be held, and prescribe qualifications of voters at such elections and to prescribe suitable penalties for all violations thereof and for other purposes." The chairman of each political party shall in such primary elections perform the duties prescribed for the clerk of Council in said last mentioned act.

Ibid. ¶ 4.
See Sections 20, 21, 23, this Code.

40. Party executive committees, election; duties. The first election provided for under this act shall be conducted and held under the jurisdiction and authority of the judge of the Superior Court of Chatham county, the judge of the City Court of Savannah and the ordinary of Chatham county, who shall arrange and provide for all the rules and regulations and details of the primary not herein provided for and not inconsistent with anything provided for in this act. And at said first election and at each election thereafter, held under this act, each political party of the description aforesaid which may have candidates for Mayor and Aldermen or Recorder in such election shall submit for election an executive committee to be known as the city executive committee, such committee to be composed of twenty-four citizens of the City of Savannah and qualified voters. And at all future elections held under this act the city executive committee of each political party of the description aforesaid shall have the authority to arrange and provide for all rules and regulations and details of the primary of their respective parties not herein provided for and not inconsistent with anything provided for in this act.

Ibid. ¶ 5.

41. Candidates, general election, what required. No person shall be entitled to become a candidate in the next succeeding regular municipal election in said city for Mayor and Aldermen, or Recorder who has not been nominated by a political party of the description aforesaid at a primary election held under the terms of this act, unless any person desiring

to enter in said next succeeding municipal election as an independent candidate for Mayor or Aldermen or Recorder shall within five days before said general election in said city file with the clerk of Council of said city a petition endorsing his candidacy, signed by not less than one-third of the persons registered and qualified to vote in the next succeeding regular municipal election. No votes shall be counted for any person who has not been so nominated by said party or for any independent candidate who has not filed the petition aforesaid. And if it should appear at any time that the petition of any independent candidate does not contain the names of at least one-third of the registered voters fully qualified by law, said candidate shall be ineligible and the election of any such candidate shall be null and void.

Ibid. ¶ 6.

42. Nominees of parties. The candidate for Mayor receiving the highest number of votes in his party shall be declared the nominee of his party, and the twelve Aldermen receiving the highest number of votes in their party shall be declared the nominee of their party, and the candidate for Recorder receiving the highest number of votes of his party shall be declared the nominee of his party.

Ibid. ¶ 7.

43. Conduct of primary election. The provisions of sections 17, 18, 19, 20 and 21, of the act of the General Assembly of Georgia of 1914, entitled "An act to provide for the registration of voters to vote at the municipal elections in the City of Savannah and to fix, regulate and determine the time, place and manner in which such elections shall be held, and prescribe qualifications of voters at all such elections, and to prescribe suitable penalties for all violations thereof, and for other purposes," shall apply to and be of force in all elections held under the terms of this act and said sections are hereby incorporated and made a part of this act.

Ibid. ¶ 8.
See Sections 29, 30, 31, 32, 33, of this Code.

44. Ballots, how prepared; not to be examined. Each political party of the description aforesaid desiring to enter candidates for Mayor and Aldermen or Recorder in said elections under this act, shall have separate ballots prepared and furnished under the supervision of the authorities in charge of the election under the terms of this act. The official ballot of each political party of the description aforesaid shall contain in separate columns the names of the candidates for Mayor and Aldermen and Recorder of such party. There shall be as many columns on each ticket or ballot as there shall be respective candidates in such party or parties and the voter shall scratch thereon all candidates against whom he proposes to vote. Each political party or the description aforesaid entering candidates in said elections under this act shall have colored ballots, and no two political parties shall have ballots of the same color, but all the ballots or tickets of any particular party must be of the same color and uniform in size and furnished as hereinbefore provided for. No vote cast on any ballot other than those herein provided for shall be received by the managers of the election, and if received by error or otherwise it shall not be counted. It shall be unlawful for any manager of the election or any clerk to examine the ballot offered by any voter except for the purpose of counting the ballot after the polls have closed, and any manager or clerk violating this provision shall be guilty of a misdemeanor under the laws of the State of Georgia and shall be punished as provided in section 1065, of the penal code of the State of Georgia.

Ibid. ¶ 9.

BOND ELECTION; SPECIAL REGISTRATION.

The following two sections are constitutional. Gracen vs. Savannah, 142 Ga. 141 (4).

45. Registration provided; oath. In all elections which may hereafter be held in the City of Savannah for the purpose of authorizing the issue of bonds by the Mayor and Aldermen of the City of Savannah for any purpose whatever, a special registration shall be had for such bond election, and such registration shall be had and a registration list prepared as herein provided, to-wit: The Treasurer of the City of Savannah, or a deputy registrar appointed by the Treasurer from among the employees in his office, for a period of 30 days, beginning 60 days prior to such special election, shall keep a voters' book or books open for signature at his office in the City Hall of the City of Savannah from 9 o'clock A. M. to 4 o'clock P. M. each day, Sunday excepted; such book or books to be designated as voters' books, containing on the top of each page thereof the following oath, to-wit:

"I do swear, or affirm, that I am a citizen of the United States; that I am 21 years years of age, or will be on the —— day of ———— this calendar year; that I have resided in this State for one year, in this county for six months, and in the City of Savannah for three months immediately preceding the date of this oath, or will have so resided on the — —day of ———— of this calendar year; that I have paid all taxes, State, county and municipal, which, since the adoption of the Constitution of 1877, have been required of me except taxes for this year; and that I am not disfranchised from voting by reason of any offense committed against the laws of this State. I further swear or affirm that the street or street number set opposite my name in this voters' book is my true place of residence, and that the statements opposite my name in said book as to age and occupation are true, so help me God."

Acts 1910, p. 1144, ¶ 1.

46. Registrar, duties, etc. Said Treasurer of the City of Savannah and also said deputy registrar, during the period of his service, as hereinbefore provided for, is authorized and empowered to take charge of said voters' book, and to administer said oath. When the signature of any person is not clearly legible the officer in charge of the voters' book shall at the time said signature is made, write out the same in clearly legible letters opposite said signature. That any male person desiring to be registered as a voter and qualified to register as hereinafter provided, may apply to said Treasurer of the City of Savannah, or to the deputy registrar during the period of his service, and after reading said oath, or having same read to him, shall subscribe the same by signing his name in such voters' book, underneath the written or printed oath above described; a memorandum or entry of the name of the street and the number of his residence, his age and occupation being first made by the officer in charge of the book, or by the affiant, opposite the place of signature or affiant. When the affiant is not 21 years old, at the date of taking the oath, a similar entry or memorandum shall in like manner be made, showing the date in that year when he will reach 21; and where affiant has not resided in the State one year, or in the county six months, or in the city three months at the time of taking the oath a similar entry or memorandum shall be made, showing the date in that year when he will have resided in the State one year, in the county six months, and in the city three months. That upon request of the applicant or in any case in the discretion of the officer in charge of said book, such officer shall read or repeat said oath, distinctly to the applicant, and if the applicant cannot sign his name, said officer shall sign it for him, the applicant making his mark thereto. The signatures so made in said voters' book shall be evidence that the person so signing swears or affirms the truth

of every statement contained in said oath, and also to the written memoranda or entries opposite his signatures. That for the purpose of more easily identifying the voters, the officer in charge of the voters' book shall note thereon, in connection with each signature, the race of the person signing; that is to say, whether white or colored. That any person swearing falsely under this section shall be liable to indictment and punishment as in other cases of false swearing under the laws of this State, and the act of signing said registration book shall, in any prosecution hereunder, be held and deemed equivalent to taking the oath therein printed. That 30 days before the special election herein provided for the said Treasurer of the City of Savannah shall close the registration books for said special election, and shall proceed to make up and file with the clerk of Council of the City of Savannah a list to be designated as "registered voters," in alphabetical order of names, distinguishing in said list between white and colored voters. No bond election shall hereafter be held in the City of Savannah without such special registration.

Ibid. ¶ 1.

CHAPTER II.

CORPORATE AND JURISDICTIONAL LIMITS.

47. Corporate limits of Savannah, under Act of Feb. 13, 1854. The corporate limits of the City of Savannah shall continue to be, and the same are hereby 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 Thunderbolt Road, and which stone marks the line of the present city limits; thence along the north side of 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 said plantation to the bifurcation of the Augusta and Louisvillie roads, and thence to a point on the river bank, ten chains west of William B. Giles & Co.'s mill, thence along the line prolonged to Hutchinson's Island, thence along the shore of Hutchinson's Island to the eastern end of it, thence to the point of beginning.

Code of Ga. 1882, § 4841.
Acts 1853-4, p. 267.
Acts Dec. 21, 1898.

The tax exemption in the proviso of this Act of 1854 was no doubt repealed by the Constitution of 1877, and in an Act passed Dec. 20, 1898, to make it clear, was expressly repealed.

48. (29.) Limits extended under Act of Oct. 18, 1879. The corporate limits of the City of Savannah shall be extended as follows: The present western limits of the city shall be extended west along the river bank twenty-five hundred feet; thence south from the river bank three hundred feet; thence east to intercept the line of the present western corporate limits of the city; and the present eastern limits of the City of Savannah shall be extended east along the river bank nine hundred and fifty-eight feet, and thence south from the river bank three hundred feet, and thence west to intercept the line of the present eastern corporate limits of said city.

Code of Ga. 1882, § 4841.

49. (30.) Limits extended under Act of Sept. 21, 1883. The corporate limits of the city of Savannah shall be extended as follows: The present eastern limit of said city shall be extended east along the river bank fifteen hundred and forty-two feet (1,542), thence south from the river bank three hundred feet (300), thence west to intercept the line of the present eastern corporate limits of said city, thence over the present corporate limits of said city to the point where the eastern side of East Broad Street in said city intercepts the said limits of said city on the north side of Lover's Lane, and from said point the eastern limits of said city shall be extended in a southerly direction along the eastern side of said East Broad Street extended to the southern line of farm lots in Jekyl Tything, Derby Ward, thence in a westerly direction along the southern line of said farm lots in said ward and of the farm lots in Tyrconnel Tything, Derby Ward, and of farm lots in Holland Tything and Sloper Tything, Percival Ward, to the Ogeechee Road, thence along the west side of said road to the southern line of the Springfield plantation, and thence to and along the western line of said plantation extended to (its intersection with the northern line of the Louisville Road, thence in an easterly direction along said last named line to the bifurcation of the Augusta and Louisville Roads.)

Acts 1882-3, p. 410.
Act of Dec. 27, 1890.

50. (31.) Limits extended; Act of Dec. 12, 1901. The corporate limits of the City of Savannah shall be defined as follows: Commencing at the extreme eastern point of the island in the Savannah River, known at Hutchinson's Island, and running thence southwestwardly to a point on the old bank of the Savannah River, twenty-five hundred (2,500) feet east of the western side of Bilbo Canal; thence southwardly at right angles to the old river bank three hundred (300) feet; thence westwardly parallel to the old bank of the Savannah river, and three hundred (300) feet distant therefrom to the eastern bank of the Bilbo Canal; thence along the eastern bank of Bilbo Canal to its intersection with the southern line of Perry Lane, extended; thence southwardly to the intersection of the western side of Waters Avenue and the southern side of the Thunderbolt Shell Road; thence along the southern line of said Thunderbolt Shell Road to the eastern line of lots two (2), three (3), six (6), seven (7), and ten (10), Meinhard sub-division; thence along the eastern line of said lots extended to Dale Avenue; thence along the northern line of Dale Avenue to the western line of Waters Avenue; thence southwardly to the intersection of the western line of Waters Avenue with a line parallel to the southern line of West Forty-second Street, and two thousand eight hundred and sixty (2,860) feet south thereof; thence westward to a point on the west side of Anderson and Minis Road, two thousand eight hundred and sixty (2,860) feet south of the southern line of West Forty-second Street; thence northward to the southern side of West Forty-second Street; thence along the southern line of West Forty-second Street extended to the Ogeechee Road; thence along the east side of the Ogeechee Road to the southern line of Springfield plantation to the intersection of the eastern bank of Springfield Canal with the eastern side of the Ogeechee Road; thence northwardly along the eastern bank of Sprinfield Canal to the intersection of the southern side of Gwinnett Street; thence westwardly on the southern side of Gwinnett Street prolonged to the western line of Springfield plantation; thence northward in a straight line extended to the south side of the Louisville Road; thence on the Louisville Road to its intersection with the south side of the Augusta Road; thence northwardly to a point three hundred (300) feet from the old bank of the Savannah River, and thirteen hundred (1,300) feet west of the western side of the ship slip of the Ocean Steamship Company of Savannah, at the mouth of Musgrove Creek; thence parallel to the said river bank and three hundred (300) feet southwardly from it to a point twenty-five hundred (2,500) feet distant; thence at right angles to said river bank to the present harbor line of the Savannah River; thence along said harbor line to a point opposite the center of East Broad Street; thence in a northwestwardly direction along the southern shore of Hutchinson's Island to the point of beginning. And the said corporate limits are hereby extended and defined accordingly.

Acts 1901, p. 628.

51. Limits extended; Act August 19, 1912. The western limits of the City of Savannah are hereby extended as follows, to-wit: From the point where they intersect the southern line of the Louisville Road northwardly to the north side of said Louisville Road; thence westwardly along the north side of said Louisville Road to a point where the western boundary of what is known as West Savannah Extended intersects the said northern side of said Louisville Road; thence northwardly along said extended boundary and said western boundary of West Savannah to the point where said western boundary intersects the south side of the Augusta Road; thence diagonally across said Augusta Road to the point where the north side of said Augusta Road intersects the eastern line of Lincoln Avenue; thence in a northerly direction along said eastern line of Lincoln Avenue to the point where said eastern line intersects the

southern line of Bay Street Extended; thence eastwardly along the said southern line of said Bay Street Extended to the point where said southern line intersects the western corporate limits of the City of Savannah as defined by the Act approved December 12, 1901, so that the corporate limits of the said City of Savannah as hereby extended or amended shall be as follows: Commencing at the extreme eastern point of the island in the Savannah River, known as Hutchinson's Island, and running thence southwardly to a point on the old bank of the Savannah River, twenty-five hundred (2,500) feet east of the western side of Bilbo Canal thence southwardly at right angles to the old river bank three hundred (300) feet thence westwardly parallel to the old bank of the Savannah River, and three hundred (300) feet distant therefrom to the eastern bank of the Bilbo Canal; thence along the eastern bank of Bilbo Canal to its intersection with the southern line of Perry Lane, extended; thence southwardly to the intersection of the western side of Waters Avenue and the southern side of the Thunderbolt Shell Road; thence along the southern line of said Thunderbolt Shell Road to the eastern line of lots two (2), three (3), six (6), seven (7), and ten (10), Meinhard subdivision; thence along the eastern line of said lots extended to Dale Avenue thence along the northern line of Dale Avenue to the western line of Waters Avenue; thence southwardly to the intersection of the western line of Waters Avenue with a line parallel to the southern line of West Forty-second Street, and two thousand eight hundred and sixty (2,860) feet south thereof; thence westward to a point on the west side of Anderson and Minis Road, two thousand eight hundred and sixty (2,860) feet south of the southern line of West Forty-second Street; thence northward to the southern side of West Forty-second Street; thence along the southern line of West Forty-second Street extended to the Ogeechee Road; thence along the east side of the Ogeechee Road to the point where it intersects the southern line of Springfield Plantation extended thence along said southern line of Springfield Plantation extended to its intersection with the eastern bank of Springfield Canal; thence northwardly along the eastern bank of Springfield Canal to the intersection of the southern side of Gwinnett Street thence westwardly on the southern side of Gwinnett Street and Gwinnett Street prolonged to the western line of Springfield Plantation; thence northward in a straight line extended to the north side of the Louisville Road, thence westwardly along the north side of said Louisville Road to a point where the western boundary of what is known as West Savannah extended intersects the north side of said Louisville Road, thence northwardly along said projected boundary and said western boundary of West Savannah to the point where said western boundary intersects the south side of the Augusta Road; thence diagonally across said Augusta Road to the point where the north side of said Augusta Road intersects the eastern line of Lincoln Avenue, thence in a northwardly direction along said eastern line of Lincoln Avenue to the point where said line intersects with the southern line of Bay Street extended, thence eastwardly along the said southern line of said Bay Street extended to the point where said southern line intersects the western corporate limits of the said City of Savannah, as defined by the Act approved December 12, 1901; thence northwardly to a point three hundred (300) feet from the old bank of the Savannah River, and thirteen hundred (1,300) feet west of the western side of the ship slip of the Ocean Steamship Company of Savannah, at the mouth of Musgrove Creek; thence parallel to the said river bank and three hundred (300) feet southwardly from it to a point twenty-five hundred (2,500) feet distant; thence at right angles to said river bank to the present harbor line of the Savannah River; thence along said harbor line to a point opposite the center of East Broad Street, thence in a north-eastwardly direction along the southern shore

of Hutchinson's Island to the point of beginning. And the said corporate limits are hereby extended and defined accordingly.

Acts 1912, p. 1242, ¶ 4.

52. Limits extended; Act August 17, 1914. The corporate limits of the City of Savannah shall be so extended as to embrace Daffin Park and the Parkside Land Company subdivision, and the streets, lanes and roads included therein and adjacent thereto, bounded as follows: Commencing at the present corporate limits of the City of Savannah, on the corner of Ash Street and Dale Avenue, running thence south across Dale Avenue to the north property line of Daffin Park, thence east along the north property line of Daffin Park to the eastern property line of Bee Road; thence south along the eastern property line of Bee Road and Bee Road extension, as shown on the map of said Parkside Land Company subdivision to an unnamed street 30 feet in width separating said subdivision from the McClesky lands; thence westwardly along the northern side of said unnamed street to the western side of Waters Avenue; thence north along the western side of Waters Avenue to the northern side of Dale Avenue, thence east along the northern side of Dale Avenue to the point of beginning.

Acts 1914, p. 1178.

53. Limits extended; Act August 16, 1915. The corporate limits of the City of Savannah shall be extended so as to embrace the right-of-way of the Thunderbolt branch of the Savannah Electric Company from the present eastern corporate limits of said city, opposite Bolton Street in said city, in an easterly direction to the eastern side of a public road known as Skidaway Road, the said extension being thirty (30) feet in width and approximately twenty-four hundred (2,400) feet in length, and is bounded on the north by the northern line of the right-of-way of said Electric Company, on the east by the eastern line of Skidaway Road, on the south by the southern line of the right-of-way of said Electric Company, and on the west by the present eastern corporate limits of the City of Savannah.

Acts 1915, p. 826.

54. (32.) Jurisdiction, Savannah River, etc. The said Mayor and Aldermen shall have jurisdiction over vessels and rafts lying in the River Savannah, between said city and Tybee, and their respective crews; and all porters working on board such vessels shall be subject to the ordinances of said city in regard to badges, and to porters and laborers.

Acts 1842, p. 159.
Code of Ga. 1882, § 4843.

The City Council of Savannah shall have authority to prohibit under proper penalties the throwing or depositing in the Savannah River and within the jurisdictional limits of said city, of any substance of any nature or kind which might, in any degree, lessen the depth of water in said river, or any part thereof, within said limits.

Code of Ga. 1910, § 1934.

55. (33.) Jurisdiction, rice culture. The jurisdictional limits of Savannah shall extend one mile beyond the above defined corporate limits, so as to enable the Mayor and Aldermen, by ordinance, to prohibit the cultivation of rice within said extended limits; and any person aggrieved by the action of Council in this respect, may appeal from any such proceeding to the Superior Court of Chatham County—the appeal to be tried by a special jury; and the only point in issue on such trial 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 such issue shall be determined in the negative, then the prohibition shall be null and void, and not otherwise.

Code of Ga. 1882, § 4844.

56. (34.) Jurisdictional limits, shops, disorder, etc. The jurisdictional limits of said city shall extend two miles beyond the above defined corporate limits, so as to give to the Mayor and Aldermen the control and regulation of all shops (and) stores * * * and of preserving peace and good order therein on the Sabbath, under such rules and regulations as from time to time may be advisable.

Code of Ga. 1882, § 4845.

Licensing of barrooms stricken from this section because of Prohibition Acts. Acts 1907, p. 81; Acts 1916 Ex. S. p. 77 et seq.

57. (35.) Jurisdiction for sanitary purposes, two miles. The jurisdiction of the Mayor and Aldermen of the City of Savannah, for sanitary purposes, is hereby extended, so that it may embrace all the territory within two (2) miles of the present or any future extended corporate limits of the said city of Savannah; and the said municipal corporation is authorized to pass such ordinances, rules and regulations as may seem to its Council proper for the health and proper sanitation of the said territory, and also to confer upon the board of sanitary commissioners for the City of Savannah such powers and authority as may seem to the Council of the City of Savannah proper and wise in order to promote the sanitary requirements of the said territory.

Acts 1895, p. 319.

58. (36.) Police, arrests within two miles. Authority is hereby given to the policemen of the City of Savannah to make arrests within two miles of the corporate limits of the City of Savannah in all cases of riots, affrays, and disorderly conduct.

Acts 1895, p. 317.

CHAPTER III.

POWERS AND RIGHTS OF THE CORPORATION.

59. (37.) May establish by-laws, ordinances, etc. The Mayor and Aldermen of said city shall have power and authority, from time to time, to make, ordain, and establish such by-laws, ordinances, rules and regulations, as shall appear to them requisite and necessary for the security, welfare and convenience of the said city and its inhabitants, and for preserving health, peace and good government within the limits of the same.

Code of Ga. 1882, § 4846.

Under general welfare clause city may own and operate waterworks. Hal vs. Calhoun, 140 Ga. 611; Heilbron vs. Cuthbert, 96 Ga. 312, and may also erect and operate electric lighting plant. Mansfield vs. Cofer, 145 Ga. 459.

60. (38.) Mayor's veto power. The Mayor, and, in his absence, the acting Mayor of the City of Savannah, is hereby given the power of revision of all ordinances and resolutions hereafter passed by the said city through its Council before the same shall become operative, and it is hereby made the duty of the said Mayor, or acting Mayor, to either approve or veto the same. Two-thirds of the Aldermen present in Council shall have the power to pass an ordinance or resolution over the said veto, notwithstanding the same.

Acts Dec. 7, 1898, p. 255.

61. (39.) Five days within which to veto. The said Mayor or acting Mayor shall have as long as five days (Sundays excepted) after the passage of an ordinance or resolution by Council in which to consider the same, should time for consideration be desired by him, but unless he vetoes the said ordinance or resolution within the said five days, the same shall become operative as completely as if approved by him. In the event of a veto after the adjournment of the meeting at which the ordinance or resolution is passed and within the said five days, the said veto may be overruled by Council at its next regular meeting thereafter by the said two-thirds vote.

Acts Dec. 7, 1898, p. 256.

62. (40.) Taxation. They are also hereby vested with full power and authority to make such assessments and lay such taxes on the inhabitants of said city, and those who hold taxable property within the same, and those who transact or offer to transact business therein, as said corporate authorities may deem expedient for the safety, benefit, convenience, and advantage of said city, and may enforce the payment of such assessments and taxes in such manner as said Mayor and Aldermen may prescribe. Besides real and personal property, the said Mayor and Aldermen may tax capital invested in said city, stocks in money corporations, choses in action, income and commissions derived from the pursuit of any profession, faculty, trade, or calling, dividends, bank, insurance, express and other agencies, and all other property or sources of profit not expressly prohibited or exempted by State law or competent authority of the United States.

Code of Ga. 1882, § 4847.

"This is about as broad a power as the English language can express to tax businesses and occupations." 112 Ga. 164.

63. (41.) Power to tax telegraph, etc., poles. The Mayor and Aldermen of the City of Savannah, a municipal corporation of this State, is hereby authorized and empowered to charge telegraph, telephone, railway and light companies, erecting their poles on the streets, lanes, public ways or thoroughfares in the City of Savannah, reasonable compensation for the use of such streets, lanes, public ways and thoroughfares, and to provide for the collection of the said charge.

Acts 1893, p. 307.

64. (42.) Rank of tax and debts due the city. Taxes and assessments due to said city shall rank as debts due to the public, whether in the administration of the assets of a decedent, or otherwise; and tax executions in favor of the city shall have the same lien on property throughout the State, as judgments have by law.

Code of Ga. 1882, § 4848.

65. May require registration deeds. The Mayor and Aldermen of the City of Savannah shall have authority to pass such ordinances as may be necessary to require all transfers of city real estate to be recorded with the board of tax assessors, or some person it may designate, and to require the grantee in the deed to pay all taxes up to the end of the last quarter before such transfer.

Acts 1914, p. 1180 (6).

See Section 1650 this Code.

66. (43.) Power over streets, lanes, wharves, etc. They shall also have power and authority to widen, extend or straighten any street, lane, way or square in said city, and to open, lay out, and establish any new street, lane, way or square, within the limits of said city; to remove all nuisances, and all encroachments by wharves, erections, or obstructions of any kind along the line of the river, or along or upon any street, lane, way, or place.

Code of Ga. 1882, § 4849.

67. (44.) Power to condemn for streets, etc., how exercised. The Mayor and Aldermen of the City of Savannah, a municipal corporation of this State, is hereby authorized and empowered to condemn property for the purpose of widening, extending, or straightening any street, lane, way, or square in the City of Savannah, or opening, laying out, and establishing any new street, lane, way, or square within the limits of said city, and to pay damages to the owner, or owners, of said property incident to the said condemnation. The said municipal corporation shall proceed in condemning property for the purposes mentioned under the terms and provisions of an Act of the Legislature of this State, approved December 18, 1894, entitled: "An Act to provide for a uniform method of exercising the right of condemning, taking, or damaging private property," and to be found on pages 95, 96, 97, 98, 99 and 100 of the volume containing the published laws for the year of 1894. The fact that the property needed by the said municipal corporation for the purposes mentioned may be owned or used by a railroad or other corporation shall be no bar to the exercise of the right of condemnation hereby conferred.

Acts 1895, p. 316.

68. Power to condemn, generally. The said municipal corporation is hereby authorized and empowered to condemn property for the purpose of acquiring sites for libraries, auditoriums, wharves, squares, playgrounds, and all other public purposes. Provided, however, that this provision of this act shall not repeal any of the provisions of the act of the legislature of Georgia of 1895, approved December 11, 1895, Act 76, 1895, giving authority to the said city to condemn property for the purpose of opening streets, etc. The said municipal corporation shall proceed in condemning property for the purposes here mentioned under

the terms and provisions of an act of the Legislature of this State, approved December 18, 1894, entitled, "An act to provide for the uniform method of exercising the right of condemnation, taking or damaging private property," and to be found on pages 95, 96, 97, 98, 99 and 100 of the volume containing the published laws for the year 1894. The fact that the property needed by the said municipal corporation for the purposes here mentioned may be owned or used by a railroad or other corporation shall be no bar to the exercise of the right of condemnation hereby conferred.

Acts 1915, p. 825, § 2.

69. (45.) Paving of streets and assessments of costs on property owners. The Mayor and Aldermen of the City of Savannah shall have full power and authority, by a vote of two-thirds of the said Mayor and Aldermen elected to Council (the Mayor being entitled to vote), to adopt at any time an ordinance requiring the grading, paving, macadamizing or otherwise improving for travel or drainage, any of the streets or lanes of said city, and to assess two-thirds of the cost of such paving, grading, macadamizing and otherwise improving on the real estate abutting on each side of the street or lane improved—a * * * railroad company now having or which may hereafter have, tracks running through the streets of said city so improved being required to macadamize or otherwise pave, as the said the Mayor and Aldermen of the City of Savannah may direct, the width of its track, and two feet on each side of every line of track now constructed, or that may hereafter be constructed by such railroad company.

Oct. 1, 1887, § 1.
Acts 1887, p. 537.
Acts 1910, p. 1142, ¶ 1.

70. (46.) Power to grade, pave, etc., and assess two-thirds of cost, etc. The Mayor and Aldermen of the City of Savannah shall have full power and authority to grade, pave, macadamize or otherwise improve any portion of the width of any street in said city, and to assess two-thirds (⅔) of the cost of such paving, grading, macadamizing and otherwise improving on the real estate, abutting on each side of the street or lane improved—a * * * railroad company now having, or which may hereafter have, tracks running through the streets of said city so improved being required to macadamize or otherwise pave, as the said the Mayor and Aldermen of the City of Savannah may direct, the width of its track and two feet on each side of every line of track.

Acts 1887, p. 537, ¶ 2.
Acts 1910, p. 1142, ¶ 2.

71. (47.) Frontage of intersecting streets, etc., how assessed. The frontage of intersecting streets and lanes shall be assessed as real estate abutting upon the street paved or otherwise improved, and the Mayor and Aldermen shall be, for all the intents and purposes of this act an owner or legal representative of real estate abutting on any street, shall possess the same rights and privileges as all other owners of real estate abutting on any street, according to the frontage owned, and shall pay from the City Treasury the just pro rata of the entire cost of said work for the said frontage.

Acts 1887, p. 537, ¶ 3.

72. (48.) Renewals or repairs of street pavements. The said the Mayor and Aldermen of the City of Savannah shall have full power and authority to renew or repair any pavement now laid or that may hereafter be laid, in the City of Savannah, at the expense of said city and of the owners of real estate abutting on such streets, and of a street railroad now traversing, or which may hereafter traverse, streets in which the pavements to be renewed or repaired are laid, one-third the expenses of

such renewal or repair to be borne by the city, the other two-thirds to be borne by the owners of real estate abutting on such streets—the street railroad traversing such street being required to renew or repair the width of its track and two feet on each side of every line of track.

Ibid. § 4.
See Code of Georgia, § 870, this Code, § 260.

73. (49.) Powers conferred by Act of Sept. 5, 1885, confirmed. All the powers conferred upon the Mayor and Aldermen of the City of Savannah under the Act approved September 5th, 1885, and to be found on pages 362, 363, and 364 of the published laws of 1884-'85, are hereby confirmed, and nothing herein contained shall be taken or held as abridging or diminishing any powers in said Act contained.

Ibid. § 5.

74. (50.) Lien for Assessment. The amount of assessment on each piece of real estate shall be a lien upon said real estate from the date of the passage of the ordinance providing for the work and making the assessments.

Acts 1884-85, p. 362, § 4.

75. (51.) Collection of Assessments. The Mayor and Aldermen of the City of Savannah shall have the authority to enforce the collection of the amount of any assessment so made for work, either for the streets or for the sidewalks, by execution to be issued by the City Treasurer against the real estate so assessed, and against the owner thereof at the date of the ordinance making the assessment, which execution may be levied by the Marshal of said city on such real estate; and after advertisement and other proceeding, as in cases of sales for city taxes, the same may be sold at public outcry to the highest bidder, and such sale shall vest an absolute title in the purchaser; Provided, that the defendant shall have the right to file an affidavit denying that the whole or any part of the amount for which the execution issued is due, and stating what amount he admits to be due, which amount so admitted to be due, shall be paid or collected before the affidavit is received, and the affidavit received for the balance; and all such affidavits so received shall be returned to the Superior Court of Chatham County, and there tried, and the issue determined as in case of illegality, subject to all the pains and penalties provided for in cases of illegality for delay.

Ibid. § 5. As to form of affidavit, see Dixon vs. Savannah, 20 Ga. App. 511.

76. Underground connections, before pavement. When any street or lane, or other highway in the City of Savannah is to be paved, notice shall be served by the City Marshal upon the owners, agents of owners of the adjoining property, that all gas, water, sewerage, conduits, and other underground connections must be made to the curb line before said paving is laid, and in the event of the refusal or failure of any such property owner to make such connections, he may be prohibited from making any underground connections which would require the tearing up of street paving for a period of five years, except under such penalties as the city by ordinance may impose.

Acts 1914, p. 1179, ¶ 4.

77. (95.) Excavations and areas under sidewalks. The Mayor and Aldermen of the City of Savannah are hereby empowered to authorize and permit areas of land under sidewalks, from property line to curb line, in the City of Savannah, Georgia, to be excavated and used by owners of abutting real estate, for such purposes, under such terms, conditions and regulations, and upon such considerations as may be prescribed by the City Council of Savannah.

Acts 1906, p. 1039.

78. (86.) Pavements and sidewalks. Said Mayor and Aldermen shall have power to order such pavements and sidewalks, and repairs of the same, as they may deem proper; and upon the failure of any person to comply with such order within the time prescribed, the said Mayor and Aldermen may have the same done, and levy and collect the expenses thereof by execution against the lands and goods and chattels of the owner of the lot, whether holding the same under lease-hold title from the city, or by title otherwise derived.

Code of 1882, § 4863.

79. (52.) Street Railways; power to operate. The said Mayor and Aldermen, in Council assembled, and as a corporation, are authorized and empowered to lay down, build, and construct in any of the streets of said City of Savannah (except as hereafter excepted), and to run, operate and work the same, carriage railways for the convenience of persons traveling in and visiting said city; the cars and carriages on such railways to be moved and propelled by animal power and not by steam, together with the necessary turn-outs and switches; provided always, that in any case where the grading for any such railway shall render a bridge or bridges necessary for the convenience of crossing a street by other vehicles, or by persons on foot or on horseback, such bridges shall be built and kept in proper repair; also, that no such railway shall, when it can possibly be avoided, interfere with the usual or natural grade of any street; and further, that the rate of speed on any such railway shall not be greater than that allowed by present or future ordinances of said city for other vehicles; and provided further, that such railways shall, in all respects, be so constructed, laid, built and used, as that other vehicles, and horsemen and footmen, may pass freely in and across the street or streets used by said railway, except at the instant of the passing of a car, carriage, or train; and further, that no such railway shall ever be built or laid in or on any street which runs through a square or park in said city, or in or on any street less than forty-five feet in width.

Code of Ga. 1882, § 4850.
Acts 1866, pp. 133, 134.

80. (53.) City may use or farm railway privileges. The said corporation of Savannah, may either build, construct and use such railways on its own account, or let or farm the privilege to individuals or companies, under the conditions and restrictions herein contained, and at such rates of fare and other charges as the City Council of said city may by ordinance determine; provided, however, that the said corporation, in letting or farming the privileges as aforesaid, shall not sell the privilege for any money consideration other than an agreed proportion of the net annual earnings of such railway or railways; and that the rates of fare and other charges must beforehand be fixed by ordinance and published for general information; and Council may, also, by contract, fix the time at which the city's proportion of earnings shall be made payable, and either by ordinance or contract requiring indemnity for the payment of its said proportion.

Code of Ga. 1882, § 4851.

81. (54.) Question of carrying freight, how determined. It shall be the right of said City Council to determine what transportation, in addition to passengers and baggage, may be made on such railways; provided, that permission to carry freight on such railways by any company or contracting party, or by the city corporation shall not be granted until the question of carrying freight shall have been submitted to the ballot of the legal voters of said city and the county of Chatham, and by a majority of such voters been approved.

Code of Ga. 1882, § 4852.

82. (55.) Rates of fare and freight, how fixed. After the rates of fare shall have been fixed by said City Council, for and upon such railway or railways, such rates shall never be increased, except by authority from said City Council; and in case the privilege of carrying freight be allowed by ballot of the people as aforesaid, the City Council shall always have the right to fix, limit and change the rates of such freight; and said City Council shall never depute, delegate, or assign the right to construct, operate and use such railway for a longer period than ten years; after which, the City Council may, from time to time, renew the lease, grant, or permission to the same party or parties, or grant the permission to other and different persons, and the City Council may always in advance, fix the terms (other than those hereinbefore prescribed) on which such railways may be built and used and managed.

Code of Ga. 1882, § 4853.

83. (56.) System of drainage. The said Mayor and Aldermen shall have power to establish a complete system of drainage in and around the said city, for the health and comfort of its inhabitants. [And the said Mayor and Aldermen shall also have entire and absolute control and jurisdiction of all soil pipes, private drains and sewers, water closets, privies, privy vaults and dry wells in said city, with full power to prescribe their location, structure, uses, and preservation, and to make such regulations concerning them in all particulars, as may seem best for the preservation of the health of the inhabitants of said city, and with power also to require changes in, or the total discontinuance of, any such contrivances and structures already in existence, or that may hereafter be allowed.] When the Mayor and Aldermen shall take and use any private canal or portion of canal as a part of such drainage system the said city shall be compelled to keep the same opened and in such order as to protect the proprietors of adjacent lands.

Code of Ga. 1882, § 4854.
Acts Dec. 13, 1858, p. 129.
Acts 1884-5, p. 294.

84. (57.) Power to condemn property for drainage purposes. The Mayor and Aldermen of the City of Savannah, a municipal corporation of this State, is hereby authorized and empowered to condemn property for drainage purposes within the corporate or jurisdictional limits of the City of Savannah, and to pay the owner or owners of said property the damages incident to the said condemnation. The said municipal corporation shall proceed in condemning property for the said drainage purposes under the terms and provisions of an Act of the Legislature of this State, approved December 18th, 1894, entitled "An Act to provide for a uniform method of exercising the right of condemning, taking or damaging private property," and to be found on pages 95, 96, 97, 98, 99 and 100 of the volume containing the published laws for the year 1894. The fact that the property sought to be condemned for drainage purposes may be owned or used by a railroad or other corporation shall be no bar to the exercise of the right of condemnation hereby conferred.

Acts 1898, p. 263.

85. (58.) Construction of sewers and drains. The Mayor and Aldermen of the City of Savannah are authorized and empowered, for sanitary purposes or upon the application of the owners of a majority of the lots abutting on any street or lane, or portion thereof, through which such desired or necessary primary drain may run, to lay down and construct, under such regulations as they may prescribe, a system of primary drains for the special purpose of house draining, and to apportion and assess the cost of the same upon the owners of the lots abutting on the lines of the streets and lanes or portions thereof through which said drains are laid in ratio and manner as hereinafter provided.

Acts 1884-85, p. 294.

86. (59.) Use of existing sewers. Wherever in the judgment of said Mayor and Aldermen, the larger drains or sewers now existing in said city can be made to subserve the purposes of cross drains or main trunk outlets for the discharge of the overflow from said primary drains, they shall be so used, but if the said Mayor and Aldermen shall find that it is inexpedient or inadvisable to use said existing sewers, or any portion of them, as cross drains or main trunk outlets for the discharge of the overflow from said primary drains, whether because of their location, grade, structure, or want of adaptation to said purposes of house drainage, it shall be lawful for said Mayor and Aldermen, and they are hereby further authorized and empowered to lay down and construct on such lines and cross lines, and through such streets or lanes, or any portion of them as they may determine upon, such larger cross drains and main trunk outlets as may be necessary for the reception and transmission of the outflow from said primary drains, or from any portion of them, immediately receiving the discharges from the premises abutting along their lines, and when such larger cross drains or main trunk outlets are used, both as primary drains for the immediate reception of the outflow from the premises abutting along their lines, and as cross drains or main trunk outlets for tributary primary drains, so much of their cost as shall be equal to the expense of constructing primary drains of similar length along the same lines, shall be assessed upon the owners of the lots abutting along their lines, and the excess of cost of said larger drains over and above the cost of constructing primary drains of similar length on the same lines shall be charged to said corporation.

Acts 1884-85, p. 294.

87. (60.) Apportionment of cost. The ratio which the breadth or face of any lot abutting on the line of any such drain bears to the length of such drain on said line shall be the ratio of computation of the amount to be assessed upon the owner of such lot as his pro rata of expense in the construction of such drain, it being understood that the total cost of construction of a primary drain shall be divided between the owners of the lots abutting on both sides of the street or lane, or portion thereof, through which said primary drain shall have been constructed; provided, that when a primary drain lies abreast of one front of any lot, and a cross or trunk drain shall be constructed along another front of the same lot, no assessment shall be made upon said lot except for its pro rata apportionment of the cost of such primary drain; and provided further, that in the case of said larger cross drains or main trunk outlets, such assessments shall be distributed between the lot owners and the corporation as provided for in section 2 of this Act.

Acts 1884-85, p. 294.

88. (61.) Flushing of drains. Whenever such drain is constructed along the line of any street or lane, it shall be supplied with a means of flushing at necessary intervals, independent of and in addition to the fluids pouring into it from connecting house pipes, and when these sanitary provisions are perfected, and the outflow through said larger cross drains and main trunk outlets provided for, it may and shall be lawful for said Mayor and Aldermen to require the abolition of all privies and dry wells attached to premises tributary thereto.

Acts 1884-85, p. 294.

89. (62.) Drains previously constructed. Wherever the owners of the lots abutting any street or lane, or portion thereof, have previously constructed at their own expense, primary drains of sufficient capacity for the purpose of house drainage, and desire to have such drains received as a part of the general system where their location, grade, structure and capacity are in harmony therewith, or to have them relaid in a proper location and grade when otherwise suitable, so as to secure the benefits

provided for the general system in section 4 of this Act, it shall be lawful for said Mayor and Aldermen to accept such piping on such terms and conditions as shall be just and reasonable, and when necessary to relay said lines in harmony with the general system.

Acts 1884-85, p. 294.

90. (63.) Notice of intended works and appeals, etc. Whenever the said Mayor and Aldermen shall deem it necessary to construct a primary or cross or trunk drain of the character referred to in the previous sections of this Act, for sanitary purposes, notice of such intended work shall be given to the owners of the lots abutting on the street or lane through which said drain is intended to be run, and said owners of said lots abutting on said street or lane shall have a right of appeal to said Mayor and Aldermen against the execution of said intended work; and said Mayor and Aldermen, after hearing the objections thereto presented by said owners of said lots abutting on said street or lane, or portion thereof, through which it is deemed necessary to construct said drain for sanitary purposes, shall render final decision as to whether for the time being such drain shall be laid and constructed or not.

Acts 1884-85, p. 296.

91. (64.) "Ts" to be supplied. Whenever such drain is constructed along the lines of any street or lane, it shall be supplied with at least one "T" opposite each lot, so that connections can be easily made with same from said lots, and no fees for connections with such drain or sewer so laid shall be assessed on the owner of said lot for connecting therewith other than the assessment provided for by this Act, but each owner of said lots shall perfect their connections at their own individual cost, and shall make the same in such manner as the said Mayor and Aldermen shall prescribe.

Acts 1884-85, p. 294.

92. (65.) Repairs. After the completion of any such drain or drains, sewer or sewers, as provided for in this Act, it shall be the duty of the said the Mayor and Aldermen of the City of Savannah, to keep the same in repair at its own cost and expense, no part of which shall be assessed upon any of the owners of the lots abutting on said drains or sewers.

Acts 1884-85, p. 294.

93. (66.) Right of way beyond corporate limits. The said Mayor and Aldermen of the City of Savannah are further authorized and empowered to build, lay down or extend any of the sewers of said city, either those laid down in pursuance of this Act, or any now existing in said city, to such point or points beyond the corporate limits of said city, as they shall deem best, so as to connect with any canal or canals leading thence to tide water, in order to secure a proper outlet for the accumulated outflow from said system of drainage, and for that purpose to take and use as a right of way for said sewer or sewers, any land, not exceeding thirty feet in width, between the limits of said city from which said extension or extensions shall begin, and the point or points where it or they shall enter into said canal or canals; provided, that before such land shall be so taken and used, the owner or owners thereof shall be notified in writing, of the amount and location of the land which it is desired to use, and if such owner or owners and said Mayor and Aldermen cannot or do not agree at once upon the terms and conditions upon which land shall be taken as a right of way as aforesaid, the Mayor of said city shall appoint an assessor, and the owner or owners of such land shall appoint another, and the two so appointed shall appoint a third, or if they cannot or do not agree upon a third within five days of being notified of their election, then the Ordinary of Chatham County

shall appoint such third assessor, and if the owner or owners of such land does or do not appoint an assessor as aforesaid within five days after he or they is or are so notified as aforesaid, the said Ordinary shall appoint two assessors, and the three assessors so appointed by any of the foregoing methods shall determine and assess the amount of money to be paid by said city for such right of way through the tract of land for which they are appointed, and the decision of any two of such assessors shall be final and binding on the parties, except that in all cases there may be an appeal by either party to the Superior Court of Chatham County, under the usual rules governing appeals to that court, and the decision rendered in said court shall describe the land as a right of way, and shall fix the amount of money to be paid for the same, and upon the payment of the sum so awarded by the said Mayor and Aldermen, the said payment shall convey an easement in said land so awarded to the said the Mayor and Aldermen of the City of Savannah, which shall continue so long as said land shall be used by the said city for the purpose of said sewer or sewers and no longer.

Acts 1884-85, p. 294.

See also §§ 67, 68, and 84 of this Code.

94. (67.) Penalties for failure to connect. Whenever any such drain or drains shall have been fully completed, as provided for in section 4, of this Act, and the said Mayor and Aldermen shall have given notice to the owner or owners of the lots abutting along its or their line or lines, requiring him or them to abolish the privies and dry wells on or attached to his or their said premises tributary to said so complete drain or drains, a failure or neglect of the said owner or owners to comply with the requirements of said notice within thirty days after the service thereof shall subject such owner or owners to all the penalties prescribed by law for creating or maintaining nuisances; provided, that such notice or requirement may be served on the agent of such owner or owners as may be non-resident or absent.

Acts 1884-85, p. 294.

95. (68.) Collection of assessments. Upon the completion of any such drain and its acceptance by this city, the pro rata assessments upon the owner or owners of the lots abutting along its line or lines, shall be due and payable to the Treasurer of said city, which fact shall be advertised in the official paper of the city for at least three days, and if any owner or owners of any such abutting and assessed lots shall fail or refuse to pay said assessment for such improvement for thirty days after the publication of such notice that such work has been finished and accepted by the city, the City Treasurer of said city may at once issue an execution against such owner or owners, as for unpaid taxes, and shall give the same to the City Marshal of said city, who shall levy the same upon the abutting lot or lots, including the improvements thereon, of the person or persons against whom such execution may have been issued, and shall advertise and sell such property in the same manner and upon the same terms and conditions as are set forth in an Act of the General Assembly of the State of Georgia, entitled "An Act to provide for the manner of tax sales by municipal corporations in this State, and for other purposes," approved February 27, 1877.

Acts 1884-85, p. 294.

96. (69.) Lazaretto; corporate jurisdiction over land purchased for. 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 smallpox, 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 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.

Acts 1831, p. 245.

97. (70.) Another Lazaretto to be purchased. The said Mayor and Aldermen shall have authority to purchase as much land as may be necessary for the location of another Lazaretto, in said county, with the powers and jurisdiction in them, over the same, which they now have over the present Lazaretto, under the Act of December 31, 1831, at any place which shall be sufficiently isolated to render it easily practicable to prevent intercourse between the inmates of such Lazaretto and persons outside of it.

Acts 1877, p. 180. See Section 108 hereof.

98. (71.) Removal of smallpox patients. The Mayor of the City of Savannah shall have the power to compel the removal to the smallpox hospital, of any person or persons who have smallpox in said city, and who do not provide their premises with sufficient guards to completely quarantine them, and the Board of Commissioners of Chatham County have the same power with reference to persons who are in said county, outside of the corporate limits of said city.

Code 1882, § 4854 (a).
See this Code, Sections 365 and 380.

99. (72.) Vaccination compulsory. Vaccination shall be compulsory upon all persons living in Chatham County, and any person or persons, who have not been vaccinated, and who, after the 19th of February, 1877, fail to be vaccinated, shall, upon conviction, for the first offense be punished by a fine of not more than one hundred dollars, or imprisonment in the county jail for not longer than one month, and for each subsequent offense shall be punished as prescribed in section 1065 of the Penal Code of Georgia.

Code 1882, § 4854 (b).

100. (73.) Duty of physicians and penalty for failure. It shall be the duty of every physician, or other person who knows, or has reason to believe, that any one has not been vaccinated, to report the fact to the Mayor of Savannah, if said person not vaccinated lives within the City of Savannah, and to the Board of Commissioners of Chatham County if he lives outside of said city limits, and for failing to do this, such physicians or other persons shall, upon conviction, be punished as prescribed in the preceding section.

Code of Ga. 1882, § 4854 (c).

101. (74.) Vaccination of paupers free. It is hereby made the duty of the Health Officers of the City of Savannah to vaccinate, free of charge, any person or persons, who, in the judgment of the Mayor, or Board of County Commissioners, are unable from poverty to pay the expenses of their vaccination.

Acts 1877, p. 183.
Code of Ga. 1882, § 4854 (d).

102. (75.) Public market. They shall also have the complete control and management of the present public market, and any other that may be established in said city, and the regulation of the same, and of sales and purchases therein.

Ibid. § 4855.

103. Regulate streets for business. The said Mayor and Aldermen shall have full power and authority to regulate the use of the streets of

the City of Savannah for business purposes and no person, firm or corporation shall have the right to use the streets of said City of Savannah for business purposes without first having obtained the consent and license of the Mayor and Aldermen of the City of Savannah.

Acts 1915, p. 826, ¶ 3.

104. (77.) May hold real and personal property. The said city, in its corporate capacity, may hold real and personal property, and may sell and dispose of all or any part of the domain, property, land, lots, or any personal property to it belonging, from time to time, on such terms as to said corporation shall seem expedient; but no street, lane, or thoroughfare, after having been dedicated to public uses (including all present dedications) shall be alienated by said corporation, except by authority of the General Assembly. All rights of property existing in said corporation at the adoption of the Code of Georgia are hereby expressly reserved to it.

Code of Ga. 1882, § 4857.

105. Power to close street for municipal building. The Mayor and and Aldermen shall have power and authority to close any portion of a street or streets when necessary for the purpose of erecting an auditorium or other municipal building.

Acts 1915, p. 826, § 5.

106. (77a.) Town common ascertained; alienation except by act of Legislature prohibited. 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 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.

Acts May 1, 1760.
M. & C. Dig., p. 117.

107. (77b.) All former conveyances by Mayor and Aldermen confirmed. 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 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.

Acts Dec. 21, 1882.
Dawson's Comp., p. 443.

108. (78.) May acquire lands outside city limits for certain purposes. The Mayor and Aldermen of the City of Savannah are authorized to acquire, by purchase or otherwise, lands in Chatham County outside of the

corporate limits of the city of Savannah, for cemetery, pest house, hospital, public streets or other public uses.

Acts 1900, p. 421.

109. (79.) Lands outside city limits; how purchased. Before any land located outside of the corporate limits of the City of Savannah shall be purchased by the Mayor and Aldermen of the City of Savannah, as provided in the foregoing section, such purchase shall be first sanctioned by an ordinance of its Council, which shall be read twice, that is to say, once at two distinct regular meetings of Council, and such ordinance shall require for its passage the vote of a majority of the Mayor and Aldermen elected to Council.

Ibid. § 2.

110. (80.) Power to appoint city officers, etc. The said Mayor and Aldermen shall have power to appoint all such officers under them as they may deem proper for the police and government of said city, and to make all such rules and regulations for the government and compensation of such officers as said Mayor and Aldermen may deem proper. Besides commissioners of pilotage, they may also appoint the harbor master, vendue masters, port wardens, health officers, inspectors of every sort, gaugers, and measurers, and fix their duties and compensation, but all appointments to office under said Mayor and Aldermen, existing at the adoption of this Code, shall continue until incumbents of said offices respectively, shall be superseded by expiration of the term of the same respectively, or by resignation, or by authority of law, or by ordinance of said city, for incapacity or improper conduct, when said Mayor and Aldermen are not, by this Code or by other statutory enactments, or by the constitution of this State, prevented from declaring a vacancy.

Code of Ga. 1882, § 4858.

111. (80.) Inspectors to keep record book of inspection. It shall be the duty of the Inspectors of timber and lumber of the City of Savannah, respectively, to keep a book which shall be open to public inspection, in which shall be kept an entry of all timber and lumber of every kind and quality which may be brought to said city for sale, and which may be inspected by them, either within the corporate limits of the city or elsewhere, stating particularly the date of inspection, the date of arrival, where from, name of the owner, number of good pieces, number of refuse pieces, kind, quality, quantity, to whom consigned, if known.

Acts 1874, p. 222.

112. (80.) Account sales of timber or lumber, to disclose what. When any timber or lumber may be sold in said city by any one, for the account of another, it shall be his duty, when rendering an account of sale to the owner, to disclose the date of sale, the price for which the same was sold, and the name of the person to whom sold. And should the person so selling fail to make the said disclosures when required, or shall make false or fictitious disclosures in these particulars, shall be guilty of a misdemeanor, and on conviction, shall be punished as prescribed in section 4245 of Irwin's Revised Code; and for a violation of the duty prescribed in this Act for timber and lumber inspectors, they shall be guilty of a misdemeanor, and shall, on conviction, be likewise punished.

Ibid. § 2.

113. Traffic expert and assistants, power to appoint. The said Mayor and Aldermen shall have power and authority to appoint a traffic expert for the City of Savannah, who shall be an expert in the matter of all freight and passenger rates affecting the City of Savannah, and whose duties shall be defined by the said Mayor and Aldermen with a view of avoiding any freight or passenger rate discriminations against the said

city. The Mayor and Aldermen shall also have power and authority to appoint such assistants as in their judgment such traffic expert may need to properly perform his duties, and shall provide for the compensation of such officers when so appointed, and provide for all other expenses incident to the said office.

Acts 1915, p. 826, ¶ 7.

114. (81.) Vacancies; when filled. Any vacancies as to any of the officers elective by the City Council of Savannah which shall occur after the regular election provided for by law, may be filled by the Mayor and Aldermen of the City of Savannah at any regular meeting of its Council.

Acts 1898, p. 265, § 3. See section 465, this Code.

115. (82.) Shops, taverns and stores. The said Mayor and Aldermen shall have the control and regulation of all shops, taverns and stores, within the corporate and jurisdictional limits of said city * * *; and also the power to regulate the conduct of peddlers and itinerant traders within the same limits, by taxation or otherwise.

Code of Ga. 1882, § 4859.

Retail liquor license provision stricken from this section because of Prohibition Acts of 1907, 1915 and 1917.

116. (83.) Penalties in ordinances. They shall have power and authority to impose and inflict such pains, penalties, and forfeitures, for violation of the by-laws or ordinances of the city, as shall, in their judgment, be conducive to the good order and government of said city; provided, that no fine or forfeiture, for one individual offense, shall exceed one hundred dollars, and no imprisonment shall be for more than thirty days; although the said Mayor and Aldermen may impose and inflict several and distinct fines and imprisonments, at the same meeting of Council for several and distinct offenses.

Acts 1878-79, p. 153.
Code of Ga. 1882, § 4860.

117. (84.) Fines and penalties, how collected. Fines, penalties and forfeitures, shall be levied by warrant or execution of distress, and sale of the offender's goods and chattels, if any to be found; otherwise, of lands and tenements; and in case of no such property, then the defendant may be imprisoned in the common jail, or made to do public work, as hereinafter provided.

Ibid. § 4861.

118. (85.) Mayor and Aldermen vested with powers of Justices of the Peace. The Mayor, or any one Alderman, shall be vested with the power of a justice of the peace, so as to enable him, within the corporate and jurisdictional limits of the city, to suppress riots or breaches of the peace, arrest, confine, or bind over offenders against the laws of the State, to answer for such offenses before the proper tribunal.

Ibid. § 4862.

119. (96.) Special powers of Mayor. 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 vote, 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 before such officer or other lawful magistrate, with having committed, within the limits of the city of Savannah, offenses against any penal law of this State, and to take the examination of such persons, and the same to discharge or 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 the State now or hereafter may have by law, and to issue such warrant according to law, to be executed within the jurisdictional limits of Savannah—all of which warrants may be executed by the Marshal or Deputy Marshal, or any constable of said city, and be returned before said Mayor or his temporary official substitute, as aforesaid. And the said Mayor or substitute as aforesaid, may by warrant issued as aforesaid, cause suspected places to be entered, in as full and ample a manner as any other magistrate of this State may, with a view to the detection and prevention, or punishment of offenses, within said jurisdictional limits, against the laws of this State, or the ordinances of said city.

Code of 1882, § 4873.

120. (97.) **Ordinances and police regulations.** The Mayor and Aldermen of said city shall have full power and authority to pass all such ordinances and establish such police regulations, not repugnant to the constitution and laws of this State, as in their judgment and discretion may be deemed best calculated to suppress, within the jurisdictional limits of said city, the practice of illicit trading and receiving stolen goods, and of affixing and enforcing such penalties for the violation of such ordinances and police regulations as said Mayor and Aldermen shall deem proper, and as shall not be inconsistent with such constitution.

Ibid. § 4874.

121. (98.) **Nuisances.** The said Mayor and Aldermen shall have power, by ordinance, resolution, or order of Council, to cause to be abated within the jurisdictional limits of said city, which jurisdictional limits shall extend one mile beyond the present corporate limits, or any future extension of the same, any nuisance which may tend greatly to corrupt the manners and morals of the people, or any considerable part thereof, whether the nuisance be such at common law or by statute of this State, or by ordinance of said city passed in conformity with law, and to enforce the order for abatement and removal of such nuisance by the Marshal and other civil force of said city; and to compel payment of the costs and expenses of such abatement, or removal, by the person, or persons, responsible for the existence of the nuisance, or owning or controlling the property adjudged to be a nuisance, by means of execution, for the same or otherwise as the said Mayor and Aldermen shall ordain.

Ibid. § 4875.
Acts 1877, p. 182.
Compare Code of Ga., Section 5331, this Code, Section 311, 113 Ga. 537, 132 Ga. 302.

122. (99.) **Quarantine and sanitary regulations.** Said Mayor and Aldermen shall have full power and authority to establish such system of quarantine and make such sanitary regulations anywhere on the Savannah River, or elsewhere in Chatham County, as may in their judgment be proper to prevent the spread of contagious or infectious diseases in said city.

Ibid. § 4875.

123. **Defects in sidewalks, property owner liable for damages.** The owner of any lot or tract of land within the corporate limits of the City of Savannah shall be primarily liable to any person injured by reason of any defect in or obstruction on the sidewalk bordering his property whenever the defect or obstruction is caused by the owner or person in possession, or whenever the defect is not caused by the owner or person in possession, but such defect has been previously brought to the attention of the owner, his agent, or the person in possession of said property or where such defect remains unrepaired for such a period of time as would make the city liable and whenever the Mayor and Aldermen of the City of Savannah are sued in such cases they shall vouch into

court the owner of such property, and said owner shall be liable to the city for the amount of judgment obtained in such suit against the city.

Acts 1914, p. 1180, ¶ 5.

124. (87.) **Mayor, and Aldermen, exempt from jury duty.** The Mayor and Aldermen, during their continuance in office, shall be exempt from jury duty.

Ibid. § 4864.

125. (88.) **Persons convicted, of offenses, how punished.** They shall have power to establish work-houses and treadmills, and to cause labor and confinement therein, and also on the public streets, squares, or lanes, by persons, whether white or colored, convicted of offenses against the ordinances of the city or laws of the State in relation to said city.

Ibid. § 4865.

126. (89.) **Police, etc., exempt from jury duty.** The officers and privates of the police or city watch of Savannah, shall be exempt from the performance of militia duty under the peace establishment of this State; and they and the engineer and assistant engineer of the Savannah waterworks, shall be exempt from jury duty.

Ibid. § 4866.

127. (90.) **Empowered to build an aqueduct.** The Mayor and Aldermen of the City of Savannah are hereby authorized and empowered to build, or construct an aqueduct, or conduit, for the purpose of conveying water from any point of the Savannah River, which they may select, beyond the limits of said city, to such point in said city, as they may think proper, and for that purpose to take and use, as a right of way for such aqueduct, or conduit, any land, not exceeding thirty feet in width, between such points; provided, that before such land shall be so taken and used, the owner, or owners, of such land shall be notified in writing, of the amount and location of the land which it is desired to use, and if such owner or owners and said Mayor and Aldermen cannot, or do not, agree at once upon the terms and conditions upon which such land shall be taken as a right of way as aforesaid, the Mayor of said city shall appoint an assessor, and the owner or owners of such land shall appoint another, and the two so appointed shall appoint a third, or if they cannot, or do not agree upon a third within five days after being notified of their selection, then the Ordinary of Chatham County shall appoint such third assessor; and if the owner or owners of such land, does, or do, not appoint an assessor as aforesaid, within five days after he, or they, is or are, so notified as aforesaid, the said Ordinary shall appoint two assessors, and the three assessors, so appointed by any of the foregoing methods, shall determine and assess the amount of money to be paid by said city for such right of way through the tract of land for which they are appointed, and the decision of any two of such assessors shall be final and binding on the parties, except that in all cases there may be an appeal by either party to the Superior Court of Chatham County, under the usual rules governing appeals to that court, and such decision shall describe the land taken as a right of way, and the amount of money to be paid for it, and shall be made in duplicate, and one original given to the said owner, or owners, and the other to said Mayor and Aldermen, and upon the payment by said Mayor and Aldermen of the sum awarded, and a receipt therefor, being written of such award, such award shall convey an easement in said land so awarded to the said the Mayor and Aldermen of the City of Savannah, which shall continue so long as said land shall be used by said city for the purpose of said water-main, and no longer, the land awarded to said, the Mayor and Aldermen of the City of Savannah, in fee simple.

Acts 1878-79, p. 306.

128. (91.) Power to maintain an electric plant. The Mayor and Aldermen of the City of Savannah are hereby authorized and empowered to erect and maintain an electric plant for the purpose of lighting the City of Savannah with electricity and to do all things necessary for this purpose; to contract with persons and corporations for the furnishing of electric lights by the said municipal corporation for such just and reasonable compensation as may be agreed on, and to adopt such ordinances, rules and regulations as may be necessary or proper to carry out the true intent and meaning of this act.

Acts Dec. 11, 1893, p. 306.

129. (92.) Power to require street labor or commutation tax. The Mayor and Aldermen of the City of Savannah are hereby authorized and empowered to require each male resident living within the present or the future corporate limits of the City of Savannah, between the ages of twenty-one and sixty years, to work upon the streets of said city, as the said Mayor and Aldermen of the City of Savannah may direct, for as many as three days each year, or in lieu of such work, to pay, as a road or street tax, as much as three dollars annually, to be used upon the said streets. The said Mayor and Aldermen of the City of Savannah are further authorized and empowered to provide for the collection of the said tax by an execution, which may be issued, made and levied as other executions for city taxes, and also for the imprisonment not longer than five days of such residents as fail or refuse, after due notice, to perform the work required, or to pay the said tax, and who do not return a sufficiency of property to pay the said execution.

Act Dec. 24, 1890, p. 591.

No city can assess any poll tax whatever, except street tax, and that only after opportunity to work the streets. See Code of Ga. of 1910, Section 1015.

130. (93.) Ordinances continued in force. All ordinances of said city existing at the time of the adoption of this Code (of 1882), and not repugnant thereto, shall be of full force and effect until the same be altered, modified, or repealed by the Mayor and Aldermen of said city.

Code of Ga. 1882, § 4871.

131. (94.) Ordinances of the City; how evidenced. All ordinances by-laws, rules and regulations of said city, published by authority of said Mayor and Aldermen, and promulgated as such by said authority, shall be evidence in all the courts of this State to the same extent that laws of the State, as published by authority, shall be evidence of such laws; and when, in any case, an exemplification of any such ordinance, by-law, rule or regulation, minute of Council, or any paper of file in any of the departments of the government of said city may be required, the same may be authenticated under the official signature of the Mayor or acting Mayor, and the seal of said city.

Ibid. § 4872.

See 107 Ga. p. 432.

Ordinances must be pleaded or proved. 18 Ga. App. 308; 142 Ga. 414.

May also be proved by production of original book of ordinances identified by clerk. 90 Ga. 500.

See Section 297 this Code.

132. Notice of damages, within six months. No action for damages to person or property of any character whatever shall be instituted against the City of Savannah unless within six months from the happening or infliction of the injury complained of, the complainant, his executors and administrators shall give notice to the Mayor and Aldermen of said city of such injury in writing, stating in such notice the date and place of the happening or infliction of such injury, the manner of

such infliction, the character of the injury, and the amount of damage claimed therefor.

Acts 1915, p. 825, ¶ 1.

See Code of Ga., Sec. 910. This Code, Sec. 227.

See Hartsell vs. Ashville, 82 S. E. 946.

133. (100.) Paupers. Said Mayor and Aldermen shall have full power and authority to pass all ordinances and make all such rules and regulations as may, in their judgment, be proper to prevent the influx or immigration of paupers into said city; and nothing in the general laws of the State shall ever be considered in derogation of the powers hereby conferred upon said city authorities on said subject; and any and every ordinance of said city now existing in relation to the influx of paupers therein, shall be considered as hereby confirmed.

Code 1882, § 4876.

See "Transient Indigent Poor," Chapter 70, this Code.

134. (101.) Wharves, control of. Said Mayor and Aldermen shall have the control and management of the wharves in the City of Savannah, including the power to regulate the rates of wharfage and dockage, and the mode and manner of building and repairing such wharves, and all matters pertaining thereto within the present and future limits of said city, to as full and ample an extent as appertained and belonged to the General Assembly of this State immediately before the 23rd of August, 1872.

Ibid. § 4877.

See Section 66, this Code.

135. (102.) Wharves, how repaired. Whenever in the judgment of the City Council any wharf, or part of a wharf, in said city shall require rebuilding or repairing, reasonable notice thereof, not less than thirty days, shall be given to the owner of such wharf, or part of a wharf, or his agent or representative; and the service of such notice shall constitute a lien on such wharf or part of a wharf to the extent in value of the repairing or rebuilding the same, which the said City Council may incur or expend in such rebuilding, or repairing, and all reasonable expenses in the enforcement of such lien, all of which value and expenses may be recovered by said City Council in any court having jurisdiction, and the judgment may be enforced against such wharf or part of a wharf by sale thereof, and no lease or alienation of the premises after such notice shall be good or valid to prevent the sale; provided, always, that in case of a lease good and valid at the time of such notice, and extending beyond the term of such sale, the officer making the sale shall sell only the reversionary right or interest of the owner in the premises; and, provided, further, that no proceeding to enforce the lien aforesaid shall be commenced if the owner of such wharf or part of a wharf shall within thirty days after service of said notice begin to rebuild or repair, as the case may be, and continue in good faith and with reasonable diligence, such work of rebuilding or repairing deemed necessary and proper by said City Council.

Ibid. § 4878.

136. (103.) Building certain wharves legalized. The action of the Mayor and Aldermen of the City of Savannah, in building wharves on the water lots at the foot of Abecorn, Drayton, and Whitaker Streets, and leasing the same for the benefit of the commerce of the port, is hereby declared to be legalized, confirmed and made valid, to all intents and purposes, and the absolute property and control in said wharves is hereby vested in said Mayor and Aldermen, and their successors in office, with power to lease or otherwise dispose of the same, according to the commercial necessities of the port of Savannah, as in their judgment the public interest may require.

Acts 1874, p. 219.

137. (104.) May close up or lease other docks, etc. The said Mayor and Aldermen are hereby vested with full power and authority to close as many other of the docks on the water lots at the foot of the streets, as the public interest or necessity, in their judgment, may require, by the building of wharves, and to lease or otherwise dispose of said wharves, as in their judgment would be best for the interest of the city; provided, nevertheless, that a sufficient number of the city docks shall be kept open for the convenience of the public, as landing points for boats and passengers; provided, further, that the Mayor and Aldermen of the City of Savannah, or the party or parties exercising rights acquired from said Mayor and Aldermen shall have full power and authority to charge, collect, and receive rent, wharfage, and other customary dues, for the use of said docks and wharves, but that neither said Mayor and Aldermen, nor said parties, shall use said docks or wharves except as docks or wharves are generally used in said city for the promotion of the commercial interest of said port, nor shall they build upon or otherwise obstruct the same, so as to prevent the free passage of citizens over and upon the adjacent streets.
Ibid. p. 220.

138. (105.) To establish harbor lines between cross-tides and the sea, etc. The Mayor and Aldermen of the City of Savannah are hereby authorized and empowered to establish and control, by ordinance of its Council, harbor lines in the Savannah River from the cross-tides, above the City of Savannah, to the sea, and within the jurisdiction of the State of Georgia to prevent piers, bulk-heads or other structures being built on either side of said river, beyond such lines as may be established by ordinance of its Council, and to pass and enforce such ordinances as may seem to the said Council proper for the purpose of preventing the shoaling of the said river between the said cross-tides above the city, and the sea, within the jurisdiction of the State of Georgia.
Acts 1889, p. 897.

139. Ferry rights of city. The Mayor and Aldermen of the City of Savannah, a municipal corporation of the State of Georgia, is hereby authorized and empowered to exercise ferry rights and to establish, own and operate a ferry across the Savannah River, including what is known as Back River, for the carriage of freight and passengers, from any point or points within the corporate limits of the City of Savannah to any point or points on Hutchinson Island or on the South Carolina shore of the Savannah River, either or both, as the said corporation may decide.
Act 1911, p. 1533, ¶ 1.

140. May acquire existing ferry rights. The said municipal corporation in the establishment of said ferry is hereby authorized to purchase, receive, and hold any existing ferry franchise now held by any other person or corporation.
Ibid. ¶ 2.

141. May operate ferry. The said municipal corporation is hereby authorized to exercise the ferry rights hereby conferred either alone or in conjunction with any other person or corporation or to lease and operate any existing ferry franchise either alone or in conjunction with any other person or corporation.
Ibid. ¶ 3.

142. Transportation charges. The said municipal corporation is hereby authorized to pass such ordinances in regard to charges for the transportation of freight and passengers and adopt such rules for the general regulation of the ferry as it may deem reasonable and advisable,

and to appropriate from its funds such amounts from time to time as are necessary for carrying out the objects of this Act.
Ibid. ¶ 4.

143. Maps of land subdivisions to be recorded; dedication. No tract of land lying within the corporate limits of the City of Savannah, as they are, or hereafter may be defined, or within two miles of such corporate limits, shall be laid off into lots and streets or lanes, or subdivided in any manner, until a map or plan of such subdivision shall have first been submitted to and approved by the Mayor and Aldermen of the City of Savannah. A copy of the map or plan of such subdivision, when so approved, shall be recorded by the parties making such subdivision in the office of the clerk of the Superior Court of Chatham County, Georgia, and copies deposited with the board of commissioners of roads and revenues of Chatham County, and with the chief engineer of the City of Savannah before offering any such lots for sale, and the filing of such map or plan shall constitute a dedication for public purposes of all streets, lanes or other highways thereon delineated.
Acts 1914, p. 1179, ¶ 2.

144. May regulate laying off and sale of lots. The Mayor and Aldermen of the City of Savannah shall have authority to pass all necessary ordinances, not conflicting with the provisions of this act, regulating the laying off and sale of lots of land within the corporate limits of said city, and within two miles thereof, and providing punishment for violations of such ordinances and the preceding section of this act. (Section 143 hereof.)
Ibid. ¶ 3.

145. Contracts for care of cemetery lots. The Mayor and Aldermen of the City of Savannah shall have power and authority to make and enter into contracts for the annual or perpetual care of lots in any cemetery owned or controlled by said municipal corporation.
Acts 1912, p. 1242, ¶ 1.

146. Fund to be protected. It shall be the duty of said municipal corporation to pass all by-laws and ordinances necessary to carry this Act into effect, and to protect and segregate the funds received by it for those purposes.
Ibid. ¶ 2.

147. Contracts binding. All contracts made by said municipal corporation for the annual or perpetual care of such cemetery lots shall be binding on said municipality, and all such contracts heretofore made by said corporation are hereby ratified and confirmed.
Ibid. ¶ 3.

148. Charter to be construed favorably to city. As often as any doubts 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.
Acts 1849-50, p. 85 (9).

CHAPTER IV.

POLICE COURT OF SAVANNAH.

149. (106.) Police court a court of record; jurisdiction. The Police Court of the City of Savannah is hereby continued a court of record, and shall have jurisdiction to try all offenses against the laws and ordinances of the municipal government of the City of Savannah committed within the corporate limits of said city and within three miles thereof, and extending into the County of Chatham, and to punish for the violation of such laws and ordinances by inflicting such punishments as may be provided by law. The jurisdiction of said Police Court shall further extend to the investigation of any charge involving a violation of the laws of the State of Georgia, when such charge is entered upon the docket of said court, and when the offense is alleged to have been committed within the City of Savannah, or within the County of Chatham.

Act Aug. 11, 1906, p. 1033.

150. (107.) Recorder; Mayor may preside and pronounce judgment. Said Police Court shall hold daily sessions, Sundays excepted, and said court shall be presided over by a Recorder. Said Recorder shall not be less than twenty-one (21) years of age, shall have resided for four (4) years next preceding his election in the City of Savannah, and shall be a lawyer in good standing. In the absence or disability of the Recorder, the presiding officer of said court shall be any Alderman of the City of Savannah designated for such purpose by the Mayor or Acting Mayor of said city, and who shall, while presiding in said court, have the same power and authority as the Recorder.

The Mayor of the City of Savannah shall, by virtue of his office, have the same power and authority to preside in said court as said Recorder, and may preside therein at any time, with or without said Recorder, and when the Mayor and such Recorder shall preside together and differ in opinion, the said Mayor shall pronounce the judgment of the court.

Ibid. See Sections 4, 5, 8, and 12, this Code.

151. (108.) Recorder's oath of office. Before entering upon the duties of his office, the said Recorder shall take an oath before the Mayor, or some officer authorized to administer oaths, that he will truly, honestly and faithfully discharge the duties of his office to the best of his ability, without favor, affection or partiality.

Ibid. See Sections 4, 5, and 8, this Code.

152. (109.) Powers of Court. Said Recorder, or other presiding officer of said court, shall have the power to impose fines and inflict punishments for the violation of valid laws and ordinances of the city of Savannah, within the limits prescribed by law, and said Recorder or other presiding officer shall also have the same power as judges of the Superior Courts of this State to punish for contempt, by a fine not to exceed twenty-five ($25) dollars, and imprisonment in the jail of Chatham County not to exceed ten (10) days, either or both, in the discretion of the court.

Said Recorder, or other presiding officer of said court, shall be to all intents and purposes a justice of the peace, so far as to enable him to issue warrants for offenses committed within the City of Savannah, or within the limits of Chatham County, either before or after a hearing of the charge in said Police Court, which warrant may be executed by any member of the police force of said city. Said Recorder, or other

presiding officer of said court, as such ex-officio justice of the peace, shall have power and authority to commit to the jail of Chatham County offenders against the laws of said State, and to admit them to bail, in bailable cases, for their appearance at the next term of a court of competent jurisdiction to be held in and for the County of Chatham, after legal investigation.

Ibid.

153. (110.) Recorder's power to suspend, vacate or reduce punishments. As to sentences imposed by said Police Court, the Recorder shall have the right, as to such as may have been imposed by him, to suspend, vacate or reduce fines (which have not been paid) and terms of imprisonment for legal grounds, in his best judgment and discretion, and the same shall apply to sentences of said coprt pronounced, respectively, by the Mayor presiding, or by an Alderman presiding, it being the intention hereof to give to the officer who pronounces the sentence power to vacate, alter or modify the same, when for good and legal reasons he may be convinced that such a course is consistent with justice; but, as to fines which may have been paid by persons convicted in said court, the same shall not be refunded, in whole or in part, to the person so paying the same, except by action of the City Council of Savannah, upon written recommendation of the Recorder or other presiding officer of said court, who may have imposed such fine.

Ibid.

154. (111.) Dockets, how kept. There shall be kept in said Police Court one or more dockets, upon which the names of all persons arrested by the officers and members of the police force of the City of Savannah, for any offense against the municipal or State laws, and of all persons summoned before said court by a subpoena issued therefrom, to answer for the violation of any ordinance of the City of Savannah, or of any State law, shall appear, together with the names of the witnesses against them, respectively, and a clear and succinct statement of the offenses, respectively, with which they may be charged. Upon the trial of such persons, the sentences respectively imposed, or the respective dispositions of the cases, shall be entered, in writing, opposite the name and charge, by the Recorder, or other presiding officer of such court, which respective entries, together with the commitment in writing, signed by the Recorder, or other such presiding officer, attested by the Clerk of said court, shall constitute the judgment of the Police Court in such respective cases.

Ibid.

155. (112.) Subpoenas for parties and witnesses, and herein, as to contempt. Upon information or complaint lodged with any officer or member of the police force of Savannah or with the Clerk of said Police Court, any person within the limits of Chatham County charged with the violation of any municipal ordinance of the City of Savannah, or of any law of the State of Georgia, may be brought before the said Police Court to answer such charge, by the service upon such a person of a subpoena from said court, setting forth the nature of the charge and the time of the hearing; and the Recorder, or other presiding officer of said court, shall have the power to punish any person disobeying such a subpoena as for contempt of court, within the limits of punishments hereinbefore prescribed. Any person desired as witness in any case or charge pending in said court, may be compelled to attend any session of said court by service upon such person at any place within the limits of Chatham County of a subpoena from said court, setting forth the name of the case and the time of the hearing; and the said Recorder, or other presiding officer of such court, shall have the power to punish as for contempt of court any person failing or refusing to obey such subpoena, within the

limits of punishment hereinbefore prescribed. Any person who may be charged with contempt of court, as herein defined and provided for, may be arrested anywhere in the limits of Chatham County by an attachment in writing, or warrant, signed by such Recorder or other presiding officer of said court, by any officer or member of the police force of said city.
Ibid.

156. (113.) Clerk of Police Court—Duties, oath, bond. The Clerk of the police department of the City of Savannah shall, by virtue of his office, be the Clerk of the Police Court of said city, and he shall, in addition to his other duties, attend the sessions of said court, and serve as clerk thereof. Such clerk shall administer oaths, shall sign and issue all subpoenas, processes and summonses issuing out of said court, all of which shall bear test in the name of the Recorder; and he shall also attest all orders and commitments issuing out of said court and signed by the Recorder or other presiding officer. Said clerk shall also do and perform all acts and duties heretofore required of the Clerk of Council of Savannah in connection with the Police Court of said city. When this Act shall have been passed and approved, the office of Clerk of the Police Department will be vacated, and the City Council of Savannah will elect a person to fill the same who shall be a city officer, and who will hold the said office for the unexpired term; that is to say, up to the time when the officers of the city are regularly elected by the Mayor and Aldermen of the city of Savannah, and the term of office and salary of said official, to be hereafter known as Clerk of the Police Department, shall be such as may be fixed by the City Council of Savannah, and he shall perform the duties of Clerk of the Police Court, and such other duties as may be put upon him by the City Council of Savannah. Before entering on the duties of his office, the said Clerk of the Police Department shall subscribe to an oath, before the Mayor or Acting Mayor of the City of Savannah, that he will well and faithfully discharge the duties of his office, and will truly account for all public monies committed to his care, and shall also file with the Clerk of Council a bond, payable to the Mayor and Aldermen of the City of Savannah, with a surety company regularly doing business in Georgia, and approved by said Clerk of Council, as surety, said bond to be in the sum of three thousand ($3,000) dollars, the premium on which will be paid by the Mayor and Aldermen of the City of Savannah, and will be conditioned that said Clerk of the Police Department and ex-officio Clerk of the Police Court will truly and faithfully discharge all of the duties pertaining to said office, and will well and faithfully pay into the City Treasury of Savannah all of the monies which may come into his hands belonging to the municipality.
Ibid.

157. (114.) Ministerial officers. The ministerial officers of said court shall be the Superintendent (or Chief) of Police of the City of Savannah, and the other officers and members of the police force of said city, any of whom may execute the mandates of said court, and to whom in the alternative all mesne and final process thereof shall be directed.
Ibid.

158. (115.) Certiorari. The right of certiorari from the decision and judgment of the Recorder, or other presiding officer of said court, shall exist in all cases, and shall be exercised under the provision of the laws of the State of Georgia in such cases made and provided.
Ibid. See McDermott vs. Savannah, 19 Ga. App. 308.

159. (116.) Appearance Bonds, as to municipal offenses. In any case where any person has deposited a sum of money as a bond for the appearance in Police Court of a person charged with an offense which said court has jurisdiction to try, such sum of money shall be forfeited by the

owner thereof and be paid over by the clerk of the said court to the City Treasurer as the property of the City of Savannah, in the event the party does not appear at the time appointed, for whose appearance such sum of money was deposited as a bond.
Ibid.

160. (117.) Forfeiture of bonds. When any bond is given by any person charged with any offense against the ordinances of said city, for his or her appearance at any session of the Police Court of Savannah, and such person so giving bond shall fail to appear at the time appointed in said bond for his or her appearance, then the clerk of said Police Court shall issue a scire facias, which shall be served by any policeman of said city, two days before the return thereof, against the principal and his or her surety or sureties, calling on them to show cause within five (5) days from the date of said scire facias in said Police Court, why said bond should not be forfeited, and if at the return time of said scire facias in said court no sufficient cause be shown to the contrary judgment shall be entered upon said bond against said principal and his or her sureties. On the entering of judgment on any such bond the Clerk of the Police Court shall issue execution against the principal on said bond and his or her surety or sureties, in conformity to said judgment, and the same shall be placed in the hands of the City Marshal of said City, who shall proceed to collect the same as other executions in favor of said city are colletced.
Ibid. See Sections 228, 231, 232, 539, 540, this Code.

161. (118.) Appearance Bonds, as to State offenses. In all cases where persons are arrested by the police force of the city of Savannah, charged with an offense against the statutes of the State of Georgia, and bail is given, the bond for the appearance of such person or persons shall be made returnable to the court in said county and State, which has jurisdiction to try the offenses charged, and such person or persons shall be served, at the time such bond is given, with a subpoena for appearance in Police Court at the preliminary hearing of the offense charged.
Ibid.

162. (119.) Ordinances may be passed, consistent herewith. The Mayor and Aldermen of the City of Savannah shall have full power and authority to pass any and all ordinances, rules and regulations necessary to properly carry into effect the powers herein granted and conferred.
Ibid.

163. (120.) Sentences to labor; how enforced. Persons sentenced to labor by the Mayor's or Recorder's Court of the City of Savannah shall be turned over to the Mayor and Aldermen of said city, to be put to work on the streets, or other public works in or around said city.
Acts 1876, p. 316.

164. (121.) May be sentenced to labor on city works. Whenever any person is convicted in the Police Court of the City of Savannah for a violation of any ordinance of said city, and such ordinance provides for punishment by imprisonment, and the sentence of the court is enforced by imprisonment, the imprisonment of such person may, in the discretion of the court, be with labor in the chain gang of Chatham County, Georgia, upon the public works of said county, or if the City of Savannah, and such person may, for the purposes aforesaid, be committed direct from said Police Court to said chain gang into the custody of the county authorities of said county.
Acts 1903, p. 152.

CHAPTER V.

FIRE DEPARTMENT OF SAVANNAH.

165. (123.) Fire Department. The Mayor and Aldermen of the City of Savannah shall have exclusive power to control, manage and establish the fire department of said city, and to provide for extinguishment of fire within the corporate limits of said city.

Code of Ga. 1882-85, § 4886.

166. (124.) Power to appoint officers and make regulations. The Mayor and Aldermen shall have the power to appoint such officers and agents, and make such rules and regulations for such appointments, and for keeping up of an efficient force for the preventing and extinguishing fires in said city, as the said Mayor and Aldermen shall deem expedient.

Code of Ga. § 4887.

167. (125.) Fire Marshal. It shall be lawful for the Mayor and Aldermen of the City of Savannah, Georgia, to appoint a Fire Marshal, whose duty it shall be to make all and proper investigation into the origin and circumstances of all fires that shall occur within the limits of said city.

Acts 1882-83, p. 488.

168. (126.) Duties of. The said Fire Marshal shall exercise the authority of summoning by subpoena any persons whom it is thought shall be able to give testimony as to the origin or circumstances of any fire, and shall have the further authority of making arrests and commitments of any persons who shall be found by him to be guilty of arson or accessory thereto, or against whom sufficient proof has been established to warrant his, her or their trial for the said offenses before any of the courts of competent jurisdiction of this State or of the United States; and the said Fire Marshal shall have the further authority of making arrests or commitments of any person or persons who may be guilty of contempt of summons, subpoena or court, and such persons so guilty shall be amenable in the same manner as prescribed in the statute of this State applying to the offices of justice of the peace.

Acts 1882-83, p. 488.

169. (127.) Officers of his court. The said Fire Marshal shall be empowered to use as the officers of his court such members of the police force of the City of Savannah as may be appointed thereto by the Mayor and Aldermen of the City of Savannah.

Acts 1882-83, p. 488.

170. (128.) Rules for his government. The Mayor and Aldermen of the City of Savannah are hereby authorized to establish such laws for the government of the office of Fire Marshal as shall be in conformity with the provisions of this Act and the statutes of the State.

Acts 1882-83, p. 488.

171. (129.) May be joined with another office. The Mayor and Aldermen of the City of Savannah are hereby empowered to make the said office of Fire Marshal one of itself, or may join it to one of the offices of said City of Savannah now existing under the laws of said city; and the said Mayor and Aldermen shall have the further authority of prescribing such remuneration of said office of Fire Marshal as shall by them, the said Mayor and Aldermen, be deemed just and right.

Acts 1882-83, p. 488.

172. (130.) Fires within Chatham County. The said Fire Marshal shall be authorized to investigate the origin or circumstances of any fire occurring within the County of Chatham, upon the application for such investigation from any person interested in loss or otherwise in said fire.

Ibid.

For ordinances covering Fire Department, see Sections 751 et seq.

CHAPTER VI.

COLLECTION OF RENTS, RECOVERY OF POSSESSION, ETC.

173. (131.) Rent, distress for. Rent due by any person or persons for lands or tenements lying within the City of Savannah, or the precincts thereof, may be recovered by distress warrant, issuing on the affidavit of the person claiming the same, his agent or attorney at law, or in fact, for the sum claimed to be due. If such sum, exclusive of interest, do not exceed one hundred dollars, such affidavit must be made before a justice of the peace, and the warrant be issued by such justice, and be directed to and executed by any lawful constable of the county and levied on any property of the defendant; and the advertisement and sale shall be as in other cases of sale under execution. If the rent shall exceed one hundred dollars, besides interest, the affidavit must be made before the Judge of the Superior Court or Judge of the City Court of Savannah, or Ordinary of Chatham County, who shall issue a warrant which shall be attested by the clerk or his lawful deputy of the court from which the same shall be issued, and have affixed thereto the seal of said court authorizing the sheriff of the City Court of Savannah, or any lawful constable of said city, to distrain on any property belonging to the defendant, and to advertise and sell the same as in the case of execution or judgment; but in every case of levy under this section a replevy shall be allowed, when the defendant or his agent shall make oath that the rent claimed, or some part thereof, is not due, and shall give security for the eventual condemnation money; and in that case the levying officer shall return the papers to the court having jurisdiction, and the issue thus tendered shall be there tried and determined by a jury, as in case of claim; and in case of verdict for the plaintiff, judgment shall be entered up and execution against principal and security, as in cases of appeal.

Code of Ga. 1882, § 4888.

174. (132.) Claim to distrained property. When property distrained shall be claimed by a third person, the claim shall be on oath of such person or his agent, and shall be put in, returned and determined, as in other cases of claim.

Ibid. § 4889.

175. (133.) Lien of distress warrant. No preference shall be given to persons distressing for rent, where there is a judgment against the person or property so distrained; but the lien of such distress warrant shall be the same as the lien of a judgment on the property of the defendant. And where any person leasing or renting any lot or lots, tenement or tenements, within the city of Savannah, shall fail to pay the rent when the same shall become due, or shall refuse to deliver possession to the lessor at the expiration of his lease or contract for rent, the Judge of the Superior Court, or Ordinary of Chatham County, or the Judge of the City Court of Savannah, or any justice of the peace or notary public, who is ex-officio a justice of the peace, may issue a writ of possession, attested as prescribed in case of distrain warrants, directed to the sheriff of the City Court of Savannah, or any lawful constable of said city, commanding said sheriff or constable to deliver possession of the premises to the lessor; which writ shall be by such officer immediately executed and returned.

Ibid. § 4890.

176. (134.) Dockets of writs and warrants; costs. The Clerk of said court shall keep a book, to be called a distrain docket, which shall be kept as an execution docket, in which shall be entered all distrain warrants issued as aforesaid, as now required by law for executions, and also the time of filing the defendant's affidavit and bond, if any, and the term of the court to which the issue shall be returnable, and the same costs shall be chargeable upon said distrain warrants and writs of possession as now provided by law for other cases in said court.

Ibid. § 4891.

177. (135.) Applicant must make oath. The application to a judge or the Ordinary, under the preceding section, must be on the affidavit of the party applying, or his attorney or agent; but when the tenant shall declare, on oath, in writing, that his lease, whether oral or written, is not expired, or that he does not hold the premises either by lease or rent from such person making such application, or by any one holding under him by rent or otherwise, or where the landlord shall seek to remove the tenant, on the ground that the rent is due and remains unpaid, if the tenant will make affidavit that the rent claimed is not due, he shall not be removed from the possession of said premises, but the sheriff or constable shall return the proceedings to the next City Court of Savannah, unless the same shall be held within ten days; in that case, they shall return the proceedings to the next term thereafter, and the fact shall be there tried; but if determined against the tenant, he shall pay double the rent reserved or to be due, and the party entitled to the possession shall immediately be put in possession by order of said court; but the tenant making oath in order to retain possession shall not be entitled to retain possession, except on giving bond and good security, to be approved by the sheriff or constable, conditioned for paying double the rent reserved, or to be due, if the proceedings in the City Court shall be determined against such tenant, and said bond, when so taken, shall be returned into court with the other proceedings; and when the jury shall find against the tenant, and assess the amount of double rent, the plaintiff may enter up judgment at once against the tenant and his security on the bond, in the same manner that judgment may now be entered up against the principal and his security upon appeal.

Ibid. § 4892.

178. (136.) Contracts for rent bear interest. Contracts for rent, whether oral or written, shall bear interest from the time the rent becomes due; and all actions for recovery of rent in arrear, before any court within the city of Savannah, shall be triable at the first term to which the action is returnable.

Ibid. § 4893.

CHAPTER VII.

PARTY WALLS AND FENCES.

179. (137.) Contracts to build and repair party walls and fences. Whenever owners of adjoining lots, or parts of lots of land, in the City of Savannah, shall, in writing, agree to build a party wall or fence on the line of the respective owners, and to keep the same in repair, said owners may record such agreement in the clerk's office of the Superior Court of Chatham County, within the time and on the terms for recording conveyances of real estate; and such agreement so recorded shall operate as a covenant with the land, and shall be binding on said respective owners and their heirs and assigns; and the same effect shall be given to a similar agreement for the repairing only of a party wall or fence, such agreement being properly recorded as aforesaid.

Code of Ga. § 4894.

180. (138.) One may build alone, on notice to other owner. Whenever the owner of a lot, or part of land, in said city, shall desire to put up a wall or fence on the line of such lot, or part lot, dividing it from an adjoining lot, or part lot, on the contiguous line of which there may be no wall or fence, such owner so desiring to build may give twenty days' notice to the adjoining owner, or his agent, of such desire to build, and if such adjoining owner shall neglect or refuse to join in the expense of building and keeping in repair such wall or fence, then the party giving such notice shall be entitled, and is hereby authorized, to put up and build such wall or fence, of the usual thickness and with the proper foundation, partly upon his own ground and partly upon the adjoining ground, on application to, and permission granted by, the City Council of said City of Savannah; and in this case, when the other owner is desirous of building or using such wall or fence, he may use so much thereof as may be necessary by paying to the builder, or his heirs or assigns, one-half of its value, and then the two owners shall become joint owners of said party wall or fence, and be equally bound for all necessary repairs. Such half value may be recovered by the builder, his heirs or assigns, from the party so aforesaid using the said wall or fence, after it shall have been built as aforesaid, by action of any court of competent jurisdiction, and such cause of action shall be a lien on such adjoining lot, or part lot, until payment of said half value: provided, always, that nothing herein contained shall be so construed as to authorize any person to put up, build, or erect, any wall, fence, or other structure, in said city, contrary to a fire or other lawful ordinance of Savannah.

Ibid. § 4895.

181. (139.) One party may repair alone and compel other party to pay just proportion. In any case where there shall be a dividing fence between two lots, or part lots, in said city, which may require repair, the party refusing to pay his just proportion of expenditure for any necessary repair made by the other party for the benefit of both, may be compelled to pay such proportion at the suit and on the recovery of such other party before any court of competent jurisdiction. Provided it be shown on the trial that the said refusing party was duly notified of the necessity of such repair, and by himself, or his agent, declined to pay said proportion.

Ibid. § 4896.

182. (140.) City Council may make further rules as to dividing walls. The City Council of Savannah is authorized to make, by ordinance, such further rules and regulations concerning dividing walls and fences as are not in conflict with this chapter, or with the Constitution and laws of this State.

Ibid. § 4897.

CHAPTER VIII.

CEMETERIES IN AND NEAR SAVANNAH.

183. (141.) Owners and keepers of cemeteries. It shall be the duty of each and every owner of a cemetery (other than a private 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 his or her name, nativity, age, place of residence and death, day of burial, disease or accident occasioning the death of the deceased, and the name of the attending physician, if any.

Code of Ga. 1882, § 4898.

184. (142.) Interments to be reported monthly. Each and every such person owning or keeping a cemetery as aforesaid, shall make out and hand to the Clerk of Council of Savannah a regular monthly report of all the interments made by him, or by his assistant or assistants, of all deceased persons dying within the city of Savannah, or elsewhere, and buried as aforesaid, and make out and furnish a weekly report of such interments to the Scretary of the Board of Health of said city, whenever said board shall meet weekly, and monthly when its meetings shall be monthly.

Ibid. § 4899.

185. (143.) Penalty for failing to comply. Any person offending against any of the provisions of the two immediately preceding sections shall, on conviction before the Police Court of Savannah (which is hereby invested with jurisdiction in all such cases), be fined in the sum of thirty dollars for each and every offense—one-half of the fine to the informer, and the other half to the corporation of Savannah; but the defendant may appeal from the decision of said Police Court to the Mayor and Aldermen in Council assembled, under such rules and regulations as are prescribed by law.

Ibid. § 4900.

186. (144.) Keepers exempt from jury duty. The keepers of public cemeteries in and near Savannah shall be exempt from jury duty in the Superior Court of Chatham County, and the City Court of Savannah.

Ibid. § 4901.

187. (145.) Act 1854 continued. * * * So much of the Act of 18th February, 1854, as refers to the cemetery of the deceased members of the Roman Catholic congregation worshiping in the City of Savannah are continued in full force.

Ibid. § 4902.

188. (146.) Title to Colonial Park. The title and status of that certain piece of ground in the City of Savannah, Georgia, commonly known as the Old Cemetery, on the southeast corner of South Broad and Abercorn Streets, embracing also an open strip of land on South Broad Street, lying between the wall and pavement from Abercorn Street to police barracks; said whole tract being bounded on the north by South Broad Street, on the east by the police barracks and county jail, on the south by the city pound and a lot of the Street and Lane Department, and on the west by Abercorn Street, are hereby permanently fixed in accordance with the consent decree of the Superior Court of Chatham County, taken

in said court on the ninth day of November, 1895, in the equity causes of John Williamson et al. vs. the Mayor and Aldermen of the City of Savannah, and of the church wardens and vestrymen of the Episcopal Church in Savannah called Christ Church, vs. the same defendant, which said decree and all of its terms, provisions, conditions and covenants, are hereby approved and confirmed; the said piece of ground is hereby perpetually granted and dedicated to the uses set forth in the said decree, and for no other uses or purposes whatsoever, and the same shall hereafter be owned, preserved and controlled by the Mayor and Aldermen of the City of Savannah for the purposes of the said decree, and subject to all of its terms, conditions, provisions and covenants, and for no other use or purpose whatsoever.

Acts 1895, p. 286.

See Section 1740, this Code.

189. Perpetual care contracts. (a) The Mayor and Aldermen of the City of Savannah shall have power and authority to make and enter into contracts for the annual or perpetual care of lots in any cemetery owned or controlled by said municipal corporation.

(b) It shall be the duty of said municipal corporation to pass all by-laws and ordinances necessary to carry this Act into effect, and to protect and segregate the funds received by it for those purposes.

(c) All contracts made by said municipal corporation for the annual or perpetual care of such cemetery lots shall be binding on said municipality, and all such contracts heretofore made by said corporation are ratified and confirmed.

Acts 1912, p. 1242, § 1.

CHAPTER IX.

PARK AND TREE COMMISSION.

190. (147.) Appointment of Commissioners. From and after the first Monday in January, eighteen hundred and ninety-six, a Park and Tree Commission for the City of Savannah is hereby created, to consist of five (5) commissioners, who shall be appointed by the Mayor of said city, which appointments, to become effective, shall be confirmed by the Mayor and Aldermen in Council assembled, at any regular meeting in December, eighteen hundred and ninety-five (1895), and if for any reason such appointment should not be confirmed until after the month of December, eighteen hundred and ninety-five (1895), the appointees, whenever confirmed, shall hold office, their term dating back to the first Monday in January, eighteen hundred and ninety-six (1896), and this same provision shall apply, so that if any future appointments be not confirmed during the month of December, in any year, the appointees shall hold office, their terms dating back to the first Monday in January next succeeding said December. The terms for which said commissioners shall be appointed are as follows: One for the term of two (2) years, two for the term of four (4) years, and two for the term of six (6) years, from the first Monday in January, eighteen hundred and ninety-six (1896), respectively. At any regular meeting in December, eighteen hundred and ninety-seven (1897), and thereafter biennially, an appointment or appointments shall be sent in by the Mayor to the Mayor and Aldermen of the City of Savannah, in Council assembled, of a commissioner or commissioners, respectively, to succeed the commissioner or commissioners whose term or terms may expire on the first Monday in the January next succeeding said December. Should a vacancy occur in said commission at any time, from death, resignation, or from any other cause than the expiration of a regular term, it shall be the duty of the Mayor of said city, within thirty days from the date of making of said vacancy, to appoint an incumbent to fill said unexpired term, which appointment shall be acted upon by the Mayor and Aldermen of the City of Savannah, in Council assembled, and shall become effective when confirmed, and said incumbent shall then hold until said unexpired term shall expire, and until his successor is appointed, confirmed, and qualified. Each regular term of the first appointees shall begin on the first Monday in January, eighteen hundred and ninety-six (1896), and close at the end of the term for which he shall have been appointed, respectively, and until a successor is appointed, confirmed, and qualified, and each regular appointee thereafter shall hold his office for the term of six (6) years, respectively, from the first Monday in January, eighteen hundred and ninety-eight (1898), nineteen hundred (1900), and so on, and until his successor is appointed, confirmed and qualified. No person shall be eligible to appointment as one of said commissioners unless he be a citizen of the United States, and has been a resident of the City of Savannah continuously for at least one year prior to his appointment. The Mayor of the City of Savannah shall have power, if any appointment made by him under this section shall not be confirmed by the Mayor and Aldermen of the City of Savannah in Council assembled, to continue appointing until an appointee shall be satisfactory to said Council; and the Mayor shall also have the power to withdraw the name of any appointee and substitute another, at any time before action is had upon the same by the said Council, and this power of appointment by the Mayor shall continue so as to enable him to

exercise the same in December of any year, when the same is required to be made, and thereafter at any regular meeting or meetings, until an appointment satisfactory to said Council shall have been made.

Act Nov. 30, 1895.

191. (148.) Oath. Each member of said commission, before entering upon the duties of his office, shall take and subscribe the following oath of office before some officer authorized to administer the same, to-wit: "I swear that I will faithfully and impartially demean myself as a member of the Park and Tree Commission of the City of Savannah, during my continuance in office, and will well and truly perform all the duties of said office; and that I will neither be concerned or interested pecuniarily, directly or indirectly, in any contract for work or material furnished, for or on behalf of any work, improvement, or preservation of the parks, squares, grass plats, trees, and flowers of said city, while a member of said commission." The oath shall be entered on the minutes of the proceedings of the commission, and the original shall be filed in the office of the clerk of said Council.

Ibid. § 2.

192. (149.) Powers. The said Park and Tree Commission shall have the exclusive management of all matters and things relating to the care, preservation, improvement, adornment, good order and regulation generally of the parks, squares, cemeteries in or controlled by said city, grass plats, trees and flowers of said city; the planting of and caring for trees and grass in the parks, squares, and cemeteries aforesaid, and grass plats, and also in the streets of said city; it shall determine what trees may be removed from said parks, squares, cemeteries aforesaid, or streets, what trees may be planted therein, and when such removal or planting shall take place; it shall superintend and take charge of such planting and removal; it shall also make such rules and regulations as may seem to said commission proper, touching the matters and things within its jurisdiction, which rules and regulations shall be submitted to the Mayor and Aldermen of the City of Savannah, and when approved by the Council of said city shall become binding and effective. When the said rules and regulations are confirmed by Council, provision shall be made by the said Council for any penalties necessary for the due observation of said rules and regulations.

Act Dec. 23, 1896, § 1.

193. (150.) Records, meetings, quorum, etc. The said Park and Tree Commission shall keep a record of its proceedings, and one of said commissioners shall act as secretary thereof. It shall hold a stated meeting each month, at the City Exchange, and such other meetings as it may prescribe from time to time, or as may be called by the chairman or vice-chairman of said commission, or as may be called by the Mayor of Savannah. Three of said commissioners shall constitute a quorum, with power to transact business. It shall elect one of its members chairman and one vice-chairman, and shall adopt such rules for its government as it may prescribe.

Act Nov. 30, 1895, § 4.

194. Control of expenditures and employees; appointment cemetery keepers. The said Commission shall have entire charge and control of the expenditure of the appropriation of money which may be made by the Mayor and Aldermen of the City of Savannah, in Council assembled, for parks, squares, cemeteries aforesaid, trees and grass plots and flowers, and the same shall be paid out of the City Treasury upon bills or resolutions, certified to by the Secretary of the said Commission. The said Commission shall have control of its own laborers, it being the intent and meaning of this Act that whatever moneys are expended by the

City of Savannah upon the care, preservation and management of parks, squares, cemeteries aforesaid, trees, grass plots and flowers in said city shall be done solely under the direction, approval and management of this Commission. The said Commission is hereby vested with the power to appoint a keeper of Laurel Grove Cemetery, Bonaventure Cemetery, or of any other cemetery in or controlled by said city.

Acts 1911, p. 1531.

195. (152.) Estimates, reports, etc. Whenever the said Park and Tree Commission shall think it desirable or expedient to make any alterations or improvements in any of the public parks, squares, cemeteries, or grass plats of said city, other than the planting or removing of trees and the planting of grass or flowers, it shall be its duty to submit to the Council of said city a plan or written description of said alterations or improvements, accompanied by an estimate of the cost of the same, which alterations or improvements shall be made only in the event of their approval by Council. The said Commission shall submit to the Mayor of said city in the month of October of each year, or at such other times as he may prescribe, an estimate of the amount of money necessary for this department for the ensuing year, so that the same may be considered in the budget to be made out, and on or before the first day of January of each year it shall submit to the Mayor its report for the preceding year, showing all its actings and doings, its receipt and expenditure of moneys, with such recommendations as it may see fit to make relating to this department, and such other information as may be required of it by the Mayor or by the City Council, from time to time. The Mayor of the City of Savannah shall have the right to make such recommendation in writing to said board, from time to time, as he may deem proper; to have free access, at all times, to all records and proceedings, books and papers of said board; to be present, if he chooses, at any regular or special meeting of said board, and shall always receive notice of said meetings at the same time the members of the board are notified, by notice left at the City Exchange, though he will have no vote or other power at said meetings; and any committee of said Council, designated by the Mayor, shall at any time have access to the proceedings, books and papers of said board and the same right of inspection hereinbefore given to the Mayor.

Act Nov. 30, 1894, § 6.
Act Dec. 23, 1896, § 3.

196. (153.) How removed from office. The Said Park and Tree Commission, or any member thereof, shall be subject to removal from office by the Mayor and Aldermen of the City of Savannah, in Council assembled, for malfeasance in office, or for incompetency or neglect in the discharge of his or their official duties, or from inability from any cause to discharge the duties of said office, or upon his or their conviction of any crime against the State of the grade of felony, or of any crime involving moral turpitude; provided, however, that before such removal can be effected, charges in writing shall be preferred against said commission, or member thereof, setting forth in specifications wherein he or they may be alleged to be guilty of malfeasance in office, or of incompetency or neglect in the discharge of his or their official duties, or of inability from any cause to discharge the duties of said office, or of conviction of any crime against the State of the grade of a felony, or of a crime involving moral turpitude, so as to acquaint said official or officials fully of the facts and details of the same, a copy of which charges shall be served upon him or them personally, at least ten days before he or they shall be called upon to appear before the Mayor and Aldermen of the City of Savannah in Council assembled to answer the same, at which hearing he or they shall have the right upon request

to the Clerk of Council, to have all witnesses subpoenaed upon whom he or they may rely, and also to be confronted with whatever witnesses may be produced against him or them, and shall have the benefit of counsel, if he or they so desire, and the trial of such official or officials, upon such charges and specifications, before the said City Council, shall be final and conclusive; provided, further, that no removal from office shall be effected under this section unless there shall be at least ten (10) votes in favor of such removal, the Mayor having a right to vote.

Act Dec. 23, 1896, § 4.

In the case of Mayor, etc., of Savannah vs. Grayson et al., 104 Ga., p. 105, it was held that the members of the Board of Fire Commissioners were municipal, or corporate officers of the city; also that the corporation has an incidental power to institute proceedings against, and remove from office, for misconduct, all corporate officers, though the power to do so be not expressly given by the charter.

CHAPTER X.

RECREATION COMMISSION.

197. Recreation Commission created. From and after the passage of this Act a board of commissioners in the City of Savannah is hereby created, known as the Recreation Commission.

Act Aug. 19, 1916, p. 957.

198. Appointment, term of office, etc. The members of the Recreation Commission shall be twelve in number, appointed by the Mayor, subject to confirmation by a majority of the Council. The members of said commission shall serve without compensation and shall hold office for three years, and until their successors are appointed and qualified; provided, however, that four members of said commission shall be appointed for a term expiring January 1, 1917; four members for a term expiring January 1, 1918, and four members for a term expiring January 1, 1919. Their successors shall be appointed for three years. If any vacancy occur, the Mayor shall fill the same for an unexpired term, subject to confirmation by a majority of the Council. Mayor and Council may, at their option, reduce the number of commissioners by failing to fill vacancies or to make appointments when terms expire, provided the number of the commissioners is never reduced below **six.**

This commission is to supersede the present playground commission of the City of Savannah, created and acting under an ordinance of May 10, 1916.

Ibid. 2.

199. Organization. The members of the Recreation Commission shall organize by electing one of the members chairman, and one vice-chairman, each of whom shall hold office for one year and until his successor is elected, unless his membership on the commission sooner expires. The commissioners shall meet at an office to be provided by council and shall hold regular meetings at least once in each month. The commissioners shall appoint a secretary, who shall keep a record of all their proceedings, specifying therein the names of the commissioners present at all meetings, giving the ayes and nays upon all votes, and shall also keep a full account of all property, moneys, receipts and expenditures of the said department.

Ibid. 3.

200. Duties. It shall be the duty of the Recreation Commission to manage, direct and care for the municipal playgrounds established in the City of Savannah, and which shall be established, to extend and modify this system as in their judgment seems proper, to devise and carry out a complete recreation policy that shall include outdoor and indoor recreation conditions, needs and facilities of the city and to cooperate with educational and other agencies furnishing recreation.

Ibid. 4.

201. Powers. The commission shall have the power to expend for the purposes enumerated above all sums of money appropriated and turned over to them by Council for such purposes, and shall have the entire charge and control of the expenditures of money so appropriated. The Mayor and Aldermen of the City of Savannah, at its discretion, may

appropriate annually such funds as it may see fit for the management and operation of said department and from time to time such additional funds as the said Mayor and Aldermen may see fit, to carry out the purposes of this Act. Council shall make special appropriation to provide for the management of said department for the period between the passage of this Act and the day in January of the following year, when its annual appropriation shall be made. The money appropriated shall be drawn from the City Treasury on warrant of said Recreation Commission and shall be paid out from time to time for the expense of the department of recreation. The commission shall apportion the amount so appropriated among the terms of its budget, shall fix the salaries of all employees, including the Superintendent of Recreation.

Ibid. 5.
Act Aug. 4, 1917, p. 863, § 2.

202. Superintendent and other employees. The executive officer of the department of recreation shall be a Superintendent of Recreation, whose duty it shall be to superintend the municipal playground system already established and which may be established, and such other recreational activities as may be introduced. There shall be such other employees, play directors, and custodians as are necessary for the proper conduct of an adequate recreation system.

Act 1916, p. 957, § 6.

203. Selection of employees. The superintendent shall be selected in the following manner: The commissioners shall appoint a board of five examiners, chosen because of recognized training and experience in educational and recreational work, whose duty it shall be to examine applicants for the position of Superintendent of Recreation. Recreation commissioners are not disqualified from serving on this board of examiners. The examination may be both oral and written, and must cover a statement of educational preparation, previous teaching, and recreational experience, theory and practice of games, athletics, gymnastics, character, personality, natural fitness, including moral, mental and physical qualification. Said examination shall be advertised in the local papers, and in at least two educational or recreational publications at least thirty days in advance of the holding of said examination. The commission may waive the examination of a candidate for re-election who has previously qualified hereunder. Other employees of the recreation commission shall, before appointment, pass a competitive examination before a board of three examiners appointed by said commission, one of whom shall be the superintendent of recreation, said examination to cover educational preparation, playground theory and practice, and personal fitness, or to be arranged at the discretion along lines that will show fitness for a special position. Wherever possible, appointments shall be for one year and employees shall be reappointed annually on recommendation of the superintendent, provided, this does not prevent special appointments which may be found necessary or desirable in conducting special activities or classes for a limited time. The tenure of office of the superintendent of recreation shall be for a like term as city officials elected by the Mayor and Aldermen of the City of Savannah, and shall expire contemporaneously with the term of office of said city officials so elected, subject, however, to discharge upon charges as herein provided. If no person passes the examination and becomes eligible for appointment, the board of examiners shall certify that fact to the commission, and may in its discretion certify to the commission the name and address of a person for temporary appointment, with or without examination; and the commission shall forthwith appoint said person from day to day, not to exceed sixty days, pending examination. The board of examiners shall proceed to hold an examination whenever such

temporary appointment is made. If, after examination is held, no eligible list results, the commission may then authorize the continuance of said temporary appointment, but not otherwise. The same method shall be applied in filling vacancies as is provided above for filling temporary appointments when no eligible list results from an examination. The markings and examination papers of each candidate shall be open to his own inspection, and the markings and examination papers of all persons upon any list of eligibles shall be open to public inspection within ten days after an eligible list has been prepared.

Ibid. 7.
Act Aug. 4, 1917, p. 862, § 1.

204. Salaries of employees, and regulations. For each position the commission shall prescribe a standard maximum and minimum salary or rate of pay. The commission shall by rule prescribe the minimum period of service in the grade required before a salary may be advanced or increased and a minimum standard of efficiency requisite for such salary advancement or increase. The lowest salary or rate of pay appropriated to any position shall constitute the grade pay, and no person in such grade shall receive pay in excess of the grade pay, unless he is certified by the commission as having served the period required by said rule with an efficiency rating given by the commission equivalent to the minimum standard of efficiency required thereby. No person shall be paid an amount greater than the maximum salary or rate of pay prescribed for the grade in which he is classified and graded. Nothing in this Act shall prevent the commission from changing the pay of all positions in an entire grade. In allowing salary advancement or increases, preference shall be given in all cases in the order of highest efficiency and relative to seniority as shown by the records of the commission. Where there are no records of efficiency, covering a period of continuous service for six months or more, a minimum standard of efficiency shall be presumed.

The commission shall by rule prescribe standards of efficiency for each grade of the service and for tests therefor and shall make and keep a record of relative efficiency for each person in the classified and graded service. They shall provide by rule methods for ascertaining and verifying the facts from which such records of relative efficiency shall be made, which shall be uniform for each grade.

The commission shall hold promotion examinations for each superior grade. A person who has served less than one year in a lower grade shall not be eligible for a promotion examination. If after such examination is held all applicants fail to attain a general average of not less than the minimum standing fixed by the rules of the commission, the commission shall forthwith hold an original entrance examination and may at any time within six months appoint from the eligible list resulting therefrom. All examinations shall be practical in their character and shall consist only of subjects which will fairly determine the relative capacity of the persons examined to perform the duties of the position to which appointment is to be made and must include examinations of physical fitness.

Acts 1916, p. 957, § 8.

205. Dismissal of employees. The recreation commissioners shall have the right, upon the recommendation of the superintendent, to dismiss any employee for incompetency or neglect in the discharge of duty or on charges involving moral turpitude. The commissioners shall have the right to dismiss the superintendent for incompetency or neglect in the discharge of duty or on charges involving moral turpitude. Said

superintendent shall have the right to a hearing before the commission on the charges preferred.

Ibid. 9.
Act Aug. 4, 1917, p. 865, § 3.

206. Rules and regulations of commission. The recreation commissioners shall prescribe the rules and regulations for the government of the department of recreation and fix and enforce the penalties for all their violations.

Ibid. 10.

207. Control of property. The recreation commissioners shall have charge, superintendence and control, under such ordinance as may from time to time be adopted by the council, of the design, construction, maintenance and use of all buildings and other improvements upon play grounds.

Ibid. 11.

208. Donations to commission. The recreation commissioners may, for and on behalf of the City of Savannah, receive donations, legacies, or bequests for the improvement or maintenance of said recreation system or for the acquisition of new playgrounds and other recreation property; and all moneys that may be derived from such donations, legacies or bequests shall, unless otherwise provided by the terms thereof, be deposited in the treasury of the City of Savannah to the credit of the recreation fund. The same may be drawn therefrom and paid out only in the manner provided for the payments of moneys legally appropriated for the support and improvement of such recreation system. If the moneys derived from such gifts, bequests or legacies shall at any time exceed in amount the sum necessary for immediate expenditure on said playground, the board may invest all or part of the surplus in interest bearing bonds of the United States or of the State of Georgia or of any county, or municipality thereof. As to all such property the recreation commissioners shall be deemed and considered to be a special trustee thereof for the City of Savannah.

Ibid. 12.

209. Control of playgrounds, etc. The recreation commission shall have control of the public playgrounds in the city and of such portions of the parks as may be designated by the park and tree commission, and shall supervise, care and equip playgrounds on property under the control of the park and tree commission, provided nothing in this Act shall be construed to abridge the rights of the park and tree commission. The commission may use for public playground purposes or recreational activities any public school yards, buildings and properties or parts thereof of Chatham County, from time to time, and for such periods as may be permitted by the superintendent of public schools.

Ibid. 13.

210. Police Powers. The superintendent of recreation and playground directors, while on duty and for the purpose of preserving order and the observance of the rules, regulations, and by-laws of the commission, shall have all the powers and authority of police officers, and it shall be incumbent upon them to preserve order on the playgrounds and in recreation centers at all times. Any person or persons who shall violate any of the rules of the commission shall be deemed and adjudged guilty of disorderly conduct.

Ibid. 14.

211. Annual reports. The recreation commission shall annually make a report of its proceedings during the preceding year to the Mayor

and Council, with such recommendations of the development of playgrounds and recreation facilities, including additions thereto, as it may deem advisable.

Ibid. 15.

212. Additional duties and powers. The recreation commissioners, the superintendent of recreation and all other officers and employees of the department shall have such further powers and perform such other duties as may be granted or imposed by ordinance.

Ibid. 16.

CHAPTER XI.

BOARD OF EDUCATION.

213. (1546.) Board of Education. There shall be established in and for the City of Savannah a permanent Board of Education, to be styled the "Board of Education for the City of Savannah" (whose design and purpose shall be the direction, management, and superintendence of the public education of all children, including colored children, or children of African descent, in the City of Savannah and County of Chatham, between the ages of six and eighteen years. And so that the authority conferred upon said Board of Public Education in section second of said act to take, acquire, receive, hold and enjoy, for the purposes aforesaid, moneys, and real and personal estate by bargain and sale, gift, grant, contract, devise or bequest, shall include full right and authority to take, acquire, receive, hold and enjoy moneys and real and personal estate without limit as to amount, by bargain and sale, gift, grant, contract, devise or bequest, in trust for the public education of colored children, or children of African descent, in the City of Savannah and County of Chatham, between the ages of six and eighteen years, as well as of white children).

Acts 1866, p. 78.
Amendment of charter by Superior Court of Chatham county, Dec. 2, 1878.

214. (1547.) Incorporation of Board. The following named citizens of Savannah: Richard D. Arnold, John Stoddard, Solomon Cohen, Henry Williams, Edward J. Harden, John L. Villalonga, John Williamson, Edward C. Anderson and John C. Ferrill, together with the Commissioners of the Massie School, who may from time to time be appointed under the ordinances of said city, shall constitute the said Board, and under the name and style aforesaid, shall be, and they are hereby created a body politic and corporate, with perpetual succession of members for the purpose aforesaid, and as such shall have full power and authority to devise, establish and modify from time to time, a plan and system of education for white children, between the ages of six and eighteen years in the City of Savannah, and to superintend the same; to appoint, suspend and remove teachers of such children, and provide school houses, to make by-laws, rules and regulations for their own government and for the government of the teachers and schools under their superintendence, to designate and elect officers of the said Board, and to fill vacancies (except vacancies among the Commissioners of the Massie School), in any manner whatever caused, either among officers or members of the said Board, and to take, acquire, receive, hold and enjoy, for the purposes aforesaid, moneys and real and personal estate, by bargain and sale, gift, grant, contract, devise or bequest, and that they, as such body corporate and by the name and style aforesaid, may sue and be sued, and may have a common seal, and otherwise generally shall be clothed with all the rights, powers and privileges incident to corporations, and necessary and convenient for carrying out the purposes of their creation.

Acts 1866, p. 78.

215. (1548.) Control of buildings. The said Board and corporation shall, for the purposes aforesaid, have possession and control of the building in Savannah known as the "Public School," with the grounds appertaining thereto, of the building known as the "Massie School," with

the grounds appertaining thereto, and of all and any other buildings and grounds that may be placed in their possession, or under their management, control and superintendence, for the purposes aforesaid, without divesting or changing nevertheless the title of any of the said buildings or grounds, unless the same shall be distinctly conveyed to the said Board.

Acts 1866, p. 78.

216. (1549.) May demand and receive educational fund. The said Board and corporation shall be entitled to demand and receive for the purposes aforesaid, from the treasurer of the Board of Education of Chatham County, and from every other State or county officer, or person who may be in possession (of) or authorized to distribute the educational fund for the said county, so much of the said fund as shall be in proportion to the number of white children of said county, residing in the City of Savannah, and also to demand and receive such sums as may be appropriated by the City Council of Savannah, for the purposes aforesaid, and to expend the same for the purposes aforesaid, according to their discretion. That nothing in this act contained shall be held or construed to divest or diminish the rights and powers of the Board of Education for the County of Chatham as to so much of the said county as is not embraced within the limits of the City of Savannah.

Ibid.

217. (1550.) Name amended and powers extended over Chatham county. The name and style of the said Board of Education shall be "The Board of Public Education for the City of Savannah and the County of Chatham." That all the powers, rights and privileges and authority conferred upon the said Board by the act of which this act is amendatory, or which may hereafter be conferred upon it by any other act, shall be, and the same are hereby extended over the whole county of Chatham; and that the said Board shall be exclusively entitled to receive from every public officer or person who may be in possession of, or authorized to distribute the State and county educational funds, the whole proportion of the said funds to which the said County of Chatham may be entitled, and appropriate and distribute the same at their discretion, for the education of all the white children in the said county, between the ages of six and eighteen years, whether residing within or without the limits of the City of Savannah; provided, that all such sums of money as may be received by the said Board from the City Council of Savannah, for educational purposes, shall be exclusively appropriated to the education of the white children between the ages aforesaid, residing in the said city.

Ibid.

218. (1551.) Declared a substitute for County Board. The said Board shall be, and it is hereby declared to be a substitute for the Board of Public Education established for the said county by existing laws.

Ibid.

219. (1552.) Altered or repealed only by express enactment. No general law upon the subject of public education, now in force, or hereafter to be enacted, shall be held, deemed or construed to interfere with, diminish, or supersede the rights, powers and authority conferred upon the said "Board of Public Education for the City of Savannah and the County of Chatham," by this act or the act of which it is amendatory, unless it shall be so expressly enacted.

Ibid.

220. (1553.) Vested with Free School Fund. The Treasurer of the County of Chatham, immediately upon the passage of this act, shall assign, transfer and deliver to the said Board of Public Education all the

stocks, bonds, secureties, moneys, properties and effects, whatsoever, in his possession or control, under the provisions of said act of December 16, 1851, and to this end said County Treasurer is hereby fully empowered to make all necessary or usual entries and transfers upon the books of corporations or companies. Upon making such transfer and delivery, and taking the receipt of said Board of Public Education for all stocks, bonds, securities, moneys or effects so transferred, delivered or paid, the said County Treasurer and his securities shall stand discharged from all further liability under said act. Such transfer and delivery shall be free from cost or charges to said Board of Public Education.

Acts 1886, p. 309.

221. (1554.) Use of said fund. Said Board of Public Education for the City of Savannah and the county of Chatham, shall receive, hold, use and apply said fund for the purpose of common or free school education in their sound discretion under their charter, and may employ the income or principal of said fund, in whole or in part, to pay the expense of maintaining the public schools in the City of Savannah and the County of Chatham, in the repair or improvement of existing school buildings, in the construction of new ones, in the acquisition of school sites, or as they may deem best for the cause of public education committed to their charge.

Ibid.

222. (1555.) Rights of County Commissioners as to extra tax not affected. Nothing herein contained shall be construed in any manner to affect the right of the County Commissioners, under laws now existing, or hereafter to be passed, to levy an extra tax, or to appropriate the surplus funds of the county, for the purposes of education, or to deprive the said county of any share of any fund for the purpose of education now existing or hereafter to be created by law or otherwise.

Ibid.

223. Act confirming charter amendment of 1878. Whereas, the Superior Court of Chatham County, Georgia, by an order passed December 2, 1878, amended the charter of the board of public education for the City of Savannah and County of Chatham so as to extend the jurisdiction of said board over public schools for the education of colored children, or children of African descent, in the City of Savannah and County of Chatham, between the ages of six and eighteen years; and, whereas, question has been made as to the validity of this order, and it is desirable that any doubt on the subject be removed; and, whereas, question has also been made as to the power of the said board to borrow money and give its obligations therefor, and it is desirable also that this doubt be removed:

(a) (Section 1.) It is therefore enacted by the General Assembly of the State of Georgia, That the said order of the said Superior Court be and it is hereby validated and confirmed, and all the rights and powers given, or attempted to be given, by the said order to the said board of public education for the City of Savannah and County of Chatham are hereby conferred upon the said board as fully and as completely as if the said amendment had been passed by the Legislature of this State. The said board shall have all the rights, powers and authority with regard to the receipt and use of public money and other property for the support of public schools for said colored children, or children of African descent, in the City of Savannah and County of Chatham, between the ages of six and eighteen years, and their direction, management and control, that the said board has with reference to public schools for white children and their support in the said city and county.

Acts 1917, p. 975, 6, Preamble and Section 1.

224. Authority to borrow money. The said the board of public education for the City of Savannah and County of Chatham is hereby authorized to borrow money from time to time, whenever necessary, for the purpose of promptly paying its teachers and meeting its other current expenses, and to give its obligations therefor, which obligations shall be binding upon the said board and its property, and may bear the current rate of interest not exceeding the legal rate. The said board shall not borrow for any particular year in excess of its resources for such year.

Ibid. § 2.

PART SECOND.

STATE LAWS

RELATING TO MUNICIPAL CORPORATIONS.

CHAPTER XII.

225. (154.) Time for election of officers. The time for the election of all officers of the incorporated cities of this State, now having or which may hereafter have not less than fifty thousand inhabitants and not more than seventy-five thousand inhabitants, according to the census of the United States, now elective by the Mayor and Aldermen of said cities, is hereby fixed for the evening of the day fixed by law for the qualification of the Mayor and Aldermen, who are to make such election.

All officers so elected shall hold their office for the term of two years and until their successors are elected and qualified, and their salaries shall be neither increased nor diminished during their term of office.

Acts 1902, p. 109.
Code of Ga. § 913.
See Section 404, this Code.

226. Managers of municipal election. It shall be unlawful for any employee or official of any town or city in this State, to preside as manager of any election for Mayor and Aldermen of the town or city of which he is an employee or official.

Acts 1910, p. 116, Park's Code, § 913 (a).

227. (155.) Damages, cases must be presented to city before suit. No person, firm, or corporation, having a claim for money damages against any municipal corporation of this State on account of injuries to person or property shall bring any suit at law or equity against said municipal corporation for the same, without first presenting in writing such claims to the governing authority of said municipality for adjustment, stating the time, place and extent of such injury, as near as practicable, and the negligence, which caused the same, and no such suit shall be entertained by the courts against such municipality, until the cause of action therein has been first presented to said governing authority for adjustment; provided, that upon presentation of such claim said governing authority shall consider and act upon the same within thirty days from said presentation, and the action of said governing authority unless it results in the settlement thereof, shall in no sense be a bar to a suit therefor in the court, provided that the running of the statutes of limitations shall be suspended during the time that the demand for payment before such authorities is pending without action on their part.

Act Dec. 20, 1899, p. 74.
Code of Ga. § 910.
Amount of damages must be named in notice. 16 Ga. App. 480. Substantial compliance with this section required. 8 Ga. App. 98; 10 Ga. App. 360; 19 Ga. App. 784.
See Section 132, this Code.

228. (156.) May provide for forfeiture of bonds. Any municipal corporation in this State shall have full power and authority to provide, by ordinance, for the forfeiture of bonds given by offenders for their appearance before municipal courts, and to provide for the collection of the same from the principal and sureties to such bonds by judgment, execution, and sale.

Acts 1880-1, p. 176.
Park's Code, § 855 (p.).
See § 160, this Code.

229. (157.) May bind over or commit State offenders. Any Mayor, Recorder, or other proper officer presiding in any Municipal Court in this State shall have authority to bind over, or commit to jail, offenders against any criminal law of this State, whenever in the course of an investigation before such officer a proper case therefor shall be made out by the evidence.

Acts 1880-1, p. 176.
Park's Code, § 855 (q.).

230. (158.) Alternative sentences by police courts. All police courts of this State, having authority to try offenses against the laws of the cities, towns and villages in which such courts are located, shall have power and authority to impose fines upon persons convicted of said offenses, with the alternative of other punishment allowed by law, in case said fines are not paid.

Acts 1878-9, p. 153.
Code of Ga. § 857.

231. Certiorari from police courts, how obtained. Any person who seeks a writ of certiorari to review and correct the judgment of any recorder's court, or of other police court, of any town or city, by whatever name known, shall first file with the clerk of said court, or if no clerk, with the judge of said court, except when the defendant is unable from poverty to give bond and a proper pauper affidavit is furnished, a bond payable to the municipal corporation under which such court exists, in amount and with surety acceptable to and approved by the said clerk or judge, as the case may be, conditioned for the personal appearance of the defendant to abide the final order, judgment, or sentence of said court, or of the superior court, in said case.

Park's Code, § 5191 (a).

Bond, conditions, approval and filing. 19 Ga. App. 1; 4 Ga. App. 171; 18 Ga. App. 756.

Ordinance under which convicted must be pleaded. 18 Ga. App. 308.

Validity of ordinance not reviewable on certiorari. 2 Ga. App. 159 (3); 122 Ga 177; 17 Ga. App. 287, 335.

232. How supersedeas shall be obtained. Any person who has been convicted of any criminal or quasi-criminal offense, or violation of any ordinance, in any county court, police court, municipal court, by whatsoever name called, or any other inferior judicatory (except constitutional city courts) exercising criminal or quasi-criminal jurisdiction, who shall desire a writ of certiorari to review and correct the judgment of conviction in said case, shall be entitled to a supersedeas of the judgment upon the following conditions: He shall file with the clerk of said court, or, if no clerk, with the judge thereof, or with the commissioners if it be a court presided over by commissioners with no clerk, a bond payable to the State of Georgia, or, if the conviction be in a municipal court, to the municipality, in amount and with security acceptable to and to be approved by the clerk, judge, or majority of the commissioners, as the case may be, conditioned that the defendant will personally appear and abide the final judgment, order, or sentence upon him in said case. Said bond, if payable to the State, may be forfeited in the same manner as any other criminal bond in any court in this State having jurisdiction; if payable to the municipal corporation, it may be forfeited according to the procedure prescribed in the municipal ordinance or charter; or it may be sued upon in any court in this State having jurisdiction. Upon the giving of said bond the defendant shall be released from custody in like manner as defendants are released upon supersedeas bonds in criminal cases where a writ of error has been obtained.

Code of Ga. § 5192.
See Sections 539-540, this Code.

233. Pauper affidavit. If the defendant is unable from his poverty to give said bond, and will make this fact appear by affidavit to be filed with the judge, clerk, or commissioners, as the case may be, as provided in the foregoing section, the same shall operate as a supersedeas of the judgment; provided, however, the defendant shall not be set at liberty unless he gives bond as prescribed in the foregoing section.

Code of Ga. § 5193.

234. Effect of supersedeas. The supersedeas herein provided for shall operate to suspend the judgment of conviction until said case shall be finally heard and determined by the superior court to which it is to be taken by certiorari, or by the Court of Appeals upon writ of error; provided, that within the time prescribed by law the defendant shall apply for and procure the writs and remedies provided by law for reviewing the judgment complained of. The supersedeas herein provided for shall be equally applicable whether the judge of the superior court to whom the petition for certiorari is presented shall sanction it or refuse it; provided, that within the time provided by law the defendant shall diligently apply for and procure a writ of error.

The object of this statute is to provide a method by which a defendant may obtain a supersedeas so long as he is prosecuting or is entitled under the law to prosecute the proceeding brought or to be brought to review the conviction of which he is complaining, or any intermediate appellate judgment rendered thereon; and in order that the defendant shall not be deprived of his right to apply to the courts by being compelled to serve his sentence or pay a fine before he has had the full opportunity allowed him by law of taking the necessary proceedings to correct and review his conviction.

Code of Ga. § 5194.

235. (159.) Selection or appointment of whipping-bosses. The governing authorities of any county or municipal corporation in this State, employing or having labor performed by convicts, in any such county or municipal corporation, may appoint a whipping-boss for such convicts, and fix his compensation and prescribe his duties; provided, however, that proper and necessary discipline may be administered by the superintendent or other officer or person having control of any convict or convicts, without the employment of a whipping-boss.

Code of Ga. § 858.
Acts 1890-1, p. 211.

236. (160.) When to whip. No whipping shall be administered to a convict by any whipping-boss or other officer or person, except in cases where the same is reasonably necessary to enforce discipline or compel work or labor by such convict.

Ibid. § 859.

237. (161.) Rules for government of convicts, etc. Said governing authority of counties and municipal corporations, respectively, employing or having labor performed by convicts, shall prepare and have published full and complete, reasonable and humane, rules and regulations for the government of the convicts under their control, which rules may be amended as occasion may require, but shall specifically prescribe the powers and duties, in all respects, of the superintendent, commissioner, guard, whipping-boss, or other person connected with the management of convicts, as to the care, keeping, control, work and discipline of convicts.

Ibid. § 860.

238. (162.) Superintendent, etc., not personally liable for damage to convicts. No superintendent, commissioner, guard, whipping-boss, or other person or employee of convicts, shall be personally liable for any

injury or damage to any convict, resulting from the employment, care, keeping, control, work, and discipline of convicts who are under the direction of said governing authorities, respectively, in accordance with reasonable and humane rules and regulations adopted as aforesaid.

Ibid. § 861.

239. Municipal prison farms. Authority is hereby given to the municipal authorities of any city in Georgia having a population of not less than 54,000 nor more than 75,000 inhabitants, by action of its council or other governing body, to establish and maintain, either alone or in connection with the county authorities of the county in which said city may be located, a farm, or other place of confinement, which may be situated within the corporate limits or anywhere in the limits of the county where such city is located, and to provide that persons convicted in the police or other Municipal Courts of such city may be sent to such farm, or other place of confinement, to be confined and to labor during their terms of sentence. And the Police or other Municipal Courts of such city as may take advantage of the authority hereby given, are authorized to sentence persons convicted in such courts to the said farm or other place of confinement and to labor thereat during the terms of their sentences.

Acts 1908, § 1, p. 76.

See Sections 604-609, this Code.

240. Rules and regulations. The said municipal authorities are further authorized to make such rules and regulations touching such farm or other place of confinement, to the extent of the control thereof by the said municipal authorities, and the care, custody and treatment of persons sent from the Police or other Municipal Court, as may seem right and proper to the said municipal authorities.

Ibid. § 2.

241. Minor misdemeanors, juvenile offenders. The judges of the State courts, located in a county where such farm or other place of confinement may be established, are authorized in the sentencing of persons convicted in such State courts of minor misdemeanors, and in sentencing juvenile offenders, to send them to such farm or other place of confinement to serve their sentences and undergo any labor that may be required thereat. The county authorities of such counties where said State courts are located are authorized and empowered to make rules and regulations touching the care, custody and treatment of persons sent from such State courts.

Ibid. § 3.

242. Municipal and county authorities, make rules, when. The said municipal authorities are empowered, in connection with the proper county authorities to control and regulate the said farm or other place of confinement, and the person confined thereat, by rules and regulations agreed on by the said municipal authorities and the said county authorities when the said farm or other place of confinement may be established and maintained in conjunction with the county authorities.

Ibid. § 4.

243. Rules, etc., designed for what. The rules and regulations herein provided for shall be designed, not only to prevent, as far as may be, the burdening of the public by the idleness of persons convicted of offenses, but also to promote the just, kind and humane treatment of such persons. They shall not be allowed to wear stripes or chains, and, as far as practicable, parties sent to such farm or other place of confinement shall be saved the disgrace of the name and treatment usually accorded convicts.

Ibid. § 5.

244. Classification of prisoners. The authorities in charge of any place herein provided for, are empowered to classify the persons committed there according to history, merit and behavior, and to plainly distinguish such classes by dress, or by emblem thereon, so that all persons may at once be able to determine to which grade a person belongs.

Acts 1909, § 7, p. 186.

245. Parole or conditional pardons. The authorities in charge of said place may establish a system of parole or conditional pardons for persons committed to said place; provided, that the same shall not be applied to any person committed for a State offense unless and until so recommended by the prison commission and approved by the Governor. No parole shall be granted except on the prison record of said prisoner and his history before his conviction, nor until said local authorities shall have satisfactory evidence that, if said prisoner is released on parole, he will be given and will accept honest employment or if he is unable to labor, that he will not become an object of public charity, that he is worthy of parole, that his parole will not be incompatible with the welfare of society and that he has the qualities of character for and the bona fide intention of reforming. That it shall be the duty of said authorities to send a copy of their order granting said parole and of its terms and conditions to the clerk of the court committing said prisoner, which terms and conditions shall be immediately recorded in a book kept for that purpose by said clerk. That the presiding officer of said authorities shall have the power to issue his order for the re-arrest of said prisoner at any time which order, when duly certified under seal of said authorities, shall have the force of a criminal warrant in the hands of any arresting officer in this State, whose duty it shall be to execute the same as any other criminal process and to promptly apprehend and arrest the body of said prisoner and return him to the custody of said authorities. That when any parole prisoner is thus re-arrested he may be required by said authorities to serve the remainder of his original sentence and the time he was out on parole may or may not be considered, or calculated as a part of the original sentence in the discretion of the authorities. That it shall be the duty of said authorities to keep in touch with said paroled prisoners and require him, by suitable rules, to report himself to them, or as they direct, at such periods and places as will enable them to know his record while a paroled prisoner; a parole officer may be employed and paid. The provisions of this Act shall not impair the pardoning power of the Governor.

Ibid. § 8.

246. Confirmed offenders, disposition of. Unruly, disturbing, corrupting, habitual, repeating and confirmed offenders shall not be sentenced to said place a second time, nor shall they be sentenced there the first time unless the court shall be satisfied that they will be neither unruly, nor disturbing, nor corrupting, nor subversive of the discipline or best interest of the purposes of said place or of the prisoners thereat. That persons coming within either of the classes herein before specified may be sentenced by either of the courts hereinbefore mentioned to imprisonment and labor at any other penal farm in said county, of more rigid discipline, if the inmates of the latter are not required to wear stripes or chains, that the authorities in charge of said place may in their discretion transfer from it to such other farm, any prisoner who shall be unruly, disturbing, corrupting or otherwise subversive of the best interests of the former place, or any habitual, repeating or confirmed offender. That said authorities shall cause to be furnished at least monthly to the presiding officer of any court authorized to sentence to said place an alphabetical list of the prisoners, thereat, containing a brief history of each prisoner and particularly the number of times and character of

offenses for which he may have been sentenced by any court for any offense.
Ibid. § 9.

247. Escapes. Any person convicted and sentenced hereunder who shall escape from either of the places of confinement herein referred to, shall be guilty of a misdemeanor and punishable [as for a misdemeanor].
Ibid. § 10.

248. Vagrants. Vagrants and those temporarily out of work may go voluntarily to said place or be informally committed there, upon their written consent without being regularly sent to prison, provided written permission or commitment is first obtained therefor from the county commissioners or their authorized representative, and provided, further, that the county commissioners shall have the power to fix the terms and conditions upon which such persons will be received, kept and discharged.
Ibid. § 11.

249. (163.) Tax Assessors for City. The Mayor and Council of each town or city are authorized, at their option, to elect three freeholders, residing in the town or city, as assessors, who shall value and assess all the property within said town or city liable for taxation. All persons dissatisfied with the value placed on their property shall appear before said assessors and produce testimony as to the value of property and the decision of said assessors, after hearing the evidence, shall be final; provided, that this section shall not affect towns or cities now having the power to appoint assessors.
Acts 1890-1, p. 231.
Code of Ga. § 862.

250. (164.) Reports. Said assessors shall make their reports at such time and in such manner as the town or city authorities shall determine, and shall be governed by rules made by the authorities unless contrary to the laws of this State. The authorities shall, in levying or assessing the rate of taxation, do so upon the value of the property reported by the assessors.
Ibid. § 863.

251. (165.) Not to tax over one-half of one per cent. for current expenses. No municipal corporation shall levy or collect for the ordinary current expenses of said corporation, except as hereinafter provided, any ad valorem tax upon the property within said corporation, exceeding one-half of one per cent. upon the value of said property, any charter of said corporation to the contrary notwithstanding.
Acts Feb. 28, 1874, p. 109.
Code of Ga. § 865.
This section does not apply to the City of Savannah. Acts 1874, p. 109. 139 Ga. 249.

252. (166.) "Ordinary expenses" defined; separate accounts.
1. The term "ordinary current expenses" shall be construed to include all current expenses, excepting only expenses for education, for paving or macadamizing streets, and for payment of the principal and interest of the public debt, which shall be known as "extraordinary expenses."

2. And in all cases where it shall be necessary to levy an additional tax above said one-half of one per cent., for any one or more of said extraordinary expenses, the levy and assessment of the same for each said extraordinary expense shall be separately made and collected.

3. Said municipal authorities shall cause separate accounts to be kept, on account of all amounts collected and disbursed on account of each of said extraordinary expenses; and all amounts so collected shall be applied exclusively to the extraordinary expenses for which said tax was levied and collected.
Acts Feb. 28, 1874, p. 110.
Code of Ga. § 865.

253. (167.) Officer diverting tax money to other purposes, malpractice. Any officer of any municipal corporation who shall apply any portion of any fund collected by taxation for either of said extraordinary expenses, to any other ordinary or extraordinary expenses, shall be guilty of malpractice in office.
Acts Feb. 28, 1874, p. 110.
Code of Ga. § 866.

254. (168.) Additional fund, how raised. If an additional fund is required by said corporation for internal improvements, not herein provided for, or if the amount realized by the levy of one-half of one per cent. shall be insufficient to defray the ordinary current expenses of said corporation, an additional tax may be levied for this purpose when it shall be authorized by a vote of two-thirds of the legal voters of said corporation who shall vote at an election to be held for that purpose, and separate accounts of all amounts so collected and disbursed shall be kept as is provided in section 865 (of the Code of Georgia).
Acts Feb. 28, 1874, p. 110.
Code of Ga. § 867.

255. Traveling salesmen, when exempt. The municipal authorities of an incorporated town shall not levy or collect any tax or license from a traveling salesman engaged in taking orders for the sale of goods where no delivery of goods is made at the time of taking such orders.
Code of Ga. § 868.

256. Goods purchased in carload lots for distribution among several purchasers. Any person or persons purchasing guano, meats, meal, flour, bran, cotton seed or cottonseed meal or hulls, in carload lots where the bill of lading for such shipment is taken in the name of an individual and the freight paid pro rata by the owners of said goods or merchandise; that said goods or merchandise so procured for the individual use of such person or persons, who shall have had such shipment made as aforesaid, and not for sale by said individuals, shall upon delivery of said car as aforesaid, and the surrender of said bill of lading, entitle said person or persons to apportion said shipment or shipments between themselves without the payment of a special or license tax to any public corporation or municipality as dealers or distributors of such goods or merchandise as aforesaid.
Park's Code, § 868 (a).

257. (169.) Municipalities may issue executions for paving, etc. All municipal corporations have authority to enforce the collection of any amount due or to become due for paving streets or lanes, or for laying sewers and drains, or for cleaning or repairing privy vaults, by execution to be issued by the treasurer against the persons or corporations by whom such debts may be due, which may be levied by the marshal on the real estate of the owners, and after proceedings as in cases of sales for city taxes, the same may be sold at public outcry. All sales made by such city under execution shall be subject to purchase by said corporation, and the right of redemption by the owner after sale.
Acts 1884-5, p. 148.
Code of Ga. § 869.

258. (170.) City Marshals, how ruled. The marshals of the towns and cities of this State, and such other officers of said towns and cities in said State whose duty it is to collect the taxes and other revenues of such towns and cities, by levy or sale, shall be subject to be ruled, either in the Superior, City, or County Court, in the county where said town or city is located, for money in the hands of such officer arising from the public sale of any property, under and by virtue of any process issued by said city, or town in the same manner as sheriffs and constables are ruled for the distribution of money coming into their hands from the sale of any property.

Acts 1900, p. 81.
Code of Ga. § 911.

259. Proceeds of sale. When any execution from any court is placed in the hands of the marshal or other selling officer of any town or city in this State, with written notice to hold up the proceeds arising from the sale of any property of the defendant in fi. fa., the marshal or other selling officer shall, after first paying to the city the amount due on the process under which the sale was made, hold up the balance of the funds in his hands until he is ordered to pay out the same by the court first acquiring jurisdiction, under proper proceeding.

Code of Ga. § 912.

260. (171.) Renewal of pavement by assessment, etc. The Mayor and Council or governing authority of any city having a population of over twenty thousand, have authority to renew, by the use of any material that may be decided on or repair any pavement in said city, upon the same terms and conditions as to assessment of property and street-car companies, as were in force when the pavement was originally laid: provided, in the judgment of the City Council of said city the pavement is worn out and no longer serviceable.

Acts 1890-1, p. 229.
Code of Ga. 1895, § 724.
See Section 72 this Code.
146 Ga. 737, 134 Ga. 699.

261. Where public property abuts on a street. Whenever the abutting landowners of any street or sidewalk petition to have the same improved, and where the State, or any of its political subdivisions, is the owner of property on said street, the frontage so owned is to be counted as if owned by an individual, and shall be likewise treated for the purposes of assessment, and where the State is the owner of the property the Governor is authorized to sign the application for and in behalf of the State; and where the county is the owner, the ordinary, or the chairman of the board of county commissioners, as the case may be, is authorized to sign in behalf of the county; and where a municipality is the owner of the property, the mayor of the city where said property is situated is authorized to sign in behalf of the city.

Code of Ga., § 871.

262. (172.) Property of railroads subject to municipal taxation. All property, real and personal, belonging to railroad companies in this State, which is within the limits of any municipal corporation, shall be subject to taxation by said municipality as fully and as completely as is the property of other corporations within the limits. And it is made the duty of the municipal authorities to cause property belonging to a railroad company to pay its proper and just pro rata of municipal taxes.

Acts 1890-1, p. 152.
Code of Ga. § 872.

263. (173.) Return, to show what. In addition to the facts required to be shown by the Act to provide a system of taxation of railroad property in each of the counties of the State, every railroad company in this State shall at the time of making the returns provided for in said Act, show the value of the company's property in each incorporated city or town through which it runs.

Acts 1890-1, p. 152.
Code of Ga. § 873.

264. (174.) Rolling stock, how assessed. The rolling stock and other personal property of said railroad companies shall be distributed to said municipalities on the same basis that rolling stock and other personal property are distributed to the counties under the provisions of said Act—that is, as the value of the whole property, real and personal, of the said company, is to the value of the property located in the particular municipality, such shall be the amount of rolling stock and other personal property to be distributed for taxing purposes to each municipality.

Acts 1890-1, p. 152.
Code of Ga. § 874.

265. (175.) County tax law applicable. All other provisions of said Act are made applicable to the assessment and collection of taxes of railroads by municipalities upon the property of such railroads located in such municipalities, and upon the rolling stock and other personal property.

Acts 1890-1, p. 152.
Code of Ga. § 875.

266. (176.) Garnishment for city taxes. When any treasurer or other person authorized to collect the taxes due any municipal corporation can find no property of the defendant on which to levy any tax execution, he shall make an entry to that effect on said execution and may then issue summons of garnishment against any person whom he may believe is indebted to the defendant, or who may have property, money or effects in his hands, without making affidavit or giving bond. Said summons of garnishment shall be served by the treasurer or other tax collector, or by the sheriff, or any constable of the county in which the garnishee may reside, at least fifteen days before the sitting of the court, and returned to the Superior or City Court of the county in which such municipal corporation is situated.

Code of Ga. 1910, § 876.
Acts 1890-1, p. 53.

267. (177.) Entry on execution and return. Said treasurer shall enter on the execution the name of the person garnisheed, and return the execution to said court, and the subsequent proceedings shall be the same as on garnishments in cases when judgment has been obtained.

Acts 1890-1, p. 53.
Code of Ga. § 877.

268. (178.) Tax executions to bear interest, when. All executions issued for taxes due the State, or any county thereof, or any municipal corporation, whether issued on assessments for permanent improvements of streets or sewers of said municipal corporations, or otherwise, shall bear interest at the rate of seven per cent. per annum, from the time fixed by law for issuing the same, provided that this section shall not apply to taxes or tax fi. fas. issued by any municipal corporation imposing penalties for failure to pay taxes to any municipal corporation on any fi. fas. due to it for taxes or assessments, having November 11, 1889, a population of sixty thousand or more, unless the Mayor and General Council, Mayor and Council, or other governing authority of

any such municipal corporation shall, by order, resolution, or ordinance, provide for the charge and collection of such interest on such fi. fas.

Acts 1890-1, p. 50.
Acts 1889, p. 31.
Code of Ga. 1910, § 878.

269. (179.) Sales for city taxes, how conducted. The time, place and manner of the sale of property, both real and personal, for taxes due to municipal corporations in this State shall be the same as that provided by law for the Sheriff's sales for State and county taxes, provided that such sale may be conducted and had before the door of the Council Chamber, or the usual place of meeting of the authorities having control of said municipality; provided, that said sale may be conducted by the marshal of said municipality.

Acts 1877, p. 125.
Dec. 18, 1901.
Code of Ga. § 879.

270. (180.) Redemption. Whenever any land is so sold, the owner thereof shall have the privilege of redeeming said land thus sold, within one year by paying the purchaser the amount paid by said purchaser, for said land, with ten per cent. premium thereon, from the date of the purchase to the time of the payment.

Acts 1877, p. 125, § 880.

271. (181.) Land sold for taxes, how redeemed. Where real estate has been sold under any State, city, county, or school tax fi. fa., the same may be redeemed at any time within twelve months after the sale by the defendant in tax fi. fa., his heirs or personal representative, or by any tenant in common, remainderman, or other persons having an interest in such property.

Act Dec. 20, 1898, p. 85.

272. (182.) By Creditors. Such property may also be redeemed by the holder of any mortgage, judgment, lien or other interest in said property, or by any creditor of the defendant in fi. fa.

Ibid. p. 86.

273. (183.) Effect of redemption. When property has been redeemed, the effect thereof shall be to put the title conveyed by the tax sale back into the defendant in fi. fa., subject to all liens existing at the time of the tax sale, and if the redemption has been made by any creditor of the defendant or person having any interest in the property, the amount expended by such creditor or person interested shall constitute a first lien thereon and be re-paid prior to claims upon the property if the quit claim deed hereinafter provided for is recorded as required by existing laws.

Ibid. p. 86.

274. (184.) If redeemed by creditors. If the property is redeemed by a creditor of the defendant in fi. fa. who has no lien, such creditor shall have a claim against the property for the amount advanced by him in order to redeem the same in case there is thereafter any sale of the property under a judgment in favor of such creditor, and if the quit claim deed is recorded as required by law.

Ibid. p. 86.

275. (185.) Quit claim deeds to property redeemed. In all cases where property is redeemed the purchaser at the tax sale, shall make a quit claim deed to the defendant in fi. fa. reciting therein by whom the redemption money has been paid, and in what capacity, or under what claim of right or interest the same was paid, which shall be prima facie evidence of the facts stated.

Ibid. p. 86.

276. (186.) Corporation may purchase, when. Whenever at any such sale by a municipal corporation for taxes due it, by its marshal or duly authorized officer, no one present shall bid for the property put up to be sold, as much as the tax for which it is proposed to sell the same, and the officer's cost, if any due thereon, after such property shall have been cried a reasonable time, then any duly appointed officer or agent of the corporation may bid off such property for the corporation, and the marshal or other officer making such sale, shall make to the corporation a deed to the property so sold, and deliver the same to the officer designated by the corporation to receive it, and the title acquired by the corporation at such sale and by such deed shall be perfect, valid and binding, after the period above provided for redemption by the owners shall have elapsed and there is no redemption by the owner, as if purchased by an individual or corporation other than such corporation so purchasing, and the marshal or other duly authorized officer making the sale, shall put the corporation, through any officer or person it may designate, in the possession of the property so sold.

Acts 1877, p. 125.
Code of Ga. § 881.

277. (187.) Property sold by corporation, how. Neither the governmental body of any such municipal corporation, whether known as Mayor and Councilmen, Mayor and Aldermen, or by any other name, during whose term any such sale shall take place, nor any subsequently appointed or elected governing body, shall be capable of divesting or alienating the title of the corporation to any property so purchased, excepting by a public sale of the same to the highest bidder; provided, that where it is clearly shown to the Mayor and Council or other governing body of any municipal corporation in this State that property, either returned or unreturned, has been sold and purchased by the said Mayor and Council or other governmental body of any municipal corporation in this State, to protect its taxes and the cost of collecting the same, and that said Mayor and Council, or other governmental body of such municipal corporation, has not parted with title to the same, such Mayor and Council, or other governmental body in any municipal corporation of this State shall, by a unanimous vote, be authorized to quitclaim such property to the owner thereof at the time of purchase by said Mayor and Council, or other governmental body, his administrators, executors, heirs or assigns, upon payment of all taxes which may be due and all cost due by reason of said sale.

Code of Ga. § 882.
Acts 1906, p. 33.

278. (188.) Ordinances to carry this into effect. Municipal corporations shall have full power and authority to pass appropriate ordinances and by-laws to carry these provisions into effect.

Acts 1877, p. 125.
Code of Ga. § 883.

279. (189.) Recitals in tax deed. Unless otherwise provided in the charter, the recitals in a deed under a sale for municipal taxes are not evidence of the facts recited.

Code of Ga. § 885.

280. (190.) Eligibility of Councilmen and Aldermen. Councilmen and Aldermen of the towns and cities of this State shall be incompetent to hold, except in towns of less than two thousand inhabitants and more than eighty thousand inhabitants, any other municipal office in said towns and cities during the term of office for which they were chosen, provided nothing herein shall render them ineligible to be elected during said term to serve in a term immediately succeeding said term,

but nothing in this section shall apply to any municipal office which is filled by appointment of the Mayor. Any Councilman or Alderman appointed during his term to any other municipal office shall resign before being eligible to enter upon the office to which he has been appointed. In Cities of more than eighty thousand inhabitants, Councilmen and Aldermen, during the term of office for which they were chosen, are incompetent to hold any office in said cities, which is filled by appointment or election of the General Council or governing board, but are competent to hold any other office in said cities, having first resigned the office of Councilman or Alderman, provided nothing herein contained shall be construed as repealing any provision to the contrary hereof in any charter of any city or town in this State.

Act Nov. 15, 1902, p. 40.
Code of Ga. § 886.

281. (191.) Incorporated towns and cities may accept gifts. All incorporated towns and cities in this State are authorized to receive any donations or gifts of real or personal property which may be made to them by deed of gift, will, or otherwise, and subject to such conditions as may be specified in the instrument giving or donating the property, if the governing body of such town or city approves such conditions.

Acts 1892, p. 104.
Code of Ga. § 887.

282. (192.) May act as trustees. The incorporated towns and cities in this State shall be authorized to act as trustees under any conveyance or will donating or giving property for charitable or eleemosynary purposes.

Ibid. § 888.

283. (193.) Power to accept as trustee gifts of land, dedicated for parks, with limitations as to race, etc. Any person may by appropriate conveyance, devise, gift or grant to any municipal corporation of this State, in fee simple or in trust, or to other persons as trustees, lands by said conveyance dedicated in perpetuity to the public use as a park, pleasure ground, or for other public purpose, and in said conveyance, by appropriate limitations and conditions, provide that the use of said park, pleasure ground or other property so conveyed to said municipality, shall be limited to the white race only, or to white women and children only, or to the colored race only, or to the colored women and children only, or to any other race only, or to the women and children of any other race only, that may be designated by said devisor or grantor; and any person may also, by such conveyance, devise, give or grant, in perpetuity to such corporations or persons, other property, real or personal, for the development, improvement and maintenance of said property.

Act 1895, p. 117.
Code of Ga. 1910, § 890.

284. Municipality may accept. It shall be lawful for any municipal corporation of this State, or other person, natural or artificial, as trustee, to whom such devise, gift or grant is made, to accept the same in behalf of and for the benefit of the class of persons named in said conveyance, and for their exclusive use and enjoyment, with the right to the said municipality or trustee, to improve, embellish, and ornament said land so granted as a public park, or for other public use as herein specified, and every municipal corporation to which such conveyance shall be made, is hereby empowered by appropriate police provision, to protect the said class of persons for whose benefit said devise or grant is made, in the exclusive use and enjoyment thereof.

Ibid. § 2.
Code of Ga. 1910, § 891.

285. (194.) Trustees of cemetery lots. Any person may convey to the Mayor and City Council of any town or city in this State, any money or property to be held by such Mayor and Council in trust, the corpus or increase thereof to be expended as directed by such conveyance, in the improvement or preservation and care of any cemetery or of the burial lots of such owner therein, and such Mayor and Council shall receive and hold such property and execute such trusts, according to the terms thereof, as other trusts are executed under the laws of this State, and shall by its clerk make annual returns to the Ordinary, and shall be entitled to such commissions as are paid to other trustees, but shall not be required to give bond.

Code 1910, § 889.
Acts 1889, p. 178.

286. (195.) Cannot restrict subsequent Council. One Council cannot by an ordinance bind itself or its successors so as to prevent free legislation in matters of municipal government.

Code of Ga. § 892.

287. (196.) Not liable for acts of public officers. A municipal corporation is not liable for the torts of policemen or other officers engaged in the discharge of the duties imposed upon them by law.

Ibid. § 893.

288. (197.) Obstruction in street. Without express legislative authority, a municipality cannot grant to any person the right to erect or maintain a structure or obstruction in a public street.

Ibid. § 894.
Any permanent obstruction in street a nuisance. 49 Ga. 476; 86 Ga. 756.
Permit to use streets revocable at any time. 86 Ga. 756; 93 Ga. 68.
Temporary reasonable obstruction allowable. 116 Ga. 649; 2 Ga. App. 369; 68 Ga. 431.
May remove summarily. 86 Ga. 756; 127 Ga. 431.
Procedure to remove. Sections 1356, 1673, this Code.

289. (198.) Equity will not interfere with discretion of Council. The Council or other governing body of a municipality has a discretion in the management and disposition of its property, and where it is exercised in good faith, a court of equity will not interfere therewith.

Ibid. §895.

290. (199.) Municipal corporations not liable for discretionary acts. Where municipal corporations are not liable by statute to perform an act, they cannot be held liable for exercising their discretion in failing to perform the same.

Ibid. § 896.

291. (200.) Municipal corporations, liable for what. Municipal corporations are not liable for failure to perform, or for errors in performing, their legislative or judicial powers. For neglect to perform, or for improper or unskillful performance of their ministerial duties they are liable.

Ibid. § 897.
Not liable for negligence in exercise of governmental function. 146 Ga. 416.
Error in judgment. 20 Ga. 635.
Street cleaning department. 95 Ga. 129; 142 Ga. 409.
Fire department. 78 Ga. 241; 83 Ga. 222.
Hospital ambulance. 136 Ga. 370.
Playgrounds. 146 Ga. 417; 19 Ga. App. 436.
Water works, liable for negligent operation. 113 Ga. 64; 8 Ga. App. 597.

292. (201.) Municipal corporations liable for injuries, when. If a municipal corporation has not been negligent in constructing or repairing the same, it is not liable for injuries resulting from defects in its

streets when it has no notice thereof, unless such defect has existed for a sufficient length of time for notice to be inferred.

Ibid. § 898. 145 Ga. 339.

293. (202.) Municipal property not subject to levy. Property of a municipal corporation in use for the public, or held for future use for the public, is not subject to levy and sale under executions. All property held by a municipality is presumptively for public use.

Ibid. § 899.

294. (203.) Councilman voting when personally interested. It is improper and illegal for a member of a City Council to vote upon any question, brought before the Council, in which he is personally interested.

Ibid. § 900.

295. (204.) Officers, when personally liable. Members of the Council and other officers of a municipal corporation are personally liable to one who sustains special damages as the result of any official acts of such officer, if done oppressively, maliciously, corruptly, or without authority of the laws.

Ibid. § 901.

296. (205.) Who are competent jurors. The fact of a person being a citizen or resident of a municipal corporation, shall not render him incompetent to serve as a juror in cases in which such municipal corporation is a party or interested.

Ibid. § 903.

297. Minutes of Council and records, evidence. Exemplifications of the records and minutes of municipal corporations of this State, when certified by the clerks or keepers of such records, under seal, shall be admitted in evidence under the same rules and regulations as exemplifications of the records of the courts of record of this State.

Code of Ga. § 5803.
See Section 131, this Code.

298. (206.) Pawnbrokers, how licensed and governed. It shall be lawful for the municipal authorities of the several incorporated towns and cities in the State of Georgia to license pawnbrokers in their respective jurisdictions, to define by ordinance their powers and privileges, to improve taxes upon them, to revoke their licenses, and generally to exercise such superintendence over pawnbrokers as will insure fair dealing between the pawnbroker and his customers.

Ibid. § 904.
Acts 1868, p. 136.

299. Census of cities of over five thousand inhabitants. It shall be the duty of the Secretary of State, upon request presented from the Mayor and General Council, or other governing authority of any city in Georgia having a population of five thousand or upwards, to have a census of the population of such city made by enumerators to be sworn by the ordinary of the county, the affidavit to be prescribed by the Secretary of State, one copy of which census shall be returned to and filed with said Secretary of State, and one or more copies filed with the clerk of Council of such city. Such census shall be taken in accordance with regulations prescribed by the Mayor and General Council of the city and approved by the Secretary of State. The expense of taking such census to be paid by the city having it taken.

Such enumeration of the population of said city, when taken and filed with the Secretary of State, shall be recognized as a State census or enumeration of the population of the city until a new census shall thereafter be taken by authority of the United States government, or the State government.

Code of Ga. § 909.

300. (207.) Statutes of Limitation apply to municipal claims. Any claim or demand held by any municipality, not being in the shape of a special contract, or which has not been reduced to execution, shall be barred by the statutes of limitation as provided by the general statutes of limitation of force in this State, and all executions issued by any municipality shall be subject to the same laws as to the statutes of limitation now governing other executions.

Code of Ga. § 4372.

301. (208.) Tax fi. fa. dormant when. All State, county, city or other tax fi. fas., before or after legal transfer and record, shall be enforced within seven years from the date of their issue; or within seven years from the time of the last entry upon the tax fi. fa. by the officer authorized to execute and return the same if said entry is properly entered by said officer upon the execution docket and books in which said entries are now required to be made in cases of entries or executions issued on judgments.

Code of Ga. § 1147.

302. (209.) Laws as to judgments applicable to tax fi. fas. All laws in reference to a period of limitation as to ordinary executions for any purpose, or to the length of time or circumstances under which they lose their lien in whole or in part, are made applicable to tax fi. fas.

Ibid. § 1148.

303. (210.) "Alias" tax fi. fas., how issued. When any tax execution which shall have been regularly issued by the tax collector of any county of this State, or by the proper officer of any city, town or village in this State, shall be lost or destroyed, an alias execution in lieu of such original execution may issue upon the party having the right to control such original execution filing with the ordinary of the county in which it issued a statement under oath of the loss or destruction of such original. The ordinary shall endorse on the copy issued in lieu of said original the word "alias."

Ibid. § 1149.

304. Force and effect of alias. Said alias execution shall have all the legal force and effect of the lost or destroyed original execution.

Code of Ga. § 1150.

305. (211.) Rank of liens for taxes. Liens for taxes due the State or any county thereof, or municipal corporation therein, shall cover the property of taxpayers liable to tax, from the time fixed by law for valuation of the same in each year until such taxes are paid, and the property of tax collectors and their sureties from the time of giving bond until all the taxes for which they are responsible shall be paid. Such liens for taxes are hereby declared superior to all other liens, and shall rank between themselves as follows: First in rank, taxes due the State; second in rank taxes due the counties of the State; third in rank, taxes due to municipal corporations of the State.

Code of Ga. § 3333.

306. (212.) Fire escapes. Owners of every building more than two stories in height, not including the basement, used in the third or higher stories, in whole or in part, as factory or workshop, shall provide more than one way of egress from each story of said building, above the second story, by stairways, on the inside or outside of said building, and such stairways shall be, as nearly as may be practicable, at opposite

ends of each story, and so constructed that in case of fire, the ground can be readily reached from the third and higher stories. Stairways on the outside of said buildings shall have suitable railed landings at each story above the first, and shall connect with each of said stories by doors or windows, opening outwardly, and such doors, windows and landings shall be kept at all times clear of obstructions. All the main doors of such buildings both inside and outside, shall open outwardly, and each story shall be amply supplied with means for extinguishing fires.

Acts 1899, p. 168, §1.
Code of Ga. § 3151.
For ordinances on this subject see Sections 912 et seq, this Code.

307. Fire escapes on hotels. Every hotel or inn of the class herein covered, that is three stories in height or over, shall be provided with a fire escape on the outside of such building connecting on each floor above the first, and accessible to the occupants of all floors above the first, and said fire escape shall be guarded and protected in such way that said guests or patrons of said hotel or inn may have reasonable means of escape in case of fire.

Park's Code, § 3514 (d), § 3151.
Acts 1910, pp. 88, 89,

308. (213.) Examination of buildings. The municipal authorities of the town or city where such building is situated, or the ordinary of the county, if the building is situated outside of any town or city shall require the fire marshal or chief officer of the fire department and if there is no fire marshal or chief fireman then some other suitable official, to examine such buildings at least once a year, and report in writing to said municipal authorities, or said ordinary, that said requirements have or have not been complied with. If not complied with the municipal authorities or the ordinary, as the case may be, shall notify in writing the owner of said building to provide needful alterations or additions.

Code of Go. § 3152. See this Code § 912 et seq.

309. (214.) Fire escapes, power of city. The municipal authorities of any town or city in this State may, by ordinance, provide that the provisions of this chapter shall apply to all buildings, not used as private residences, three or more stories in height, within their limits.

Code of Ga. § 3153. This Code § 912 et seq.

310. (215.) Examination and report. The owners of buildings referred to in preceding section shall make all alterations or additions necessary to comply with the requirements of this chapter. Examinations and reports shall be made during the month of December of each year.

Code of Ga. § 3154.

311. (216.) Failure to comply, penalty. If the owner of a building more than two stories in height shall fail to comply with the requirements of the Civil Code, and, after receiving the notice prescribed in the Civil Code, shall refuse or neglect to make the alterations specified in said written notice, he shall be guilty of a misdemeanor.

Penal Code, § 511.

312. Nuisances, how abated. If a nuisance * * * exists in a city having a population of twenty thousand or more, the police court of such city, whether known as mayor's or recorder's court or otherwise designated, shall have jurisdiction to hear and determine the question of the existence of such nuisance, and, if found to exist, to order its abatement, which order shall be directed to and executed by the sheriff or the marshal of said town or city, or his deputy.

Code of Ga. § 5331.
See this Code, § 121, and notes to Park's Code, § 5331.

313. Public library, how maintained. Any city in the State may, through its properly constituted municipal authorities, raise by taxation from year to year, and permanently appropriate money for the purpose of establishing or erecting or maintaining a public library, or assisting in maintaining a public library. Any such sum or sums of money so appropriated shall be expended by and under the direction of the board of trustees of such public library elected by the City Council of said city.

Act 1904, p. 91.
Code of Ga. 1910, § 1566.
See §§ 1636 et seq, this Code.

314. Disbursements, how made. In any city in which an appropriation shall be made under or by virtue of the authority conferred by this Act, the money so appropriated shall be drawn from the treasury of said city on the warrant of said board of trustees of such public library elected by the City Council of said city, and shall be paid out from time to time in the payment of salaries, purchase of books, and for other necessary expenses of said library, and an itemized statement of the amounts so paid out shall be made annually to the Mayor of said city, and by him submitted to the properly constituted authorities of said city.

Ibid. 1567.

315. Donations. Said board of trustees of such public library elected by the City Council of said city are authorized to accept and receive donations, either in money, land or other property, for the purpose of erecting or assisting in the erection of suitable buildings for the use of said public library, for maintaining the same, or for assisting in maintaining the same.

Ibid. 1568.

316. Duties of board of trustees. Said board of trustees of such public library elected by the City Council of said city shall exercise a strict and rigid supervision over said public library, and shall pass all necessary rules and regulations for the government and control of the same; shall elect a librarian and, if necessary, an assistant librarian, or designate some officer or officers to perform the duties of librarian or assistant librarian and shall appoint and discharge the said officer or officers at pleasure.

Ibid. 1569.

317. Powers of the city. The municipal government of any such city shall have authority to enter into a legal and binding agreement to accept and receive any donation offered by any person or persons on such terms as may be agreed upon between said person or persons and said municipal government, and such agreement so made shall be legal and binding upon said municipal government and its successors and all agreements by said municipal government of said city to pay any sum or sums of money annually thereafter for the use of said public library shall be legal and binding on the said city, and any ordinance or ordinances carrying said agreement into effect shall have the force and effect of laws and be binding on the said city during the time mentioned by said agreement and said ordinance.

Ibid. 1570.

318. Auctioneer or vendue-master. Any citizen of Georgia shall have the right to exercise all the privileges, powers, and functions of a vendue-master, or auctioneer, in any city or town in this State, by paying such license and giving such bond as may be demanded or required by the by-laws, rules or ordinances of the town or city in which said person may wish to exercise the calling of a vendue-master or auctioneer.

Code of Ga. § 4142.

319. (230.) Loans on Personal Property, business of regulated. No person, firm or corporation, shall engage generally, regularly, or collaterally to any other business, in the business of making loans on household or kitchen furniture, or household goods, or wearing apparel, or sewing machines, or musical instruments, or wages, or salaries, or in the business of buying wages, or salaries, without first obtaining a license for carrying on such business.

Acts 1904, p. 79.
Code of Ga. § 3446.

320. (242.) License, by whom issued. The license under which said business shall be conducted shall be issued, if the business is sought to be conducted within the limits of an incorporated city or town, by the officer of such city or town whose duty it is to issue licenses granted by the authority of such corporation; and if without the limits of an incorporated city or town, said license shall be issued by the ordinary of the county within which said business is sought to be conducted. The ordinary or officer issuing the license shall receive, for each license so issued, a fee of one dollar and fifty cents, to be paid by the applicant.

Code of Ga. § 3447.

321. Same; how obtained. The applicant for license shall before the same is issued, file with the officer authorized to issue it a statement on oath, giving the location where such business is to be conducted, the name and the private and business addresses of the applicant, if the licensee is an individual; the name and the private and business addresses of each of the partners if the licensee is a firm, and the name and the private and business addresses of each of its officers, if the licensee is a corporation, and in the case of a corporation the State under the laws of which it is organized.

Ibid. § 3448.

322. (231.) Licensed Lender to give bond. No license shall be issued to any person, firm or corporation to carry on the business as specified in section 1 of this Act, until the applicant shall file with the Ordinary of the county, or with the Mayor of the town, wherein said business is to be conducted, a bond with good security in the penal sum of $500, payable to the Mayor of the city, or the Ordinary of the county in which said business is to be conducted, and their successors in office, for the faithful performance by the licensee of the duties and obligations pertaining to the business so licensed, and the prompt payment of any judgment which may be recovered against said licensee on account of damages or other claim arising directly or collaterally from any loan of money or sale of wages or salary. Said bond shall not be valid until it shall be approved by the Mayor of said town, or by the Ordinary of said county.

Ibid. § 3449.

323. Not transferable; change of location. The license, when issued, shall not be transferable; and should the licensee change the location of his business, the license shall immediately become void, unless the licensee shall, ten days before changing the location, file with the officer authorized to issue the license a notice of the proposed change of location. And upon so changing the location the licensee shall have the officer issuing the license endorse upon it a permit authorizing the change. In default of compliance with these provisions the license shall be null and void. The license shall at all times be kept publicly exposed by the licensee on his business premises.

Code of Ga. §3450.

324. (244.) License void, when. If any licensee licensed under this Act shall violate any of the provisions of sections 6, 7 and 9 of this

Act, or shall charge for the making of any loan any rate of interest in excess of eight per cent. per annum, or any fee, or bonus in excess of those provided in sections 10 or 12 of this Act, the license under which said business is conducted shall become ipso facto void.

Ibid. § 3463.

325. Money Lenders, other regulations. For other regulations of persons lending money on personal property, see Article 2, Chapter 12, Fourth Title of the Code of Georgia, 1910, sections 3446-3466.

326. Bond to pay for material and labor. Any person, firm or corporation entering into a contract with this State or a county or municipal corporation thereof for the repair, construction or prosecution of any public building or public work, shall be required before commencing such work, to execute a bond, payable to the State, county or municipal corporation, with good and sufficient surety, approved in writing by the authority having charge of the making of such contract, conditional that such contractor or contractors shall promptly make payment to all persons supplying him or them with labor or material, or both, in the execution of the work provided for in such contract.

Park's Code, § 389 (a).
Acts 1910, p. 86.
Law construed. 139 Ga. 53.
Municipality not liable for failure to take bond. 13 Ga. App. 405.
See § 409 this Code, Security for City.

327. Suit on bond. Any person, firm or corporation supplying the contractor with labor or material or both, after the complete performance of their contract, and within a year, shall, upon application therefor, and furnishing affidavit to the authorities under the direction of whom said work has been prosecuted, that labor or material for such work has been supplied by him or them, and that payment for same has not been made, be furnished with a certified copy of said bond, and shall within said period have a right of action thereon, and shall be and are hereby authorized to bring suit on said bond in the name of the State, county or municipal corporation for their use and benefit, and to prosecute the same to final judgment and execution.

Park's Code, § 389 (b).

328. (271.) Power to enclose lanes, or alleys, when, etc. The municipal authorities of any incorporated city in this State are hereby authorized to permit the enclosure of any lane, or alley, or portion of a lane or alley, in such city, when the owners of the lots abutting on such lane or alley or portion of the lane or alley sought to be secluded, and the owners of any other lots to the enjoyment of which access through said lane or alley is necessary, consent: provided, that said municipal authorities may have the right at any time to re-open said lane or alley.

Acts 1878-9, p. 174.
This section does not appear in the Code of Georgia.

329. (270.) Schools in cities. Any city with a population greater than two thousand inhabitants is permitted to organize a public school system independent of that set out in the Code of Georgia, and said system so organized will draw its pro rata share of all educational funds raised by the State; provided, however, that the chief executive officer of such system shall make regular reports to the State School Commissioner, as required by law. This power to create such system in a city is not to be construed to annul or repeal any local law in force in any city or county in Georgia providing for the organization and maintenance of the common or public schools in such city or county.

Code of Ga. § 1525.
See "Board of Education," Chapter XI.

330. (292.) Regulations for keeping gunpowder. The several incorporated towns or cities of this State, within their corporate limits, and the Ordinaries within their respective counties (out of said corporate limits) have authority to make and enforce all needful rules and regulations touching the keeping of gunpowder, so as not to endanger the lives and property of the citizens.
Ibid. § 1655.

LIMITATION OF MUNICIPAL DEBTS.

331. (266.) Debt of counties and cities not to exceed seven per cent. The debt hereafter incurred by any county, municipal corporation, or political division of this State, except as in this Constitution provided for, shall not exceed seven per centum of the assessed value of all taxable property therein, and no such county, municipality, or division shall incur any new debt, except for a temporary loan or loans to supply casual deficiencies of revenue, not to exceed one-fifth of one per centum of the assessed value of taxable property therein, without the assent of two-thirds of the qualified voters thereof, at an election for that purpose, to be held as may be prescribed by law; but any city, the debt of which does not exceed seven per centum of the assessed value of the taxable property at the time of the adoption of this Constitution, may be authorized by law to increase, at any time, the amount of said debt, three per centum upon such assessed valuation.
Code of Ga. § 6563.
Constitution, Art. 7, § 7, ¶ 1.

332. (267.) County and city bonds, how paid. Any county, municipal corporation, or political division of this State, which shall incur any bonded indebtedness under the provisions of this Constitution, shall, at or before the time of so doing, provide for the assessment and collection of an anual tax, sufficient in amount to pay the principal and interest of said debt within thirty years from the date of the incurring of said indebtedness.
Code of Ga. § 6564.
Constitution, Art. 7, § 7, ¶ 2.

333. City may not lend credit. The General Assembly shall not authorize any county, municipal corporation, or political division of this State to become a stockholder in any company, corporation, or association, or to appropriate money for, or to loan its credit to, any corporation, company, association, institution, or individual, except for purely charitable purposes. This restriction shall not operate to prevent the support of schools by municipal corporations within their respective limits; provided, that if any municipal corporation shall offer to the State any property for locating or building a capitol, and the State accepts such offer, the corporation may comply with such offer.
Code of Ga. § 6561.
Constitution of Ga. ¶ 1, § 7, Art. 7.

MUNICIPAL DEBTS.

334. (268.) City debts, how incurred. Municipal corporations shall not incur any debt until provision therefor shall have been made by the municipal government.
Code of Ga. § 6567.
Constitution, Art. 7, § 10, ¶ 1.

335. (248.) Debts other than bonded debts. When any county, municipality or division shall desire to incur any debt, within the purview and meaning of paragraph 1, section 7, article 7, of the Constitution of 1877, other than a bonded debt, the election required shall be called and held as follows, to-wit: The officers charged with levying taxes, contracting debts, etc., for the county, municipality, or division, shall give notice for the space of thirty days next preceding the day of election, in the newspaper in which sheriff's advertisements for the county are published, notifying the qualified voters that on the day named, an election will be held to determine the question whether the debt desired or proposed to be incurred, shall be incurred by the county, municipality or division. Said notice shall specify the amount of the debt to be incurred, for what purpose it shall be incurred, what amount of the debt is to be paid annually, or at shorter periods, the terms of the contract under which the debt is to be incurred, and the language of the ballots to be used in the election for or against incurring the debt.
Acts of 1904, p. 85.
Code of Ga. § 463.

336. Election, how held. Said election shall be held at all the voting or election precincts within the limits of the county, municipality or division, and shall be held by the same persons and in the same manner, under the same rules and regulations, that elections for officers of said county, municipality or division are held, and the returns shall be made to the officers calling or ordering the election, who shall in the presence of and together with the several managers, who bring up the returns, consolidate said returns and declare the result.
Code of Ga. § 464.

337. When debt may be incurred. When the said notice is given and said election held in accordance with the preceding section, if the requisite two-thirds of the voters of the county, municipality or division at said election vote for incurring the debt, then the authority to incur the debt in accordance with paragrph 1, section 7, article 7, of the Constitution is hereby given to the proper officers of said county, municipality or division.
Code of Ga. § 465.

338. Number of votes, how ascertained. In determining the question whether or not two-thirds of the qualified voters in said county, municipality or division voted in favor of incurring the debt, the same rules shall govern as at the date of the passage of this Act govern in determining the like question in reference to the issuing of bonds by counties, municipalities or divisions.
Code of Ga. § 466.

339. Annual sinking fund. Any county, municipality or division of this State, which shall incur an indebtedness under the provisions of this Act, shall at or before so doing, or annually thereafter, provide, without incurring further debt thereby, an annual sum sufficient in amount to pay the principal and interest of said debt within thirty years from the date of the incurring of the indebtedness.
Code of Ga. § 467.

MUNICIPAL BONDS.

340. (249.) Notice of election on issue of bonds. When any county, municipality or division shall desire to incur any bonded debt, as prescribed in paragraphs 1 and 2, section 7, article 7 of the Constitution of 1877, the election required shall be called and held as follows, to-wit: The officers charged with levying taxes, contracting debts, etc., for the county, municipality or division, shall give notice for the space of thirty days next preceding the day of election, in the newspaper in which the sheriff's advertisements for the county are published, notifying the qualified voters that on the day named an election will be held to determine the question whether bonds shall be issued by the county, municipality or division. In said notice he shall specify what amount of bonds are

to be issued, for what purpose, what interest they are to bear, how much principal and interest to be paid annually, and when to be fully paid off.
Code of Ga. § 440.
Acts 1878-9, p. 40.

341. (250.) Election, how held. Said election shall be held at all the voting or election precincts within the limits of the county, municipality or division, and shall be held by the same persons, and in the same manner, under the same rules and regulations that elections for officers of said county, municipality or division are held, and the returns shall be made to the officers calling or ordering the election, who shall, in the presence and together with the several managers (who bring up the returns), consolidate said returns and declare the result.
Ibid. § 441.

342. (251.) Bonds may be issued, when. When said notice is given and said election held in accordance with the preceding section, if the requisite two-thirds of the voters of the county, municipality or division at said election vote for bonds, then the authority to issue the bonds in accordance with paragraphs 1 and 2, section 7, article 7 of the Constitution, is hereby given to the proper officers of said county, municipality or division.
See section 361, this Code.
Ibid. § 442.

343. (252.) Number of votes, how ascertained. In determining the question whether or not two-thirds of the qualified voters in said county, municipality or division voted in favor of the issuance of said bonds, the tally-sheets of the last general election held in said county, municipality or division shall be taken as a correct enumeration of the qualified voters thereof.
Ibid. §443.
See sections 45 and 46 this Code. Gracen vs. Savannah, 142 Ga. 141 (4).

344. (253.) Collection of bonds. The owners of said bonds when due, may, if necessary, enforce the collection thereof by suit in the proper court.
Ibid. § 444.

345. (254.) How validated. When any county, municipality or division desiring to incur any bonded debt, as prescribed in paragraphs 1 and 2, section 7, article 7 of the Constitution of 1877, shall hold an election in accordance with the provisions of said Constitution and in accordance with the laws of the State of Georgia now of force, or which may hereafter be of force, controlling and regulating such elections, and the returns of said election shall show prima facie that such election is in favor of the issuance of said bonds, the officer or officers of such county, municipality or division, charged by law with the duty of declaring the result of said election, shall, within twenty days after so declaring the result of said election, notify the solicitor-general of the judicial circuit in which such county, municipality or division shall lie, in writing, of the fact that an election for the issuance of bonds was held in such county, municipality or division, and that said election was in favor of the issuance of such bonds, and the service of said notice shall be personal upon said solicitor-general, and in the event he is absent from the said circuit, then said notice shall be served in person upon the Attorney-General of the State of Georgia.
Acts 1897, p. 82.
Code of Ga. § 445.

346. (255.) By Superior Court. Within twenty days from the date of such service as is provided in the preceding section, the said solicitor-general or the Attorney-General of the State of Georgia, as the case may

be, shall prepare and file in the office of the Clerk of the Superior Court of the county in which said election was held a petition, directed to the Superior Court of said county, in the name of the State of Georgia and against such county, municipality or division, desiring to issue bonds under such election, setting forth the service of said notice, as provided in the preceding section, the name of the county, municipality or division seeking to issue said bonds, the amount of bonds to be issued, for what purpose to be issued, what interest they are to bear, how much principal and interest to be paid annually, when to be paid in full, and the further fact that an election was held for the issuance of said bonds, and that said election is prima facie in favor of the issuance of said bonds, and shall obtain from the judge of said court an order requiring said county, municipality or division, by its proper officers, to show cause at such time and place, within twenty days from the filing of said petition, as the judge of said court may direct, why said bonds should not be confirmed and validated, which said petition and order shall be served in the manner now provided by law for the service of petitions upon counties, municipalities or divisions, and to such petition the officers of such county, municipality or division shall make sworn answer within the time prescribed herein.
Code of Ga. § 446.

347. (256.) Exceptions to Judgment. Within the time prescribed in said order the judge of said Superior Court shall proceed to hear and determine all of the questions of law and of fact in said cause, and shall render judgment thereon, and in the event his judgment shall be in favor of the issuance of said bonds, a judgment and order shall be entered to that effect, and any citizen of the State of Georgia, resident in such county, municipality or division, so desiring to issue said bonds, may become a party to said proceedings, and if dissatisfied with the judgment of said court confirming and validating the issuance of said bonds, may except thereto within twenty days from said judgment, as in the case of injunctions, and upon the hearing in the Supreme Court such bill of exceptions shall be heard in accordance with the practice regulating the hearing of bills of exceptions in criminal cases.
Ibid. § 447.

348. (257.) Validation conclusive. In the event no bill of exceptions is filed within the time prescribed herein, or, if filed, is affirmed by the Supreme Court, the judgment of said Superior Court, so confirming and validating the issuance of said bonds, shall be forever conclusive upon the validity of said bonds against the said county, municipality or division, and the validity of said bonds shall never be called in question in any court in this State.
Ibid. § 448.

349. (258.) Proof of Validation. Said bonds, when issued under the provisions of this Act, shall each and every of them have stamped or written thereon by the proper officers of such county, municipality or division issuing the same, or their agents or servants, the words: "Validated and confirmed by judgment of the Superior Court," specifying also the date when such judgment was rendered, and the court in which it was rendered, which shall be signed by the Clerk of the Superior Court in which the judgment was rendered, which said entry shall be original evidence of the fact of such judgment and shall be received as original evidence in any court in this State.
Ibid. § 449.

350. (259.) Notice of proceeding to validate. Prior to the hearing of said cause as herein provided for, the Clerk of the Superior Court of the county in which said cause is to be heard, shall publish in a

newspaper at least twice before the hearing of said cause a notice to the public that on the day specified in the order providing for the hearing of said cause the same will be heard.

Ibid. § 450.

351. (260.) Costs. All the costs of said cause shall be borne and paid in any event by the county, municipality or division desiring to issue said bonds, and in addition to said costs shall also pay the solicitor-general the sum of twenty-five dollars for his entire services in such cause.

Ibid. § 451.

352. (261.) Bonds issued under previous elections. Where any county, municipality or division has already submitted to the qualified voters of such county, municipality or division the question of incurring any bonded indebtedness at an election called for that purpose, and such election has already been declared to have resulted in favor of the issuance of such bonds, and said bonds have not been issued or disposed of, then such county, municipality or division may proceed to issue such bonds, and no court in this State shall have power to inquire into the validity of said bonds by any proceeding at law or in equity which may be brought, unless the same is interposed within thirty days from December 6, 1897.

Ibid. § 452.

FUNDING BONDED DEBT OF MUNICIPALITIES.

353. (262.) Bonded debt of towns and cities may be compromised. The municipal authorities of any incorporated town or city of this State are authorized to compromise their bonded debt, in accordance with the provisions of this Chapter: provided, that this Chapter shall not be construed to prejudice the rights of such creditors as may refuse to assent to such compromise.

Code of Ga. § 905.
Acts 1878-9, p. 85.

354. (263.) New bonds may be issued for outstanding bonds. Where there are outstanding bonds and coupons of any incorporated town or city of this State, whether the said outstanding bonds or coupons are due or to become due, it shall be lawful for the municipal authorities to issue new bonds, with coupons attached, to be exchanged and to stand in the place of such outstanding bonds and coupons; provided, always, that the new bonds so issued shall not exceed in amount the previously existing total bonded debt, with interest thereon, of such town or city.

Ibid. § 906.

355. (264.) Benefits of this law, how obtained. When the authorities of such town or city shall desire to avail themselves of the benefits of the provisions of this Chapter, they are hereby authorized and empowered to pass any ordinance, or ordinances, to provide for the issuance and exchange of new bonds to stand in the place and stead of outstanding bonds and coupons, and to determine the mode and method of such issuance and exchange, and to fix the length of time such new bonds shall run and the rate of interest they shall bear. Such ordinance, or ordinances, shall have the force and effect of contracts between the said town or city and those who may receive or hold such new bonds so issued and exchanged.

Ibid. § 907.

356. (265.) Sinking fund, how provided. If any town or city availing itself of the provisions of this Chapter, shall desire to provide a

sinking fund for the redemption of such new bonds, it shall be lawful for the authorities to pass all ordinances necessary for that purpose, and to create a commission for the management of said sinking fund, and for its proper use and application, which commission shall be composed of not less than three, nor more than five, freeholders of such town or city; and the ordinance, or ordinances, providing for said sinking fund and said commission, for its management and application, and the mode of appointing said commission, and prescribing its duties, shall have the force and effect of law, and shall be held and considered as part of the contract between such town or city and the acceptors or holders of such new bonds.

Ibid. § 908.

SINKING FUNDS.

357. Investment of sinking funds. The officer or officers of every municipal corporation in this State charged with the custody of such funds are hereby required, under the direction of the Mayor and Council of such municipal corporation, or a duly constituted and authorized committee of same, to invest, within six months from the collection of the same, all sums collected by such municipal corporation under the requirements of paragraph 2, article 7, section 7 of the Constitution of 1877, for the purpose of payment of the principals of bonded indebtedness of such municipal corporation and which are not actually payable on such principals within twelve months from the date of collection thereof, in valid outstanding bonds of such municipality, or of some other municipality in this State of equal or larger size which have been duly validated in accordance with law, or county bonds of this State which have been duly validated, or valid outstanding bonds of the State of Georgia or of the United States, and to keep such funds so invested in such bonds, with the privilege of changing the investment from one character of the bonds named to another from time to time as the Mayor and Council may direct, until such time before the maturity of outstanding obligations as may be necessary to dispose of the same in order to meet such obligations at maturity.

Park's Code, § 467 (a).

358. Investment of funds on hand. Every municipal corporation of this State having on hand on August 13, 1910, funds raised under the provisions of paragraph 2, article 7, section 7, of the Constitution of 1877, for the payment of the principals of any outstanding bonded indebtedness and which are not payable on such principals within twelve months from said date shall, within six months after that date, invest such funds in valid outstanding bonds of such municipality, or of some other municipality within this State of equal or greater size which have been duly validated in accordance with law, or of a county or counties of this State so validated, or of the State of Georgia, or of the United States, and keep the same so invested, with the privilege of changing the investment from time to time as in section 467 (a) provided, until such time as it may be necessary to dispose of the same in order to meet the principals of such outstanding bonded indebtedness as the same may become due.

Ibid. § 467 (b).

359. Change of investments. Every municipality in this State having on hand on August 13, 1910, funds raised under the provisions of paragraph 2, article 7, section 7, of the Constitution of the State of Georgia, and payable upon the principals of outstanding bonded indebtedness, which said funds are on said date invested in property or securities other than these hereinbefore named, shall, within twelve months from said date, change such investment by disposing of such property or se-

curities, and shall invest the proceeds thereof in valid outstanding bonds of such municipality, or of some other municipality of equal or greater size which have been duly validated in accordance with law, or of a county or counties of this State so validated, or of the State of Georgia, or of the United States, and keep the same so invested, with the privilege of changing the investment from time to time as in section 467 (a) provided, until such time as it may be necessary to dispose of the same in order to meet the principals of its outstanding bonds as the same may become due.

Ibid. § 467 (c).

360. Registration of bonds. Whenever and as soon as the sinking fund of any municipal corporation in this State shall have been invested in municipal, State or government bonds as required by the provisions of this article, the officer or officers of such municipality charged with the custody of its funds and securities shall proceed forthwith to have such securities in which such funds are so invested registered in the name of the municipality, provided such bonds by their terms under the conditions of their issue are capable of being registered in the name of the owner.

Ibid. § 467 (d).

361. Registration in name of owner. Every issue of municipal bonds in this State shall be so made that at the owner's option the same may be registered in the owner's name, both as to the payment of principal and interest.

Ibid. § 467 (e).

HEALTH, QUARANTINE, ETC.

362. (272.) Destroying property for public good. Analagous to the right of eminent domain is the power from necessity vested in corporate authorities of cities, towns and counties, to interfere with and sometimes to destroy the private property of the citizen for the public good, such as the destruction of houses to prevent the extension of a conflagration, or the taking possession of buildings to prevent the spreading of contagious diseases. In all such cases, any damages accruing to the owner from such acts, and which would not otherwise have been sustained, must be paid by such corporation.

Code of Ga. § 1632, 3628.

363. State Board of Health over local board. The State Board of Health shall have supervision of all matters relating to the preservation of the life and health of the people of the State. It shall have supreme authority in matters of quarantine, and may declare and enforce it when deemed necessary. It shall make and enforce reasonable orders or regulations for the prevention of the spread of contagious or infectious diseases. It shall be the duty of all local boards of health and the public and municipal officers of this State to enforce such quarantine and sanitary rules and regulations as may be adopted by the State Board; and upon failure of any such officer to obey the quarantine and sanitary rules and regulations adopted by that board, such person shall be subject to a fine of not more than fifty dollars. The State Board of Health shall make careful inquiry as to the cause of diseases and especially when contagious, infectious, epidemic, or endemic, and take prompt action to control and suppress it. It shall be the duty of the board to collect and preserve records of births and deaths and report the same, together with such other useful information, annually, to the Governor. It shall respond promptly when called upon by the State or local government and the municipal and township boards of health to investigate and report upon the water supply, sewerage, disposal of

excreta, or ventilation of any place or public buildings. It shall not have power to supersede municipal boards of health where the same are properly maintained, but shall act in harmony with said local boards of health. It is made the duty of the State Board of Health to enforce the provisions of Chapter 5 (12th Title Code of Georgia), relating to health and quarantine, insofar as the same may be done without violating any of the provisions relating to the duty of local boards of health; and the fines and forfeitures arising from the conviction of any person violating any of the laws of health and quarantine now of force in this State, or any violation of any reasonable rules and regulations for the protection of the public health of this State promulgated by the State Board, shall be paid into the treasury of the city or county where said conviction was had, and be expended in aid of the quarantine and other sanitary laws.

Code of Ga. § 1662.

364. Local board to report certain diseases. It shall be the duty of the local boards of health, and of physicians in localities where there are no health authorities, to report to the State Board of Health, promptly upon the discovery thereof, the existence of any of the following diseases, to-wit: Asiatic cholera, yellow fever, scarlet fever, smallpox, diptheria, typhus or typhoid fever, and such other contagious or infectious diseases as the State Board of Health from time to time may specify; and when any contagious or infectious disease shall become, or threaten to become, epidemic in any county, city, village or hamlet, and the local authorities shall neglect or refuse to enforce sufficient measures for its prevention, the State Board of Health may appoint a medical or sanitary officer with such assistants as he may require, and it shall be the duty of such officer to enforce the orders or regulations of the State Board.

Code of Ga. § 1668.

365. (273.) Pest-houses and hospitals, how established. The authorities of any town or city may establish in them, respectively, or in the vicinity thereof, hospitals or pest houses, to be subject to such regulations as the corporate authorities may make to prevent the spread of infectious or contagious disease; but in all cases where such hospitals or pest houses shall be established out of the limits of such corporation, they shall be only on land acquired by such corporation for protection against the spread of disease within its own limits; in all other cases the Ordinaries are vested with power to establish such hospitals and make such regulations.

Code of Ga. § 1633.
See this Code, § 90 and 380.

366. (274.) Quarantine, how prescribed and regulated. The corporate authorities of such town may, from time to time, prescribe the quarantine to be observed by all vessels arriving within the harbor or vicinity of such town, and regulations therefor, not contrary to law; and such regulations may extend to all persons, goods and effects, arriving in such vessels, and to all persons going on board the same. Any person violating such regulations, or any of them, after personal notice, or after other notice thereof, given for five days, in such manner as may be prescribed by such corporate authorities, or in the absence of any mode so prescribed, by notice of such regulation for five days in some newspaper in such town, or where there is no newspaper by notice posted up at some public place in such town for the same length of time, shall be guilty of a misdemeanor; provided, nothing herein contained shall prevent the infliction by the corporate authorities having power to pass ordinances or by-laws of such other penalty not exceeding one

hundred dollars fine, in lieu of the penalty first above named, as may be prescribed in any such ordinance or by-law.
Ibid. § 1634.

367. (275.) Quarantine ground. Any town may establish a quarantine therefor at any place within the harbor, if a seaport town, but in such manner as not to interfere with the rights of private property; and the jurisdiction of the corporation of Savannah shall in case of quarantine, extend to all ships and vessels which shall enter at any port or inlet from Ossabaw sound to Tybee, and the jurisdiction of the corporation of Darien, shall, in cases of quarantine, extend to all ships and vessels which shall enter at any port or inlet from St. Catherine's to Doboy Sound, and the jurisdiction of the corporation of Brunswick shall, in cases of quarantine, extend to all ships and vessels which shall enter any port or inlet from Altamaha Sound to St. Andrew's Sound, and the jurisdiction of the corporation of St. Mary's shall, in cases of quarantine, extend to all ships and vessels which shall enter any port or inlet from Cumberland Sound to St. Mary's River, including all inlets, rivers, and creeks within those limits.
Ibid. § 1635.

368. (276.) Vessels may be removed to quarantine ground. The health officer or visiting physician of such town may, under the direction of the corporate authorities, cause any vessel arriving therein, or in the vicinity, if the vessel or cargo is in his opinion so foul or infected as to endanger the public health, to be removed to the quarantine ground or other proper place to be inspected.
Ibid. § 1636.

369. (277.) Persons escaping quarantine, how dealt with. If any person ordered to perform quarantine shall escape, any justice, on complaint thereof on oath, may issue his warrant to the sheriff, constable, or town marshal, to arrest and deliver such person to the custody of the officers of the quarantine, and any person attempting to escape may be forcibly detained at the place of quarantine by such officers.
Ibid. § 1637.

370. (278.) Masters of vessels must deliver bills of health, etc. The master of any vessel ordered to perform quarantine shall deliver to the officer appointed to see it performed his bill of health and manifest, log-book and journal.
Ibid. § 1638.

371. (279.) Inland travelers to perform quarantine. Any person coming into town by land from a place infected with a contagious disease may be compelled to perform quarantine by the health officer, under the direction of the corporate authorities, and restrained from traveling until discharged.
Ibid. § 1639.

372. (280.) Duty of pilots before entering vessels. It shall be the duty of any pilot before entering on board of any vessel, to make strict inquiry of every master or commander of the same as to the state of health in such vessel, and in case it be found that any malignant, contagious or infectious disease is on board such vessel, such pilot shall not enter therein, under the penalty of one hundred dollars and removal from office; and any such master or commander refusing to answer any such reasonable inquiry, or giving false information in answer, may be fined in a sum not exceeding five hundred dollars.
Ibid. § 1640.

373. (281.) Persons on board vessels shall observe quarantine. No person on board such ship or vessel in which such disease shall exist, or whilst such ship or vessel is performing quarantine, shall come, or be permitted to come on shore or land from such vessel, without permission from the proper authority, under the penalty of fine and imprisonment, at the discretion of the court, and any person going on board such vessel (except the Health Officer or visiting physician) and returning without such permission shall be liable to the same penalty.
Ibid. § 1641.

374. (282.) Proclamation of Governor as to contagious diseases. The Governor of this State may, by proclamation, whenever he shall deem it necessary, give such orders to prevent the spread of contagious or infectious diseases within the State, and make such appointments and regulations concerning the same as shall by him be deemed proper, and be stated in such proclamation.
Ibid. § 1642.

375. (283.) Violators of quarantine may be indicted. Any person coming into this State by land or water from any place infected with contagious disease, and in violation of quarantine regulations, may be indicted in any county in which he may be found.
Penal Code, § 501.

376. (284.) Persons concealing small-pox indictable. Any physician or other person who shall conceal a case of smallpox, or varioloid, or any modification of the same, within any incorporated city, town, or in any county in this State, by not giving immediate notice thereof to the Mayor, Intendant, or Health Officer, or Ordinary, may be indicted.
Ibid. § 493.

377. (285.) Fines, how disposed of. All fines and forfeitures arising out of the violation of any quarantine or other sanitary regulation shall be paid after deducting the proper expense of collection, into the treasury of the city or county, and may be expended in aid of the quarantine and other sanitary laws, and toward the support of the poor thereof.
Code of Ga. § 1643.

378. (286.) Performance of quarantine, how certified. It shall be the duty of the Health Officer of any port, or the authorized visiting physician thereof, after a vessel shall have duly performed quarantine, to give a certificate thereof to the master or commander, under a penalty, for every refusal, of one hundred dollars; and in case of such refusal, or of there being no such Health Officer or attending physician of the port or place, such certificate shall be granted by constituted authorities of such port or place; the fee for such certificate shall be two dollars for every vessel of more than two hundred tons, and one dollar for every vessel of not more than two hundred tons.
Ibid. § 1644.

379. (287.) Fees of Health Officers, how paid. For visiting any vessel when required, and granting a certificate of the health of the crew and passengers on board, the fee of the Health Officer or visiting physician, to be paid by the master of such vessel before she shall be permitted to enter, shall be two dollars—coasting vessels coming from one inlet in the State to another inlet in the same excepted.
Ibid. § 1645.

380. (288.) Small-pox hospitals. The Ordinary of each county or the corporate authorities of any town or city in this State, within the limits of which the smallpox has appeared, or may appear, are authorized and empowered to provide a suitable hospital for those so afflicted,

and to furnish them with medical or any other attention that in their judgment those so afflicted may require.

Ibid. § 1646.

See this Code, Sections 90 and 365.

381. (289.) Quarantine regulations. Such Ordinary or corporate authorities may also provide proper quarantine regulations to prevent the spread of said disease; provided, that no person shall be forced to leave his or her home to go to the hospital aforesaid, when they are properly provided for and guarded at their own expense; said court shall not pay any expense of any case so situated.

Ibid. § 1647.

382. (290.) Expenses. Said Ordinary or corporate authorities shall make, or cause to be made, a proper and just account of all expenses accruing from such quarantine and other attention, either medical or nursing, of all they may have under control, and who submit to the regulations of said court or corporate authorities.

Ibid. § 1648.

383. (291.) Vaccine, how distributed. The Governor is authorized and required to procure the necessary quantity of genuine vaccine matter, either by purchase or manufacture, at such reasonable compensation as he may contract for, and have the same transmitted to the Ordinaries of each county in this State for immediate use.

Ibid. § 1649.

384. Vaccination, compulsory measures. All county and municipal authorities shall be authorized and empowered to enact such rules, ordinances, or regulations to authorize the proper officials of said municipalities or county authorities to require, under penalty, all persons at the time located in said municipalities or counties to submit to vaccination, in the event the health officers or the proper authorities think it advisable, for the purpose of preventing the spread of smallpox or any other contagious or infectious disease within the State.

Ibid. § 1650.

INSPECTION OF NAVAL STORES, LUMBER AND OTHER ARTICLES.

385. (293.) Naval stores inspector not to be agent of merchant or manufacturer. No inspector of naval stores, now appointed or hereafter appointed by the corporate authorities of any city, or the Ordinary of any county, shall be or become during his term of office the agent or clerk of any buyer of naval stores, or of any factor, brokerage or commission merchant engaged in the buying or selling of naval stores, or of any manufacturer engaged in the production of naval stores.

Code of Ga. § 1832.

386. (294.) Charges for inspection. No corporate authority, incorporation or Ordinary having the appointment of naval stores inspectors shall have the power to authorize or empower inspectors of naval stores to charge more than six (6) cents per barrel for inspecting rosin, including weighing, inspection and cooperage, nor more than nine (9) cents per barrel for inspecting spirits of turpentine, including gauging, inspection, bunging and cooperage; any inspector of naval stores charging and demanding more than six (6) cents for inspecting a barrel of rosin, or more than nine (9) cents for inspecting a barrel of spirits of turpentine, shall be guilty of a misdemeanor; provided, that no inspector shall be compelled to make an inspection of rosin or spirits of turpentine until these fees are first paid.

Ibid. § 1833.

387. (295.) What inspectors may be appointed No corporate authority, court, or other incorporation having the appointment of inspectors of lumber or timber, shall appoint any other class of inspectors of lumber or timber than those recognized and authorized by the Code of Georgia.

Ibid. § 1834.

388. (296.) Inimical local laws repealed. All ordinances of any city or town inconsistent with the provisions of this Code are repealed, and any inspector or other person who shall violate any of the provisions of section 1843, so far as the same relates to the inspection and measurement of any timber or lumber, shall be punished as prescribed in section 649 of the Penal Code, any local law, rule or regulation, or ordinance of any city or town to the contrary notwithstanding.

Ibid. § 1835.

389. (297.) Fees of inspectors. No corporate authority, incorporation, or court, having the appointment of inspectors, have power to authorize or empower inspectors and measurers of lumber and timber to charge more than twenty-five cents per thousand feet for inspecting, measuring and trimming lumber and timber.

Ibid. § 1836.

390. (298.) Penalty for disposing of drifted timber. No raftsman or other person shall dispose, or attempt to dispose, of any drifted timber or lumber taken up by him within this State, on pain of paying not exceeding five hundred dollars for such offense, to be recovered in any court having jurisdiction of the same, one-half of the penalty to go to the informer, and the other to the use of the county wherein such offense may be committed; but nothing herein contained shall prevent the finder of drifted timber or lumber from requiring and receiving from the owner reasonable compensation for delivering to the owner such timber or lumber.

Ibid. § 1837.

391. (299.) Fees. The fee for receiving lumber shall not exceed three cents per thousand feet, which fee shall be charged only at the time of receipt, and the fee for boomage shall not exceed thirty cents per day for each raft.

Ibid. § 1838.

392. (300.) Pitch, tar, turpentine, etc., to be inspected before it is shipped. No person shall ship, or put on board any vessel for exportation, from this State, any pitch, tar, rosin or turpentine, before the same is inspected and marked, provided there be at the port of exportation a sworn inspector of such articles, on pain of forfeiting one dollar for every barrel so shipped, one-half to go to the informer, and the other half to the use of the town or place of exportation. The true contents and quality of every barrel of such articles must be branded on the barrel.

Ibid. § 1839.

393. (301.) Quality, etc., of turpentine barrels. Every barrel of soft turpentine shall be formed of good and sufficient staves, three-quarters of an inch thick, not exceeding five inches wide, not less than thirty, nor more than thirty-two inches long; the head not less than one nor more than one and a half inches thick, and the barrel secured with twelve good hoops. If the turpentine be fraudulently mixed, it shall be condemned by the inspector and delivered to the owner.

Ibid. § 1840.

394. (302.) Barrels of turpentine, how marked. Each barrel of soft turpentine, after inspection, if found in conformity to the foregoing pro-

visions, 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."

Ibid. § 1841.

395. (303.) Powers of corporate authorities. The corporate authorities of any seaport town may make such further regulations for the inspection of rosin, pitch, tar and turpentine, and for the discovery of fraud in making and vending said articles, as to said authorities respectively, shall seem proper.

Ibid. § 1842.

396. (304.) Inspectors, appointment, and duties; standards of inspection. Inspectors may be appointed, their duties prescribed, their fees fixed, and inspection and marking regulations adopted by the corporate authorities of any city for the inspection of guano and other fertilizers, tobacco, salt, pitch, tar, turpentine, rosin, fish, oil, staves, shingles, timber, wood, lumber and liquor, and such other articles and things as are usually the subject of inspection and measurements and for measuring and gauging the said articles, or any of them, within the limits of said cities; and the same power may be exercised by the Ordinary of every county outside of the limits of such town, and within the limits of such county; provided, such regulations be not inconsistent with the following provisions:

1. No person shall be permitted to inspect, measure, or gauge, except such as may be regularly appointed, under a penalty of five hundred dollars for every offense, one-half to go to the informer, and the other half to the incorporation or court having the appointment of inspectors. Every person so appointed shall be required to take an oath or affirmation faithfully to perform the duties of the office to the best of his skill and ability, and shall, moreover, give bond and security for the faithful discharge of the duties thereof. All vacancies may be filled by the appointing power.

2. In all seaport towns, where timber or lumber is brought for exportation or otherwise, the same shall be inspected and measured, the bills for such measurement shall be made out in superficial measurement.

3. All square timber shall be measured as follows: The length shall be counted from pin hole, and the size from the middle of the stick, taking the smallest side and the face, throwing off fractions, and allowing one-half of the wane-edge on the side and face; and other flatted timber, usually known as saw or mill logs, shall be measured one-third from the smallest end.

4. All sticks which are rotten, hollow, split, or broken, shall be declared refuse by the inspector, and the seller shall only be allowed one-half the measurement; but if the defect be at or near the end, only so much as is defective shall be declared refuse.

5. The hook to the dip-rod shall not be less than one inch and three-quarters long.

6. Ranging timber, scantlings, and boards shall be deemed merchantable only when they have square edges and are sound, and without decay; nevertheless, if any scantling or board to be measured and inspected shall be split, decayed, or fractured more than two feet and less than six feet from the end thereof, such split, decayed or fractured part shall be left out and not counted in the measurement.

7. Heading shall be two and a half feet long, six inches broad, one inch thick on one edge, and not less than three-quarters of an inch on the other edge, 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 thick end, not decayed, and free from worm or knot holes.

8. Pipe, hogshead, and barrel staves shall be considered merchantable only when conditioned as follows: Pipe staves to be at least fifty-four inches in length, three inches in breadth, and one inch thick on the thin edge, sound and free from worm or knot holes; 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 edges, sound and free from worm or knot holes.

9. Every cord of firewood shall measure eight feet in length, four in breadth, and four in height. Any person to whom such wood is offered for sale, who may suspect any deficiency, shall have the right to have the same measured and corded by any sworn inspector or measurer of the place, and in case of any deficiency appearing, the seller shall, besides paying the fees of the inspector, make good the deficiency without delay, or forfeit before any court having jurisdiction, the sum of two dollars for every cord so deficient; in case of no deficiency appearing, the fees of the inspector or measurer shall be paid by the buyer. The corporate authorities of any town or city may make such further regulations on this subject as to them shall appear proper to insure the objects of this section.

Ibid. § 1843.

See Code of Ga., Sections 1815 et seq. Penal Code of Ga., Sections 643 et seq. For regulations as to Lumber Inspector's Record Book and account sales, see this Code, Sections 111 and 112.

397. (311.) Corporate authorities may make further rules. The corporate authorities of all cities and towns may make such further regulations for the weighing of produce of all descriptions, including fees for weighing, as in their judgment may tend to effect the objects of the foregoing provisions, and the Ordinaries of the respective counties shall have the same power, to be exercised outside the jurisdictions of said incorporated cities or towns; but until altered by such authorities or Ordinaries, fees for weighing shall be such as are now fixed by law.

Ibid. § 1850.

See this Code, Chapter 40.

398. (312.) Produce not taxable by cities or towns. No municipal corporation shall levy or assess a tax on cotton or the sales thereof, nor levy or assess a tax on any agricultural products raised in this State, or the sales thereof (other than cotton), until after the expiration of three months from the time of their introduction into said corporations.

Ibid. § 1851.

399. (313.) Saleman shall not charge tax. No commission merchant, factor, or other salesman shall, in his bill of expenses for the sale or handling of cotton or other produce as aforesaid, include or collect, directly or indirectly, any tax or assessment levied upon the sales of cotton or other produce by any of said corporations; and in case of violation of the same, he shall be liable to the party damaged by such violation in the sum of fifty dollars for every dollar so collected, in an action of debt by said party.

Ibid. § 1852.

STREET RAILWAYS, ETC.

400. (328.) Street Railways. The General Assembly shall not authorize the construction of any street passenger railway within the limits of any incorporated town or city, without the consent of the corporate authorities.

Constitution, Code of Ga., § 6448.

401. (329.) How incorporated; subject to municipal taxes and burdens. The incorporation of street railways is provided for in section 2600 of the Code of Georgia of 1910 in which section there are two provisos, of importance in this connection, viz.:

"Provided, that no street railroad incorporated under this division shall be constructed within the limits of any incorporated town or city without the consent of the corporate authorities; and, provided further, that all such street railroad companies incorporated under this division, shall be subject to all just and reasonable rules and regulations by the corporate authorities, and liable for all assessments and other lawful burdens that may be imposed upon them from time to time."

Code of Ga. § 2600.

402. (330.) Written consent of municipal authorities necessary. In section 2585, paragraph 5, Code of Georgia of 1910, there is a proviso as follows:

Provided, no railroad shall be constructed along and upon any street or highway without the written consent of the municipal or county authorities, and whenever the track of any such road shall touch, intersect, or cross any road, highway, or street, it may be carried over or under, or cross at a grade level or otherwise, as may be found most expedient for the public good.

403. Free passes for policemen and others. It shall not be unlawful for any street railway company of this State to issue free transportation to the members of the police force and fire, sanitary, and water departments, and the marshals and their deputies, and county police officers, of cities of this State, over their lines operated in the cities of the State, when said cities have regularly organized police forces and fire, sanitary, and water departments; provided, nevertheless, that nothing in this section contained shall authorize such company to grant individual members of such police and fire departments any transportation or other special privilege not participated in by all of the members thereof on like terms and under like conditions; and provided further, that all such grants or concessions shall be made to the governing authority of such city, for and in behalf of the members of such police force and fire, sanitary, and water departments, and formally accepted by such authority.

Code of Ga. § 2605.

PART THIRD.

ORDINANCES

DEPARTMENTS AND OFFICERS.

CHAPTER XIII.

CITY OFFICERS.

404. Time of election of city officers. The time for the election of all municipal officers of the City of Savannah now or hereafter elected by the Mayor and Aldermen, shall be had on the evening of the second Monday after the second Tuesday in January of each second year, beginning with the year 1917, bi-ennially, or once every two years.

Jan. 3, 1917.

See Section 225 this Code.

405. (331.) Vacancies in city offices; how filled. In case any subordinate office, the incumbent of which is elected by Council, shall become vacant by death, resignation, removal or disability, or from any other cause, the City Council of Savannah may proceed to fill said vacancy at any regular meeting, first giving notice in a daily newspaper of Savannah ten days beforehand of the time at which said election will take place.

Nothing herein contained shall prevent the Mayor, with the approval of Council, from filling any such vacancy by the appointment of some fit and proper person to hold the same until an election shall have been held upon such 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.

Oct. 24, 1894.

406. (338.) Application for office; how made. All applicants for city offices must file with the Clerk of Council, at or before twelve (12) o'clock M. (City time), on the day fixed by law for the qualification of the newly elected Mayor and Aldermen, their several applications; and, in cases where bonds are required, such applicants must file with their applications, the names of at least two (2) sureties, or of one (1) responsible surety company legally authorized to do business in Georgia, as surety. No application for office will receive the consideration of Council unless filed in accordance with the provisions hereof.

Dec. 21, 1892, § 2.

407. (332.) Oath of City officers. 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 (or elected), and to the best of my skill and judgment, discharge the duties of the same, so help me God."

Aug. 2, 1839.

408. (333.) Bonds of City officers. All of the officers of the city elected by Council, or appointed in accordance with law, shall give bond, with surety or sureties to be approved by the Mayor, to the Mayor and

Aldermen of the City of Savannah, for the faithful performance of the duties of the office to which such officer may have been elected or appointed, and for the faithful accounting, according to law, for all public monies which may come into the hands of such officer while he may hold such office; and, where the amount of such bond is not specially provided for by ordinance, resolution of Council, or other law, then such bonds, respectively, shall be in such sum, not exceeding five thousand ($5,000) dollars, as the Mayor may direct.

In case the surety on any such bond shall be a surety company authorized by the laws of Georgia to do business in this State, then and in any such event, the premium on such bond shall be paid out of the treasury of the City of Savannah.

Aug. 2, 1839.

409. (334.) Security to be given by contractors. In every instance when the Mayor and Aldermen of the City of Savannah, or any authorized officer or agent of the same, shall enter into any contract for said city, the contractor or contractors so contracting with the said the Mayor and Aldermen of the City of Savannah shall give such security for the faithful performance of the contract as may be satisfactory to the Mayor and Finance Committee of Council.

Feb. 24, 1886.

Security for material and labor. See Section 389 (a) Park's Code, Sections 326 and 327 this Code.

410. (335.) Alderman or officer not to be surety. No Alderman or officer of the City of Savannah shall be taken or received as the surety of any officer or employe of said city, for the discharge by said officer or employe of official or contract duty, or as surety of any person subject or liable to pay money or do other duty to said city.

April 1, 1868.

411. (336.) City officers not to be concerned in contracts. It shall not be lawful for any officer 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, and the person so offending may be dismissed from office by City Council. Any person convicted hereunder in the Police Court of Savannah shall be punished for each offense, by a fine not exceeding one hundred ($100) dollars, or imprisonment not exceeding thirty (30) days, either or both, in the discretion of the court.

Aug. 2, 1839.

412. (337.) Salaries of City officers. In the general election of city officers in 1907, and biennially thereafter, Council shall fix the respective salaries or compensations of the various city officers prior to such election of the same, and shall state upon the official proceedings of the meeting at which the election is had, by any means which Council may choose to adopt, what the respective salaries or compensations of said respective city officers shall be for the ensuing two (2) years, or until their successors are elected and qualified.

Jan. 16, 1907.

413. (339.) Salaries payable semi-monthly. The salaries of city officials and of all employes of the city who have been heretofore paid monthly, shall in the future be payable in equal payments twice a month, which amounts shall become due and payable on the fifteenth and last days of each month, and the wages of all other employes of the City of Savannah which accrue from day to day, shall become due and payable on the fifteenth and last days of each month; all such payments shall be made from the city treasury accordingly, provided, however, that in the months of January and July of each year the payments which would become due on the fifteenth shall become due and payable on the eighteenth day of said months, respectively.

Aug. 1, 1906.

414. (340.) Fees to be paid into city treasury. All fees of office, which by ordinance are payable to city officers respectively, shall be by them received, accounted for, and paid into the city treasury, for the use of the city.

Dec. 22, 1859.

415. (341.) Penalty for failing to pay over. All or any failure on the part of any of said officers, promptly to collect and pay over to the city any such fees or other dues, and all or any want of due and proper diligence in regard thereto, shall be deemed misconduct in office, and shall subject every such officer to removal from office, in the mode pointed out for the removal of city officers.

Ibid.

416. (342.) Officers to make daily written returns and payments to Treasurer. All officials of the City of Savannah, who, from time to time, in the course of their official duties, may collect moneys which belong to the Mayor and Aldermen of the City of Savannah, shall make written return of the same, specifying the said amounts and detailing on what accounts, respectively, they are collected, to the city treasurer, on the day of the collection thereof, and pay in the same to the city treasury on that day, taking proper vouchers therefor; and if, for any good reason, it be impossible to make such return and pay in said money on that day, then the said return and the said payment shall be made to said city treasurer before 2 o'clock p. m. (City Time), on the following day, unless the same be Sunday or a legal holiday, in which event, the said return and the said payment shall be made on the day following such Sunday or holiday, and when payment is made on a day other than the day on which said money was collected, the reason therefor shall be made to appear in the return made by such city official.

Jan. 3, 1906.

417. (343.) Treasurer to report to Council failure to make returns for six consecutive days. It shall be the duty of the City Treasurer to give notice to Council, through the Mayor, whenever any city official, handling city funds, fails for six consecutive days, to make return to him as required by ordinance.

Res. July 11, 1906.

418. (344.) Suspension for violation of duty. The Mayor or Acting Mayor shall have power to suspend any officer, or person, holding any appointment under Council, for any 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 alleged offense may be inquired into, and Council shall, at all times, have the power to fine any of such officers for any violation of their duty, or for any misconduct in office, and to suspend and remove any of the said officers from the respective offices, when convicted of any offense or misconduct, which Council may deem a sufficient cause for such removal.

Aug. 2, 1839.

419. (345.) Not to be absent over twenty-four hours without permission of Mayor. No city officer or person holding any appointment under Council (the Mayor 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 be-

yond 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 equally bound for such deputy as for the principal.
Ibid.

420. (346.) **Official correspondence to be preserved.** All letters and communications received in any of the public city offices, shall be endorsed with the date of writing, date of reception, name of writer, and a summary of contents, and be filed away in the office at which received as a part of the public property of the city; and all letters or communications written by any city official, on official business, shall be copied, and such copies be preserved and kept in the office to which they belong as part of the records of the city; and any city official violating this ordinance shall be subject to such fine, not exceeding one hundred dollars, or to dismissal or suspension from office, or both, by the City Council, upon such violation being reported to it by the Mayor.
July 9, 1879.

421. (347.) **Obstructing officer; punishment.** Any person who shall hereafter obstruct, hinder or resist any city officer in the discharge of any duty incumbent on him under any ordinance of the city, and when no penalty is or may be expressed in such ordinance for such obstruction, hindrance, or resistance, shall be punished upon conviction in the Police Court of Savannah by a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty (30) days, either or both, in the discretion of the court.
Aug. 2, 1860.

422. (348.) **Closing offices at 2 p. m. summer.** The Mayor is authorized to permit the officers of the city government, in the City Exchange, or as many of them as he may deem best, to close their offices daily, during the months of June, July, August and September, at 2 p. m.
Res. May 27, 1903.

423. (349.) **Closing on Saturdays at 2 p. m.** The Mayor is authorized to permit the officers of the city government in the City Exchange, or as many of them as he may deem best, to close their offices every Saturday at 2 o'clock p. m.
Res. Sept. 30, 1903.

424. (349a.) **Eastern Time adopted as official.** The Seventy-fifth Meridian Time, commonly known as Eastern Time, is adopted as the local time for Savannah, and will be adhered to in all the city offices. The Keeper of the City Clocks will see to it that the same are regulated by and conform to said time.
Res. Jan. 2, 1895.

425. **Annual reports, time of submission.** It shall be the duty of the heads of all departments of the city to submit to the Mayor annual reports covering the work in their departments for the preceding year, during the month of January of each year. Should the head of any department fail to submit his annual report during the time specified, the Mayor, in his discretion, shall have authority to suspend such official, without pay, until said report has been submitted.
Dec. 14, 1910.

CHAPTER. XIV.

MAYOR.

426. (350.) **Mayor, general superintending power over city officers.** The Mayor shall possess a superintending power over all city officers, 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 Council. 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 step, which suspension he shall report to Council within forty-eight hours afterwards, by whom the said alleged offense may be inquired into.
Aug. 2, 1839.

427. (351.) **Head of Police Department, and general superintendence over.** The Mayor, as the head of the Police Department, shall have and exercise a general superintendence over the members of the police force, and may, at any time, appoint the mode and places in which the policemen shall be stationed, by written orders to the officer in command, by whom such orders shall be obeyed and promulgated. The equipment, disposition, control and management of the police force shall be entrusted to the Chief of Police, or other such official, however designated, subject to the Mayor and to such rules, regulations and ordinances as may, from time to time, be made by the City Council. The Mayor shall have power to fine, suspend, or dismiss members of the police force, as provided by law, and whenever any officer is thus suspended, or whenever it may seem to him necessary to fill any vacancy temporarily, the Mayor or Acting Mayor shall have the power to fill any vacancies in the same manner as the vacancies of other offices of the city are filled.
June 5, 1860.

428. (352.) **May shut up public resorts, when, etc.** By virtue of the powers granted by law, to the Mayor and City Council, the Mayor shall cause to be shut up any place of public resort when the maintenance of order, the public safety, or tranquility, may, in his judgment, require it.
Jan. 24, 1866.

429. (354.) **Mayor's duty, as general supervisor.** 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 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.
Dec. 8, 1838.

430. (355.) **To have an office in the City Hall.** It shall be the duty of the Mayor to have an office in the City Hall.
Feb. 10, 1853.

431. (356.) **Mayor's Annual Report.** It shall be the duty of the Mayor to publish, or cause to be published, an Annual Report, which shall embrace the reports of city officers, and show the working of the various departments of the municipal government, and shall also contain the ordinances adopted by Council in the preceding year, together with such resolutions, considered of sufficient moment to be published, also such legal opinions of the City Attorney as in the judgment of the Mayor may be useful for future reference, which Report shall be made up and

published in each January, for the year preceding, or as soon thereafter as practicable.
June 26, 1845.
Aug. 28, 1872.
See Section 425 this Code.

432. (357.) To appoint standing committees of Council. It shall be his duty to appoint the standing committees of Council as soon after his accession to office as may be convenient.
Dec. 31, 1884.

433. (358.) Ex-officio chairman of standing committees. He shall be ex-officio chairman of all standing committees of Council.
Feb. 10, 1853.

434. (359.) To appoint a Board of Sanitary Commissioners. Within ten days after he shall have taken the oath of office, the Mayor shall appoint two Aldermen and three citizens, who, with the Mayor of the city and the Health Officer as ex-officio members, shall constitute a Board of Sanitary Commissioners for the City of Savannah.
Feb. 21, 1877.

435. (360.) To appoint Commissioners of Massie School. The Mayor is to appoint commissioners of Massie School at the first regular meeting of Council in February of each year. [See Chapter XI. "Education."]

436. (361.) To appoint keeper of Powder Magazine. Hereafter the appointment of the officer known as the Superintendent of Gunpowder, or Keeper of the Powder Magazine, shall be confided to the Mayor of the City of Savannah, and such appointment shall be for the term of two years; such appointment to be subject to the confirmation of Council, and such officer to be removable for misconduct or unfaithfulness, as in the case of other city officers.
Aug. 2, 1871.

437. Appoints and removes firemen. The Mayor shall appoint all members of the Fire Department, except the Chief, upon recommendation of the Fire Chief, approved by the Committee on Police. Any member of the Fire Department, other than the Chief, shall be subject to discharge by the Mayor at any time, with or without cause assigned.
Sept. 16, 1903.
See this Code, Sections 752, 756.

438. (363.) To approve bonds of city officers and contractors. It shall be the duty of the Mayor to approve the bonds given by all the officers of the city and all others holding appointments, as provided by law, for the faithful performance of the duties of the office to which such officer may have been elected or appointed; and of the Mayor, and Finance Committee of Council to approve the bonds given by contractors with the city for the faithful performance of such contracts.
Aug. 2, 1839.
Feb. 24, 1886.

CHAPTER XV.

MAYOR (CONTINUED)—SPECIAL POWERS OF.

439. (364.) Permits from the Mayor, when necessary, etc. The following shall not be lawful without permission previously obtained from the Mayor:

1. Any circus exhibition or any circus parade through the streets of city. Upon application in writing by any person or persons, stating the nature of the exhibition or parade proposed, the names of the persons interested and length of time which he, she, or they desire to present, exhibit or perform, and the length of time during which he, she, or they will occupy with a street parade. It shall and may be lawful to refuse altogether the permission applied for or to grant the same for such length of time and subject to such restrictions and the payment of such sum or sums of money as may have been fixed by ordinance, or in default of such ordinance, as may by said Mayor or Acting Mayor be deemed proper and expedient to be paid or received before such permission shall be granted.

2. Any public balls, of whatever description, or other gathering, where boisterous shouting is indulged in. Wherever the foregoing shall be violated, it shall be the duty of the Mayor to cause said ball or balls or other gatherings, as beforementioned, to be closed immediately by the police.
Jan. 24, 1866.

3. Any gathering or assemblage of persons in any public square or park of the City of Savannah, except for the purpose of lawful military parade in the extension of Forsyth Park.
July 10, 1878.

4. Any public assemblage or procession in any street, square or thoroughfare within the corporate limits of the City of Savannah, after sunset and before sunrise.
Oct. 19, 1867.

5. Any procession, military or otherwise, and at or in which there shall be music, in any street, lane, square or thoroughfare, within the corporate limits of the City of Savannah, after the hour of eight in the evening.
Sept. 11, 1872.

6. Any funeral or other procession, except regularly organized military companies, to march or move through any of the streets or other thoroughfares of said city on the Sabbath or Lord's Day, which procession shall be accompanied with field or other music.
Feb. 6, 1867.

7. To remove any house or building through the streets of Savannah.
Oct. 30, 1856.

8. The erecting of bill boards in any part of the city; provided, that the license thereby granted may be revoked at pleasure of Council.
July 1, 1885.

9. The breaking up of rafts of oak or cypress and loading the same on the north side of the Savannah River. The permit to be obtained through the Harbor Master from the Mayor or Acting Mayor of the City of Savannah, who is hereby authorized to give such permits as he may see fit from time to time under such regulations as he may prescribe.
March 25, 1885.

440. (365.) Duty to disperse illegal public shows, exhibitions, etc. It shall be the duty of the Mayor or Acting Mayor upon information 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 the city ordinances, to issue his warrant, directed to the City Police, commanding him that 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 law, and if necessary, may summon the police or citizens to assist him.

Feb. 14, 1799.

441. (366.) To close places used for secular amusement on Lord's Day. It shall be the duty of the Mayor or Acting Mayor, on information given him, or on his own knowledge, that any hall, room or place whatsoever within said corporate limits, is being used or about to be used for secular amusement or pastime on the Lord's Day, to cause the same to be closed until the succeeding day, and to cause the visitors there to be expelled.

July 3, 1872.

442. (367.) To notify persons to desist from rice culture on prohibited land. 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 (upon which the cultivation of rice is prohibited), 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.

May 29, 1848.
Mch. 6, 1878.

443. (368.) To enforce rigidly dry culture ordinance of May 29, 1848. It shall hereafter be the duty of the Mayor to enforce rigidly any violation of the ordinances of 29th May, 1848, and all other ordinances bearing upon the subject, in so far as they provide for the destruction of all rice, whether planted in dry or wet culture, upon the dry culture lands, without reference of the same to Council. The true intent and meaning of this ordinance being that under the violation of the dry culture ordinance, rice planted in either dry or wet culture shall be immediately cut down by the order of the Mayor, without any resort to Council.

Sept. 1, 1869.

444. (369.) Impediment in drainage. Whenever information shall be given to the Mayor of any impediment to the drainage of the city 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 its agent, to appear before Council and it shall be the duty of Council to investigate the said charge and to pass such order for the removal of said impediment or for the construction of proper culverts as the nature or exigency of the case may require, and for the protection of the inhabitants of the City of Savannah.

Aug. 29, 1850.

445. (370.) Custodian of City Hall. The Mayor of the city shall have the right, and it shall be his duty, to appoint a suitable and proper person to be custodian of the City Hall, to look after and care for the same and to perform such detailed services in connection therewith as may be prescribed by the Mayor. The said custodian shall receive such salary as may be fixed by Council and shall be under the direct supervision of the Mayor. The Mayor shall have the right to discharge the

said custodian at any time with or without cause and appoint his successor with like power of removal and appointment, as often as may be necessary, in his best judgment.

Res. Dec. 6, 1905.
Ord. Jan. 27, 1913.

446. (371.) Mayor or Treasurer to receipt for moneys due city. The Mayor, or in the absence of the Mayor, the acting Mayor of the City of Savannah, or the Treasurer of said city, is authorized to receive and receipt for all monies which may be due to the City of Savannah from any source whatsoever, and the receipt of said Mayor or of the said Treasurer shall be a full and complete receipt and acquittance to the party paying the money.

Resolution Sept. 4, 1901.

CHAPTER XVI.

COUNCIL.

Each Council has the power to make its own Rules. It has been found convenient for a new Council, immediately upon being organized, to temporarily adopt, by resolution, the Rules of the preceding Council, and afterwards amend them as it may find expedient.

447. (372.) RULES OF COUNCIL.

Res. Nov. 21, 1917.

RULE I.

The style of the corporation shall be "The Mayor and Aldermen of the City of Savannah."

RULE II.

A quorum for business or committee of the whole 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.

RULE III.

The minutes of the preceding Council may be approved as published at the subsequent regular meeting. No alterations and amendments, as to the substance, shall be made or entered, unless on motion for reconsideration.

RULE IV.

All motions shall be made in writing and seconded before debate, and every bill shall be twice read—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 at the same session and passed; and except when introduced or adopted at a meeting called pursuant to Rule XXII.; and after the passage of an ordinance, the same shall be signed by the Mayor, or presiding chairman, as soon as fairly copied, and be immediately thereafter published; and no consideration of the minutes at the next meeting of the Council shall operate to suspend, affect, or alter the provisions of said ordinance; and on the first reading of the bill the question shall be: "Shall the bill be read the second time?"

RULE V.

No resolution providing for the expenditure of money shall be passed at the same meeting at which it is offered, without the consent of three-fourths of the members present, except when such resolution is founded on, or forms part of, a report of a committee upon some matter referred, in which case it may be passed at the same meeting when proposed.

RULE VI.

All ordinances when passed, shall be fairly and correctly transcribed under the direction of the Clerk of Council, in a 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. All ordinances after having been read the first time shall forthwith be published for information in the official gazette.

RULE VII.

The Mayor (in his absence, the Chairman) shall appoint all committees, except when 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 any other member.

RULE VIII.

The Council shall meet at their chamber on Wednesday, in every alternate week, at 8:30 o'clock P. M., except during the months of June, July and August, when Council shall meet at 4 o'clock P. M., and having met, no member shall absent himself without leave from the Chair. If any member shall absent himself from the city without leave for more than three months at a time, or being in the city, shall be absent from three consecutive regular meetings, without sufficient excuse, his seat shall be declared vacant, and his place supplied by election in the manner prescribed by law.

RULE IX.

The Clerk of Council shall furnish the Mayor and each Alderman with printed copies of the minutes of Council within twenty-four hours after such copies have been supplied by the public printer, which copies shall be served or left at the place of business of the Aldermen and in the office of the Mayor.

RULE X.

The Clerk of Council shall summon the members by leaving written notices at their usual places of business, for every meeting, extra or regular, notifying precisely the hour of meeting; and every such summons for regular meetings shall be served by 12 o'clock noon of the day of the meeting.

RULE XI.

The Mayor, or in case of his absence or sickness, the Chairman, or Chairman pro tem, or in case of the sickness or absence of said officers, any three Aldermen shall have the power to call extra meetings. It shall be the duty of the Mayor or Chairman, or Chairman pro tem, 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, unless by unanimous consent of the members present.

RULE XII.

Whenever any member shall require it, the yeas and nays of the members present shall be entered on the minutes on any question taken.

RULE XIII.

In all cases where there may be proposals to contract for public work, notice shall be given in one or more of the public gazettes of the city for a period of not less than six days, within which time and up to the hour at which the meeting is called, bids, sealed and endorsed with the name of applicants, and of the matter to which they relate, shall be handed to the Clerk of Council; and when the proposals have been so received, they shall be transmitted to the Mayor, and by him laid before the proper committee or Council for action. But it shall not be necessary to advertise for or receive sealed proposals for work which involves an expenditure of less than $100.

RULE XIV.

All accounts against the municipal corporation shall be rendered to the board of purchase, which shall transmit them to the proper departments. Every account after being certified by the head of a department

and approved by the proper committee chairman shall be forwarded to the comptroller of accounts for audit. The accounts received by the comptroller of accounts by or before 12 o'clock on Wednesday preceding a regular meeting of Council, and found correct, shall be included by him in a detail schedule, to be submitted with each account to the committee on accounts to be reported by that committee to such regular meeting, for adoption or rejection by Council. The comptroller of accounts shall issue voucher checks for the accounts adopted. Provided, that no account shall be paid until adopted by Council and that no account for more than $100 shall be entered on the schedule of accounts unless authorized by resolution of Council.

RULE XV.

It shall be necessary, in all elections by Council, for a majority of the votes of the members present to be obtained before a candidate can be elected.

RULE XVI.

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.

RULE XVII.

The officers whose regular attendance shall be required during the sittings of Council are the Treasurer, Marshal, City Attorney and Clerk of Council; 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.

RULE XVIII.

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 except upon a vote of a majority of the members present, or upon the occasion of Council resolving itself into the committee of the whole.

RULE XIX.

The following officers, viz.: Clerk of Council, City Treasurer, City Marshal, Chief Engineer, Assistant Chief Engineer, Chairman of Board of Tax Assessors, Health Officer, Bacteriologist, Plumbing Inspector, and Harbor Master, are required to keep their offices in the City Hall, and the hours of business with said officers shall be from 9 o'clock A. M. to 2 o'clock P. M., and from 4 o'clock P. M. to 6 o'clock P. M. daily, unless otherwise ordered by the Mayor or Council, Sundays and holidays excepted. The Mayor is authorized to permit the officers of the city government in the City Hall, or as many of them as he may deem advisable, to close their offices daily during the months of June, July, August and September, at 2 o'clock P. M.

RULE XX.

No ordinance shall contain any subject matter which is not immediately and necessarily connected with the subject and title of the ordinance.

RULE XXI.

When an ordinance is placed upon its first reading, it shall only be necessary for the Clerk of Council to read the caption thereof unless some member of Council requests that the whole ordinance be read; it shall then be published in full with the proceedings of council, and read in full when placed on its final passage.

RULE XXII.

No business shall be brought before the Board at any extra meetings which is not set forth in the summons.

RULE XXIII.

The Clerk of Council shall furnish each committee with copies of all resolutions relating to the concerns of said committees, which shall be served or left at the place of business of the Chairman of such committee within four days after the passage of the same, or immediately thereafter in case of emergency.

RULE XXIV.

No member of this Board shall be accepted as security on the bond of an officer appointed by his authority nor for the fulfillment 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.

RULE XXV.

The operation of any of the rules of this Board (except Rules III and XVI) may be dispensed with by the unanimous consent of the members present.

RULE XXVI.

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.

RULE XXVII.

The Mayor shall possess a superintending power over all 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 office by virtue of election by 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 afterward, by whom the said alleged offense may be enquired into.

RULE XXVIII.

No anonymous communication shall be read or considered by Council, nor shall the Clerk of Council receive any such communication from any source.

448. (373.) Rules of Order.
Res. Nov. 21, 1917.

1. Every question of order shall be decided by the Chair without debate, subject to an appeal of the Board, and the Chair may call for the sense of the Board on any question of order. If repeated calls do not produce order, the member is to be called by name.
2. Where the private interests of the member are concerned in a bill or question, he is to withdraw; and when such an interest has appeared, his voice has been disallowed, even after a division.
3. No motion shall be debated or put until the same shall be seconded. It is then, and not till then, in possession of the Board, and cannot be withdrawn but by leave of the Board.
4. No motion for adjournment can be made by one member while another is speaking.
5. When a question is under debate, no motion shall be received but

to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit, to amend, to postpone indefinitely; which several motions shall have precedence in the order they stand arranged, and the motion for adjournment shall always be in order, and be decided without debate.

6. When a proposition is moved which is useless or inexpedient, the previous question is introduced for suppressing, for that time, the motion and its discussion, in which case the main question is to be put immediately, without any further debate, and in the form in which it then exists. But, as the previous question gets rid of it for that day only, and it may recur again, if it is desired to suppress entirely, the motion should be to postpone indefinitely.

7. When a proper motion is made, but information wanted, the motion is to postpone to a day.

8. When a matter claiming present attention, but which it is desired to reserve for more suitable occasion, the order is to "lay on the table," it may then be called for at any time. If the proposition or matter need further consideration, "refer to a committee," but if it need but a few and simple amendments, proceed to consider and amend at once.

9. On motion to amend a bill, any one may move to commit it, and the question for commitment shall be first put. An amendment to an amendment is admitted, but to amend an amendment to an amendment, not.

10. On an amendment being moved, a member who has spoken to the main question, may speak again to the amendment.

11. The question is to be put first on the affirmative and then on the negative side.

12. But in small matters the Chair most commonly supposes the consent to be given when no objection is expressed, and does not give the trouble of putting the question formally.

13. When a question has been moved and seconded, and been put by the Chair in the affirmative and negative, it becomes a full question, and cannot be debated afterward, unless under motion for reconsideration.

14. When a question has been once made and carried in the affirmative, or negative, it shall be in order for any member to move for the reconsideration thereof. After a motion for reconsideration has been once put and lost there shall be no recurrence of said motion at same meeting.

15. A member, having spoken once on the original question, may be permitted to speak again to clear a matter of fact, or merely to explain himself in some material part of his speech, or to the matter of words of the question, keeping himself to that only, and not going into the merits of it, and not falling into the matter itself.

16. The consequences of a measure may be reprobated in strong terms; but to arraign the motives of those who propose or advocate it, is a personality and against order.

17. Any member shall be heard at any time on a matter of personal privilege and such request to be heard shall be given precedence.

449. (374.) Order of Business.

1. Reading of Minutes.
2. Accounts.
3. Reports of Committees.
4. Petitions and Applications.
5. Ordinances.
6. Elections.
7. Resolutions.
8. Miscellaneous Matter.

450. (375.) Standing Committees of Council.

The following standing committees of Council shall be appointed by the Mayor as soon after his accession to office as may be convenient, to-wit:

Committee on Accounts.
Committee on Assessments.
Committee on Auditorium.
Committee on City Lots and Opening Streets.
Committee on Drainage.
Committee on Finance.
Committee on Fire.
Committee on Harbor and Wharves.
Committee on Health.
Committee on Market.
Committee on Police.
Committee on Streets and Lanes.
Committee on Trade and Commerce.
Committee on Water.
Board of Purchase.

No committee so appointed shall be composed of less than three members, and the Committees on Assessments, Finance and Streets and Lanes shall be composed of not less than five members.

451. (376.) Special Committee to superintend public sales. All sales of real estate made by the marshal or sold under any ordinance of the city 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.

Dec. 20, 1816.

452. (377.) Not to contract debt for city over $100. No agent, officer, or committee of this Council shall have authority to enter into or make any obligation or contract on behalf of this city for any sum exceeding one hundred dollars, except the same be authorized by a public act of Council.

Feb. 20, 1878.

453. (378.) Fiscal year annual budget, taxation, etc. The fiscal year of said city shall end on the 31st day of December annually, and the committee of Council known as the Committee of the Whole shall submit to Council at the fourth regular meeting preceding the opening of each fiscal yer, or at any subsequent meeting of Council, prior to the adoption and passage of the tax ordinance for such fiscal year, a budget of the expenditures of that year, and the same shall be approved and adopted by Council, and then set forth as a preamble to the tax ordinance of each year.

454. (379.) Chairman of certain committees; power to suspend employes. The chairman or chairman pro tem. of certain standing committees of Council, to-wit: Streets and Lanes, Water, Harbor and Wharves and Drainage, and of any other special committees which may be appointed by Council, having employes and laborers working under their respective jurisdictions, shall have the power, in his judgment, from time to time, to suspend, for such causes as my seem to him proper, any employe or laborer working under the jurisdiction of his committee, provided that such chairman or chairman pro tem. shall call his committee

together as soon as practicable after such suspension and report to said committee the said suspension and the cause thereof, whereupon it shall be the duty of such committee to take such action in the premises as to it may seem proper.

Dec. 20, 1905.

455. Committee of the Whole Meetings. At all times, except when matters relating to the finances of the city or the public health are under consideration, where Council is sitting as a "committee of the whole," if any person other than an officer or employe of the city is allowed to appear before said committee or be present at said meeting, such meeting of the committee of the whole, at such times, shall be public.

February 28, 1911.

CHAPTER XVII.

CLERK OF COUNCIL.

456. Clerk of Council. There shall be a Clerk of Council of the City of Savannah, who shall have such duties, and be paid such salary as may be fixed by the Mayor and Aldermen of the City of Savannah. He shall be elected by the Mayor and Aldermen at the regular election of city officers and shall be required to give a bond in the penal sum of $10,000, in such form and with such conditions as may be required by Council.

Aug. 10, 1864.

457. (382.) Office hours and duties. The Clerk of Council or City Clerk shall keep an office in the City Hall, which office he shall attend from 9 o'clock A. M. to 2 o'clock P. M., and from 4 P. M. to 6 P. M. daily, Sundays and holidays 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 ordinances, 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.

Aug. 2, 1839.

458. (383.) To furnish copy of proceedings to City Printer. It shall be the duty of the Clerk of Council to furnish the city printer or printers, a copy of proceedings of Council, within forty-eight hours after the adjournment of the meeting of the City Council.

March 24, 1853. See Section 530 hereof.

459. (384.) Attendance upon Council, records, etc. 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 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.

Aug. 2, 1839.

460. (385.) Records, etc., to be kept in safes. It shall be the duty of the Clerk of Council to deposit all the books of minutes, records of ordinances, and other valuable documents of the City of Savannah, entrusted to his care, in fireproof safes.

Sept. 3, 1857.

461. (386.) Removing records from office unlawful. While said books of minutes, records of ordinances, and other valuable documents shall be 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, upon conviction in the Police Court.

Ibid.

462. (387.) **Annual report of city records.** It shall be the duty of the Clerk of Council to report in writing a list of the book of minutes, records of ordinances, and other valuable documents deposited in fireproof safes, and their condition annually on the first meeting in January, if so required by the Mayor.

Ibid.

463. (388.) **Clerk, custodian of official bonds.** The Clerk of Council shall be the custodian of all bonds given by city officers, except his own bond, of which latter the City Treasurer shall be the custodian.

464. (389.) **To keep a book of city property.** The Mayor is authorized to procure at the expense of the city, a well bound book, appropriately labled, and with index lettering, in which it shall be the duty of the Clerk of Council forthwith to enter memoranda of all the real property owned or held by the corporation of Savannah, and of all existing leases of the same or any part thereof, and the time such leases have to run, whether such property be within or without the corporate limits; and of all mortgages or other liens in favor of or against the corporation, in regard to any real property; and in which book it shall be the duty of the Clerk of Council, from time to time, to make similar memoranda of all purchases by or conveyances from said city, and of all leases, incumbrances, or liens, as they may hereafter occur; all such memoranda to be properly indexed by said Clerk of Council, and such book to be kept in the Clerk of Council's office, subject to the examination of the city authorities.

Aug. 16, 1860.

465. (390.) **Applications for office.** It shall be the duty of the Clerk of Council 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 to advertise all elections.

Sept. 3, 1857.

466. (391.) **Licenses.** It shall be the duty of the Clerk of Council to receive all applications for licenses requiring the approval of the Mayor, or Council, and to place the same before the Mayor, or Council, as the case may be, and to issue permits for licenses when required by ordinance.

467. **To license Keepers of Explosives.** It shall be the duty of the Clerk of Council to issue licenses to all persons who shall keep within the corporate limits of the City of Savannah any phosphorous gunpowder, explosives, shotgun shells, rifle cartridges or other ammunition, as provided by ordinance adopted by Council, November 21, 1917. Sections 966-1001 hereof.

468. (394.) **Titles to city lots.** It shall be the duty of the Clerk of Council to make out, attest and record the titles to purchasers of city lots, make out and attest the titles for half, third, etc., lots whenever the same are granted by Council.

Nov. 25, 1858.

469. (395.) **Dry culture contracts.** It shall be the duty of the Clerk of Council to receive the dry culture contracts, and to keep them among the city records, after they have been recorded by the Clerk of the Superior Court of the county.

Ibid.

470. (396.) **Cemeteries.** It shall be the duty of the Clerk of Council to make out and record the title to lots in Laurel Grove or other city cemeteries, and receive a fee of $1 for each title, which shall be promptly paid into the City Treasury.

Ibid.

471. (397.) **City bonds.** It shall be the duty of the Clerk of Council to attest all bonds issued by the city.

Nov. 28, 1858.

472. (398.) **Fees of office to be collected by Clerk of Council.** The following fees of office shall in each instance be charged and collected by the Clerk for services rendered to persons applying, that is to say:

For every certified copy of minutes, records or other official documents in the custody of the Clerk, at the rate of fifteen (15) cents per hundred words, and fifty (50) cents for certificate and seal of the Clerk; and, if more than one copy is furnished, then the second and each succeeding copy shall be at the rate of five (5) cents per hundred words, with the same charge for the certificate.

For every search of the records or for documents, twenty-five (25) cents.

For every deed prepared or filled out in the Clerk of Council's office, one ($1) dollar.

473. (400.) **Fees of office to be paid to City Treasurer.** All fees of office, prescribed by ordinance to be paid to the Clerk of Council, for services rendered by such official, shall by him be promptly paid into the City Treasury, as, and when received, in accordance with law; and a correct daily record shall be kept by such official of such fees collected, showing names of persons paying, amounts for each service rendered, and disposition of same.

Such fees so collected shall be and remain the property of the Mayor and Aldermen of the City of Savannah.

Aug. 1, 1906.

474. (401.) **To receive no compensation except salary.** The Clerk of Council shall receive no other compensation or pay, except the regular salary for said office, as same may be prescribed by Council.

Ibid. § 2.

475. (402.) **Penalty, removal from office.** Any breach of the requirements hereof by said official, shall be deemed misconduct in office, and shall be sufficient ground for the removal from office of such offending official.

Ibid. § 3.

476. (403.) **Assistant Clerk of Council.** There shall be an Assistant Clerk of Council, who shall be appointed by the Mayor, with the approval of Council, and whose term of office shall begin with that of the Clerk of Council and shall be of the same duration. The Assistant Clerk shall receive such compensation as shall be fixed by Council, and shall perform such duties as may be assigned to him by the Clerk of Council, under whose direction he shall be, and in the absence or disability of the clerk, he shall perform the duties of his office. He shall take the usual oath prescribed for city officials, and shall give bond in such sum as may be prescribed by the Mayor, and in such form, with such conditions and to be approved as required by ordinance.

477. **Stenographer.** The Mayor shall be authorized to appoint a Stenographer in the office of the Clerk of Council, such appointment to

be subject to the approval of the Finance Committee, and such Stenographer shall discharge such duties as may be assigned by the Mayor.
Jan. 25, 1909.

478. (399.) Employees under clerk. The Assistant Clerk of Council, stenographer and porter are subject to the orders and directions of the Clerk of Council during office hours, and it is hereby made their duty to obey said orders and directions during office hours.
Res. Dec. 15, 1897.

CHAPTER XVIII.

CITY ATTORNEY.

479. City Attorney. There shall be a City Attorney of the City of Savannah, who shall be elected by Council at the regular election of city officers. He shall be paid such salary as may be fixed by Council.

480. Assistant City Attorney. There shall be an Assistant City Attorney elected by the Mayor and Aldermen of the City at the time and in the manner of other city officers. He shall be assistant to the City Attorney and the ordinances of the city touching the duties of the City Attorney are made applicable to the assistant.
Jan. 23, 1911.
Dec. 8, 1915.

481. Duties of City Attorneys. It shall be the duty of the City Attorneys to represent the city in all cases brought by or against the city in any of the courts of law or equity, and to give legal opinions 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 them, and generally to be the legal advisors, counsellors and advocates of the corporation of the City of Savannah.
Jan. 8, 1890.
July 24, 1856.

482. (407.) Attendance upon Council. It shall be the duty of the City Attorney to attend all the regular meetings of Council, and also all extra and informal meetings when requested by the Mayor so to do.
Jan. 23, 1867.

483. (408.) Opinions, how obtained. In all questions on which the opinion or advice of the City Attorney may be desired, such questions shall be submitted only by the Mayor or an Alderman.

484. (409.) Reports of matters in his hands. Whenever a matter may be submitted to said City Attorney for his report to Council, such reference shall come up for report in the order of reports by committees of Council; besides which it shall be the right of said City Attorney, in the proper order of business, to make such reports of business of the city in his hands, or other matters of interest to the corporation as to said City Attorney may be deemed proper.

485. (410.) Vacancy, how filled. Should a vacancy occur in the office of City 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.
July 24, 1856.

CHAPTER XIX.

CITY MARSHAL.

486. City Marshal. The City Marshal of the City of Savannah shall be elected by the Mayor and Aldermen at the regular election of city officers and shall receive such salary as may be fixed by Council. He shall give bond in the penal sum of $5,000, in such form and with such conditions as may be required by Council.

Aug. 2, 1839.

487. (412.) General duties. The City Marshal shall regularly attend the City Council at all stated and other meetings; and also the Mayor or any Alderman whenever required so to do, and execute their orders and precepts. He shall give information of all offenses committed against any of the ordinances of the city which may come within his knowledge; and he shall perform all the duties which may be prescribed by ordinance. 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 daily on the day of the collection thereof.

Ibid. c. 181.
Jan. 3, 1906.

488. (415.) Collection of taxes. 1. It shall be the duty of said Marshal, upon receiving any execution for taxes under any of the provisions of any 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, and he shall advertise and sell the property so levied on, in the same manner as a sheriff does under the executions of the Superior Courts of this State, subject to the provisions and laws of Georgia in such cases made and provided; 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. 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; and the said Marshal shall collect the sum of one dollar on every execution placed in his hands as aforesaid; provided, however, that the Mayor shall have the authority to remit or relieve the payment of the said sum of $1.00 on any execution, when, in his discretion, such remittance or relief is justified. And it shall further be the duty of the said Marshal, forthwith, to pay and account for all moneys collected upon such execution, 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, and he shall be credited therewith on his receipt to the treasurer, as aforesaid.

Oct. 29, 1857.
Dec. 28, 1887.
Nov. 12, 1913.

2. If the Marshal 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 and his

surety and 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 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.

Ibid.

489. (416.) Deputy Marshals may be appointed to collect taxes. The Mayor is authorized to appoint not more than three Deputy Marshals to aid the City Marshal in the collection of taxes due the city, who shall continue in office only so long as their services shall be needed, for the purpose aforesaid, and shall give bond, with one or more good sureties, to be approved by the Mayor, to the Mayor and Aldermen of the City of Savannah for the faithful discharge of the duties of their office; such Deputy Marshals shall receive such salary as may be fixed by Council, and shall have all authority to do all things incident to the collection of taxes as the Marshal himself.

Oct. 31, 1877.

490. Assessment of Specific Taxes. 1. It shall be the duty of the City Marshal to prepare two specific tax registers each year, one of which shall be known as the original and the other as the duplicate. This register shall be prepared in a book or on sheets appropriately ruled and arranged alphabetically to show under each name the nature of the business or businesses carried on by the persons or corporations assessed and the total amount of specific taxes collectible.

2. On the final completion of the specific city tax register by the City Marshal he shall forthwith prepare a certificate and swear to the same before any officer authorized to administer oaths, embracing the facts shown and referred to in the following form:

I_____City Marshal of the City of Savannah, Georgia, do solemnly swear that the specific tax register for the year_____ to which is attached this certificate, contains a full and correct list of all the individuals, firms and corporations pursuing occupations subject to payment of specific taxes in the city of Savannah, Georgia, so far as I have been able to ascertain the same; that the assessment set down in the proper column opposite each name, aggregating the amount of $_____ is true and correct, as ascertained by me, and that the footings of the several columns in said specific tax register and the amount of taxes shown as collectible is correct as I verily believe.

_____
City Marshal.

3. The certificate of the City Marshal, referred to above, after having been approved by the Mayor, shall be read at the meeting of the Council following. The spreading of the certificate upon the minutes shall be deemed an approval of the specific tax register by the City Council, unless action to the contrary by the council be taken at this meeting.

4. After the specific tax register shall have been approved by the city council in the manner described above, the original shall be delivered to the city treasurer and the duplicate remain in the vault of the clerk of Council. It shall further be the duty of the comptroller of accounts to charge to the account of the city treasurer the total amount of taxes due to the City of Savannah, Georgia, for the current year as shown on the specific tax register and by the certificate of the city marshal, which amount shall be a valid claim against the city treasurer and the sureties on his official bond until the same shall be properly accounted for.

5. Any additions to the specific tax register after the original has been

delivered to the city treasurer under provisions described above shall be prepared by the city marshal on a form for that particular purpose known as the supplement to specific tax register, year ----------; after being approved by the Mayor and chairman of the finance committee the total of such supplemental taxes shall be charged by the comptroller of accounts to the city treasurer and entered by the city treasurer in the supplemental section of the specific tax register. All these supplemental amounts shall be valid claims against the city treasurer and the sureties on his official bond until the same shall be properly accounted for.

Jan. 27, 1914.

491. (417.) Execution or other legal process. It is the duty of the Marshall to execute the following, or any other process provided by law, whenever directed so to do by the Mayor or Council:

1. To levy execution against the ship or other vessel for failure to pay harbor fees.

2. To enforce executions for water rents as in other cases of executions placed in his hands.

Nov. 29, 1865.

3. To proceed with executions issued for assessments for cleansing, cementing or repairing privy vaults, dry wells and surface drawers, in the same manner as a sheriff does under executions from the Superior Courts of this State.

Aug. 27, 1884.

4. On command of the Mayor to stop all sewer connections made contrary to ordinances, at the expense and cost of the offender.

Aug. 21, 1867.

5. To abate or remove nuisances, when so directed by the Mayor and Aldermen of the City of Savannah.

March 17, 1880.

6. To proceed to make the money due on executions for the costs and expenses of abating or removing nuisances, out of the property of the person or persons declared to be responsible for the existence of the nuisance abated or removed, or of the person or persons owning or controlling the property adjudged to be a nuisance by levy and sale in accordance with the law governing sheriffs' levies and sales in this State.

July 18, 1883.

7. To enforce executions issued for the expenses and costs of removing encroachments when placed in his hands by the City Treasurer.

Nov. 14, 1883.

8. On the order of the Mayor to pull down dividing walls and fences erected contrary to the city ordinances.

Feb. 20, 1867.

492. (418.) Costs in ground-rent re-entry. For a re-entry by the Marshal on each lot in arrears for ground rent, one dollar costs shall be paid by the owner thereof.

Oct. 29, 1857.

CHAPTER XX.

CITY MARSHAL—PUBLIC SALES.

493. (419.) Sale of animals impounded. Whenever any animal except dogs has been impounded as provided by ordinance, and the said animal is 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 the official gazette of the city, of a description of the animal and time and place of sale; he shall pay the net proceeds of the sale of such animals, after deducting the expenses for poundage, into the treasury of the city, subject to the order of Council, who may and shall cause it to be paid to the person or persons owning such animal at the time of the impounding of the same.

Aug. 2, 1893. § 2.
June 25, 1913. See Sections 1527-1537 this Code.

494. (420.) Sales for ground rents. The time, place and manner of the sale of property in the City of Savannah, re-entered for the non-payment of ground rent, shall be the same as that provided for Sheriffs' sales for State and county taxes, except that the advertisements shall be in the official gazette of the City of Savannah.

April 4, 1900, p. 297.

495. (421.) Former sales validated. All sales of re-entered property, heretofore made, in accordance with the preceding section are hereby validated and confirmed.

Ibid. § 2.

496. (422.) Minimum price to be fixed by Council. In all sales of property re-entered by the city for non-payment of ground rent, the Mayor and Aldermen shall determine by resolution duly passed in Council, the minimum price for which said re-entered property shall be sold, and in no event shall said sale be made except for a sum sufficient to cover all arrearages of ground rents, taxes and unpaid purchase money in the event that the fee in the said property is sold.

April 13, 1881.

497. (423.) Selling on reservation of ground rent forbidden. It shall not hereafter be lawful to sell any part of the present or future domain of the City of Savannah on stipulation for or reservation of ground rent, as to any part of the value or price of such domain.

Jan. 31, 1872.

498. (424.) Notices of re-entry. 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.

Dec. 20, 1861.

499. (425.) Property to be advertised in one column. All property advertised under this chapter shall be placed in one column of the newspaper in which the same are advertised, headed "City Marshal Sales," and in no instance (if possible) shall the advertisements be scattered in such newspaper.

Dec. 20, 1816.

500. (426.) Sales to be superintended by special committee of Council. All sales of real estate made by the Marshal or sold under any

ordinance of the city, 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.

See Section 451.

501. (427.) Sales of city property, how made. All sales of property belonging to the Mayor and Aldermen of the City of Savannah shall be made at public outcry by the City Marshal, before the Court House of Chatham County upon the first Tuesday in any month, and shall be between the legal hours of sale fixed by the laws of the State, and all property so offered for sale shall be advertised by publishing the resolution of Council under which it is sold for five days before the day of sale, in a public gazette published in said city. Provided, however, that hereafter condemned live stock belonging to the City of Savannah, which is to be no longer used by the city, may be sold for the city at a private sale, upon the best terms obtainable, under the direction of such committee of Council as has supervision of the affairs of the department to which the live stock, so condemned, belongs.

April 13, 1881.
Feb. 24, 1897.
Jan. 15, 1908.

CHAPTER XXI.

CITY TREASURER.

502. City Treasurer. There shall be a City Treasurer of the City of Savannah, who shall be elected by the Mayor and Aldermen at the time and in the manner of the election of other city officers. He shall receive such salary as may be fixed by Council and shall give bond to the city in the penal sum of $40,000, in such form, and with such conditions, as may be required by Council.

Jan. 9, 1889.

503. Assistant City Treasurer. The Mayor and Finance Committee of the City of Savannah are authorized and empowered to select from the office force of the City Treasurer one of the said force to be known as Assistant Treasurer of the City of Savannah, the said selection to be made by the said Mayor and the said committee in writing. Upon such selection, the person so selected shall take the usual oath, and, thereupon, shall be known as the Assistant Treasurer and have all the powers and duties incident to an assistant. He shall hold his office during the pleasure of the said Mayor and Finance Committee.

March 23, 1910.

504. (430.) Acting Treasurer provided for in Treasurer's absence. The Mayor is authorized and empowered in case of the absence, illness or incapacity for any reason of the city treasurer to appoint by written appointment an acting city treasurer, which appointment shall continue until revoked by the Mayor. And the said acting city treasurer during the continuance of his appointment shall have all the power and authority of the treasurer of the City of Savannah.

March 11, 1908.

505. (431.) Office closed 2 p. m. daily. The hours of business in the office of the City Treasurer of Savannah, Georgia, shall be from nine (9) o'clock a. m., until two (2) o'clock p. m., each day (Sundays and legal holidays excepted), and from and after two (2) o'clock p. m., said office shall be closed to the public.

Jan. 3, 1906.

506. Duties of City Treasurer. (a) The city Treasurer shall be responsible for the collection of all taxes, licenses, water rents, proceeds from the sale of badges, ground rents, paving and other assessments, sums due for repair and construction of sidewalk, sink cleaning fees, and all other revenues and accounts of the city of whatever nature which are now or may hereafter be entrusted to him for collection, and the said City Treasurer shall give receipt therefor on forms approved by the City Council or Finance Committee.

(b) The said City Treasurer shall receive and provide for the safekeeping of all funds belonging to the city and of all monies held on deposit in whatever banks may be selected as depositories; it shall be his duty to deposit in such bank or banks each day all monies of the city he may receive.

(c) The said City Treasurer shall make a return each day to the comptroller of accounts of the total amount of his collections in such form as to specify sums collected from each source.

(d) The said City Treasurer shall keep such books as may be ap-

proved for this purpose in such a manner as to show a proper and intelligible record of revenue collected by him from each source and of the revenue remaining uncollected, and shall furnish monthly to the comptroller of accounts a statement showing the balance of the revenue uncollected.

(e) The said City Treasurer shall collect the exact amount shown on the rolls or accounts given to him for collections, and under no circumstances shall he make adjustments of any kind on his books and accept in settlement less sums than are shown on such rolls or accounts unless so authorized by the City Council.

(f) The said City Treasurer shall keep in suitable books, the form of which shall be approved by the City Council or Finance Committee, a record of all cash received and disbursed, specifying the funds to which the receipts have been credited, and from which fund monies have been disbursed, his books shall at all times be subject to inspection by the City Council or any member thereof and by the comptroller of accounts.

(g) The said City Treasurer shall make all payments of funds upon vouchers properly issued and audited by the comptroller of accounts and approved for payments by the Mayor; he shall carefully preserve the vouchers for all payments made by him, and no allowance shall be made to the City Treasurer for any funds disbursed by him unless he shall produce the receipt or voucher showing to whom and out of what fund the payment was made, or account to the satisfaction of the City Council for failure to produce such voucher.

(h) The said City Treasurer shall be the custodian of all bonds and coupons cancelled and shall report each day to the comptroller of accounts the amount of the bonds and coupons paid by him. He shall receive from the purchasers of all bonds the purchase price thereof and advise the comptroller of accounts of the amount so received.

Jan. 7, 1914.

507. (432.) General duties. The City Treasurer shall keep his office at the City Hall, and attend thereat daily (Sunday and holidays excepted), from 9 a. m., to 2 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 the direction of some ordinance, pay any sum of money out of the treasury, 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.

Aug. 2, 1839.

508. (433.) Various accounts to be kept. It shall be the duty of the City Treasurer to receive from the Clerk of Council all accounts passed by Council, and pay the same; to receive all moneys required by law to be paid into the City Treasury by the city officers, heads of departments or other persons authorized to collect the same, and to keep a true and accurate account of the same.

Oct. 29, 1857.

509. (434.) To receive and deposit public moneys. Officers who shall be authorized to collect the public money, shall, on the same day when collected pay over the same to the City Treasurer, who shall each day deposit all public moneys in the bank or banks selected as the depository.

Jan. 3, 1906.

510. (435.) Bank deposits and interest; Mayor and Finance Committee to control. The Mayor of the City of Savannah, and the Finance Committee of said city, are hereby authorized and empowered to direct and require the Treasurer of the City of Savannah to deposit the funds of the said city in such bank, or banks, in the said City of Savannah, as the said Mayor and Finance Committee may in writing designate.

The Said Mayor and Finance Committee are further authorized and empowered to charge such interest as they deem just and proper on cash balances remaining in the bank, or banks, selected by them.

Jan. 9, 1889, p. 41.

511. (436.) Yearly balance sheet. It shall be the duty of the City Treasurer to make out and hand to the Mayor a yearly balance sheet or statement of all moneys received and paid through the City Treasury, from the first day of January to the thirty-first day of December, inclusive, so as to enable the Mayor to make his annual report on the first Monday in January.

Aug. 28, 1872.

512. (437.) Executions. It shall be the duty of the City Treasurer to issue executions and place the same in the hands of the City Marshal in the following cases:

1. For the costs and expenses of the City Marshal for removing encroachments on the lanes of the City of Savannah; to be issued against the party putting upor continuing such encroachment.

Nov. 14, 1883.

2. For the sum or sums assessed for cleansing, cementing or repairing privy vaults, dry wells, or surface drawers, should the same not be paid within thirty days after such work is completed. Execution to be issued against the owner or owners of such privy vault, dry well or surface drawer for the sum assessed and the further sum of $1 for costs.

Aug. 27, 1884.

3. When the work of paving and grading sidewalks is done under the direction of the Committee on Streets and Lanes, at the expense of the owners, and the owners fail to pay the cost of the same within thirty days from the date of the completion of the same, then the Treasurer shall issue execution for the amount of the cost of the work and put the same in the hands of the City Marshal.

Nov. 3, 1886.

4. In all other cases required by ordinance.

513. Application for city to cut weeds and grass, made to city Treasurer. Whenever a property owner, tenant or occupant of premises may desire the City of Savannah to cut and remove weeds or grass from a lot, plat or area, for which he is responsible under sections 1164 et seq. of this Code, such person shall make application therefor to the City Treasurer and shall at the time of making such application pay to the City Treasurer the cost of cutting and removing the weeds or grass, based upon the rates herein prescribed.

Aug. 1, 1917.

514. Same; City Treasurer's duties. Upon receipt of the application and the payment of the charges the City Treasurer shall give the applicant a receipt showing the sum paid and the lot, plat or area from which the grass or weeds are to be cut, and he shall immediately send

the application to the chief engineer of the city with a certificate that the charges have been paid. Upon receipt of the application and certificate the chief engineer shall have the grass and/or weeds cut and removed from the premises described.

515. Same; rates to be charged. The rates to be charged for the cutting and removing the grass and/or weeds hereunder shall be as follows:

For an area of 3,000 square feet or under $1.50, the same being the minimum charge.

For an area of over 3,000 square feet and under 12,000 square feet, 45c per thousand square feet, or fraction thereof.

For an area of over 12,000 square feet, 40c per thousand square feet or fraction thereof.

All contiguous lots not separated by a fence, street or other obstruction may be considered as one area, but wherever any lot or tract of land is separated by an obstruction, each separate unobstructed part shall be considered a separate area, and charge shall be made therefor as such.

516. Same; penalty for making false statement. Any person knowingly making a false statement to the City Treasurer in regard to the number of feet in any lot, tract or plat from which the grass or weeds are to be removed, or knowingly making a false statement in regard to the lots, tracts or plats being contiguous, or undivided by a fence, street or other obstruction, shall upon conviction in the Police Court of the City of Savannah be fined in a sum not exceeding $100 or imprisoned not exceeding thirty days, either or both, in the discretion of the court; and such party shall be charged the correct amount, figured on the rates prescribed in Section 515 hereof, and no grass or weeds shall be cut by the city until full payment shall be made.

See Sections 1164 and 1295 hereof.

517. (429.) Bonds of Clerks and Porter. It shall be the duty of each of the clerks employed in the office of the Treasurer of the City of Savannah to give a bond for the faithful discharge of his duties, payable to the Mayor and Aldermen of the City of Savannah, in the sum of $5,000, and the porter employed in the said office to give a similar bond in the sum of $2,000. The surety on said bonds shall be a surety company authorized by the laws of the State of Georgia to do business in the State of Georgia.

Oct. 2, 1901, p. 306.

CHAPTER XXII.

COMPTROLLER.

518. Comptroller of Accounts, office created. The office of Comptroller of Accounts is hereby created, and the Mayor is hereby authorized and directed to appoint a competent accountant to fill said position upon the recommendation of the Finance Committee. The salary of said Comptroller shall be fixed by the Mayor and the Finance Committee.

Oct. 29, 1913.

519. Duties, supervise accounts, etc. The duties of the said Comptroller shall be as follows:

(a) To keep or exercise control over the keeping of a set of general books, in which shall be entered a complete record of all financial transactions of the City, properly classified under the captions applicable thereto, and to supervise the maintenance of all books of accounts in other departments so as to ensure the keeping of these in a satisfactory manner.

520. (b) The said Comptroller shall maintain accounts with every officer of the city or person authorized or required by law to receive or collect and disburse or dispose of any monies or any property or effects of the city, and shall keep such accounts as may be required by law or may be necessary to record the transactions with such persons.

521. Examine and audit vouchers, etc. The said Comptroller shall examine and audit and pass upon all departmental vouchers and papers attached thereto and upon all claims against or in favor of the City after these have been properly approved by the various committees as provided by the City Code and certify same for eventual payment or collection.

522. Compare books. The said Comptroller shall reconcile each month the controlling accounts in his general ledger with the auxiliary books in the office of the Comptroller or in the office of any officer, clerk or employe, who shall be responsible for the maintenance of any financial books and accounts.

523. Render monthly statement. The said Comptroller shall render monthly a statement to the City Council (including a trial balance of the general books) in such a form as to exhibit an intelligible statement of its affairs and transactions. It shall be the Comptroller's duty also to report to the City Council any and all errors or discrepancies which to his knowledge exists in any of the records under his control or supervision.

524. Annual statement, balance sheets. At the end of each fiscal year the Comptroller shall prepare a statement of the receipts and disbursements of the city, and of its revenues and expenditures, together with a complete report thereon, which statement he shall submit to the City Council; and shall submit also at the same time a balance sheet or balance sheets in such appropriate forms as will disclose:

(1) The assets of the city arising from the collection of its current revenues, and the liabilities incurred to meet current maintenance and operating expenses.

(2) The assets of the city arising from outlay on or additions to the permanent properties and equipment of the city, and such liabilities as may have been incurred by the issue of bonds, etc., in order to provide funds for such expenditure.

(3) The cash and investment arising from the amount set aside for redemption of funded debts and the total amount of the funds held for this purpose.

(4)The assets, including cash and investments, which are held in trust by the city for whatever purpose such trusts may have been created, such as pension funds, endowment funds, funds for perpetual care of cemetery lots, etc., and the liabilities incurred in respect thereof.

525. Custodian of unissued bonds. The said Comptroller shall be custodian of all unissued bonds, whether unsigned or unapproved for issue, or approved and signed, and shall deliver same to the purchaser only after he has been advised by the City Treasurer of the receipts of the purchase price thereof.

526. Specific Taxes Charged to Treasurer. It shall further be the duty of the Comptroller of accounts to charge to the account of the city treasurer the total amount of taxes due to the City of Savannah, Georgia, for the current year as shown on the specific tax register and by the certificate of the city marshal, which amount shall be a valid claim against the city treasurer and the sureties on his official bond until the same shall be properly accounted for.

Jan. 27, 1914.

CHAPTER XXIII.

CITY PRINTER.

527. (450.) Bond. Each and every City Printer hereafter elected shall give bond in the sum of one thousand dollars, in such form, with such conditions and to be approved as required by ordinance.

Dec. 24, 1857.

528. (451.) To publish minutes, ordinances, etc. It shall be the duty of the City Printer 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.

Jan. 26, 1854.

529. (452.) To publish Mayor's Annual Report, etc. 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.

Dec. 24, 1857.

530. (453.) Copy, when to be furnished by the Clerk of Council. The Clerk of Council shall furnish to the City Printer copies of every ordinance passed by Council of the proceedings of Council within forty-eight hours after the adjournment of the meetings of the City Council.

March 24, 1853. See Section 458 hereof.

CHAPTER XXIV.

POLICE COURT.

See also Chapter 4, this Code.

531. (454.) Arrests; detentions; recognizances. Whenever any person shall be committed to the police station, for violation of the ordinances of the city, he or she shall be detained until the next morning, and be brought before the Police Court; provided, nevertheless, no person shall be detained at the police station, unless it shall appear that there was just cause for the arrest: And provided, further, that any person arrested and committed for violation of the ordinances of the city, may be released upon entering into a recognizance in the penal sum of one hundred dollars, and with an approved surety in the like sum, jointly and severally conditioned in each case, for the appearance of the person charged with the offense, at the Police Court at its appointed hour of meeting, unless it shall appear to the officer in command that the peace and good order of the community will be endangered by his or her discharge.

Jan. 5, 1860.

532. (455.) Deposit in "drunk" cases. When an arrest is made for the violation of a city ordinance or on a charge of drunkenness, the party arrested may deposit with the official in charge, in his discretion, a sum of money to insure the appearance of said party in the Police Court for trial, said deposit to be in lieu of the bond now required, and to be not less than ten nor more than one hundred dollars.

Dec. 1, 1897.

533. (456.) Fees of Clerk of Police Court. The following fees of office shall, in each instance, be charged and collected by the Clerk of the Police Court of Savannah for services rendered to persons applying, that is to say:

For drawing up bond for appearance of any person committed to jail by the Recorder or other officer presiding in the Police Court, for offenses against the laws of the State, one (1) dollar;

For drawing up affidavit and warrant to hold to bail, one dollar and fifty ($1.50) cents.

For making out commitment, thirty-five (35) cents.

For every certified copy of records of said court, at the rate of 15 cents per 100 words, and 25 cents for certificate.

For every search of the records of said court, 25 cents.

Aug. 16, 1882.

534. (457.) Fees to be paid over to City Treasurer. All fees of office, prescribed by ordinance to be paid to the Clerk of the Police Court of this city, for services rendered by him, shall, by him, be promptly paid into the City Treasury, as, and when received, in accordance with law; and a correct daily record shall be kept by him of such fees collected, showing names of persons paying, amounts for each service rendered, and disposition of same.

Such fees so collected, shall be and remain the property of the Mayor and Aldermen of the City of Savannah.

All fines and costs imposed shall be paid to the clerk of the police court, who shall deposit with the city treasurer each day all fines and costs collected, taking the said city treasurer's receipt therefor. At the

end of each month the clerk of the police court shall make a report in duplicate on all convictions to the comptroller of accounts on the form to be provided for that purpose, and thereupon the comptroller of accounts shall audit such report by reference to the court docket.

Jan. 7, 1914. Aug. 1, 1896.

535. Clerk Police Court; duties; salary. The Clerk of the Police Department of the City of Savannah shall by virtue of his office be Clerk of the Police Court of said city and shall perform such duties as may be fixed by law.

See Sections 156 and 566, this Code.

536. (458.) Clerk to receive no other compensation than salary. The Clerk of the Police Court shall receive no other compensation or pay, except the regular salary for said official, as same may be prescribed by Council.

Aug. 1, 1896, ¶ 2.

537. (459.) Penalty, removal from office. Any breach of the requirements hereof, by said official, shall be deemed misconduct in office, and shall be sufficient ground for the removal from office of such offending official.

Ibid. § 3.

538. Certiorari, entering judgment—in Police Court. When final judgment shall be rendered in any case carried by certiorari from the police court of the City of Savannah, the said Clerk of said Police Court shall immediately procure a copy of such final judgment and present the same to the recorder of the City of Savannah. That thereupon the said recorder shall enter such judgment in the case as shall conform to the final judgment on certiorari. If a new trial is ordered the case shall be placed upon the docket in the regular order with other cases and shall be re-tried as soon as practicable.

If the judgment of the Police Court is affirmed with direction by the final judgment on certiorari then the recorder of the said police court shall amend his judgment in conformity therewith.

June 7, 1916.

539. Supersedeas bond forfeited. Where the certiorari has been dismissed, refused or a judgment of the recorder has been affirmed with direction, such disposition of the certiorari shall be noted upon the docket and proper records of the said police court, and if there has been a supersedeas bond filed by the defendant and the defendant shall fail to appear immediately to abide the final judgment in the case, and has not been arrested by the police of the city and then in confinement pursuant thereto, then the said supersedeas bond shall be forfeited as follows: The clerk of the police court shall issue a scire facias, which shall be served by any policeman of said city two days before the return thereof, against the principal and his or her surety or sureties, calling on them to show cause within five days from the date of said scire facias in said court, why said bond should not be forfeited, and if at the return time of said scire facias in said court, no sufficient cause be shown to the contrary, judgment shall be entered upon said bond against said principal and his or her surety or sureties. On the entering of judgment on any such bond the clerk of the police court shall issue execution against the principal on his bond, and his or her surety or sureties, in conformity to said judgment, and the same shall be placed in the hands of the city marshal of the said city, who shall proceed to collect the same as other executions in favor of said city are collected.

Ibid. 3.

540. Same; how forfeited when no certiorari. In case a supersedeas bond shall be given as provided by Act No. 116 of the legislature of Georgia, adopted August 13, 1909, providing for the forfeiture of supersedeas bonds in cases carried by certiorari from police courts, in any case tried in the police court of the City of Savannah, where a defendant is convicted of violating a municipal ordinance of the City of Savannah and no petition is presented to or sanctioned by a judge of the superior court within the time such petition may be presented, or if sanction is refused and no appeal is taken to a higher court, then the supersedeas bond so given shall be forfeited in the manner above set out.

Ibid. 4.

CHAPTER XXV.

POLICE DEPARTMENT.

541. (460.) Mayor, head of Police Department. The Mayor, as the head of the Police Department, shall have and exercise a general superintendence over the members of the police force, and may, at any time, appoint the mode and places in which the policemen shall be stationed, by written orders to the officer in command, by whom such orders shall be obeyed and promulgated. The equipment, disposition, control and management of the police force shall be entrusted to the chief of police, or other such official, however designated, subject to the Mayor, and to such rules, regulations and ordinances as may, from time to time, be made by the City Council. The Mayor shall have power to fine, suspend or dismiss, members of the police force, as provided by law, and whenever any officer is thus suspended, or whenever it may seem to him necessary to fill any vacancy temporarily, the Mayor or Acting Mayor, shall have the power to fill any vacancies in the same manner as the vacancies of other officers of the city are filled.

Jan. 5, 1860.

542. (461.) Committee on Police. It shall be the duty of the Committee on Police to visit and examine the police force, and the workings of the same, and to recommend to Council from time to time such modifications as may in their judgment render such force more efficient; and said committee is charged with the duty of purchasing the necessary supplies required for said police force in all its departments.

March 17, 1880.

543. (462.) Chief of Police. A Chief of Police shall be elected by Council and hold his office for the term of two years, and until his successor is elected and qualified.

Jan. 30, 1899. Jan. 30, 1907.

544. First Lieutenant of Police. There shall be appointed by the Mayor of the City of Savannah, upon the recommendation of the chief of police and the approval of the Committee on Police, an officer to be known as the First Lieutenant of Police for the police force of the City of Savannah, who shall, in the absence of the chief, have the authority of the chief, and who shall be clothed with such other powers and duties as may be provided for by the rules and regulations of the Mayor and the Committee on Police of the City of Savannah and may belong to the office of First Lieutenant of Police.

The said First Lieutenant of Police shall hold his office during good behavior subject to discharge under existing ordinances with reference to sergeants. He shall take the oath of office required of other police officers.

Jan. 30, 1907.

545. Second Lieutenant of Police. There shall be appointed by the Mayor of the City of Savannah, upon the recommendation of the Chief of Police and the approval of the Committee on Police, an officer to be known as second Lieutenant of the police force of the City of Savannah, who shall, in the absence of the Chief and the First Lieutenant of Police provided for by ordinance adopted January 30, 1907, have the authority of the Chief and shall be clothed with such other powers and duties as may be provided for by the rules and regulations of the Mayor

and the Committee on Police of the City of Savannah, and may belong to the office of second lieutenant of police. He shall hold his office during good behavior and be subject to discharge under existing ordinances with reference to sergeants of the police force. He shall take the oath of office required of other police officers.

Apr. 11, 1907.

546. Third Lieutenant of Police. There shall be appointed by the Mayor of the City of Savannah, upon the recommendation of the Chief of Police and the approval of the Committee on Police, an officer to be known as the Third Lieutenant of the Police Force of the City of Savannah. He shall be clothed with such powers and duties as may belong to the office of Third Lieutenant, and may be provided for by the rules and regulations of the Mayor of the City of Savannah and the Committee on Police.

The said officer shall hold his office during good behavior; and shall be subject to discharge under existing ordinances with reference to Sergeants of the Police Force. He shall take the oath of office required by other police officers.

Feb. 24, 1909.

547. First Sergeant of Police. The Chief of Police shall select one of the sergeants of the force who shall be a first sergeant of the police force, and be clothed with the powers and duties incident to such an office. The selection of said first sergeant shall be subject to the approval of the Mayor and the Committee on Police, and he shall be subject to discharge as other sergeants of the police force.

Feb. 24, 1909.

548. Quartermaster of Police. The office of quartermaster of the said police force is hereby created, which office shall be filled by the Mayor upon the recommendation of the Chief of Police and the approval of the Committee on Police. The said office shall be filled from the ranks of the police force, and the said quartermaster shall be subject to discharge as are other members of the police force.

Feb. 24, 1909.

549. Sergeants of Police, appointment, etc. There shall be eleven Sergeants of the police force of the City of Savannah, including one Quartermaster Sergeant; the appointments to be made by the Mayor, upon the recommendation of the Chief of Police, with the approval of the Committee on Police.

Jan. 30, 1907. Dec. 6, 1916.

550. Corporals, appointment, salary, etc. The office of corporal of the police force of the City of Savannah is hereby created with such powers and duties as may be prescribed by the Mayor of the City of Savannah and the Committee on Police.

There shall be not more than ten (10) such corporals and the same shall be appointed by the Mayor upon the recommendation of the chief of police and with the approval of the committee of Council on police. All such appointments shall be made from privates of the police force of the City of Savannah and shall be promotions for merit in duties performed.

The salaries of such corporals shall be five ($5) dollars per month more than the salaries of privates having the same length of service, and the same shall be payable as are other salaries of city officers. Such corporals shall hold office during good behavior and capacity to discharge the duties of their office; provided, nevertheless, that the Mayor of the city may at any time in his discretion discharge any such officer whenever in his judgment the public good requires such discharge; said discharge, however, to be submitted to Council for confirmation.

May 23, 1917.

551. Detectives. There shall be not more than eight city detectives, including one chief detective and one sergeant of detectives, they shall constitute the detective force of the police department and shall be under the chief of police. Appointments to the said detective force shall be made by the Mayor upon the recommendation of the Chief of Police and with the approval of the Committe on Police.

Jan. 30, 1907.

552. Sergeant of Detectives, appointment, salary. The office of sergeant of detectives of the police force of the City of Savannah, is hereby created. Such sergeant shall be assistant to the chief of detectives and shall have such other powers and duties as may be prescribed by the Mayor of the City of Savannah and the Committee on Police. Such sergeant shall be appointed from the privates of the force.

The salary of such sergeant of detectives shall be the same as other sergeants of the police force of the city of Savannah. Such sergeant shall hold office during good behavior and capacity to discharge the duties of his office; provided, nevertheless, that the Mayor of the city may at any time in his discretion discharge any such officer whenever in his judgment the public good requires such discharge; said discharge, however, to be submitted to Council for approval.

May 23, 1917.

553. Salaries, Police Department. The officers and employees of the Police Department of the City of Savannah from and after January 1, 1918, shall be paid the following salaries:

First Lieutenant of Police	$1,620.00	per year
Second Lieutenant of Police	1,520.00	" "
Third Lieutenant of Police	1,500.00	" "
First Sergeant	1,320.00	" "
Quartermaster Sergeant	103.33	per month
Sergeants	103.33	" "

Corporals, $5.00 per month more than privates having the same length of service.

Chief Detective	1,620.00	per year
Sergeant of Detectives	103.33	per month
Detectives	101.66	" "
Regular Patrolmen	85.00	" "
Probationers	75.00	" "

New appointees of the police force shall be put on probation and shall be paid a salary of $75.00 per month while on probation. If, at the end of three months, these probationers have, in the opinion of the Police Committee and the Chief of Police, proved capable of filling positions on the force, they shall be assigned as regular patrolmen at a salary of $85.00 per month.

Jan. 2, 1918.

554. Salary increase for service. All members of the Police Department now or hereafter serving as Lieutenants, Sergeants, Detectives or Patrolmen, who have served or shall serve faithfully and efficiently for five (5) years from the date of assignment as regular patrolmen, shall receive an increase in salary of five dollars ($5.00) per month, and for each succeeding period of five (5) years thereafter an additional in-

crease in salary of five dollars ($5.00) per month until such increase shall have reached the sum of fifteen dollars ($15.00) per month.
Feb. 28, 1911.

555. Salaries, payable semi-monthly. The salaries of all the members of the police force of the City of Savannah shall be payable semi-monthly, and on the first and fifteenth days of each month, instead of monthly as heretofore.
Nov. 12, 1913.

556. (464.) Appointments and promotions, how made. All appointments to the police force and promotions therein (other than the Chief), shall be made by the Mayor, upon the recommendation of the Chief of Police, and the approval of the Committee on Police.
April 10, 1895. Jan. 28, 1895.

557. (465.) Regulations for police force, by whom made. The Mayor and the said Committee on Police are authorized to make and enforce regulations touching the discipline, control and government of the said police force. The standard as to age shall remain as now fixed by ordinance.
April 10, 1895, § 2.

558. (466.) Term of office of sergeants and privates, and how discharged. The sergeants and privates of the police force of the City of Savannah shall hold their office during good behavior and capacity to discharge the duties of their office; provided, nevertheless, that the Mayor of the city may at any time in his discretion, discharge any sergeant, or private, or any city detective, whenever, in his judgment, the public good requires such discharge; said discharge, however, to be submitted to Council for its approval.
Jan. 28, 1895, p. 370.

559. (481.) Extra policemen, emergencies. Should circumstances require it, the Chief of Police, with the approval and consent of the Mayor, shall be authorized to employ for any emergency such additional number of policemen as shall seem to him needful; and when employed, they shall have the same authority and duties and be subject to the same rules and discipline as policemen of the regular force. If called into the service of the city as an extra force, they shall be paid out of the City Treasury, and if sworn in at the request of parties desiring police service temporarily, then they shall be paid by the parties so requesting, and be subject to the same rules and discipline as regular policemen. All such extra policemen shall be registered as such and take the same oath and give the same bond and security required of the regular policemen.
Jan. 5, 1860.

560. (482.) Chief to control police force. The equipment, disposition, control and management of the police force shall be entrusted to the Chief of Police, subject to the Mayor, and to such rules, regulations, and ordinances as may from time to time, be made by the City Council.
Jan. 5, 1860.

561. (483.) Chief to station police. It shall be the duty of the Chief of Police or of the officer in command, to dispose of the policemen in such manner that all parts of the city may be guarded and protected as far as is practicable. He shall at all times retain a sufficient number of men on duty at the police barracks to ensure the safe keeping of the prisoners he may have in charge, and to deliver all such as may be required at the Police Court at the appointed hour; also to answer any demand upon him for assistance or protection.

562. (484.) Duties of Chief. He shall have charge of the arms and equipments of the policemen, shall inspect them at least once in every week, and shall require them to be maintained in good condition for service. He shall make a report in writing to the Mayor, at his office, every morning by 10 o'clock, in which he shall detail the order and routine of duty of the policemen, note the misconduct or any irregularity of the policemen while on duty, and relate the occurrences of the night. He shall receive from the officers their reports while in command, and shall attend the Police Court. He shall cause to be kept at the police barracks a book, in which may be recorded the loss of any property, and any reward that may be offered, or any other fact to which any person may desire to call the attention of the police; and this book shall, at all times, be subject to the inspection of any of the officers of the City of Savannah.

563. (485.) To preserve property of department. It shall be his duty to preserve all the property of the city pertaining to the police department, to superintend the conduct of the officers and privates, and generally to promote by all his efforts the efficiency of the police force, and to protect all the interests of the city committed to his charge.

564. (486.) Officers; their duties. It shall be the duty of the officers of the police force to assist the Chief of Police in the performance of his duties, to superintend the privates on duty, to report all violations of the ordinances of the city, all failures in duty on the part of the men, and to contribute by all their efforts to the maintenance of the peace and order of the city.
Jan. 5, 1860.

565. (487.) Privates; their duties. It shall be the duty of the privates of the police force to report for duty, regularly and punctually, at the time and place designated by the Chief of Police, or officer in command. They shall place upon the Information Docket the names of all persons violating any of the existing ordinances of the city; they shall arrest 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, and all persons who may, in any way, assault, oppose, or resist them when engaged in the discharge of their duties.

566. Clerk Police Department. The Clerk of the Police Department of the City of Savannah shall by virtue of his office be Clerk of the Police Court of said city. In addition to such duties as have heretofore, or as may hereafter be prescribed by law, he shall perform the following duties: He shall attend the sessions of Police Court and serve as clerk, administer oaths, sign and issue all subpoenas, processes and summonses issuing out of said court, all of which shall bear attest in the name of the Recorder; shall also attest all orders and commitments issuing out of said court and signed by the Recorder or other presiding officer; shall keep the dockets and indexes of the Police Court; shall collect and remit to the City Treasurer fines imposed therein; shall report immediately in writing to the City Attorney each certiorari bond given; shall attend to the forfeiture of all conveyances; shall keep the records and filing system of the police department and do such other clerical work in connection with said department as he may be directed by the Chief of Police and perform such additional duties as may be prescribed by the

Police Committee of Council, and make such reports from time to time as the Mayor may direct.

See Sections 156 and 535, this Code.

567. (488.) Suspensions for bribery and other offenses. If any member of the police force shall receive a bribe for liberating any person duly arrested for violation of the city ordinances, or of the laws of the State, or if he shall be guilty of violent, injurious or improper conduct, whilst on duty, to any person, or if he shall in any manner misbehave in or neglect his duties, the 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; if an officer, he may be fined or suspended, or both, at the discretion of the Mayor or Acting Mayor, who shall report every suspension to Council at the next regular meeting thereof, or sooner, if he shall deem it advisable; and the Council shall act on such information, and reinstate or dismiss said officer, as may seem to them proper. And whenever any officer is thus suspended, or whenever it may seem to him necessary to fill any vacancy temporarily, the Mayor or Acting Mayor shall have the power to make such appointment, and to fill such vacancy until the next meeting of Council, and 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 if any policeman shall, without satisfactory cause, abandon his station, or leave his division before the appointed hour, or if he shall neglect to inform against any person who may, within his knowledge, violate any of the ordinances of the city, he may, upon conviction, be fined in a sum not exceeding twenty dollars, or be suspended or dismissed, at the discretion of the Mayor or Acting Mayor.

Jan. 5, 1860. March 17, 1880. Jan. 28, 1895, p. 371.

568. (467.) Mayor's power to punish for breach of discipline, etc. The Mayor of the City of Savannah is authorized and empowered to try and pass upon all questions of breach of discipline, good order, or violation of the rules and regulations established for the police force, committed by any member of the police force, and to deal with the members of the force in the matter of discipline, as, in his judgment is right and best for the public good, the action of the Mayor, however, to be subject to the revision and approval of Council.

Jan. 28, 1895, p. 371.

569. Fines paid by policemen go to Police Benevolent Association. The fines hereafter collected from the members of the police force of the City of Savannah shall be and they are hereby set aside to the Police Benevolent Association of the City of Savannah, and they shall be payable out of the City Treasury after their deposit therein to the proper officer of said association upon the orders of the Chief of Police of the City of Savannah.

Jan. 29, 1908.

570. (468.) Mdical examination and physical requirements. All applicants for places on the police force, other than those of chief, shall stand a medical examination before a City Physician in accordance with the form hereunto annexed and made a part of this ordinance, which form requires the applicant to answer the questions indicated as to his age, birthplace, nationality, family record, physical condition, and habits; and hereafter no person shall be appointed to the said police force, other than the chief, unless he satisfactorily stands, before a City Physician, the examination indicated, and meets the tests also set forth in the form annexed touching height, weight, circumference of the chest, and the other tests. Should the applicant fail to stand the said tests, or should the Physician report the "approximate rating of quality of applicant's

physical soundness and efficiency" based on his examination, as either "doubtful" or "bad," then he shall not be appointed to the said force.

March 20, 1901.

571. (469.) Form of examination and report. Savannah Police Department, Medical Examination: Date of examination_____ of _____ Address _____ Date of birth _____ Age _____ Birthplace _____ Occupation _____ Nature of any illness or injury during the past twelve months _____ Name of attending physician _____ Habits _____ use of stimulants and tobacco _____

I certify that the answers to the questions touching my family history, health, and habits are the truth in every detail.

_____

General Appearance: Height, _____ feet _____ inches; weight, _____ pounds; figure, _____; complexion _____; color of hair, _____; color of eyes, _____; condition of teeth, _____; condition of skin, _____; general set-up, _____; sight, _____; hearing, _____; girth of chest above level of nipples: during forced expiration _____ inches; during forced inspiration _____ inches; difference _____ inches; girth of abdomen, _____ inches. Existing evidence of any past or present infirmity or disabling disease or injury of the head, hands, or feet, _____ Defects, irregularities, or sign of disease in structure, appearance, or conformation of walls of chest or abdomen, _____ Condition of circulation and respiration, _____ Pulse rate per minute while seated, _____; its character and quality, _____ Existing signs of disease of coats of blood vessels _____ Results of examination of the heart, _____ Number of respirations per minute, _____ Character of respiration, _____ Results of examination of the lungs, _____ Abdominal and pelvic organs, and genito-urinary system, _____ Urine, specific gravity, _____; reaction, _____; albumen, _____; sugar, _____; appearance, _____ Existing physical evidence pointing to intemperate or habitual use by him of drugs or stimulants, _____ Remarks, _____

Height.	Min. weight.	Max. weight.	Min. Cir. Chest. quiescent.
5 feet 7	140	180	34
5 feet 8	145	180	35
5 feet 9	150	190	35½
5 feet 10	155	195	36
5 feet 11	160	205	37
6 feet	165	210	37½
6 feet 1	170	215	38
6 feet 2	175	225	39
6 feet 3	180	230	40
6 feet 4	185	235	41

Approximate rating of quality of applicant's physical soundness and efficiency based on foregoing examination, viz.: Superior _____; Good _____; Fair _____; Doubtful _____; Unsound _____; Bad _____

Respectfully submitted,

_____,
Medical Examiner.

Feb. 3, 1915. March 27, 1918.

572. (470.) Qualification of members of force. 1. No member of the police force, whether officer or private, shall during his term of service, hold any other civil office under City, State, or Federal authority.

2. No person shall ever be appointed or re-appointed to membership in the police force of the City of Savannah, or continue to hold membership therein, who is not a citizen of the United States and a resident of the State of Georgia for at least one year next preceding his appointment, or who has been convicted of crime in this State or elsewhere, or who cannot read and write understandingly in the English language.

3. No person shall be appointed a policeman of said city who shall be, at the date of such appointment, over forty-two (42) years of age.

4. It shall be lawful to fill a vacancy (whether officer or private), on the police force of the City of Savannah by the appointment of a citizen of Savannah, who may have served as long as ten years as a member of said police force, although such citizen may be disqualified under the existing ordinances, provided, any party so appointed shall be physically qualified to perform the duties of a policeman and shall be so pronounced after examination by the Examining Physician, and provided further, that such appointment shall be made subject to the approval of Council.

Jan. 5, 1860. Sept. 21, 1887. Feb. 3, 1915. Sept. 21, 1887. March 27, 1918.

573. (471.) Oath and bond of officers and privates. 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 its police regulations, and forthwith report all violations of the ordinances which may come to my knowledge." And a bond for the faithful discharge of his duties shall be required of the Chief of the Police force, with security to be approved by the Mayor, in the sum of four thousand dollars; and of each sergeant and private, in the sum of five hundred dollars.

And the Mayor shall order printed copies of such oath or affirmation to be made in a book, wherein each deponent or affirmant shall subscribe before the Mayor or Acting Mayor, and the same shall be kept among the records of Council.

Jan. 5, 1860. May 23, 1883.

574. Special policemen provided for. The Chief of Police is hereby authorized, with the consent and approval of the Mayor, to select such persons as may be necessary as special policemen, of whom not more than twenty (20) shall have the rank of sergeants in the police force, and the others of whom shall be designated as privates; that the said persons so selected shall take the same oath and give the same bond as is now required of other members of the police force, and shall be required to perform such duties as may be prescribed for other policemen of the City of Savannah and shall be subject to perform the duties and conform to all the rules, regulations and ordinances governing the city police.

Feb. 13, 1918.

Railroad not liable for tort of policemen employed under this Section. 142 Ga. 415; 12 Ga. App. 364.

575. Same; duties, salary, etc. The additional policemen provided for in the foregoing section, shall be taken and held as a part of the regular police force of the City of Savannah, and the sergeants so appointed shall have all the authority of other sergeants in the police force, and the privates so appointed shall be held to be regular policemen of the City of Savannah, and liable to perform any and all of the duties of sergeants or policemen, and subject to the same rules and regulations as govern the city police in all particulars, and subject to obey the commands of the officers of city police, as are the present members of said city police.

Such special policemen shall ordinarily be assigned to guard duty by and with the consent of the person, co-partnership or corporation whose property is to be guarded. When so assigned, each of said special policemen shall receive such salary, and such salary alone as may be mutuallly agreed upon between him and the person, co-partnership or corporation whose property is to be guarded. Such special policemen shall be dismissed from the service of the city at any time that the said person, co-partnership or corporation with which he is assigned shall determine to cease paying for his services.

Ibid. 2, 3.

576. Same; dismissal of. Such special policemen shall be subject to dismissal by the Mayor, and shall not receive compensation from the City of Savannah.

Whenever any person, co-partnership or corporation desires to discontinue the services of any special policemen assigned to guard the property of such person, co-partnership or corporation, notice in writing shall be given to the chief of police of such desire, and thereupon such special policeman shall be dismissed from the police force of said city.

Ibid. 4, 5.

577. (479.) Police for Laurel Grove Cemetery. The Mayor of Savannah is hereby authorized to cause the keeper of Laurel Grove Cemetery, and such of the employes of the Park and Tree Commission as he may select as suitable and proper persons, to take before said Mayor the same oath as is required of the privates of the police force by day and by night, and such persons so sworn in shall be special policemen of the city, and as such shall be furnished with proper badges, and shall be empowered to arrest and place on the information docket any and all persons violating any of the ordinances of Savannah or any of the rules and regulations of the Park and Tree Commission which may have been approved and made effective by the City Council, relating or applying to parks, squares, trees, shrubs, flowers, grass plats and cemeteries, now of force or which may be hereafter enacted.

Such special policemen to be appointed hereunder, shall be subject to dismissal, as such, at any time, by the Mayor, and others of the same class may be appointed similarly in their places, from time to time, as the Mayor may deem to the best interests of the city.

April 13, 1904, p. 375.

578. (489.) Market detail; duties. It shall be the duty of the policemen detailed for such service, to attend at the market every day at sunrise, and continue their attendance at market until the closing of the market, for the purpose of aiding and assisting the Mayor, or any Alderman, Clerk of the Market, or marshal, in the performance and execution of any of the duties devolved on any or either of them under the market ordinances of the City of Savannah, and in case of neglect or default of duty or attendance as aforesaid in any policeman, he shall be fined in a sum not exceeding thirty dollars, or be imprisoned not exceeding fifteen days, either or both upon conviction before the Police Court.

May 28, 1872.

579. (490.) To report persons re-selling articles bought at market. It shall be the special duty of the city police to report and put on the information docket any person selling, or offering or attempting to sell, at or near the public market of Savannah, any meat, fish or poultry, game or wild fowl, eggs, vegetables, fruit, butter, or any other article or commodity, or provisions of any kind usually brought to market for sale there, and which such persons may have bought at or near said market at any

time before such re-sale, or offer, or attempt to re-sell; provided, nothing herein contained shall be construed to apply to persons purchasing hogs, sheep or calves for the purpose of cutting up and exposing for sale in the public market.

Ibid.

580. (491.) Obstructions to streets, etc. It shall be the special duty of every officer and member of the police force to report any person who shall obstruct by any dray, wagon, cart or other vehicle, having or not having an animal or animals attached thereto, the free passage of persons through any street or other thoroughfare in said city, or the free access of any person to his or her property, or to any sidewalk in said city; or who shall so place any vehicle in any such street or thoroughfare, as to cause injury to any shade tree; or who shall keep any dray, wagon, cart or other vehicle except on his or her premises, or opposite thereto for such time only as may be allowed by existing or future ordinances.

Jan. 8, 1870.

See Section 1357 this Code.

581. (492.) At depots, wharves, etc., to keep open way for passengers. The police on duty at every depot, wharf or landing, during the time passengers are being landed, or are getting out of the car or cars, shall keep free and open way to and from the entrance to such wharf or depot, and in case the wharf or depot is not open to the omnibuses and hacks, no hackman or drayman shall be permitted within such enclosure. Drivers or runners of carriages, omnibuses or hacks, shall not be permitted to leave the doors of their vehicles, during such time, except only and strictly for the purpose of putting on baggage.

Jan. 18, 1871.

582. (493.) To aid in removing encroachments or obstructions. Whenever the City Marshal is ordered to remove any encroachment or obstruction, under the superintendence of the Chief Engineer, or the Street and Lane Committee, or a special committee of Council to be appointed for that purpose, the said committee or officers are hereby authorized to call to their aid and assistance the city police, who are hereby required and enjoined to aid and assist in the premises.

Aug. 19, 1839.

583. (494.) To report all persons firing off guns, pistols, etc. It shall be the duty of the city police to report every person found within the city limits, discharging or attempting to discharge any guns, pistols or other firearms, or selling or using within said limits, any detonating or fulminating preparation, or instrument made or composed, wholly or in part of nitro-glycerine or other detonating or fulminating substance whatever, or any other like detonating or fulminating preparation or instrument; provided, that nothing herein contained shall be construed to prevent the sale of ammunition for legitimate purposes, or fireworks in accordance with law.

Dec. 8, 1869.

584. (495.) Disorderly houses; to arrest offenders. Whenever any riotous, boisterous, noisy or disorderly conduct shall occur in any house or inclosure in said city, to the annoyance of the people of said city, or any portion of them, it shall be the duty of any officer or private of the police force, who may know of, or whose attention may be called to, such conduct, to request admission into the premises for the arrest and removal of the offender or offenders; and if such request, when made, be not complied with by the person or persons having the management, control or government of such permises, then such person or persons, having such management, control, or government, shall be deemed to be the offender or offenders, and shall be liable on conviction before the Police Court, to be fined in a sum not exceeding one hundred dollars, or be imprisoned not more than thirty days, or both, at the discretion of the said Police Court.

Feb. 16, 1870.

585. (496.) To report walls or fences in an unwholesome condition. It shall be the duty of the police officers inspecting the ward in which any fences or walls in a decayed, mouldy or other condition likely to cause disease, may be found, to include the same in his report of the condition of his ward, giving notice to the owner or owners, occupant or occupants, at the same of making such inspection of his intention to make such report, and that such owner or owners, occupant or occupants, may appear before the Board of Sanitary Commissioners to show the contrary, if he or they shall so desire, stating in his report that such notice has been given.

July 13, 1877.

586. (497.) To arrest persons abducting seamen. It shall be the special duty of the city police, 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, have been or are violating any of the State laws in regard to the abducting or attempting to abduct, or harboring articled seamen, forthwith, and as an ex-officio constable of the City of Savannah, and the extended limits thereof, to arrest such person or persons and carry him or them before the Mayor or some other magistrate in the City of Savannah. And if any officer or member of the said police shall be guilty of neglect of duty in arresting any person or persons who may have violated any of the provisions of the State law, 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.

April 5, 1865.

587. (498.) Opposing or resisting police; may demand aid of citizens. If any person shall be convicted of resisting, opposing or molesting any member of the police force, while in the discharge of his duty, he or she may be fined, upon conviction in the Police Court, in a sum not exceeding one hundred dollars, or imprisonment not to exceed thirty days for each and every offense, either or both; and the members of the police force are authorized and empowered, in cases of urgency or necessity, to demand the aid and assistance of any citizen; and every person refusing or neglecting to render such aid and assistance when demanded, may upon conviction before the Police Court, be punished in like manner.

Ibid.

Dec. 25, 1878.

588. (499.) Blowing of duplex or police whistles by other persons prohibited. It shall not be lawful for any person, other than police officers, or persons entrusted therewith by the police authorities, to use or blow within the corporate limits of the City of Savannah, any duplex or police whistle of the kind now used by the police force as a police call; and any person violating the provisions hereof, shall, upon conviction before the Police Court of Savannah, be punished by a fine not to exceed one hundred dollars, or by imprisonment not to exceed thirty days, at the discretion of the court.

June 22, 1881, § 1.

Ibid. § 2.

589. (500.) Horses to be furnished and kept at city's expense. The

city shall furnish, for the use of the police force, such horses as may be from time to time required, and such horses, so furnished, shall be kept at the expense of the city.

March 4, 1891, p. 111.

590. (501.) Medical aid to police. In the event of sickness of any of the privates of the police force, they shall be privileged to call upon the city physicians, in whose respective districts the policemen needing medical attention reside, whose duty it shall be to render them medical aid and attention.

And the needful medicines shall be supplied from the city dispensary, upon the written order of such city physicians; this privilege to be limited to the policemen, and not to be extended to members of his family.

Jan. 5, 1860. June 16, 1897, p. 354.

591. (502.) Pension for thirty years of service. Any member of the said police force who has or shall have performed duty therein for a continuous period of thirty years or upwards shall, upon the certificate of the pension board, concurred in by Council, that such member is permanently disabled, physically or mentally, so as to be unfit for duty, be placed on the retired roll, and shall reeceive an annual pension from the treasury of the City of Savannah during his lifetime of a sum not less than one-half of the full salary or compensation of such members so retired.

Sept. 21, 1887, § 1.

592. (503.) Pension for twenty years of service. Any member of the said police force who has or shall have performed duty therein for a continuous period of twenty years or upwards and less than thirty years shall, upon the certificate of the Pension Board, concurred in by Council, that such member is permanently disabled, physically or mentally, so as to be unfit for duty, be placed on the retired roll, and shall receive an annual pension during his lifetime of a sum not less than one-third of the full salary or compensation of such member so retired.

Ibid. § 2.

593. (504.) Retired after thirty-five years' service. Hereafter members of the police force of the City of Savannah, who have served faithfully for thirty-five (35) years or longer, may be retired on a pension, which shall be the equivalent of two-thirds of the compensation received by them at the time of their retirement.

Feb. 24, 1909.

594. (505.) Funeral expenses, etc., when allowed. Every member of said police force who dies in service from natural causes, shall be buried at the expense, not to exceed fifty ($50) dollars, of the said City of Savannah, and the dependent family of such member shall receive his monthly salary for three months after his death. Every member of said force who is killed while in the discharge of his duty, or dies from the effects of wounds received in the discharge of his duty, shall be buried at the expense, not to exceed fifty dollars, of the said city, and the dependent family of such member shall receive his monthly salary for six months after his death.

Ibid. § 4.

595. (506.) Members disabled in discharge of duty. Any member of said police force who may be permenently disabled by reason of wounds received in the discharge of his duty, and thereby made unable to earn a support, may be placed on the retired list on one-half pay.

Ibid. § 5.

See Pension Board, Sections 1005 to 1009.

596. (507.) Roll of Retired Officers. Any officer of the police force of the City of Savannah, who has or shall have performed duty therein for a continuous period of twenty-five years, or upwards, shall be eligible, when he ceases to do active duty, to be placed on the retired roll in a class to be known as "Roll of Retired Officers"; provided, such officer shall have rendered specially meritorious service while on said police force.

Jan. 26, 1903.

597. (508.) How appointed, and pay. The Mayor, on the written recommendation of the Committee on Police, showing that any officer who has ceased to do active duty on said force comes within the requirements of this chapter, and has rendered specially meritorious service, as above, may, if he approves such recommendation, transmit the same to Council, and if the City Council concurs therein, the name of such officer shall be placed on said "Roll of Retired Officers," and he shall receive annual pay from the treasury of the City of Savannah during his lifetime, unless his name be displaced from such roll for cause, in such sum, payable in equal monthly instalments as may be fixed by the City Council, not to exceed in any one year, one-third of the full annual pay received by such officer at the time he ceased to do active duty, as aforesaid.

Ibid. § 2.

598. (509.) Duty of Retired Officers. Such officer so retired shall hold himself at the call of the Mayor, and in any emergency, to be judged of by the Mayor, the said retired officer shall, on the Mayor's call, report for duty to the Chief of Police, or other chief officer of the police force, and shall render service as an active officer on such police force, under the orders of said Chief of Police, or other chief officer of said force, such active service not to exceed ten continuous days at any one time, and the aggregate of such service not to exceed sixty days in any one year, and for such active service he shall receive no compensation other than his said pay as a retired officer.

He shall furnish at the police barracks to the Chief of Police his city address, so that he may be quickly found when wanted, and any change in his said address shall be at once reported to said Superintendent of Police, in writing.

Ibid. § 3.

599. (510.) Dismissed from roll, how. If such retired officer shall cease to reside in the City of Savannah, or if, on written charges, preferred against him by the Chief of Police, or other chief officer of the police force, he shall, on a hearing had before the City Council, be found guilty of any dishonorable conduct or conduct unbecoming a police officer, or be found to have been convicted of crime in any court of this State, then, or in any such event, the said City Council shall have the right to dismiss him as such retired officer, and to displace his name from such "Roll of Retired Officers," and, thereupon, his pay as such retired officer shall at once cease. Such hearing before the City Council shall be final and conclusive, and from the judgment so rendered there shall be no appeal.

Ibid. § 4.

600. (511.) Police Military Reserve. Whereas, the military companies designated herein have in times past acted, and are now acting, as a police reserve for the City of Savannah, and are subject to the orders of the Mayor of the city as said police reserve, and have rendered, and in future may be called upon to render services, as said police reserve;

And, whereas, under the charter of the City of Savannah, the Mayor and Aldermen of the city are authorized to ordain such ordinances as shall appear to them requisite and necessary for the security and welfare of the city and its inhabitants, and are especially authorized to appoint such of-

ncers under them as they may deem proper for the police and government of the city, and to make such rules and regulations for the government and compensation of such officers as the said Mayor and Aldermen may deem proper:

Now, then, in consideration of the premises, it is ordained that the sum of $250.00 per annum be paid to the commanding officers of each of the following military companies of the City of Savannah, to aid in the maintenance thereof, to-wit: To each of the five local companies of the First Regiment of Infantry, National Guard of Georgia, to each of the two companies of Chatham Artillery, to the Georgia Hussars, and to each of the four companies composing the Coast Artillery Corps of the National Guard of Georgia (the Savannah Volunteer Guards).

The said sum of $250.00 per annum shall be paid by the City of Savannah to each of the said companies as a part of the said Police Reserve, and for the services aforesaid, in two equal installments on the 15th day of January and the 15th day of July of each year, and such sums shall be charged to the budget of the Police Department of said city.

It shall be the duty of the respective commanders of each of the said companies to use the said sums so paid for the maintenance of their commands, and on or before the 1st day of January of each year, to make a report to the Mayor of the City of Savannah setting forth that the money has been so used.

Jan. 30, 1897. Dec. 18, 1899.

601. (512.) Barracks charges for non-residents. The Chief of Police of the City of Savannah is hereby authorized and directed to charge and collect a fee of seventy-five (75) cents for the committing and seventy-five (75) cents for the discharge of each prisoner confined at the police barracks of the City of Savannah for the authorities of any county or city outside of the City of Savannah or county of Chatham; and also at the rate of fifty (50) cents per day for each prisoner detained at the police barracks of the City of Savannah for the authorities of any city or county outside of the City of Savannah, county of Chatham, the amounts so collected to be paid by said Chief of Police to the City Treasurer of the said City of Savannah.

March 27, 1895, p. 372.

602. (513.) Chief of Police to enforce State law as to separation of white and colored on street cars. Whereas, the settled policy of the laws of the State of Georgia requires the separation of the white and colored races when passengers on railway, dummy and electric street cars, and, whereas such separation of the races is, in the judgment of this board, necessary and requisite for the security, health, peace and good government of the City of Savannah and the inhabitants thereof; therefore,

Be it resolved by the Mayor and Aldermen of the City of Savannah, in Council assembled, That the Chief of Police is hereby instructed to use the police force in seeing that the State law as provided in Sections 533-539, Volume 2 of the Code of Georgia of 1910, is enforced within the police jurisdictional limits of the City of Savannah, and that said police force be required to make cases in the State courts against all violators of this law.

Res. Sept. 12, 1906.

603. (514.) Disposition of unclaimed property at barracks. When firearms and other articles of personal property, other than perishable property, taken from prisoners at the police barracks or elsewhere in the City of Savannah, are unclaimed and remain at the barracks unclaimed as long as 60 days, the Committee on Police for the City of Savannah shall have the same disposed of, through the Chief of Police, at the best

prices obtainable, and turn over the proceeds to the police reserve fund. When the said articles are of a perishable nature, then the said committee shall have the same disposed of through the said Chief of Police, at the best price obtainable, as soon as practicable.

July 10, 1901.

CHAPTER XXVI.

PRISON FARM.

604. Prison Farm for Police Court offenders. The city authorities shall have the power to contract with the county authorities of Chatham county, Georgia, to maintain a prison farm to which persons convicted in the Police or Recorder's Court of the City of Savannah may be sent, to be there confined and to labor during the term of their sentences.
Dec. 19, 1917.

605. Recorder to sentence to said farm. The Recorder or other presiding officer of the Police or Recorder's Court of the City of Savannah is hereby authorized to send to said farm persons convicted in the said Police Court to be there confined and to labor during the terms of sentence and to provide for such confinement and labor at the said farm as an alternative of not paying the fine assessed by the said court.
Oct. 7, 1908.

606. City to share expense. The City of Savannah shall be responsible for and shall pay such part of the expense incident to the keeping, guarding and maintaining of the prisoners on said farm as may be agreed upon by the city authorities and the authorities of Chatham county.
Dec. 19, 1917.

607. City may inspect; convicts not to wear stripes. While the said farm shall be operated exclusively by the county authorities, the Mayor of the City of Savannah or any officer or representative of the city by him designated, shall have the right, at any time, to inspect the said farm and the treatment of Police Court prisoners with a view to the observance of the act of the Legislature of Georgia upon which this ordinance is based, and which act provides that the rules and regulations governing the treatment of convicts shall be designed not only to prevent, as far as may be, the burdening of the public by the idleness of persons convicted of offenses, but also to promote the just, kind and humane treatment of such persons. The said convicts from Police Court shall not be allowed to wear stripes or chains, and, as far as practicable parties sent to said farm shall be saved the disgrace of the name and treatment usually accorded convicts, but nothing in this ordinance shall be so construed as to prevent the putting of the convicts in such working clothes as may seem proper to the county authorities, and such disciplinary measures as may be necessary and also consistent with the terms and spirit of the said act and of this ordinance.
Oct. 7, 1908, ¶ 4.

608. Police Committee to aid in making rules. It shall be the duty of the Police Committee of the City of Savannah to confer with the county authorities and formulate rules and regulations for the governing of the said farm and the persons confined thereat, and report such rules and regulations to the Council of the City of Savannah for its action.
Ibid. ¶ 5.

609. Punishment for escapes. Any persons sent to the said farm from the said court and escaping therefrom shall be subject, upon conviction before the said court, to an additional sentence to the said farm, not exceeding thirty (30) days for such escape.
Ibid. ¶ 6.
See Sections 239-248, this Code.

CHAPTER XXVII.

MARKET, GREEN GROCERS, ETC.

610. (515.) Public Market to be held daily. 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 kinds of provisions, may be sold, and such other articles as may hereafter be allowed, under regulations hereinafter contained.
May 28, 1872, § 1.

611. (516.) Market fees, how collected; opposing Clerk, fine. When any seller of meat or other articles such as may by this chapter be allowed and charged by this chapter, 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 said charge be not paid before the closing of the market, and the article or articles remain in the possession of the Clerk, the same shall be disposed of as may be directed by the member or members 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, or be imprisoned fifteen days, either or both, upon conviction in the Police Court. The Market Committee shall have the discretion to say what articles, other than those above named, shall be sold at the market house and the green groceries.
Ibid. § 2.

612. (517.) Butchers; to divide small meats; how, etc. The butchers shall, if required by any person or persons, with the approbation of the Market Committee, divide their small meats 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 hereafter 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, or be imprisoned not more than ten days, either or both, upon conviction in the Police Court; and every person cutting up meat shall wear a long white apron every day whilst at market.
Ibid. § 3.

613. (518.) Butchers not to skin meats in Market. It shall not be lawful for any butcher, by himself or another, to skin any of his meats in the public market of the City of Savannah, known as the City Market, and any person violating this section shall, on conviction before the Police Court of the City of Savannah, be subject to a fine not to exceed fifty dollars and imprisonment not to exceed ten days, either or both, in the discretion of the court.
June 5, 1895, p. 350.

614. (520.) Offal, etc., not to be brought to Market. 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 harslet, clean tripe, and lard and

tallow when melted, and rough fallow; provided, the same is free from any unpleasant smell; and any person so offending shall pay a fine not exceeding thirty dollars, or be imprisoned not exceeding ten days, either or both, upon conviction in the Police Court.

May 28, 1872, § 5.

615. (521.) Butcher pens within one mile of city, prohibited. If any butcher shall erect or 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 one hundred dollars for each offense, or be imprisoned not exceeding thirty days, either or both, upon conviction in the Police Court. It shall not be lawful for any butcher, under the fine of not more than one hundred dollars for every day's offense, or imprisonment not exceeding thirty days, either or both, upon conviction in the Police Court, 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.

Ibid. § 6.

616. (522.) Butcher wagons; feeding of animals at Market, regulated. No butcher bringing meat of any kind to market for sale, at any of the stalls, and 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 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 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 witihn the limits prescribed by said committee or Clerk.

May 28, 1872, § 8.

617. (526.) Vendors must have and use their own scales. It shall not be lawful for any vendor of meat, or other person having a stall and vending any article sold by weight, 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 scales 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, or be imprisoned not exceeding fifteen days, either or both, upon conviction before the Police Court.

May 28, 1872, § 12.

618. (527.) Sleeping on Market stalls, penalty. It shall not be lawful for any person to sleep or lie down upon any public stall in the market in the night or day time, and every person so found shall be taken up by the Market Clerk, or city police, and upon conviction thereof before the Police Court, fined by such court in a sum not exceeding thirty dollars, or be imprisoned not exceeding fifteen days, either or both, in the discretion of the court.

Ibid. § 13.

619. (528.) Penalty for violation of Market ordinances. Each and every person violating any part of this chapter, the penalty for which violation is not herein specially designated, shall be fined in a sum not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, or both, in the discretion of the Police Court.

Ibid. § 15.

620. (529.) Selling through city after Market hours. Persons renting stalls in the market are hereby allowed to carry their provisions through the city after market hours, keeping no fixed stand, but moving from place to place; but in the case of butchers renting stalls in said market, such butchers are forbidden from selling such provision in the streets after market hours, except from carts, wagons or other vehicles, which may have thereon such badge or other designation as the Market Committee, win the concurrence of the Mayor, may prescribe; and no person shall be authorized to sell vegetables through the streets during market hours.

Ibid. § 16.

621. (530.) Dogs not permitted within thirty feet of Market. 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, or be imprisoned not exceeding fifteen days, either or both, in the discretion of the Police Court.

May 28, 1872, § 17.

622. (531.) Smoking in Market; gunpowder, explosive oils, etc., prohibited. It shall not be lawful for any person to smoke any cigar, pipe or cigarette in the public market place in the City of Savannah, under the penalty of two dollars for the first offense, and not exceeding five dollars for each and every subsequent offense; and no gunpowder, or other detonating or fulminating preparation or substance, or explosive oil, shall ever be carried to said market, under penalty of not more than one hundred dollars fine, or imprisonment not more than thirty (30) days, either or both, in the discretion of the Police Court, for each and every offense.

Ibid. § 18.

623. (532.) Defacing Market building or stalls, penalty. 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, or shall chop any meat or other articles on any stall, such offender shall be fined for such offense in a sum not exceeding fifty dollars, one-half the fine to be paid to the informer, or be imprisoned not exceeding twenty (20) days, either or both, in the discretion of the Police Court.

Ibid. § 19.

624. (534.) Butchers to enter into bond of $500. Each and every butcher in the public market of Savannah shall, as one of the conditions of his carrying on the trade of butchering, enter into a bond in the sum of five hundred dollars, payable to the Mayor and Aldermen of the City of Savannah, with good security to be approved by the Mayor, conditioned that such butcher will faithfully comply with all of the ordinances of the city and the laws of the State, in reference to cattle and other animals for slaughter, offered for sale; and on failure of any such butcher to give such bond and security, the Clerk of the Market shall refuse permission to such butcher to carry on his trade in said market; and the stall of said butcher shall be deemed and declared vacant, and may be rented out to some other person; provided, always, that nothing contained in this chapter shall be so construed as to take away the right of the Police Court or the City Council to enforce all ordinances of the city in relation to butchers. And such bond may be required to be renewed, from time to time, as the Mayor may direct.

May 28, 1872, § 22.

625. (535.) Butcher boys and helpers, how dressed. All butcher boys and helpers of butchers in the City Market are required to wear,

during market hours, and while in the performance of their duties, a clean, white smock frock and a white cap, having the name of his employers and number of his stall stamped or marked on the said frock and cap.

Any person who fails to observe the provisions of this ordinance shall be liable, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed five dollars, with the alternative of imprisonment not to exceed five days.

Aug. 30, 1893.

626. (536.) Dead poultry to be sold by weight. It shall not be lawful, hereafter, for any person to sell in or near the public market of Savannah, any dead poultry, except by weight; and, in case of disagreement between the seller and purchaser as to the true weight of such poultry, the same shall be determined by the Clerk of the Market, he using the public scales for that purpose, and any person selling or offering to sell dead poultry as aforesaid by false weight, shall, on conviction before the Police Court, be liable for every offense to pay a fine of not more than five dollars, or be imprisoned not exceeding ten days, either or both, in the discretion of the court.

May 28, 1872, § 23.

627. (537.) Re-selling articles bought at market, prohibited. A fine of not more than thirty dollars, or imprisonment not exceeding fifteen days, shall be inflicted on any person who may hereafter be convicted before the Police Court of selling, or offering, or attempting to sell, at or near the public market of Savannah, any meat, fish or poultry, game or wild fowl, eggs, vegetables, fruit, butter, or any other article or commodity, or provisions of any kind usually brought to market for sale there and which such persons may have bought at or near said market at any time before such re-sale, or offer, or attempt to re-sell: Provided, nothing herein contained shall be construed to apply to persons purchasing hogs, sheep or calves for the purpose of cutting up and exposing the same for sale in the public market.

Ibid. § 24.

628. (538.) Clerk and police to report violations. It shall be the special duty of the Clerk of the Market and of the city police to report all violations of any of the sections of this chapter, and to put the offender or offenders on the information docket; and in every case where the offender is not a resident of the City of Savannah, and does not reside within the jurisdictional and police limits, it shall be the duty of said Clerk to seize every such article or commodity and to retain the same until such offender shall enter, at the police station, into good security to answer for such offense; and in case no security be given, then said articles and commodities shall be forfeited to the city, on due proof before the Police Court.

Ibid. § 25.

629. (539.) Sale of dead poultry, meat or sausage on streets prohibited. It shall not be lawful for parties dealing in dead poultry, meat or sausage (that is those who have bought for the purpose of re-selling) to sell the same, or offer to sell the same, on the streets of the City of Savannah.

Any person violating this section shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed ten (10) dollars, or imprisonment not to exceed five (5) days, either or both, in the discretion of the court.

April 21, 1897.

630. (540.) Market fees and charges. The following charges and fees shall hereafter be paid to and collected by the Clerk of the Market

for the use of the city: For every beef, twenty-five cents; for every calf, sheep, lamb, hog, deer or goat, fifteen cents; for each piggin, pail or firkin of butter or lard, ten cents; for each drum fish, bass, snapper, grouper, or other large scale fish not sold on string, five cents; for each turtle, five cents; for each pair of terrapins, five cents; for each shad, three cents; for each string of fish not less than one cent nor more than two cents; for each basket of shrimps or prawn, twenty cents; for each pail of open oysters, twenty cents; oysters and clams per bushel, five cents; for weighing on the public scales, each draft over thirty pounds, ten cents; and under thirty pounds, five cents; for every lot of vegetables sold from a stall or bench, ten cents; for every pair of wild English, black or canvas-back ducks, five cents; for every other kind of wild ducks, per pair, three cents; poultry sold from country carts, not taxable; fowls, per pair, five cents; turkeys, five cents each; geese, five cents each; from vendors of sausages, twenty-five cents for each days' marketing, and the same for the Saturday afternoon's market; for every coffee stand, twenty-five cents per day, and the same for Saturday afternoon's market; for each saddle of venison sold from a stall or bench, ten cents; for each lot of vegetables, fruit or other produce sold from a two-horse wagon or cart at the market during market hours, fifty cents; for each lot of vegetables, fruit or other produce sold from a one-horse wagon or cart at the market during market hours, twenty-five cents; for every basket of vegetables, fruit or other produce sold at the market, five cents; for every lot of jerked or dried beef sold at the market, twenty-five cents; for every basket of rice, ten cents; for every lot of watermelons or cantaloupes sold at the market, one cent for each melon or cantaloupe sold; for every sturgeon sold at the market, twenty cents.

May 28, 1872, § 26. July 19, 1882.

631. (541.) Charges for refrigerator or cold storage privileges. It is hereby made the duty of the Committee on Market to require the Clerk of the Market to charge not less than three (3) dollars a week for the space in the market that may be occupied by a refrigerator or for cold storage privileges, and to so regulate such use as to prevent the same from interfering with the utility or appearance of the market.

Oct. 26, 1892.

632. (542.) Clerk to make daily return of fees collected. The Clerk of the Market shall make a daily return of the charges and fees received by him as Clerk, and pay the amount thereof into the City Treasury.

Jan. 3, 1906.

633. (543.) Three stalls to be reserved for planters. 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 herein enumerated on all articles brought and exposed for sale in the said stalls.

Ibid. § 28.

634. (544.) Market hours prescribed. The following shall be the hours of opening and closing the public market of the City of Savannah, to-wit: From April 1st to October 1st, of each year, to open at 4 A. M., and close at 10:30 A. M., daily, Saturdays and Sundays excepted. From October 1st to April 1st, of each year, to open at 4 A. M., and close at 11:30 A. M., daily, Saturdays and Sundays excepted. On all Saturdays the market will open at 4 A. M., and close at 10 P. M. The time herein referred to is that now observed by the City of Savannah, known as the Eastern or Fast Time.

May 6, 1896, p. 361.

635. (545.) Clerk of Market, election, bond and oath. The Clerk of the Market shall be elected by the Mayor and Aldermen in Council assembled, as a regular city officer for the same term as other city officers, and at the same time. The said Clerk shall give bond with good and sufficient security to the Mayor and Aldermen, to be approved by the Mayor, in the sum of two 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 ordinances regulating his duties, and before entering on the duties of his office or appointment, he shall take before the Mayor, Chairman of Council, or any alderman, an oath faithfully to discharge the duties of his office.

May 28, 1872, § 30.

636. (546.) Clerk of Market, duties. 1. The said Clerk is authorized, and he is hereby required, to collect and receive from the owner or seller of any meat, victuals, provisions, or any other articles of food, brought to the market for sale, and for weighing in the public scales, the fees respectively prescribed in and by this chapter, and he shall perform all other duties required of him in this chapter; and for any neglect or violation of duty, he may be fined in the sum not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, upon conviction before the Police Court, and be suspended and dismissed from office, as in the case of other city officers.

2. The Clerk of the Market shall attend the same regularly from the time of opening, and close the same at the time and hours herein directed. He shall sweep clean, and cleanse, or cause to be swept clean and cleansed, 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 cleanse, or cause to be cleansed 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, in addition to the scales and weights hereinbefore provided for.

May 28, 1872, § 31.

637. Clerk of Market ex-officio assistant food inspector. The Mayor, or acting Mayor, is authorized to appoint the Clerk of the Market as an ex-officio assistant food inspector, whose duty it shall be to assist the food inspector in the inspection of all meats, fish, vegetables, fruit and cereals and other articles sold or offered for sale in the City Market to be used for human consumption. The salary of said ex-officio assistant food inspector shall be $15 per month in addition to his salary as clerk of the market, payable as are the salaries of other city employes.

Res. Feb. 13, 1918.

638. (547.) Assistant Clerk. It shall be the duty of the Clerk of the Market to select an assistant, to be known as the Assistant Clerk of the Market, the said selection to be subject to the approval of the Mayor and the Market Committee of the City of Savannah. Upon such selection and confirmation, and before entering upon the discharge of his duties, the said assistant shall enter into a bond with good and sufficient security, payable to the Mayor and Aldermen of the City of Savannah, to be approved by the Mayor, in the sum of $1,000 for the faithful discharge of his duty.

March 4, 1891.

639. (548.) Duties and bond. The said assistant shall aid and assist the Clerk of the Market in his duties, and shall represent him in his absence, and shall be subject to the same rules and regulations as is the said clerk. He shall be paid such salary as may be prescribed by Council, subject to removal by the Mayor and the Committee on Market, if in the judgment of the said Mayor and committee such removal is proper.

Ibid. § 2.

640. (553.) Authorized to levy for fees; penalty for obstructing. When any seller of meat or other articles of provisions charged by the provisions of this chapter, 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 shall 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 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 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, or his assistant, such person or persons shall be fined in a sum not exceeding thirty dollars, or be imprisoned fifteen days, either or both, in the discretion of the Police Court.

May 28, 1872, § 33.

641. (554.) Green groceries, how established; bond, etc. 1. Any person desiring to conduct a green grocery in any part of the city from and after January 1, 1916, shall first make application to the Mayor and Aldermen of the City of Savannah for permission to do so and in said application shall give the names of the head of each family residing within one block of the proposed location of said green grocery and of the name of each person or firm doing business within one block of said location, and shall give to the city a bond in the sum of five hundred ($500) dollars, with two approved sureties conditioned to keep such green grocery clean and in good order, and also conditioned that he will comply with all pure food and health regulations of the City of Savannah and otherwise conform to the requirements of the ordinances of the City of Savannah in respect to green groceries and the sale of meats.

2. The petition shall be read in council at the first meeting after it is received and the Clerk of Council shall publish in the Minutes of Council the fact that such application has been received, and the names of the residents and business houses within one block of said proposed location, and at the next meeting of Council the Mayor and Aldermen shall determine whether or not the green grocery shall be permitted at such location. At said second meeting of Council any resident or property owner of the City of Savannah may object to the granting of such permit, and if there is objection the applicant shall be heard. The applicant and objectors may appear in person or by counsel, and after a thorough and fair hearing the Mayor and Aldermen shall determine whether or not the green grocery, if permitted at such proposed location, will be a nuisance. If they determine it will be a nuisance the permit shall be refused; if they determine otherwise the permit shall be granted. A majority of the Mayor and Aldermen shall determine the same, the Mayor voting in case of a tie. For proper cause the hearing may be postponed by Council, notice being given to the applicant and objectors.

3. Upon the permit being granted the applicant shall take out a license for the current year. And he shall be authorized to sell fresh meats, poultry and vegetables and such other articles as are usually sold in the public market of Savannah. The license to be paid by such green grocers shall be the sum fixed by the tax ordinances of the City of Savannah.

4. It shall not be lawful for any person to conduct a place of business for selling fresh meats, poultry and vegetables, or such other articles as are usually sold in the public market of the City of Savannah unless the terms of this ordinance have been complied with; and no person having been granted a permit and license under this ordinance or any pre-

ceding ordinance regarding green groceries shall be at liberty to change the location of his place of business without being permitted to do so by the Council of the City of Savannah, and then after an application and hearing as provided in the first and second paragraph hereof.

5. If at any time after permit is granted the place of business conducted by any green grocer shall become a nuisance or injurious to the health of the city or persons residing in the neighborhood of such establishment the Mayor and Aldermen of the City of Savannah may for reasons satisfactory to them upon a hearing had, after notice to the proprietor, revoke such permit and license. The hearing to be in open council, and all parties interested may appear personally or by counsel.

6. Any person conducting a green grocery business on the 31st day of December, 1915, under a permit granted by Council and at a location approved by Council, shall not be required to make another application for permission to conduct such green grocery business under this ordinance.

7. Sections 642, 643, 644, 645, 646 of this Code are hereby confirmed and made a part of this section.

8. Any one violating the provisions of this section shall, upon conviction before the Police Court of the City of Savannah, be fined in a sum not exceeding one hundred dollars or be imprisoned for not more than thirty days, either or both, within the discretion of the court, for each offense. Every day such business may be conducted in violation of this ordinance shall be considered a separate and distinct offense.

Dec. 22, 1915.

642. (555.) Green grocers under superintendence of Market Committee. The Market Committee shall have general superintendence of said green groceries, and the power to fix the times and terms of paying the fees due the city.

643. (556.) Certain meats to be sold only at market or green groceries. It shall be unlawful to sell by retail elsewhere than at the Savannah Market House, under market regulations, and at licensed green groceries, the following articles, viz.: Beef, veal, mutton, pork, and fresh butchers' meat of all kinds; but nothing herein contained shall be taken to prohibit the sale from wagons of licensed butchers and green grocers of the meats specified in this section from the market.

March 12, 1884, § 1.

644. (557.) What may be sold under green grocer's lisense. The articles mentioned in the preceding section are defined as those which the green grocer may sell under the green grocer's license tax, and which cannot be sold without payment of such tax.

Ibid. § 2.

645. (558.) Green grocer's license tax. The license tax to be paid by green grocers shall be the sum fixed by ordinance. (No dealer shall be taxed as a green grocer if such dealer does not sell fresh meats.)

Ibid. § 3. Jan. 10, 1900.

646. (559.) Penalty for violating. Any one violating the foregoing provisions as to green grocers, shall be fined before the Police Court of Savannah not more than one hundred dollars for each offense, or be imprisoned for each offense not more than thirty days.

March 12, 1884, § 4.

647. (560.) Street hawkers, licenses and badges. Nothing in this chapter contained shall, however, apply to street hawkers of poultry, game, fish, and shell fish and green garden truck, who shall first pay to the Treasurer the license tax as required by ordinance for street hawkers,

and register with the Treasurer their names and places of residnce, and obtain from said Treasurer a badge to be worn by them while hawking upon the streets, so as plainly to be seen, which said badge shall be made in such shape and dimensions as the Treasurer may determine.

Ibid. § 5.

648. (561.) Hucksters to sell inside, farmers, etc., outside of Market. All hucksters selling in the Savannah market shall sell inside of the market, and it shall be unlawful for any person other than farmers who sell their own produce to sell on the outside of the Savannah market.

Oct. 21, 1885.

649. (562.) Penalty for violation. Any person violating the next foregoing section, upon conviction thereof in the Police Court, shall be fined in a sum not exceeding fifty dollars, or imprisoned not more than thirty days, either or both, in the discretion of the officer presiding in said court.

Oct. 21, 1885, § 2.

650. (563.) Hucksters; license, badge and privilege. It shall be lawful for hucksters to sell in the streets of Savannah without regard to market hours, upon the payment in advance to the Treasurer of the City of Savannah the tax for one year's license. Upon such payment the Treasurer shall issue a badge, which shall have stamped thereon: "Huckster's Badge, No. ——, 19—," which must be worn in plain sight by the hucksters, and shall not be transferable. No badge shall be issued for less than twelve months; provided, that the requirements as to a tax and badge shall not apply to hucksters selling their own produce from farms or gardens owned or operated by them; and, provided further, that no huckster shall be allowed to cry his or her merchandise before 8 o'clock in the morning, City Time.

July 10, 1901.

651. (564.) Hucksters to use standard measures. It shall be the duty of the hucksters selling upon the streets of Savannah to use only standard iron-bound measures, under penalty, upon conviction in the Police Court of the City of Savannah, to a fine not to exceed $10 and imprisonment not to exceed ten days, either or both, in the discretion of the court.

Ibid.

652. (570.) Market Rules and Regulations. The following rules and regulations for the government of the public market, are hereby prescribed, and every violation of any such rules or regulations where not otherwise provided for in this chapter, shall subject the offender to a fine of not more than thirty dollars, or imprisonment not exceeding ten days, either or both, in the discretion of the court.

1. The Clerk of the Market may make stands or stalls for fruit and vegetable hucksters outside and adjacent to the market; butchers will be allowed to unload their wagons on the Congress Street front; vehicles must be placed close together and in regular order, without obstructing crossings. No deviation of the above will be allowed, without the consent of the Clerk of the Market, who may designate stations for country carts and wagons from the market house westward along St. Julian Street.

2. No person shall sell or offer for sale any stale meats, fish, poultry, eggs, or diseased fowls, or any unwholesome provisions of any kind.

3. No person shall throw, place, leave or deposit any stale meat, fat or bones, stale fish, entrails, or offal of fish, stale clams or oysters, clam or oyster shells, stale vegetables or fruit, or any putrid or offensive or unwholesome substance in or around the market.

4. Any person convicted of selling or offering for sale any stolen

meat, vegetable or other market produce, shall be excluded from all market privileges thereafter.

5. All scales, weights and measures must conform to the standard scales, weights and measures in charge of the Clerk of the Market.

6. No spring scales or steel-yards to be used in or around the market.

7. Every person cutting up meat shall wear a clean white apron during market hours.

8. No dog allowed within the market building.

9. No smoking allowed.

10. No person shall cut, mutilate, break, deface, or injure the market building, stall or other appurtenances thereof.

11. No meat shall be chopped except upon the blocks provided for the purpose.

12. Dead poultry must be sold by weight.

13. Sitting or lying down on the stalls prohibited.

The closing of the market will be announced by the ringing of the bell.

May 28, 1872. July 22, 1914.

653. General penalty. Any person violating any of the provisions of this chapter wherein punishment is not otherwise specifically prescribed, shall upon conviction before the Police Court of the City of Savannah be punished by a fine of not exceeding $100.00, or imprisoned not exceeding thirty days, either or both, in the discretion of the court.

654. Municipal abattoir; standard charges. The standard charges for slaughtering animals to be sold within the corporate limits of the City of Savannah are hereby fixed as follows:

Cattle, per head	$1.00
Large calves with hides left on, per head	.50
Sheep and goats, per head	.25
Veal calves, per head	.25

Hogs—50 cents for hogs weighing 100 pounds or over and 40 cents for hogs weighing less than 100 pounds.

The above prices include four days' cold storage (all carcasses must remain in cold storage twenty-four hours), and for cattle each day thereafter a charge of 5 cents per day for cold storage is allowed; for other animals, 2½ cents per day.

Mch. 28, 1917.

655. Municipal abattoir, designation. Any abattoir company located in Chatham county, Georgia, which adopts the charges here named and complies with all of the requirements of the Bureau of Animal Industry of the United States or the Bureau of Live Stock Industry of the State of Georgia, of the pure food ordinances and regulations of the Board of Sanitary Commissioners of the City of Savannah, shall, after examination and upon approval by the health authorities of said city, be designated as an authorized municipal abattoir of the City of Savannah, Georgia, and such abattoir companies may upon their advertisment and stationery, after their names, use the following words:

"Authorized Municipal Abattoir of the City of Savannah, Ga."

Ibid. ¶ 2.

CHAPTER XXVIII.

TRADE REGULATIONS.

656. (571.) Measurers and Inspectors of Lumber, qualifications and bond. The number of measurers and inspectors of lumber appointed by Council shall not exceed eighteen. 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 to the Mayor and Aldermen of the City of Savannah, 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.

March 28, 1843.

657. (572.) Personal inspection required. 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.

Jan. 8, 1857.

658. (573.) Penalty for not personally inspecting. 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 more than fifty dollars, or be imprisoned not more than twenty days, either or both in court's discretion, and may be dismissed from office by Council.

Ibid.

659. (574.) Raft timber, how classed and numbered. All rafts of timber arriving in the City of Savannagh must be classed and numbered one (1), two (2) and three (3) (according to quality of each kind of timber), and distinctly marked on the margin of the survey bill. Number one (1) or shipping timber must be well and smoothly hewn to square edges, clear of wane score hacks or other injurious axe marks, square butted and not to have more than one inch taper in every twenty (20) running feet. Number two (2) or mill timber will comprise all square timber not coming up to the requisition of shipping timber. Number three (3) will consist of all round, scab or block timber.

March 8, 1876.

660. (575.) Timber, how measured. All square shipping timber of class number one (1) shall and must be measured at the middle of the stick, mill timber one-third (⅓) from the top, and all around scab and block timber at the top end. All square timber must be measured and inspected on the four sides, dividing equally the wane and taking the smallest face and the smallest side for the square.

Ibid.

661. (576.) Fees of Inspector. 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 admeasurement 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; the price for measuring and inspecting all classes of timber shall be twenty-five (25) cents per thousand feet and an additional sum of fifteen (15) cents per thousand feet shall be allowed for turning over the same.

March 23, 1843. March 8, 1876.

662. (577.) Inspectors of Naval Stores; election, oath and bond. There shall be elected by Council not more than twelve inspectors for the inspection of rosin, spirits of turpentine and other naval stores in said city, each of whom shall, before entering upon the duties of his office, be sworn before the Mayor to the faithful performance of his duties, and shall give bond and security therefor in the sum of two thousand dollars, and take out a license, for which he shall pay to the City Treasurer the sum required by ordinance.

Jan. 26, 1876. Jan. 2, 1884.

663. (578.) Unauthorized inspectors, penalty. No person or persons whatsoever, except those appointed by Council, shall inspect and measure boards, scantling, staves, shingles, ranging timber, cypress logs, oak and other timber, cord and measure wood, or inspect or gauge liquids. And any person so offending shall, on conviction before the Police Court, be punished by a fine not exceeding thirty dollars, or imprisonment not exceeding ten days, either or both, in the court's discretion.

March 15, 1827.

664. (579.) Election of measurers and Inspectors. At the regular meeting of Council for the election of city officers, and on such other occasions as may be deemed necessary, there shall be appointed not exceeding eighteen measurers of lumber and inspectors of staves; not exceeding two measurers of wood; not exceeding two inspectors and gaugers of liquids; not exceeding six weighers of cotton, rice, tobacco, etc.; 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."

Ibid.

665. (580.) Not to be concerned in sales; bonds, etc. No person so appointed 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 to the Mayor and Aldermen of the City of Savannah, 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.

March 15, 1827.

666. (581.) Penalty for neglect of duty, etc. Each measurer and inspector of lumber, boards, scantling, staves, shingles, ranging timber, cypress logs, oak and other timber, inspector of firewood, inspector and gauger of liquids, weighers of cotton, rice, tobacco and hay, who shall be convicted before the Police Court of a neglect or violation of his duties, shall be fined in a sum not exceeding thirty dollars, or be imprisoned not exceeding thirty days, either or both, for each and every offense, and if deemed necessary by the said Mayor and Aldermen, be dismissed from office.

Ibid.

667. (582.) No person to sell without inspection. Any person who shall hereafter sell any lumber, ranging or other timber, staves or shingles for exportation, without being first inspected and measured by the proper officer appointed by Council, shall upon conviction, be fined for such offense, in a sum not exceeding thirty dollars, or be imprisoned not exceeding thirty days, either or both.

Ibid.

668. (583.) Neglecting to pay fees, penalty. Any person or persons who shall refuse or neglect to pay the fees which shall be due for inspecting, gauging, weighing, measuring or counting, or for the performance of any other duty hereinbefore prescribed, shall upon conviction, be fined in a sum not exceeding thirty dollars for each offense, or be imprisoned not exceeding thirty days, either or both, and the property shall in all cases be liable to the payment of the fees.

Ibid.

669. (584.) Inspector, etc., removing from city forfeits his office. Any measurer, inspector, weigher or gauger, 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.

Ibid.

670. Inspector and Weigher of Flour, Hay, and other grain. The Mayor is authorized to appoint an inspector and weigher of flour, hay in bales, corn, oats, wheat and other grain in bags, barrels, bulk, carload, or other quantities.

April 29, 1914.

671. Duties of Inspector. It shall be the duty of said inspector, when requested by the owner or consignee of any of the said articles, to inspect and weigh same and render an official certificate of grade and weight.

Ibid. ¶ 2.

672. Inspection fees. The compensation of said inspector, for each inspection, shall be 1 cent per bag or bale, or barrel, and that the minimum charge for each inspection shall be 50 cents for less than carload lots, and the maximum charge not to exceed 75 cents. The sum of 75 cents per car shall be charged when in carload quantities. The said fees to be paid by the owner or consignee of any of said articles, who has requested inspection. The charge for weighing shall be 1 cent per 100 pounds on hay and ¾ cent per sack or barrel on flour or grain. The said fees to be paid by the owner or consignee of any of said articles, who has requested weighing.

Ibid. ¶¶ 3 and 4.

673. Bond of Inspector. Before entering on the duties of his office, the said inspector shall enter into a bond for the penal sum of $500.00 for the faithful performance of his duties as prescribed by law, and shall, in addition, take and subscribe an oath of affirmation before the clerk of council of the City of Savannah, of which a minute shall be kept, that he will faithfully perform the duties of his office and inspect and weigh all of said articles offered to him for weight or inspection.

Ibid. ¶ 5.

674. Term of office. The term of office of said inspector appointed shall be for the current year, provided, however that each and every year hereafter an inspector shall be appointed by the Mayor at the last meeting of council in December of each and every year, to serve during the succeeding year.

Ibid. ¶ 6.

675. Must be qualified Inspector. It shall be unlawful for any person to perform the duties of an inspector or weigher of any of the articles mentioned in section 1 hereof, or to give a certificate of the grade or weight thereof, without first being thereunto appointed by the Mayor and taking the oath and giving the bond as herein provided.

Ibid. 7.

676. Penalty for violation. Any person violating any of the six preceeding sections shall be subject, upon conviction before the police court of the City of Savannah, to a fine not to exceed $100.00 and imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court.

Ibid. ¶ 8.

677. (585.) Adulterating the purity of flour. If any baker, or other person or persons, shall in any wise adulterate the purity of the flour of which the bread is made, further than what is absolutely necessary to the well making or baking thereof, the person or persons so offending shall be, on conviction before the Police Court, punished by a fine not exceeding fifty dollars, or by imprisonment not exceeding fifteen days, either or both, in the court's discretion.

Feb. 8, 1798.

678. (586.) Bread to be sold by weight. All bread made or baked for sale or exposed for sale in the city, shall be sold only by weight, that is to say by the two or more pounds, one pound, half pound or quarter of a pound, and the person making or baking for sale, or who shall sell or expose for sale any of the sorts of bread contemplated by this article, shall be compelled to weigh every such loaf on the demand of any person buying or offering to buy the same.

Dec. 5, 1860.

679. (587.) Selling bread deficient in weight, penalty. If any person shall sell or offer for sale any such bread, which shall be deficient in weight, the person so selling or offering for sale, as well as the baker of such bread, shall be liable severally on conviction before the Police Court of Savannah to a fine of not less than twenty-five dollars for every loaf so deficient, and such bread shall immediately be liable to forfeiture, for such use as the officer presiding in the Police Court may determine. And it shall be the duty of the police force of the city, under the direction of the Mayor, to enter any bakehouse, shop or other place where bread is offered for sale, and to cause any or all bread therein found to be weighed, and if a deficiency is found then to seize such bread and convey the same to the Police Court for forfeiture as aforesaid. And the offender shall also be liable to the penalty hereinbefore prescribed for false weight of bread.

Ibid.

680. (588.) Weighers, where located. The weighers of cotton, rice, tobacco and other goods, appointed under and by virtue of this Chapter, shall be located at convenient places in Savannah, 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 according to rates agreed upon by the parties.

March 5, 1857.

681. Fire wood, regulating sale of. No person engaged in the sale of firewood in the City of Savannah shall sell and deliver firewood in quantities other than one-fifth of a cord or multiples thereof, except as hereinafter provided.

Feb. 13, 1918.

682. Same; unmeasured quantities, when sold. Persons engaged in the sale of firewood in the City of Savannah shall be permitted to sell unmeasured quantities of wood less than one-fifth of a cord where by agreements of the parties the purchaser is to accept and carry away from the place of sale the wood so purchased.

Ibid. 2.

683. Same; measurements of wagons. All wagons used by sellers of wood in the City of Savannah for delivery of same shall contain two (2) compartments, each of said compartments measuring with the sides in three (3) feet wide, three (3) feet high and two feet ten and one-eighth (2 10⅛) inches from front to rear, and the said compartments with the sides in shall be used for delivery of all firewood cut in what is known as stove lengths. Said measurements shall be inside measurements. With the sides removed, said compartments shall be used for the delivery of all cordwood, which shall measure four (4) feet wide, two feet ten and one-eighth (2 10⅛) inches from front to rear, and two feet three (2, 3) high, a mark being placed upon the partitions to designate the height of cordwood, and the chief engineer shall cause said wagons to be inspected and stamped.

Ibid. 3.

684. Same; measurements of cord wood. All persons not engaged in the sale of firewood in the City of Savannah, but who shall sell and deliver cordwood therein, shall fairly cord the same up in racks at the place of delivery, and each cord shall measure eight (8) feet long, four (4) feet wide and four (4) feet high, and each half cord four (4) feet long, four (4) feet wide and four (4) feet high, and each quarter cord two (2) feet long, four (4) feet wide and four (4) feet high.

Ibid. 4.

685. (592.) Push carts vending fruit, etc. It shall not be lawful for persons vending fruit, or other merchandise from push carts, and similar vehicles, in the City of Savannah, to stand or remain stationary upon the streets or sidewalks of the City of Savannah, for the purpose of prosecuting their business, except so long as may be necessary to make change, or to complete a sale; provided, that this ordinance shall not refer to venders of lunches, sandwiches, etc., which are prepared and sold from push carts, where no objection is made by any person occupying or owning a storehouse or residence in front of which such vender of lunches may stand.

July 24, 1901, p. 350. April 12, 1893, § 1.

686. (593.) Penalty. Any person violating the next preceding section shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed ten dollars, with the alternative of imprisonment, not to exceed ten days, either or both.

Ibid. § 2.

687. (594.) Lunch carts. It shall not be lawful for persons vending meats, fish, meals, lunches, coffee, tea, sandwiches, or other food cooked or prepared in or upon, or sold from, push carts and similar vehicles, in the City of Savannah, to stand or remain stationary with such cart or vehicle upon the streets of said city, for the purpose of prosecuting their business, except for such time as may be necessary to make change or to complete a sale, and if any person owning or occupying premises within a radius of three hundred (300) feet from the place where such push cart or other vehicle may be located, objects to such location, and makes his or her objection known, in writing or verbally, to such vender, owning or using said push cart or other vehicle, such vender upon such objection being made known to him, shall at once move his said push cart, or other vehicle, more than three hundred (300) feet from the premises owned or occupied by said objecting person, nor shall he stop or locate it again within such limits, except to make change or complete a sale, it being the intention of this ordinance that no such vender shall stand or remain stationary with such cart or vehicle in or upon the streets of this city, except for the purposes of making change or completing a sale; if any person owning or occupying premises within a radius of three hundred (300) feet from the location of such push cart or other vehicle, shall object to the same, and shall communicate such objection to such vender, verbally or in writing.

Nov. 11, 1903, p. 346.

688. (595.) Penalty. Any person violating any provision of the next preceding section shall, on conviction before the Police Court of the City of Savannah, be punished for each and every such offense by a fine not exceeding twenty-five ($25) dollars, or imprisonments not exceeding thirty (30) days, either or both, in the discretion of the court.

Ibid. § 2.

689. (596.) Sale of fish from stands, push carts, etc., on streets. It shall be unlawful to expose or sell fish from stands, boxes, push carts, wagons or other vehicles in the streets of Savannah, under fine or five ($5.00) dollars for the first offense and ten ($10.00) dollars for each and every subsequent offense, with the alternative of imprisonment not exceeding five (5) days, either or both, in Police Court's discretion.

June 2, 1897, p. 410.

690. (597.) Pawnbrokers, license, bond and sign. Every person engaged in the business of pawnbroker in the City of Savannah, shall pay a license fee to the City of Savannah as may be prescribed in tax ordinance of each year, for each and every establishment conducted by him. Applicants for such license shall be required to give bond, with two good and approved securities, to the city, in the sum of $3,000, or other sum as prescribed in tax ordinance, conditioned to make good all damages arising from carlessness or unlawful dealings of the pawnbroker. The usual sign of three gilt balls pendent shall be affixed in a conspicuous place in front of the establishment of each pawnbroker within five days after receiving the license, and such pawnbroker failing to comply herewith, shall on conviction, be fined not less than fifty dollars, or be imprisoned fifteen days, either or both, in court's discretion.

Dec. 20, 1893, p. 105.

691. (598.) Business hours, police inspection, etc. The hours for opening their establishments shall be from 7 A. M. to 7 P. M., excepting Saturday, when they may continue open until 11:30 P. M. It shall be the duty of every pawnbroker to admit to his or her premises the Chief of the police force, or such other officers that may desire at any time to search for articles missing or stolen, without the formality of a search warrant. He shall have also his pledges openly displayed that inspection may be easily made.

March 27, 1895, p. 353.

692. (599.) Book of pawn; pawn tickets. Every pawnbroker shall keep a book in which shall be written at the time of each loan, an accurate account and description of the articles or things pawned, the amount loaned thereon, and the time of pledging same. And the pawnbroker shall, at the same time, deliver to the said person pawning or pledging the article or things a certificate or ticket numbered to correspond with the number and description in his or her original entry. Said book shall be subject to daily inspection by such officers as the city may detail for such purpose.

Dec. 20, 1893, § 4, p. 105.

693. (600.) Not to sell articles imported from other cities. No pawnbroker shall import from other towns or cities merchandise of any description whatever, or offer for sale in his establishment any merchandise whatever other than that upon which an actual loan has been made, and ticket given.

Ibid. § 5.

694. Pawnbrokers, not to accept articles from minors. No pawnbroker shall receive any article in pawn or purchase any article for resale from any person under twenty-one years of age.

Feb. 13, 1918.

695. (601.) Penalty. Any person or persons failing to conform with the above regulations as to pawnbrokers shall be subject, upon conviction in the Police Court, to a fine not exceeding $100, or be imprisoned not exceeding thirty days, either or both, with an immediate revocation of the license of such offender.

696. (602.) Daily reports to Chief of Police. It is hereby made the duty of all pawnbrokers doing business in the City of Savannah to make daily reports to the Chief of Police of the City of Savannah by nine o'clock, city time, each morning of the reception of any and all pawns deposited with them, or purchases made by them, on the preceding day, giving the number of the pawn ticket and such a description of the personal property as will make its identification easy, and in case the pawn or purchase is a watch or other article having a number, the description shall state, among other things, such number.

Feb. 5, 1902, p. 280.

697. (603.) Shipping away unredeemed pledges. No pawnbroker doing business in the City of Savannah shall ship any goods or unredeemed pledges out of the city, or sell any such goods or unredeemed pledges at wholesale, without first submitting to the Mayor of the City of Savannah a list of the articles desired to be shipped out of the city or sold at wholesale, and obtaining the Mayor's sanction of the shipping of said articles out of the City of Savannah, or the sale of said articles at wholesale.

Ibid. § 2.

698. (604.) Penalty for violation. When it is made to appear to the Mayor of the City of Savannah that any person doing the business of a pawnbroker in the City of Savannah has violated any of the provisions of the two next preceding sections, or has made false or incomplete reports thereunder, his license as a pawnbroker shall be revoked at the discretion of the Mayor of the City of Savannah, and he shall be subject to punish-

ment in Police Court by fine not exceeding $100, or imprisonment not exceeding thirty days, either or both.

Ibid. § 3.

699. (620.) Pawnbrokers prohibited from sale, etc., of firearms, whenever notified by Mayor. Whenever the Mayor of this city shall have served written notice upon any pawnbroker doing business in the City of Savannah, Ga., directing him not to sell, give away or dispose of any gunpowder, cartridges, guns, pistols or other firearms, to any person, within the period named in such notice, except such sale, gift or other disposition of such articles shall have been first approved in writing by the Mayor of this city, then it shall be the duty of such pawnbroker, so notified, to retain in his possession any such gunpowder, cartridges, guns, pistols or other firearms, which he may have at the time of the reception of such notice, and to sell, give away or dispose of the same only with the written approval of such Mayor in each instance, as specified herein.

Sept. 26, 1906.

700. (621.) Pawnbrokers' premises may be searched for firearms. In order to effectually carry out the provisions of this ordinance, it shall be the duty of each and every pawnbroker, so notified by the Mayor as above, to admit to his or her premises the Chief of Police or any officer or member of the police force of the City of Savannah, who may desire at any time to search for any such gunpowder, cartridges, guns, pistols or other firearms, without the formality of a search warrant, and such Chief, officers and members of police force shall have the right to thoroughly inspect the premises of such pawnbroker, and his books, at any time, and all such articles shall be openly displayed, so that inspection can be easily made.

Ibid. § 2.

701. (622.) Penalty, fine, imprisonment or revocation of license. Any such pawnbroker, notified as above, who may violate the provisions of the two preceding sections, or either of them, shall, for each and every such violation, be punished, upon conviction before the Police Court of the City of Savannah, by imprisonment not exceeding thirty (30) days, and by a fine not exceeding one hundred ($100) dollars, either or both, in the discretion of the court. In addition to the foregoing punishment, the Mayor shall be and is hereby authorized to cite any such pawnbroker charged with such violation, before him, and upon hearing had, he shall have the power to revoke the license of such pawnbroker, if he shall find that he or she has violated any of such provisions; such revocation of license, however, to be no exemption from the punishment prescribed herein before the Police Court.

Ibid. § 3.

702. (605.) Persons holding themselves out to be pawnbrokers, subject. Any person or persons who shall, in any manner, convey to the public the impression that they are carrying on a pawnbroker's business by having printed or painted in front of their places of business the words "pawnshop," or "pawnbroker," or by having the usual three gilt balls pendant printed or painted in front of their said places of business, shall be held and deemed to carry on the business of a pawnbroker in the City of Savannah, and shall pay a license fee to the said city, as prescribed in tax ordinance, for each and every establishment conducted by them. The provisions of the ordinance of 1893 and any ordinance amendatory thereof shall apply to such persons as fully as if specifically herein set out.

Nov. 16, 1898, p. 315.

703. Junk, purchasers of, to report daily to police. All purchasers of junk whether junk dealer or not, and every owner or owners, lessee or lessees, of a junk shop doing business within the jurisdictional limits of the City of Savannah, shall, within twenty-four hours after the delivery to him of any junk, merchandise or other property of similar character, make a written report to the Chief of Police of the City of Savannah, giving in his said report a description of the property sufficient to make identification easy, the name of the person from whom the same was purchased and the address of the seller.

Jan. 3, 1917.

704. Not to remove junk for twenty-four hours after report. Any person buying junk or merchandise or other property of similar character and every owner or owners, lessee or lessees of a junk shop doing business within the jurisdictional limits of the City of Savannah shall, after rendering in writing the report aforesaid allow an additional twenty-four hours for inspection of the said property by the police of the City of Savannah and prior to the expiration of said time shall make no disposition whatsoever of the same or any part thereof nor remove nor permit its removal from the place where the same has been delivered, nor make any alteration of the same or any part thereof.

Jan. 3, 1917.

705. Junk to be received only in day light. No person shall receive or accept delivery of or take into possession directly or indirectly any junk within the jurisdictional limits of the City of Savannah except during broad daylight.

Jan. 3, 1917.

705 (a). Junk not to be purchased from minors. It shall be unlawful for any junk dealer or person connected with such business, or the operator of any junk collecting vehicle, or any person connected therewith, to purchase junk from any person under twenty-one years of age.

March 13, 1918.

706. Shipments made only after report to police. No shipment shall be made by any person of junk from the City of Savannah unless a report in writing has been made to the Chief of Police stating when such shipment will be made and giving an accurate description of the junk so to be shipped and allowing after the said written report twenty-four hours for the inspection thereof by the police department of said city.

Jan. 3, 1917.

707. Junk collecting vehicles, tax, regulations. The operator of each vehicle used in the collection of articles of junk within the City of Savannah, except as herein provided, shall be required to pay an annual license fee of one hundred ($100) dollars for each vehicle, the same to be paid as are other licenses provided for by the City Council. Each person upon paying such license shall receive from the City Treasurer, a license certificate upon which shall be entered a description of the vehicle, and a metal tag or badge which shall be marked "Junk Vehicle License, No. ——." The tags shall be numbered consecutively from one (1) upward, and shall be securely fastened to the vehicle used.

(a) Every junk dealer shall upon paying his junk dealer's license be entitled to a vehicle license for one junk collecting vehicle, and the license and tag shall be furnished him by the City Treasurer without additional charge; but they shall be subject to all the provisions of this ordinance.

(b) Where the word "vehicle" is used in this ordinance, it shall be

construed to mean wagon, dray, automobile, truck, motor truck, motorcycle, push-cart, and all like conveyances.
July 4, 1917.

708. Badge to be registered at Police Barracks. Upon the receipt of such badges from the City Treasurer's office the owner of same shall be required to immediately register the same with the police department of the City of Savannah, giving the number of the badge, the name of the owner and operator of the vehicle, with the description of the vehicle.
July 4, 1917.

709. Vehicle badge not interchangeable. When a license and badge has been granted for one vehicle, the same shall not be used for another vehicle except by authority of the Mayor and Aldermen of the City of Savannah.
July 4, 1917.

710. Vehicle operator to make daily report. The operator of every such vehicle shall upon every date that he operates such vehicle make a written report to the Chief of Police of the City of Savannah, giving in his said report a description of all junk purchased or hauled by him during said day with the name and address of the person from whom the same was received, and the name and address of the person to whom it was delivered.
July 4, 1917.

711. To operate only in broad daylight. No person operating such vehicle shall receive or accept delivery of or take into possession directly or indirectly any junk within the jurisdictional limits of the City of Savannah except during broad daylight.
July 4, 1917.

712. Definition; junk. For the purposes of this chapter junk shall be held and construed to include old rope, chain, iron, copper, brass, lead, parts of machinery, car brasses, old rubber, old plumbing fixtures, bagging, burlap, old pipe, and all other articles and things ordinarily gathered and bought up by tradesmen called "junk dealers."
Jan. 3, 1917. July 4, 1917.

713. Penalty. Any person violating any one of the provisions of this chapter shall, upon conviction before the Police Court of the City of Savannah, be subject to a fine not exceeding one hundred ($100) dollars and imprisonment not exceeding thirty (30) days, either or both, in the discretion of the court.
Jan. 3, 1917. July 4, 1917.

714. (608.) Soliciting trade in front of place of business, unlawful. It shall be unlawful for any person in front of his place of business to solicit trade from persons passing on the street or sidewalk in the City of Savannah. Any person violating this ordinance shall, on conviction before the Police Court of the City of Savannah, be subject to a fine not to exceed $100, and imprisonment not to exceed thirty days, either or both, in the discretion of the court.
Nov. 1, 1899, p. 344.

715. (609.) Selling personal property around Court House. It shall not be lawful to sell at public outcry personal property of any description, except stocks, bonds and other securities, and except such property as is sold under order of court or legal process, in front of or around the Court House in the City of Savannah, and any person violating

this ordinance shall, on conviction before the Police Court of the City of Savannah, be fined in a sum not to exceed fifty dollars ($50), or imprisonment not to exceed ten (10) days, either or both, in the discretion of the court.
Nov. 26, 1890, p. 47.

716. Licenses of Shipping Masters. Hereafter no license, permit or receipt, shall be issued to any person, firm or corporation, to do the business of a shipping master in the City of Savannah unless written application therefor has been first approved by Council, and such license or permit shall be subject to revocation by the Mayor of the city in the event the Mayor finds that a shipping master has been guilty of misconduct which, in the judgment of the Mayor, justifies such revocation.
Feb. 26, 1908.

717. Jewelers, to keep record of repairs. It shall be the duty of all jewelers and jewelry establishments in the City of Savannah to keep a record of all watches received for repairs, showing the numbers of such watches and the names and addresses of parties from whom received.
June 19, 1907.

718. To keep record of second-hand jewelry received. It shall be the duty of all jewelers and jewelry establishments in the City of Savannah to keep a record which shall give such a description of all second-hand jewelry, silverware, watches, etc., purchased or received in exchange as will make identification easy; in case the purchase or exchange is a watch or other article having a number, the description shall state, among other things, such number. This record to contain in addition to the description, the names and addresses of parties from whom such second-hand jewelry, silverware, watches, etc., was received in exchange or purchased.
Ibid. § 2.

719. Second-hand jewelry to be held thirty days. All second-hand jewelry, silverware, watches, etc., purchased or received in exchange, shall be held by the purchaser thirty (30) days from the date of purchase or exchange, and such records shall be open to inspection to the police department whenever called for.
Ibid. § 3.

720. Penalty. Any person violating any of the provisions of the three next preceding sections, or any person who shall keep a false or incomplete record, shall, on conviction before the Police Court of the City of Savannah, be subject to a fine not to exceed one hundred ($100) dollars, and imprisonment not to exceed thirty (30) days, either or both in the discretion of the court.
Ibid. § 4.

721. (618.) Ice sold, to be weighed on demand of buyer. It shall be unlawful for any person, firm or corporation engaged in selling ice within the corporate limits of the City of Savvanah, Georgia, to sell, or offer for sale, ice, to any one within such limits, whether at the vendor's place of business or from delivery wagons, or otherwise, except, when required by the buyer or his or her servant, or agent, by weight to be duly ascertained in the presence of such buyer or his or her agent or servant, at the time of delivery, and by or upon true and correct scales, to be provided by said vendor.

Such true and correct scales to be used, if demanded, in weighing ice on delivery, shall be on hand in every delivery wagon, or wherever ice shall be sold and delivered.

It shall be unlawful for any such dealer in ice, his clerk or driver

of delivery wagon, to deliver to any one who may purchase ice at retail a quantity less than that sold, and it shall also be unlawful for any such dealer, his clerk or driver of delivery wagon, to refuse to sell ice at retail for cash, to any one desiring to buy the same and who may demand that it be weighed at the time of delivery.

Aug. 29, 1906.

722. (619.) Refusing to weigh on demand, penalty. Any dealer in ice, person, firm or corporation, or clerk or driver of delivery wagon of the same, who shall fail or refuse to comply with precednig section in any particular, and shall be convicted before the Police Court of the City of Savannah on any such charge, shall be punished for each and every such offense, by a fine not exceeding fifty ($50) dollars, or imprisonment not exceeding twenty (20) days, either or both, in the discretion of the court.

Ibid. § 2.

723. Employment agency, license, etc. Every person, firm, or corporation conducting in the said City of Savannah an employment agency for the purpose of engaging persons to perform work outside of Chatham county, Georgia, shall pay into the city treasury as a license fee the sum of one thousand dollars, upon the day it commences its agency, if after January 1, and upon January 1 of every succeeding year that it continues said business. There shall be no discount on said license fee for payment before the 10th day of January, nor shall the license fee be reduced if the person so conducting said agency shall open his agency after July 1.

Aug. 2, 1916.

723 (a). Definition of "Employment Agency." The words "employment agency" shall be construed and deemed to mean any person, firm or corporation engaged in procuring persons to perform work outside of Chatham County, Georgia, whether the persons employed shall work for the person, firm or corporation who procures them, or for the employer of the person, firm or corporation procuring them, or for any other person, firm or corporation. And it shall not be necessary for the employment agency to have a regular place of business in this city, but the license shall be required when anyone in the City of Savannah employs or is about to employ persons to perform labor outside of Chatham County, Georgia, as aforesaid.

April 11, 1918.

724. Penalty. Should any person, firm or corporation conduct such employment agency as described in the foregoing two sections without first paying said license fee, upon conviction before the Police Court of the City of Savannah, the party guilty shall be fined for each day any part of said two sections has been violated in a sum not exceeding $100, and imprisoned thirty days, either or both, in the discretion of the court. Each person connected with said employment agency, if he is not the owner of the same, shall be equally guilty with the owner, if this ordinance is violated.

Ibid. 3 and 4.

725. Transfer companies to report removals of furniture. It shall be unlawful for any person or persons or corporations owning or operating any moving van, furniture car, transfer wagon, express wagon or any other vehicle, to haul or move, or cause to be hauled or moved, the household goods in the possession of, or custody of, any resident of Savannah, changing the place of his or her residence, from place to place in Savannah, until he writes upon a card the full name of the owner or person in possession or custody of such household goods, together with the address of the place from which and to which such

hauling or moving is to be done, and with the date thereof, and the name of the owner or person in charge of such vehicle. Said blank cards are to be printed according to a form prescribed by the Clerk of Council and are to be furnished by him at actual cost, and when returned to him, filled in with the proper information, are to be kept alphabetically, according to a card index system. Every person owning or operating any of the vehicles aforesaid shall, on Monday of each week, file in the office of the Clerk of Council a full and correct statement for the previous week of all information as required by this section. Upon receipt of such statement, the Clerk of Council shall file the same in his office, and such statement shall be open to the public.

March 5, 1913.

726. Unlawful to give fictitious name. It shall be unlawful for any person to give a fictitious name, or to deceive the owner or person in charge of any vehicle hauling household goods, trunks or personal effects as to the ownership thereof.

Ibid. 3.

727. Penalty. The violation of any provisions of the two preceding sections and any failure to comply therewith, shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not exceeding $25 and to imprisonment not to exceed five days, either or both, in the discretion of the court.

Ibid. 4.

728. Second-hand bicycles, etc., dealers to report purchases and repairs. It is hereby made the duty of all retail dealers in bicycles and motorcycles doing business in the City of Savannah to make daily reports to the Chief of Police of said city by 10 o'clock, city time, each morning, of all purchases of second-hand bicycles and motorcycles, as well as all second-hand bicycles and motorcycles repaired by said retail dealers or repairers, giving the make and factory number of the bicycle or bicycles and motorcycles and such descriptions as will make identification of same easy.

Aug. 18, 1915. March 17, 1915.

729. Penalty. Every violation of the foregoing section shall be punishable before the Police Court of the City of Savannah, by a fine not to exceed fifty ($50.00) dollars and imprisonment not to exceed ten (10) days, either or both, in the discretion of the court; and in addition to this, the license of such party so violating this ordinance shall be subject to revocation by the Mayor of the City of Savannah.

March 17, 1915.

730. Bowling alleys regulated. Every owner, proprietor, or manager or the agent, representative or servant of any owner, proprietor or manager of any bowling alley now established and operated or that may hereafter be established and operated within the limits of the City of Savannah, who may be in charge of the operation and conduct of said bowling alleys shall cease the operation of said bowling alleys from 12 o'clock midnight every night according to the time adopted as city time in said City of Savannah until 8 o'clock A. M. the next day, according to said city time. Any such owner, proprietor or manager of said bowling alleys or the representative, agent or servant of such owner, proprietor or manager, who shall have charge and control of the conduct or operation of such bowling alleys who shall violate the provisions of this ordinance shall be punished in the Police Court of said city for each of said violations by the payment of a fine of not exceeding $25 or imprisonment not exceeding ten days, or both, in

the discretion of the Recorder or other presiding officer of said Police Court.

Oct. 7, 1908.

731. Billiard and pool rooms restricted. No pool room or billiard room license shall be granted to any person, corporation or association on Broughton street between the western line of Lincoln street and the eastern line of West Broad street. Provided, however, that nothing in this ordinance shall prevent the granting of a license to a pool or billiard room, and the conduct of such business, which is to be operated in the second story of any building within the area mentioned, if the entrance to such pool or billiard room is not on Broughton street nor within fifty feet of the nearest property line of Broughton street.

Jan. 5, 1916.

732. Same; hours regulated. All pool rooms and billiard parlors located in the City of Savannah north of Oglethorpe Avenue, east of Jefferson Street, and west of Lincoln Street, shall close at one o'clock A. M., Eastern time, and shall remain closed from said hour until broad daylight, and shall not operate during said closed period. All billiard parlors and pool rooms in all other parts of the corporate and jurisdictional limits of the City of Savannah shall be open and operated only between the hours of five o'clock P. M. and midnight, Eastern time, each night, and they shall remain closed from 12 o'clock midnight until five o'clock P. M., and shall not operate during said closed period. Provided, that no pool room or billiard parlor shall be opened or operated after midnight Saturday night or at any time during the Sabbath Day.

At all times when operated said places shall be open to visitation by the police, and at all times, whether operated or not, glass panels shall be maintained in all doors used for entrance to such places and no such panel or window in such places shall be screened, curtained or otherwise maintained so as to interfere with clear vision from outside of said pool room or billiard parlor.

April 24, 1918.

733. Penalty. Any owner or employe of or in any pool room or billiard parlor who fails to comply with the foregoing provisions shall, upon conviction in the Police Court, be fined not more than one hundred dollars ($100) or imprisoned not more than thirty (30) days, either or both, in the discretion of the court.

734. Stores selling beverages to have clear view. All places where beverages of any kind are sold or exposed for sale and to which the public are permitted to resort or go shall be so kept and maintained at all times that an unobstructed view can be easily obtained of the interior of such places by persons on the street, and it shall be unlawful for the doors or windows of such places to be screened, curtained, painted or stained or otherwise treated so as to interfere with clear vision from the street into such places.

April 29, 1916.

735. Theaters, moving pictures, etc., licensing. Licenses for the operation of theatres, moving picture houses or other places of amusement in the City of Savannah, shall only be granted upon petition to Council, stating the location of said theatre, moving picture house or other place of amusement, the name of the proprietor or manager thereof, and generally the character of entertainment to be given therein, provided that the provisions of this ordinance shall only apply to theatres, moving picture houses and other places of amusement hereafter opened or established; and provided further, that when a petition has once been filed and a license issued as provided by this ordinance, it shall not thereafter be necessary for another application to be filed in order to secure a new license.

(a) No license for the operation of any theatre, moving picture house or other place of amusement shall be issued by the Treasurer of said city until the petition therefor shall have been granted and approved at a regular meeting of said Council.

Nov. 1, 1911. Feb. 21, 1912.

736. Moving picture operators, regulations. A. All operators of moving picture machines must be licensed, and of a legal age. Before issuing a license to an operator, his habits shall be carefully looked into, and an examination of him shall be had before the Chief of the Fire Department and the Electric Inspector or Chairman of the Fire Committee as to his qualifications and fitness for such position.

B. Operators of machines shall be held strictly accountable for the safety of the establishment where employed, and for the people who attend the performances. The machines must be in first-class condition, and must not be operated except in a fireproof booth, equipped with sand, water, and fire extinguisher. Faulty films are not to be used, and extra films are to be kept in metal boxes. Smoking is absolutely prohibited. No one shall be allowed in the operator's booth except assistant's, the operator being held responsible for the action of his assistants while absent from the booth.

C. It shall not be lawful to re-wind one film while the operator is showing another. In case of an accident, the operator shall throw over the lamphouse, and then throw on the house lights, and shall not read while cranking the machine. Before showing a film publicly, he shall carefully examine it. If the sprocket holes are torn or worn, he shall mend the film. If the film is in poor condition, it shall be discarded altogether. All loose pieces of celluloid film shall be kept in a tin box, and carbons thrown in the sand pail.

D. An operator's license shall be immediately revoked if he is caught smoking, or shall have a fire or an accident due to his carelessness. Rheostats or rheostaticides must rest on asbestos, stone, or brick, at least six inches above the floor; the wires from the switch to the lamp-house to be kept covered with serviceable asbestos. Under no circumstances shall less than 35 amperes of electricity be used, and the fuses never heavier than 50 amperes.

May 19, 1909.

737. (1587.) Auction sales, who may hold. It shall not be lawful for any person whomsoever, not being a licensed auctioneer, 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 liable and subject to a fine for each and every such act or offense, of not exceeding fifty ($50) dollars, or imprisonment not exceeding fifteen (15) days, either or both, in the discretion of Police Court.

July 1, 1852.

738. (1588.) Circus exhibitions or paraders. No person or persons whomsoever, shall, within the limits of this city, represent or exhibit any circus, or have any circus parade through the streets of said city, without permission previously obtained from the Mayor or Acting Mayor. Upon an application in writing by any person or persons, stat-

ing the nature of the exhibition or parade proposed, the names of the persons interested, and the length of time during which he, she or they desire to represent, exhibit or perform, and the length of time during which he, she or they will occupy with a street parade, it shall and may be lawful 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 may by said Mayor or Acting Mayor be deemed proper and expedient to be paid or received, or as may be specified in tax ordinance, before such permission shall be granted.

Sept. 15, 1880.

739. (1589.) Penalty for exhibiting or parading without permit. If any person or persons shall represent or exhibit, or attempt to exhibit any circus, or take part in any circus parade through the streets of said city, 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 offense, on conviction thereof in the Police Court, forfeit and pay a fine not exceeding one hundred ($100) dollars each, or be imprisoned not exceeding thirty (30) days, either or both.

Ibid.

740. (1590.) Other shows or entertainments; Mayor's permit. 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 Mayor or Acting Mayor. 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 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 may be deemed proper and expedient to be paid or secured, or as may be specified in tax ordinance, before such permission shall be granted.

Feb. 14, 1799.

741. (1591.) Performing or exhibiting without permit. 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 chapter, 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 offense, forfeit and pay a fine not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the court.

Feb. 14, 1799.

742. (1592.) Audience to be dispersed and performers arrested. It shall be the duty of the Mayor or Acting Mayor, 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 article, to issue his order, directed to the Chief of Police, commanding him that 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 chapter, and if necessary, may summon the police or citizens to assist him.

Ibid.

743. (1593.) Poles on streets, tax of. Every telegraph, telephone, railway and light company, persons or corporation, erecting poles on the streets, lanes, public ways, or thoroughfares in the City of Savannah shall pay to the City of Savannah at the rate of fifty (50) cents per annum for each pole so erected, provided this shall not be required as to poles which support exclusively trolley wires, and the companies, persons, or corporations amenable to this charge, shall, through the proper officers, make written return to the City Treasurer of the said poles, and pay the charges herein required within fifteen days from the first day of January. In default of such payment, execution may be issued therefor as are executions for city taxes.

Dec. 28, 1917.

744. (1597.) Speculators in theatrical tickets. It shall not be lawful for any person or persons, in the City of Savannah, to speculate, or sell, or offer to sell, with a view to speculation, any ticket or tickets to any theatrical exhibitions of any kind to be given in the City of Savannah without first paying to the City of Savannah a specific tax of one hundred ($100) dollars, which tax shall confer the right so to speculate for the current year of the payment of said tax.

2. That any person or persons violating the provisions of this section shall, upon conviction before the Police Court of the City of Savannah, be subject to a fine not to exceed one hundred ($100) dollars, and to imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court.

3. That this section shall not be so construed, as to apply to the authorized agent or agents of the company or persons giving the said exhibitions.

Feb. 19, 1890, p. 199.

745. (1598.) Selling water on Savannah river. Any person or persons selling water on the Savannah river, in the port of Savannah, shall pay, as a business or specific tax, the sum of two hundred ($200) dollars per annum, payable to the Treasurer of the City of Savannah for the doing of said business during the present or any succeeding year, or any part of any year, and it shall not be lawful to conduct said business without first paying the said specific tax.

May 19, 1897, § 1, p. 417. Dec. 28, 1917.

746. (1599.) Water rate to sellers to be fixed by Committee on Water. The rate to be charged to the person or persons doing the said business for the water received from the City of Savannah and the limit to be charged by said persons to their patrons shall be fixed by the Committee on Water for the City of Savannah, and it shall not be lawful for any person or persons to charge their patrons more than the rate so to be fixed.

Ibid. § 2.

747. General penalty. Any person violating any of the provisions of the foregoing chapter, wherein punishment is not otherwise specifically provided, shall, upon conviction before the Police Court of the City of Savannah, be fined in a sum not exceeding one hundred dollars or imprisoned not exceeding thirty days, either or both, in the discretion of the court.

CHAPTER XXIX.

LABOR ORDINANCES.

748. Employment of Savannah Labor. In all contracts made by the City of Savannah, or its duly authorized officers, there shall be inserted a provision to the following effect: "It is mutually understood and agreed, and a part of the consideration to the Mayor and Aldermen of the City of Savannah for the making of the contract, that in the carrying out of this contract, citizens of the City of Savannah shall be given the preference for employment to perform all labor required by this contract to be performed; that the rate of wages to be paid shall not be less than the ruling rate of wages paid within the City of Savannah for the performance of work of the character specified, and that in the purchase of materials to be used in the carrying out of this contract, all materials practicable to be obtained in the City of Savannah shall be purchased in the City of Savannah."

July 8, 1914.

749. Advertisement to carry notice. All advertisements for the bids on public works or work of whatsoever kind for the City of Savannah, shall contain a notice that all bids must be made and all work must be done under the conditions and provisions of this chapter.

Ibid. § 2.

750. Contractors' bonds to contain labor provision. The bonds of any contractor doing work for the Mayor and Aldermen of the City of Savannah shall contain a provision binding him to the observance of this chapter.

Ibid. ¶ 3.

CHAPTER XXX.

FIRE DEPARTMENT.

751. (624.) Fire Department, consists of what. The Fire Department shall consist of one (1) Fire Chief, one (1) First Assistant Chief, one (1) Second Assistant Chief, one (1) clerk, one (1) City Electrician, one (1) Assistant City Electrician, one (1) Electrical Inspector, one (1) Lineman, one (1) Superintendent of Machinery, one (1) Assistant Superintendent of Machinery, one (1) Chief Fire Inspector, five (5) Fire Inspectors, nine (9) Captains, six (6) Engineers, nine (9) Lieutenants, and such privates as may from time to time be authorized by Council; with such engines, hose wagons, automobiles, hook and ladder trucks, chemical engines, supply wagons and carts, buggies and horses, and such quantity of hose, harness, appliances, implements and other equipment as shall be requisite for efficient service in and by such fire department.

Sept. 16, 1903. June 21, 1905. Jan. 13, 1909. Feb. 28, 1911. March 5, 1913. May 24, 1916. Jan. 2, 1918.

752. (625.) Officers and men; how chosen, and qualifications. 1. The Fire Chief shall be elected by Council biennially, as provided by law.

2. Each member of the Fire Department shall devote his entire time to the service of the same, and shall be engaged in no other business, occupation or employment requiring his personal attention, except as herein provided, or as Council may prescribe.

3. The Assistant Chief, Second Assistant Chief and Clerk shall be appointed by the Mayor upon recommendation of the Fire Chief approved by the Committee on Fire.

4. The Captains and Lieutenants shall be appointed from among the regular firemen, by the Mayor, upon the recommendation of the Fire Chief approved by the Committee on Fire.

5. The engineers shall be competent engineers and practical machinists, and shall be appointed by the Mayor upon the recommendation of the Fire Chief approved by the Committee on Fire.

6. The regular firemen shall be appointed from among the supernumerary firemen by the Mayor, upon recommendation of the Fire Chief approved by the Committee on Fire.

7. The supernumerary firemen shall be appointed by the Mayor, upon recommendation of the Fire Chief and approved by the Committee on Fire.

8. No person, other than the Fire Chief and the Assistant Fire Chiefs, Clerk and Electrician, shall become members of the Fire Department who fails to meet the following requirements, physical tests, and medical examination, to-wit:

(1) He must be a citizen of the United States.

(2) He must have been a resident of the City of Savannah for a period of not less than one (1) year, next prior to the date of his application.

(3) He must not be less than five feet six inches in height.

(4) He must not weigh less than one hundred and thirty-five (135) pounds.

(5) He must not be less than 21 years, nor more than 35 years of age.

(6) He must pass a satisfactory physical examination, his weight and circumference of chest shall not be less than that designated as the minimum accompaniment of the height and weight in the following table:

Height.	Minimum Weight.	Circumference of Chest Quiescent.
5 feet 6 inches	135 pounds	33¾ inches
5 feet 7 inches	140 pounds	34 inches
5 feet 8 inches	145 pounds	35 inches
5 feet 9 inches	150 pounds	35¼ inches
5 feet 10 inches	155 pounds	36 inches
5 feet 11 inches	160 pounds	36½ inches
6 feet	165 pounds	37 inches
6 feet 1 inch	170 pounds	38 inches
6 feet 2 inches	175 pounds	39 inches
6 feet 3 inches	180 pounds	40 inches
6 feet 4 inches	185 pounds	41 inches

(7) He must be free from any constitutional disease, or predisposition to same.

(8) He must be free from permanent defects of either of the extremities or articulation, causing inefficiency and unnatural curvature of the spine.

(9) He must be free from any and all of the following defects:

Deafness, impaired vision or color blindness; chronic heart affections; insufficient chest expansion (minimum 2¼ inches); hernia, hydrocele or varicocele, unless light; stricture in any form; indications of alcoholism; syphilis in any stage; gonorrhea or any sexual diseases; varicose veins in the lower limbs, unless slight.

(10) Evidence of any other disease, physical deformity or abnormal condition of such a character as to incapacitate the applicant for the performance of any duty or work in the Fire Department, will be cause for his rejection.

(11) As to all the foregoing requirements, certificates of physical fitness shall, in each case, be given in writing by the health officer, or the police surgeon, before the applicant can be accepted as such member.

Sept. 16, 1903. May 24, 1916.

753. Salaries, members of Fire Department. The salaries of the members of the Fire Department, other than the Fire Chief, shall be as follows:

First Assistant Chief	$150.00 per month
Second Assistant Chief	140.00 per month
Secretary	132.50 per month
City Electrician	160.00 per month
(One-half of the City Electrician's salary shall be paid from the budget of the Police Department.)	
Assistant City Electrician	135.00 per month
(Fifty dollars of the salary of the Assistant City Electrician shall be paid from the Police Department budget.)	
Line man	87.50 per month
Superintendent of Machinery	137.50 per month
Chief Fire Inspector	125.00 per month
Five Fire Inspectors	102.50 per month

Electrical Inspector	137.50 per month
Nine Captains	112.50 per month
Nine Lieutenants	102.50 per month
One Engineer and Ass't Superintendent Machinery	117.50 per month
Six Engineers at	112.50 per month

Privates of the said Fire Department shall be paid the sum of $77.50 for the first year; for the second and third year, $82.50; fourth and fifth year, $87.50; sixth to tenth years, inclusive, $92.50; eleventh to fifteen years, inclusive, $97.50, and thereafter $102.50 per month.

May 8, 1918.

754. Oath of office. Before entering upon the discharge of their duties each officer and member of the Fire Department shall 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 or membership, to the best of my skill and ability, faithfully discharge all the duties required of me, and that I will in all cases conform to the ordinances of the city and the rules and regulations of the Fire Department."

755. (626-5.) Bonds of officers and men. The officers and men of the Fire Department shall be required before entering upon the discharge of their duties to give bond with two personal securities or one surety company as security, to be approved by the Clerk of Council, for the faithful discharge of their duties. The Fire Chief in the sum of $3,000.00, the Assistant Fire Chiefs each in the sum of $1,500.00, the Clerk in the sum of $500.00, the City Electrician in the sum of $500.00, the Captains in the sum of $500.00 each, the Lieutenants in the sum of $200.00 each, the Engineers in the sum of $500.00 each, the regular and supernumerary firemen in the sum of $100.00 each; all members of the Fire Department not mentioned above shall give bond in the sum of $200.00 each.

756. (627.) Discharge of officers and men. 1. Any member of the Fire Department, other than the Fire Chief, shall be subject to discharge by the Mayor at any time, with or without cause assigned.

2. Any officer or member of the Fire Department who shall be found guilty of any violation of rules or orders, laws, ordinances or regulations governing the said department, shall, upon conviction thereof, before the Mayor, be subject to a fine for each and every offense in sums not less than one dollar nor more than one hundred dollars, reprimand, discharge from the service, reduction in rank or pay, or any two or more of the above penalties, at the discretion of the Mayor; and the Fire Chief or officer in command of the Fire Department, is hereby authorized to suspend from duty, and place any officer or member of the Fire Department under arrest for any such violation of duties as set forth in this chapter.

Sept. 16, 1903, § 4.

757. Fines go to Order of Firemen. The fines hereafter collected from the members of the Fire Department of the City of Savannah shall be and they are hereby set aside to the Order of American Firemen of the City of Savannah, and they shall be payable out of the city treasury, after their deposit therein, to the proper officer of said association, upon the orders of the Chief of the Fire Department of the City of Savannah.

Nov. 17, 1909.

758. (628.) Fire Chief, powers and duties. 1. The Fire Chief shall have, at all times, the general superintendence, control and command of all officers, men, apparatus, material and property of the Fire Department, subject to such regulations as shall be prescribed by existing or future ordinances.

May 10, 1916. Sept. 16, 1903.

2. He shall assign the officers and men to the engine house and apparatus with which they are to serve, all such assignments being first approved by the Mayor, and he shall be responsible for the discipline, good order, proper conduct, care and management of the whole department. Upon recommendation of the Fire Chief, the Mayor shall assign one of the regularly appointed engineers as inspector of engines, whose duties (in addition to those already prescribed) shall be to make all necessary repairs to machinery (in so far as the tools and implements of the department shall enable him), when so directed by the Fire Chief, and to make inspections of engines and machinery at such time and place as the Fire Chief may direct.

Sept. 14, 1904, p. 366.

3. He shall establish such rules and regulations as he may deem necessary, for the proper management of said department, subject to the approval of the Committee on Fire.

4. He shall cause to be examined daily the condition of the engine houses, apparatus, horses and all other property of the department and shall make daily report of the same to the Mayor. If any repairs shall be required at any time, it shall be his duty to at once make a report of the same to the Committee on Fire and he shall pass upon the same before they are paid for. He shall approve all bills against the department before they are forwarded to Council. He shall purchase all necessary supplies and implements for the department under the direction of the Committee on Fire, and he shall make a full and complete report of the condition and doings of the Fire Department to the Mayor annually, and as when required.

Sept. 16, 1903, § 5.

5. He shall see to the proper and speedy extinguishment of fires which may endanger property in the City of Savannah, and in case of such fires he shall have supreme and absolute command of the firemen, of all persons connected with the Fire Department and the entire apparatus and property that may be employed for the extinguishment of fires, and in the absence of such Fire Chief, the above supreme authority shall devolve according to existing arrangements for such emergency.

6. He shall annually inspect or cause to be inspected all improvements within the limits of the city with a view to decreasing the risk from fire and to securing compliance with the fire regulations of the city.

May 10, 1916.

759. (629.) First Assistant Chief; powers and duties. 1. The First Assistant Fire Chief shall aid the Fire Chief in the performance of his duties, and shall in the event of his absence or disability command in his place.

2. He shall inspect all buildings within the corporate limits while they are in course of construction, or while they are being remodeled, improved or repaired, and it shall be his duty to order stopped all such work on buildings not being done in accordance with the ordinances of the City of Savannah, or which he may find in violation of fire regulations or building laws, and in the event that any owner, occupant or contractor refuses or neglects to comply with the city ordinances, it will

be his duty to place such owner, occupant or contractor on the information docket for such violation.

3. He shall perform such other duties as the Fire Chief may direct.

May 16, 1903.

760. Second Assistant Fire Chief; powers and duties. The Second Assistant Fire Chief shall aid the Fire Chief and First Assistant Fire Chief in the performance of their duties and shall perform such other duties as may be prescribed by ordinances of the city, the rules and regulations of the Fire Department, and as the Fire Chief may direct.

761. (630.) Duties of Secretary. 1. The secretary shall keep in neat and accurate form, properly indexed, the books and records of the Fire Department, in a manner so that they can be referred to at any time.

2. He shall keep in a neat and orderly condition the supplies of the department, and shall issue the same only on requisition approved by the officer in command.

3. He shall perform such other duties as the Fire Chief may direct.

Sept. 16, 1903.

762. (631.) City Electrician and Assistant. 1. The City Electrician and his assistant shall be appointed by the Mayor, upon recommendation of the Fire Chief and Chief of Police, approved by the Committees on Fire and Police, and shall be under the joint supervision and control of the Fire and Police Committees.

2. The City Electrician with his assistant shall keep in efficient working order and repair the Fire Alarm Telegraph system.

3. They shall keep in efficient working order and repair the Police Telegraph system.

4. They shall perform such other duties as the Fire Chief and the Chief of Police may direct.

Sept. 16, 1903. Jan. 13, 1909.

763. (632.) Captains and Lieutenants. 1. The captains shall have charge of and be responsible to the Fire Chief for the property, condition, discipline, and good order of their respective stations, and they shall perform such other duties as the Fire Chief may direct and prescribe.

2. The lieutenants shall, in the absence of their captains, be clothed with the power, authority and responsibilities of their absent captains; at all other times they shall perform the duties assigned to them by their captains.

764. (633.) Pensions for superannuated or disabled firemen. 1. Any member of the Fire Department who has or shall have performed duty therein for a continuous period of twenty years or upwards, and less than thirty years, shall, upon the certificate of the Pension Board of the City of Savannah, concurred in by Council, that such member is permanently injured, physically or mentally, so as to be unfit for duty, be placed on the retired roll, and shall receive an annual pension during his lifetime of a sum equal to one-third of the full salary or compensation of such member so retired.

2. Any member of the said Fire Department who has or shall have performed duty therein for a continuous period of thirty years or upwards shall, upon the certificate of the Pension Board of the City of Savannah, concurred in by Council, that such member is permanently disabled, physically or mentally, so as to be unfit for duty, be placed on the retired roll, and shall receive an annual pension during his life-

time of a sum not less than one-half of the full salary or compensation of the said member so retired.

3. Any member of the said Fire Department who may be permanently disabled by reason of accidental injury to his person received during the discharge of his duty and thereby rendered unable to earn a support, may, if Council so determines, be placed on the retired roll on one-half pay, that is to say, receiving an annual pension during his lifetime equal to one-half of the full compensation of such member so retired.

Sept. 16, 1903, ¶ 10.
See Pension Board, 1005 to 1009.

765. (634.) Burials and death benefits by city. 1. Every member ber of the Fire Department who dies in service from natural causes shall be buried at the expense, not to exceed $50, of the said City of Savannah, and the dependent family of such member shall receive his monthly salary for three (3) months after his death.

2. Every member of the said Fire Department who is killed while in the discharge of his duty or dies from the effects of injuries received in the discharge of his duties, shall be buried at the expense, not to exceed $50, of the said city, and the dependent family of such member shall receive his monthly salary for six (6) months after his death.

Ibid. § 11.

766. (635.) Right of way going to fires. The Fire Department of the City of Savannah, with its apparatus of all kinds, when going to any fire in said city, shall have the right of way over the streets, lanes and ways of this city to the exclusion of all other persons, and over any and all vehicles, railroad trains and street cars of every kind, except those carrying the United States mail, and every person in or upon, or owning any vehicle, shall, on the approach of any apparatus of said department, give ample room in any street, lane or way on which they may be, until passed by said apparatus; and no person in or upon, or owning any vehicle, or driving or riding any animal or animals in any of said streets, lanes or ways, shall refuse the right of way to, or in any manner obstruct any fire apparatus of said department, or any of the officers of the same, while in the performance of duty; and any person or persons violating any of the provisions of this section shall, on conviction thereof before the Police Court of Savannah, be subject and liable, for each and every offense, to a fine of not more than one hundred ($100) dollars, and to imprisonment not exceeding thirty days, either or both, at the discretion of the officer presiding in the Police Court.

Ibid. § 12.

767. (636.) Fire Chief authorized to pull down or blow up houses to prevent spread of fires. It shall be lawful at any fire for the Fire Chief, or in his absence, the Assistant Chief, 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 Fire Chief or Assistant Chief 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 or policemen, and upon conviction thereof in the Police Court of Savannah, shall be fined in a sum not exceeding one hundred ($100) dollars, or thirty days' imprisonment, either or both, at the discretion of the officer presiding in the Police Court.

Ibid. § 13.

768. (637.) Authority to enter houses. It shall be lawful for any officer or member of the Fire Department to enter into any house, store, warehouse, stable, yard or building in this city whenever they shall see occasion, or whenever they are directed to do so by the Fire Chief, and enquire, search for and examine if any quantities of gunpowder, explosives, chemicals, hay, straw, cotton, turpentine, oils, gasoline, benzine, tar, pitch, excelsior, moss, shavings or any inflammable or combustible material of any kind or character are lodged, stored or kept in any such place which may be in danger of taking fire, or which may be in any way exposed to danger from fire, and if the said officer or member of the Fire Department finds that there is apparent danger therefrom, to life or property, he shall admonish the owner or occupant of such yard, enclosure or building to remove the same within twenty-four (24) hours, or take necessary and safe precautions as to same, as the Fire Chief may direct, within twenty-four (24) hours, and in case such owner or occupant shall refuse or neglect to remove the same or to put into execution the precautions directed by the Fire Chief within the time specified, after written notice has been given, the said Fire Chief is hereby empowered and directed to remove the same and have same lodged in some more secure place at the charge and risk of the owner or tenant, and should the said Fire Chief, or any firemen assigned to this duty be opposed in the removal of said inflammable and combustible material, it shall be the duty of the Fire Chief to inform the Mayor or Acting Mayor, who shall cause the said material to be immediately removed at the expense of the owners or occupants, by written orders given to the City Marshal or any policeman, and such person or persons so offending against this section shall, upon conviction before the Police Court of Savannah, be fined in a sum not exceeding one hundred ($100) dollars, or be imprisoned for a term not exceeding thirty days, either or both, in the discretion of the presiding officer of the Police Court.

Ibid. § 14.

769. (638.) Power to remove chimneys, smoke stacks, etc. It shall be lawful for any officer or member of the Fire Department to examine into the condition and situation of any chimney, smoke stack, flue, stove funnel or fireplace in this city, and if any such officer or member of the Fire Department shall find the same to be dangerous, or that fire may be communicated thereby, such officer or member of the Fire Department shall admonish the owner or occupant to remove the same, discontinue its use, or alter it so as to remove all danger from fire, and in case the owner or occupant shall refuse or neglect to remove, alter or discontinue its use, the Fire Chief or any fireman assigned to this duty, is hereby empowered and directed to pull down, alter, or remove such chimney, smoke stack, flue, stove funnel or fireplace at the expense of the owner or occupant, and should such owner or occupant oppose any officer or member of the Fire Department in the discharge of this duty, then such owner or occupant shall, upon conviction before the Police Court of Savannah, be fined in a sum not exceeding fifty ($50) dollars, or be imprisoned for a term not exceeding thirty days, either or both, in the discretion of the presiding officer of the said Police Court.

Ibid §15.

770. (639.) Driving or riding through streets at fires. It shall not be lawful for any person to drive or propel a vehicle or ride through

any street or lane in which the Fire Department or a part thereof is assembled for the purpose of extinguishing fires, except by the permission of the officer in command of the Fire Department; and should any person attempt to drive or propel any vehicle or ride through such part of a street or lane in which the Fire Department is assembled as aforesaid, such person so offending shall, on conviction thereof in the Police Court of Savannah, be fined in a sum not exceeding thirty dollars, or be imprisoned for a term not exceeding thirty days, either or both, in the discretion of the presiding officer of said Police Court.

Ibid. § 16.

771. (640.) Interfering with firemen in discharge of duty, etc. If any person shall molest, interrupt or interfere with any officer or member of the Fire Department in the performance of his duties, at any time, or shall detain, secrete or in any way injure the implements or other property of the Fire Department, or shall drive or propel any vehicle, or ride over any of the hose of the said department, such person or persons shall, upon conviction before the Police Court of Savannah, be fined in a sum not exceeding one hundred ($100) dollars, or be imprisoned for a term not exceeding thirty days, either or both, in the discretion of the presiding officer of said Police Court.

Ibid § 17.

772. (641.) Signal box keys; making or using without authority. It shall not be lawful for any person to make or cause to be made, any key to the fire alarm signal boxes, or to alter any key, so as to permit it to open any such boxes, or to buy, sell, give or otherwise dispose of or use, any key now or hereafter to be in existence, belonging to or fitting the locks of such signal boxes, without written authority from the Fire Chief, so to do. Any person or persons violating this section shall, on conviction thereof before the Police Court of Savannah, be subject and liable for each and every such offense to a fine not exceeding one hundred ($100) dollars, or be imprisoned for a term not exceednig thirty days, either or both, in the discretion of the officer presiding in said Police Court.

Ibid. § 18.

773. (642.) Giving false alarms, willfully, etc. Any person or persons who shall willfully give or cause to be given any false alarm of fire, either by telephone, from street alarm boxes or otherwise, or shall break or cause to be broken any fire signal box or any pole, post or wire connection with said fire alarm telegraph, or who shall injure, or in any manner, interfere with or interrupt the same or any part thereof or the working of same, such person or persons shall, on conviction before the Police Court of Savannah, be fined for each and every such offense, a sum of not more than one hundred ($100) dollars, or be imprisoned for a term of not exceeding thirty days, either or both, in the discretion of the presiding officer of said Police Court. It shall, however, be lawful for the Fire Chief to have sounded test alarms, from such street or other alarm boxes, as he may desire at any time.

Ibid. § 19.

774. (643.) Use of rotary gong by others, prohibited. 1. It shall be unlawful for a street car or other company or any person operating or using any vehicle in the City of Savannah, and on the streets thereof, except the Fire Department, to use the Rotary Gong or siren whistle.

2. Any company or person violating this section shall be subject, on conviction before the Police Court of the City of Savannah, to a fine not exceeding twenty-five ($25) dollars, and imprisonment not to exceed

ten days, either or both, in the discretion of the court, for each and every day's violation thereof.

Ibid. § 20. June 2, 1909.

775. (644.) Poles in city to be inspected by department. It shall be the duty of the Fire Chief to inspect, or to have inspected by the members of the Fire Department, all poles now erected in the City of Savannah or which may be erected hereafter, such inspections shall be made at least once in every six months and full written report of the same must be made to the Mayor by the Fire Chief once every year.

Sept. 14, 1904, 380.

776. (645.) Dangerous poles, notice to remove. In the event of the finding of any pole which is, in the opinion of the Fire Chief, unsafe, dangerous or a menace to public safety or public or private property, the said Fire Chief shall make immediate report to the Mayor, and shall notify the person, firm or corporation to whom the said pole belongs to have it removed within twenty-four (24) hours from the date of such notice.

Ibid. § 2.

777. (646.) Failing to remove after notice, penalty. Any person, firm or corporation owning, using or operating such condemned pole who shall refuse, neglect or fail to remove the said pole within twenty-four (24) hours after the receipt of such notice from the Fire Chief shall, upon conviction before the Police Court of the City of Savannah, of owning, using or operating a pole unsafe, dangerous or a menace to public safety or public or private property, be subject to a fine not exceeding fifty ($50) dollars, or to imprisonment not exceeding thirty (30) days, either or both, in the discretion of the presiding officer for every day the said pole is allowed to remain.

Ibid. § 3.

778. (647.) Damages from defective poles, liability. Nothing herein contained shall be construed as relieving in any way any individual, firm or corporation from liability or responsibility for injury or damages resulting to either persons or property through any unsafe, defective or dangerous pole, whether the same has or has not been reported or condemned as herein provided.

Ibid. § 4.

CHAPTER XXXI.

FIRE REGULATIONS.

779. (657.) Foundries. It shall not be lawful for any person to erect, put up or build, within the corporate limits of the City of Savannah, any foundry for the melting, smelting, casting or manufacture of iron or other metal, except by the permission of the Mayor and Aldermen.

If any person shall violate any of the provisions of this section, such person shall, on conviction before the Police Court, be fined in a sum not exceeding twenty-five dollars a day for each and every day such foundry shall be erected or used.

June 9, 1859.

780. (658.) Steam engines; permits required. No steam engine shall hereafter be erected or used within the corporate limits of the City of Savannah, without first obtaining the permission of the City Council of said city. If any person or persons shall violate any of the provisions of this section, 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.

June 2, 1854.

781. (659.) Coal to be used in boilers having artificial draught. It shall not be lawful for any person or persons to use in any steam engine boiler in said city, in which there may be an artificial draught by the introduction of steam in the smoke stack, any fuel other than anthracite or bituminous coal, under a fine of not more than one hundred dollars for each and every day's offense.

April 15, 1868.

782. (660.) Pitch, tar, etc., not to be boiled or set on fire, etc. 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, in any quantity exceeding four gallons within one hundred and fifty feet of any building in this city: Provided always, nevertheless, that nothing herein contained shall be construed to extend to fires necessarily made by coopers, chairmakers, blacksmiths, or other artisans, in pursuit of their several trades, and provided such persons shall make their fires in an enclosed building, under fine of not exceeding fifty dollars, or imprisonment not exceeding fifteen days, either or both, in the discretion of the court.

Nov. 1, 1791.

783. (661.) Manufacture, storing and sale of petroleum, etc., license required, when. Any person or persons desiring to manufacture, refine, mix, store or keep for sale any oil or fluid, composed wholly or in part of any of the products of petroleum in a greater quantity than 250 gallons in any one place in the City of Savannah (except in detached and properly ventilated buildings specially adapted to the purpose and surrounded by an embankment constructed so as to effectually prevent the overflow of said oil or fluid beyond the premises on which the same

may be kept, manufactured or refined, said building to be occupied in no part as a dwelling, and if less than fifty feet from any other building to be separated therefrom by a stone or brick wall, at least ten feet high and twelve inches thick), shall make application in writing for a license therefor to the Mayor and Aldermen of the City of Savannah, and shall state in said application the place, building or part of a building for which the license is desired, and whether the license is required for manufacturing, refining and mixing said articles or any of them or for storing or keeping them, or both. All such applications for license shall be referred to the Fire Committee, who shall within one week after said reference visit the premises and examine the same, and report in writing to Council, as to the propriety of granting the license applied for.

April 13, 1881, § 1.

784. (662.) License granted, when. No license shall be granted for manufacturing, refining, mixing, storing or keeping said articles, or any of them, on any wharf within the limits of the city; nor in any part of a dwelling occupied in whole or in part as a dwelling house; nor upon any floor of a building above the first, or ground floor, and only on such floor, when the same is thoroughly protected from adjoining premises by fireproof party walls, and with all openings outward through such walls securely closed by fireproof doors; nor in any cellar unless the same be entirely below the grade of the street and thoroughly protected from adjoining premises by fireproof party walls, and with all openings outward through such walls securely closed by fireproof doors or coverings.

Ibid. § 2.

785. (663.) License, contents of. There shall be expressed in said license the name of the person or persons to whom the license is granted, and whether he or they are permitted to manufacture, refine and mix said articles, or any of them, or to store and to keep them, or both, and a description of the place, building, or part of a building, licensed, and any limitation upon the quantity of said article, or any of them, which may be manufactured, refined, mixed, stored or kept therein, or upon the manner of manufacturing, refining, mixing, storing or keeping the same, which the Mayor and Aldermen may in each case see fit to impose; and any person so licensed may manufacture, refine, mix, store or keep said articles, or any of them, either in his own account or on account of any other person.

Ibid. § 3.

786. (664.) Penalty for manufacturing, etc., petroleum without license. Any person or persons manufacturing, refining, mixing, storing or keeping for sale any of the articles mentioned in the three next preceding sections, in a greater quantity than 250 gallons, except as hereinbefore provided, without having procured a license in accordance with the provisions of the next preceding section, shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred dollars, or imprisoned not more than thirty days, or both, in the discretion of the court.

Ibid. § 4.

787. (665.) Fires on vessels at wharves regulated. No vessel, ship or boat lying at or near any wharf or store, or alongside 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 suffi-

cient caboose house, or other convenience or enclosure, to prevent the communication of fire or sparks from the said caboose, fire-place or other convenience.

Nov. 28, 1853.

788. (666.) Penalty for violation. 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 foregoing section, shall, upon conviction thereof before the Police Court, be fined and pay a sum not exceeding fifty dollars for each offense, or be imprisoned not exceeding fifteen days, either or both, in the discretion of the court.

Ibid.

789. (667.) Smoking prohibited in railroads, depots or freight yards where merchandise stored. It shall be unlawful for any person to smoke any pipe, cigar or cigarette in any of the railroads, depots, or yards in said city where cotton, naval stores, hay, oil or other merchandise is stored temporarily or permanently.

March 11, 1885.

790. (668.) Unlawful to use matches in holds of vessels loading or unloading cargoes. It shall be unlawful for any person to make or to use matches in any way in the holds of vessels of any description, or on the decks of the same during the time said vessels may be taking in or unloading cargoes of cotton, naval stores, hay, oil or other merchandise.

March 11, 1885.

791. (669.) Notices to be posted at wharves, etc. There may be prepared and put up in conspicuous places upon the wharves or other places used for loading or unloading, or storing cotton, naval stores, hay, oil or other merchandise, sign boards or notices to the effect that no smoking is allowed under penalty of the law, and it shall be unlawful for any person except the owner, lessee, or agent of the building, or wharf upon which said sign is placed to remove or take away any such sign or notice so erected.

Ibid.

792. (670.) Penalty for violating three preceding sections. Any person violating any of the provisions of the three preceding sections shall, on conviction thereof in the Police Court of Savannah, be fined in a sum not greater than one hundred dollars, or imprisonment not longer than thirty days, either or both, at the discretion of the officer presiding in said court.

Ibid.

793. (671.) Lighters, with inflammable merchandise, to be covered with tarpaulins. All persons engaged in lightering or otherwise transporting cotton, hay, straw or other inflammable merchandise (naval stores excepted) on the Savannah River, or other waters within the limits over which the said Mayor and Aldermen of the City of Savannah have jurisdiction, are hereby required to cover the same, while on lighters or other crafts, with tarpaulins or other more permanent and substantial material; and each failure so to do shall be considered a violation of this section and be punished as hereinafter provided: Provided, that after the delivery of the merchandise to a ship or vessel the obligations shall be upon the ship or vessel, its owner, master and agent to keep the same covered as herein required until the actual removal of all of the said merchandise from the lighter or other craft; and in the event of the failure to so cover, the owner, master or agent

of said ship or vessel, shall be subject to the pains and penalties hereinafter prescribed.

Oct. 19, 1887, § 1. Feb. 8, 1888, § 1. Dec. 26, 1900, p. 297.

794. (672.) Smoking prohibited on vessels loading or unloading cotton, etc. It shall not be lawful for any person on board of any tug, lighter, steamer, vessel, or other craft engaged in loading, unloading, or transhipping cotton or other inflammable merchandise while lying at any wharf in the City of Savannah, or while lying in or navigating said Savannah River or other waters within the jurisdictional limits aforesaid, to smoke any cigar, cigarette, pipe or other ignited substance under the penalty for each and every offense hereinafter prescribed.

Oct. 19, 1887, § 2.

795. (673.) Penalty for violating two preceding sections. Each and every violation of the two preceding sections, or of any article or clause therein, shall be punished by a fine of not more than one hundred dollars, and imprisonment for not more than thirty (30) days, either or both, in the discretion of the Mayor or other officer presiding in the Police Court.

Ibid. § 3.

796. (674.) Spark arresters on steam engines, about cotton or naval stores. It shall be the duty of every person owning or operating any steam locomotive, steam engine, donkey engine or stationary engine on or about the wharves, docks or piers of the City of Savannah, or on or about any yard or warehouse where any cotton or naval stores are stored in the City of Savannah, to cover the smoke stack of each and every such steam locomotive, steam engine, donkey engine or stationary engine securely with a first-class spark arrester.

Nov. 16, 1898, § 2, p. 367.

797. (675.) Vessels, tugs, etc., loading or unloading cotton or naval stores to keep fire hose coupled and ready. It shall be the duty of every owner, agent, master or captain of any vessel, tug or craft, propelled in whole or in part by steam, immediately upon its arrival in this port, to couple its fire hose and have the same ready for immediate use at all times while in this port; provided, said vessel, boat, tug or craft is loading or discharging a cargo of cotton or naval stores, and sufficient steam shall be kept up night and day on the donkey engine or on one of the main boilers, to enable a full steam of water to be turned into any compartment of such boat, tug, vessel or craft at any time, and in the event that such vessel, boat, tug or craft shall not be provided with sufficient hose to reach each and every hatch in said vessel, boat, tug or craft, then it shall be the duty of the owner, agent, master or captain thereof to immediately supply said vessel, boat, tug or craft with sufficient hose so to do.

Ibid. § 3.

798. (676.) Hatch combings to be protected. It shall be the duty of every agent, owner, master or captain of any vessel while loading or discharging a vessel in this port to protect or have protected all hatch combings so that the cargo of cotton or naval stores as loaded or unloaded shall not come in contact with the combings.

Ibid. § 4.

799. (677.) Smoking on wharf or dock, or on decks and in holds, unlawful. It shall be unlawful for any person to smoke any pipe, cigar or cigarette on any wharf, dock or pier within the port of Savannah

or on the decks or in the holds of any vessel while loading or unloading or while at the docks in this port.

Ibid. § 5. June 11, 1902, p. 321.

800. (678.) Lanterns used in holds to be closed lanterns. It shall be unlawful for any person to have, carry, take or use any light or lantern in the hold or holds of any vessel loading or unloading in this port, except such light be a closed and locked lantern.

Nov. 16, 1898, § 6.

801. (679.) Painting in or about hold, prohibited. It shall not be lawful, while any vessel is engaged in loading cotton or naval stores, or before her load is complete, in this port, for any person to paint in or about any hold of said vessel.

Ibid. § 7.

802. (680.) When work stopped hatches to be covered. It shall be the duty of every master of any vessel while in this port and while loading and unloading, to see that as soon as the work is stopped for the day all hatches are put on and covered with tarpaulin.

Ibid. § 8.

803. (681.) Barrels of water to be kept near hatches. It shall be the duty of every master, captain, agent or owner of every vessel of every sort and description, propelled in whole or in part by steam, while loading or unloading cotton or naval stores in this port, to place and keep at or near each hatch a barrel filled with water, to be used only in case of fire, to which said barrel shall be attached two buckets, to be used only in case of fire.

Ibid. § 9.

804. (682.) Penalty for violating eight preceding sections. Any person violating any of the provisions of the eight preceding sections shall, upon conviction before the Police Court of the City of Savannah, be subject to a fine not to exceed one hundred ($100) dollars and imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court.

Ibid. § 10.

805. (683.) Spark arresters on vessels. It shall be the duty of every owner, agent, master, or captain of any vessel, boat, tug, or craft, propelled in whole or in part by steam, or on which any steam engine or steam boiler is, or is used, and which burns wood to generate steam, immediately upon the arrival of such vessel, boat, tug, or craft within the port of Savannah to cover all funnels and smoke stacks securely with a first-class spark arrester or arresters, and it shall be the duty of every owner, agent, master or captain of any vessel, boat, tug or craft, propelled in whole or in part by steam, or on which any steam engine or steam boiler is, or is used, and which generates steam by means of coal, immediately upon the arrival of such vessel, boat, tug or craft, at any wharf, dock or pier within the port of Savannah to close the damper or dampers and to cease operating the engine or engines, except while making fast to or leaving said wharf, dock or pier, or to cover all funnels and smoke stacks with a first-class spark arrester or arresters.

Jan. 9, 1901, § 2.

806. (684.) Spark arresters on funnels and smoke stacks. It shall be the duty of every owner, agent, master or captain of any vessel, boat or craft, loading or unloading cargo at any wharf, dock or pier within the port of Savannah, where cotton is stored, to cover all funnels and smoke stacks securely with a first-class spark arrester or arresters, and it shall be the duty of every owner, agent, master or captain of any steam dredge operating within the port of Savannah to cover all funnels and smoke stacks securely with a first-class spark arrester or arresters.

Ibid. § 3.

807. (685.) Tug and tow spark arresters. No vessel or tug shall tow or transport in or about the port of Savannah any lighter or barge, upon which there is any cotton, straw, or hay, without having the funnel or smoke stack of said vessel or tug securely covered with a first-class spark arrester.

Ibid. § 4.

808. (685a.) Penalty for three preceding sections. Any person violating any of the provisions of the three preceding sections shall be punished on conviction before the Police Court for each offense by a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both, in the discretion of the court.

809. Fire hydrants, not to be blocked. It shall be unlawful for any driver of any automobile, wagon, truck, carriage or vehicle of any kind or description to stop within ten (10) feet of either side of any fire hydrant of the City of Savannah. Any person violating this section shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed twenty-five ($25.00) dollars, and imprisonment not to exceed ten (10) days, either or both, in the discretion of the court.

Aug. 6, 1913.

810. (686.) Setting off fireworks, regulated. It shall not be lawful for any person, during the Christmas or other holidays, or at any other time, to discharge fireworks or fire crackers of any kind or size, torpedo canes or sticks, torpedoes, percussion caps, or other explosives of any kind or character, anywhere in the corporate limits of the City of Savannah, Georgia.

June 7, 1905, p. 258. March 13, 1918.

811. (686a.) Unlawful to sell or use detonating or fulminating substances. In addition to the provisions of the several ordinances already in force, prohibiting the discharge within the limits of the city, of guns, pistols, squibs and other instruments wherein gunpowder is used, it shall not hereafter be lawful for any person to sell or to use within said limits any detonating or fulminating preparation, or instrument made or composed, wholly or in part, of nitro glycerine or other detonating or fulminating substance whatever, or any other like detonating or fulminating preparation or instrument, under the penalty for every offense, of a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days: Provided, however, that nothing in this ordinance contained shall be construed to prevent the sale of ammunition for legitimate purposes.

It shall be the duty of the city police to report all violations of this ordinance, and of the ordinance or ordinances of which it is amendatory; and the Mayor is hereby authorized to offer suitable rewards for the detection of persons violating such ordinance.

Dec. 8, 1869, c 117.

812. (687.) Building of bonfires, unlawful. It shall not be lawful for any person, during the Christmas or other holidays, or at any other time, to build bonfires of any description in the corporate limits of the City of Savannah.

Ibid. § 2.

813. (688.) Penalty for violating two preceding sections. Any person violating the three preceding sections or any provision thereof shall be subject, upon conviction before the Police Court of the City of Savannah, for each and every such offense, to a fine not exceeding twenty-five dollars ($25) and imprisonment not exceeding ten (10) days, either or both, in the discretion of the court.

Ibid. § 3.

814. Fire balloons, prohibiting sale or use. a. It shall be unlawful for any person, firm or corporation in the city of Savannah to sell illuminated toy balloons, commonly known as fire balloons.

b. It shall be unlawful for any person to send up, illuminate or light any toy balloon, commonly known as fire balloons.

Any person, firm or corporation violating any provision of this section shall, upon conviction before the Police Court of the City of Savannah, be fined in a sum not exceeding $25.00, or imprisoned not exceeding 30 days, either or both, in the discretion of the court.

Nov. 24, 1915, p. 419.

815. (689.) Calcium carbide in transit or on storage. All calcium carbide in transit through the city and on storage must be enclosed in hermetically sealed iron receptacles and plainly marked on the outside, "calcium carbide—dangerous, if not kept dry."

May 3, 1899, § 1, p. 286.

816. If over 100 pounds, to be kept in storage building. If over 100 pounds to be kept in storage building. Calcium carbide, in hermetically sealed iron receptacles and in quantities exceeding 100 pounds, must be stored in detached buildings, in such locations and conditions as shall meet the approval of the chief engineer of the Fire Department; at least twenty-five feet from adjoining property, such building to be well ventilated, waterproof and thoroughly drained, with floor raised at least one foot above the grade upon which it stands. In such buildings, artificial light or heat will not be permitted.

June 24, 1914.

817. (691.) Permit for keeping. Not more than 100 pounds of calcium carbide, either in bulk or cartridges, shall be stored or kept in any building used for dwelling, mercantile or manufacturing purposes, and this amount shall be kept only upon a permit obtained from the Mayor and Aldermen, such permit to provide that all quantities in excess of two pounds shall be in tight metal packages and kept elevated at least six inches from the floor in a fireproof safe or vault, located above the street grade.

Ibid. § 3.

818. (692.) Generating apparatus, how installed and charged. No acetylene generating apparatus shall be used in the City of Savannah until the owner has been granted permission by the City Council. All acetylene generating gas-holding apparatus must be installed in a fireproof vault or room satisfactory to the chief officer of the Fire Department, such fireproof room or vault must be supplied with two ventilators not less than three inches in diameter, the outer ends of which must extend clear above the roof of the main building for a distance of not less than two feet. All generating apparatus must be charged in the daylight, and no artificial light shall be permitted within the enclosure where the apparatus is installed.

June 13, 1900, p. 296. May 3, 1899, § 4.

819. (693.) Liquefied acetylene prohibited in city. The manufacture, sale, transportation, storage or use of liquefied acetylene is absolutely prohibited within the limits of the city.

May 3, 1889, § 5.

820. (694.) Penalty for violating five preceding sections. Any person or persons violating the five preceding sections or any provisions thereof shall, upon conviction in the Police Court, be subject to a fine not to exceed one hundred dollars, or imprisonment not to exceed thirty days, either or both, in the discretion of the court.

Ibid. § 6.

821. (695.) Gasoline, naptha and benzine, storage and use regulated. It shall be unlawful for any person, firm or corporation to keep, store or use gasoline, naphtha or benzine, within the corporate limits of the City of Savannah, except as hereinafter provided, unless a special permit shall have been procured from City Council when approved by the Superintendent of the Fire Department.

First. Not exceeding one hundred twenty (120) gallons of gasoline, naphtha or benzine may be kept in metallic cases, provided such metallic cases shall be constructed and piped in accordance with the rules of the national board of fire underwriters; and provided, further, that such metallic cases shall be placed three (3) feet underground and eight (8) feet away from any building, subject to the approval of the Fire Chief.

Second. These tanks must not be charged after sundown or by artificial light.

Third. Except as otherwise provided by ordinance no person, firm or corporation shall keep gasoline in any part of the City of Savannah in quantities exceeding five gallons.

April 13, 1904, p. 369. July 21, 1915.

822. (696.) Gasolene engines; regulations. First. Whenever possible gasolene engines must be located on the ground floor.

Second. In workshops or rooms where dust and inflammable flyings prevail, the engine must be enclosed in a fireproof compartment well ventilated to the outer air at floor and ceiling.

Third. If located on a wooden floor the engine must be set on a metal place turned up at the edges and the engine base must not be used as a storage space for any material whatever.

Fourth. The supply tank must be located outside the building, underground, and where possible, at least thirty feet removed from all buildings. It must set below the level of the lowest pipe in the buildings used in connection with the apparatus.

Fifth. Auxiliary inside tanks, if used, shall not exceed one quart in capacity, and shall not be placed on, or in, or under the engine. Such tanks must be provided with an overflow connection draining to the outside supply tank.

Sixth. Pipe connections to outside tanks shall not be located near or placed in same trench with gas pipes, electric wires or conduits.

Seventh. Exhaust pipes, whether direct from engines or from mufflers, shall extend to the outside of the building and must be kept at least six (6) inches from any woodwork or combustible material and if run through floors or partitions, they must be provided with ventilated thimbles.

Eighth. No tanks or reservoirs shall be charged after sundown or by artificial light.

April 13, 1904.

823. (698.) Gasolene ordinance applies to what territory. Provided, however, that the provisions of this law in relation to keeping, storing or vending gasolene, naphtha or benzine shall not apply to the territory

within the city limits north of Gwinnett street and east of Bilbo canal, nor to the territory north or south of the Louisville road, west of Musgrove creek and south of Bay street extended, and north of Gwinnett street extended. Nor shall provisions apply to keeping or storing of gasolene, naphtha or benzine at freight depots and wharves, and in freight cars, tank cars, steamers or other vessels used in transporting the same, when such gasolene, naphtha or benzine is contained in drums, tanks, barrels or casks, hermetically sealed.

Ibid.
Oct. 10, 1906.

824. (699.) Gasolene in automobile repositories. This law shall not be construed to prohibit the storage of automobiles using gasolene in properly licensed repositories, provided that no smoking and no artificial light other than incandescent electric lights, or heat other than steam or hot water, shall be permitted in said building and no repairs requiring the use of artificial heat shall be made in, nor shall any vehicle enter said buildings with oil lights or boiler heater burning, and no machine having in excess of twenty-five (25) gallons shall be kept on storage in said building, and provided further, that a license for the storing of an automobile having a tank capacity not exceeding twenty-five (25) gallons, in a designated repository, may be granted upon a petition therefor which receives the recommendation of the Chief of the Fire Department and the due approval of the Mayor.

Three copies of this section shall be posted in conspicuous places in each and every place used as an automobile repository.

No gasolene shall be handled in any way for charging or filling any tank or repository by artificial light, and never at all after sundown.

April 13, 1904. Dec. 19, 1917.

825. Buildings in which gasolene, etc., kept to be labeled. It shall be the duty of every person, firm or corporation, having or keeping in any building in the City of Savannah over one (1) gallon of gasolene, benzine or naphtha, to display a sign in a conspicuous place on the outside of such building bearing, in white letters, not less than three (3) inches in length, upon a black ground, the words "Gasolene," "Benzine," or "Naphtha," as the case may be, except in such cases where a permit has been or may be granted by the Chief of the Fire Department.

Aug. 14, 1907.

826. Dealers to name purchasers of gasolene, etc. The Fire Chief of the City of Savannah may, from time to time, require all retailers of gasolene, benzine or naphtha to give the addresses of all persons to whom such retailers may supply these products in quantities of one gallon or upwards, and it is hereby made the duty of such retailers to give this information when thereto requested by the said Superintendent.

Ibid. 2.

827. Gasolene, etc., not to be emptied into sewer connection. It shall be unlawful for any person, firm, or corporation in the City of Savannah to empty gasolene, benzine or naphtha, or any mixture thereof, of liquid matter in which these substances have been mixed or used, in any catch-basin or trap running into any sewer in the City of Savannah, or on any paved street in said city where it is liable to find its way into any sewer of the said City of Savannah.

Ibid. 3.

828. Gasolene and oil traps in garages, etc. All garages and public establishments where automobiles are washed and cleaned, gasolene filling stations, dyeing and cleaning establishments, and other like establishments using gasolene, oil and other inflammable material, which is carried into the public sewers of the city, shall install in their sinks, wash traps and other like receptacles, a system of gas and oil traps of a type satisfactory to the Fire Chief.

Oct. 24, 1917. See Sections 1327 and 1328, this Code.

829. (701.) Fire drills in schools. It shall be the duty of the superintendent, principal or other person or persons in charge of any public or private school or educational institution within the corporate limits of the City of Savannah, having more than fifty pupils, to instruct and train the pupils by means of drills, so that they may, in a sudden emergency, be able to leave the school building in the shortest possible time and without confusion or panic. Such drills, or rapid dismissals, shall be held at least twice in each month.

Nov. 9, 1904, § 1, p. 453.

830. (702.) Fire drills in buildings having female operatives. It shall be the duty of the proprietor, superintendent, overseer or other persons directing or having in charge any establishment, place or building wherein female operatives or female laborers to the number of fifty or more, are employed, to instruct and train such female operatives or female laborers, by means of drills, so that they may, in a sudden emergency, be able to leave the building in the shortest possible time and without confusion or panic. Such drills, or rapid dismissals, shall be held at least once in each month.

Ibid. § 2.

831. (703.) Penalty for two preceding sections. Any superintendent, principal or other person or persons in charge of any such public or private school or educational institution, and any proprietor, superintendent or overseer or other person or persons directing or having in charge any such establishment, place or building wherein female operatives or female laborers are employed, who shall refuse, fail or neglect to comply with the provisions of the two preceding sections shall, upon conviction thereof before the Police Court of the City of Savannah, be subject to a fine not exceeding fifty (50) dollars, or to imprisonment not exceeding thirty (30) days, either or both, in the discretion of the presiding officer.

Ibid. § 3.

832. General penalty. Any person violating any of the sections of this chapter or any part thereof wherein punishment is not otherwise specifically prescribed, shall upon conviction in the Police Court of the City of Savannah be punished by a fine of not exceeding one hundred dollars or imprisoned not exceeding thirty days, either or both, in the discretion of the court.

CHAPTER XXXII.

ELECTRIC INSPECTION AND REGULATIONS.

833. (648.) Electric Inspector. The electric inspector of the City of Savannah shall be appointed by the Mayor of the City of Savannah upon recommendation of the Fire Chief, approved by the Committee on Fire.

April 8, 1908.

834. (649.) Under direction of Mayor and Committee on Fire. The electric inspector shall be under the direction of the Mayor and Fire Committee of Council and the orders of such electric inspector shall at all times be subject to the revision and approval of the same.

Oct. 18, 1899.

835. (650.) Inspector's powers. The electric inspector of the City of Savannah is hereby authorized, empowered and directed to regulate and determine the stringing of electric wires, the placing of electric light and power wires in and on buildings in said city so as to prevent fires, accidents or injuries to persons or property, and to cause all electrical appliances to be so placed, constructed and guarded, as not to cause fires, or accidents or endanger life or property; and whenever in the judgment of said electric inspector any electric wire or apparatus shall be defective by reason of improper or insufficient insulation or from any other cause, the said electric inspector shall at once furnish the owner of the defective equipment with a written notice specifying the defect and instructing the said owner to remedy the same within ten days from the receipt of such notice, but the said electric inspector or person delegated by him may at his discretion order the immediate removal of any defect which, in his opinion, is of such a dangerous nature as to demand immediate action.

Ibid. § 3.

836. (651.) Right to enter buildings, manholes or subways. The said electric inspector, or other competent person delegated by him, shall have the right at any time to enter any building, manhole or subway, in the discharge of his official duties, or for the purpose of making any tests of the electrical apparatus or appliances therein contained, and for that purpose he shall be given prompt access to all buildings, private and public, and to all manholes and subways, on application to the company or individual owning or in charge or control of the same.

Ibid. § 4.

837. (652.) Power to remove wires or turn off currents. Said electric inspector, or competent person delegated by him, shall have the power to cause the removal of all wires or the turning off of all current where the currents interfere with the work of the fire department.

Ibid. § 5.

838. Bonds required; electrical wiring, etc. All persons conducting a business of electrical wiring, repairing or construction within the corporate limits of the City of Savannah shall file with the Clerk of Council a bond payable to the Mayor and Aldermen of the City of Savannah, with good security, to be approved by the Clerk of Council in the sum of $200.00 conditioned that he shall discharge his duties in connection with his said business in accordance with the ordinances of the City of

Savannah, and shall pay to the City of Savannah on demand all inspection fees that may be lawfully charged against him in connection with his said business.

Ordinance passed July 22, 1914.

839. No permit to issue until bond given. No permit shall be issued to any person to do any electrical wiring, repairing, or construction within the corporate limits of the City of Savannah as provided in section 840 of this code until the provisions of the foregoing section shall be complied with, nor shall any such work be passed upon by an electrical inspector of City of Savannah, nor certificate given until provisions of section 838 shall be complied with.

840. (653.) Alteration in wiring, permit required. No alteration or change shall be made in the wiring of any building, or shall any building be wired for the placing of electric lights, motors or heating devices, without first securing from the said electric inspector or competent person delegated by him a permit therefor, nor shall any change be made in any electric plant after inspection without notifying the said electric inspector or person delegated by him, and securing a permit therefor.

Oct. 18, 1899.

841. (654.) Certificate of inspection and fees. Upon the completion of the wiring of any building, and at least forty-eight hours before such wires are concealed it shall be the duty of the company, firm or individual doing the same to notify the said electric inspector or competent person delegated by him, who shall at once inspect the same, and if approved by him the electric inspector shall issue a certificate of satisfactory inspection, which shall contain the date of such inspection and an outline of the result of such examination; but no such certificate shall be issued unless the electric light, power or heating installation and all apparatus, wire, etc., connected with it, shall be in strict conformity with the rules and regulations hereinafter set forth, nor shall current be turned on such installation until said certificate shall be issued.

For every such inspection the person, firm or corporation installing such wires or equipment shall, before certificate is issued, pay to the City Treasurer for such inspection, the following fees:

When the wiring is for incandescent lights:

For 5 lights or less	$ .25
More than 5 and not more than 15 lights	.50
More than 15 and not more than 25 lights	.75
More than 25 and not more than 50 lights	1.25
More than 50 lights and not more than 100 lights	2.00
More than 100 and not more than 150 lights	2.50
More than 150 and not more than 250 lights	4.00
More than 250 and not more than 500 lights	5.00

Arc lights 50 cents each.

When the wiring is for motors:

For motors of one-horsepower or less	$ .50
For motors more than 1 and not more than 3-horsepower	1.00
For motors more than 3 and not more than 8-horsepower	2.00
For motors more than 8 and not more than 15-horsepower	2.50
For motors more than 15-horsepower	3.00

For inspection of miscellaneous wiring:

Installation of electric welders each	$2.00
Installation of electric rectifiers each	.50
Installation of electric heaters each	.50

Installation of electric signs each	.50
Installation of electric irons each	.50
Installation of electric rheostats each	.50
Installation of electric fans each	.25
Installation of electric pianos each	.25
Installation of electric lights of over 300 watts per lamp, each	.25

For inspection of electrical apparatus for which no fee is prescribed, the electric inspector may direct the payment of an amount not exceeding seventy-five cents per hour for the time actually consumed in making the inspection.

Jan. 5, 1916.

842. (655.) Standard for electric construction, etc. All electric construction, all material, and all appliances used in connection with electrical work, and the operation of all electrical apparatus, shall be in conformity with the rules and regulations set down in what is known as the "National Electrical Code," being regulations of the National Board of Fire Underwriters, as recommended by the National Fire Protective Association, as the same are now established by the code edition for 1915, and the said rules and regulations are hereby adopted and approved.

June 21, 1916.

843. Electrical appliances, installation of, in public buildings. All installations of electric lights, electric motors, and other electrical appliances in any theatre, church, school or other public building in the City of Savannah shall be in flexible steel armored conductors, metal conduits, or metal mouldings such as are approved by the "National Board of Fire Underwriters."

May 17, 1911.

844. Electric appliances, installation in certain limits. Within the following area of the City of Savannah, to-wit: Commencing at the junction of the harbor line of the Savannah river with the west line of East Broad street, and running thence along the west side of East Broad street to a point 105 feet south of Liberty street, thence along a line 105 feet south of the south side of Liberty street, to a point 150 feet east of the east side of West Broad street, thence south on a line 150 feet east of the east side of West Broad street to the north side of Hall street, thence west along the north side of Hall street to a point 150 feet west of the west side of West Broad street, thence north along a line 150 feet west of the west side of West Broad street to the north side of Indian street, thence west along the north side of Indian street to Water street, thence north along the east side of Water street to the harbor line of the Savannah river, thence in an easterly direction along the harbor line of the Savannah river to the point of beginning; all installations of electric lights, electric motors and other electric appliances shall be as provided in the preceding section of this code, and all additions, alterations and extensions to the present equipment in said limits shall be installed in approved conduits, armoured cable or metal moulding such as are approved by the "National Board of Fire Underwriters"; in no case shall additions, alterations or extensions be connected with wiring not in the approved conduits, cable or moulding above described, but in all additions, alterations or extensions the entire wiring from the light to the main source of supply shall be in said approved conduits, cable or moulding. Provided, however, that all powerhouses and sub-stations within this district shall be excluded from the operation of this ordinance. No permit shall be issued by the city government for electrical wiring within the said limits without the use of such conduits, cable or moulding.

Sept. 30, 1914.

845. Board of Electrical Examiners. A Board of Electrical Examiners, consisting of the City Electrical Inspector, the City Electrician and a Journeyman Electrician, who shall be appointed by the Mayor to serve for two years is hereby created.

April 3, 1912.

846. Examination of applicants. It shall be the duty of said board to examine and pass upon the qualifications of all persons, who desire to do electrical wiring, repairing or construction within the corporate limits of the City of Savannah; the examination shall be such as to satisfy the said board of the applicant's qualifications to do electrical work and construction in accordance with the ordinances of the City of Savannah, and whenever any applicant shall have passed the required examination the said board shall issue to him a certificate authorizing him to do electrical wiring, repairs and construction within the limits of said city, subject, however, to be recalled or revoked by said board should it at any time become satisfied that the holder of a certificate is lacking in his knowledge of electrical work or construction, or refuses or neglects to do said work or construction as provided by the ordinances of said city.

Ibid. ¶ 2.

847. Electrical wiring, etc., to be done by holders of certificates. All electrical wiring, repairing or construction within the limits of the City of Savannah shall be done by or under the immediate supervision and direction of a person holding a certificate from said board, and it shall be unlawful for any person, excepting the holder of one of said certificates, to do any of such work, or for any one knowingly to employ another, who does not hold a certificate from said board, to do the same.

Ibid. ¶ 3.

848. (656.) Penalties. Any person, firm or company who shall violate any of the provisions of this chapter or fail, neglect or refuse to comply with the rules and provisions of this chapter, or who shall fail, neglect or refuse to comply with any order or request of the said electric inspector in pursuance of and by the authority of any of the provisions of this chapter or the rules therein contained, upon conviction thereof, before the Recorder's Court, shall be fined a sum not exceeding one hundred dollars or be imprisoned not exceeding thirty days, either or both, in the discretion of the court.

CHAPTER XXXIII.

BUILDING INSPECTION AND REGULATIONS.

849. (704.) Fire limits. The fire limits of the City of Savannah 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 to its intersection with South Broad street; thence along the north side of South Broad street to its intersection with Price street; thence along the east side of Price street to Taylor; thence along north side of Taylor street to Habersham street; thence along east side of Habersham street to Huntington street; thence along the north side of Huntington street to a point three hundred and ten (310) feet west of the west side of West Broad street; thence in a northerly direction along a line extending from said point on Huntington street three hundred and ten (310) feet west of the west side of West Broad street, said last named line running parallel with said west side of West Broad street, to the northeast corner of Harrison and Ann streets; thence in a northerly direction prolonging said line, from the northeast corner of said Harrison and Ann streets, along the eastern side of Ann street, to Indian street; thence along the northern side of Indian street to the point on the Savannah and Ogeechee canal, where the northern line of said Indian street extended would intersect said canal; thence in a northerly direction along the east side of said Savannah and Ogeechee canal to the Savannah river.

Nov. 7, 1906. Dec. 7, 1904. Jan. 27, 1886. Dec. 5, 1917.

850. (705.) Building Inspector, term and salary. There shall be a building inspector for the City of Savannah, to be elected by the Mayor and Aldermen of the City of Savannah, in Council assembled. His first term of office shall expire on the second Monday next succeeding the second Tuesday in January, 1905, when his term of office shall be two years as other city officers. His salary shall be fixed by the Mayor and Aldermen of the City of Savannah in the same manner and at the same time the salaries of other city officers are fixed, and his duties are as set out in the following sections.

Aug. 17, 1904, p. 325.

851. (706.) Permits to build or alter, how obtained. When any person shall be desirous of erecting, changing or altering any building or structure within the limits of the City of Savannah, he shall make application at the office of the Building Inspector for a permit for that purpose, and shall furnish said Building Inspector with a written statement of the proposed location, dimensions and manner of construction of the proposed building or structure, and the materials to be used, and with plans and specifications of the proposed building or structure, which shall remain in his custody a sufficient length of time to allow the necessary examination to be made of the same, and if required by him, a copy of said plans and specifications shall be filed in the office of said inspector by said applicant, after which, if it shall appear to said inspector that the laws and ordinances of the city are complied with, a permit will be issued by him, to be approved in writing thereon by the Mayor, before it becomes effective.

Blank forms for the detailed statement, as herein required, may be obtained at the office of the Building Inspector for applicants to fill out, describing location of the proposed structure, number and height of stories, dimensions of joists and timbers and distance apart, dimensions of supporting iron work (if any), for what purpose the building or structure is designed, and other information applicable to the proposed improvement, which statement being so properly filled out, the owner or owners, his or their architect or agent, shall sign the agreement contained in said detailed statement, that he or they will in all respects construct the work in accordance with such detailed statement, plans and specifications, and in compliance with the laws and ordinances of the City of Savannah, and it shall not be lawful to proceed to construct, alter or repair any building or structure within the limits of said City of Savannah without such permit. Every such permit shall be considered cancelled if active work is not commenced within a period of three (3) months from the date of its issue.

Ibid. § 2. Dec. 5, 1917.

852. (707.) Inspector to keep an office and records. The said inspector shall keep an office in the City Hall, or such other place as shall be provided by the Mayor and Aldermen, where it shall be the duty of said inspector to keep a record of all permits issued, which shall be regularly numbered in the order of their issue, and also a record of the statements upon which permits are issued. He shall also keep a record of and report to the City Council, on December 31st, each year, a full and complete register of the number, description and size of every building erected, changed, altered or repaired in the city during that year, of what material constructed, of the number, kind and cost of all buildings or other structures so erected, changed, altered or repaired.

Ibid. § 3.

853. (708.) Duty of Inspector. It shall be the duty of the inspector to visit and inspect each house, structure or building which may be in the course of erection, construction or alteration, within the limits of the city, and to see that each house, structure or building is being erected, constructed or altered according to the provisions of this ordinance, and all ordinances in force in said city, and the manner adopted for the security thereof against fires, and the safety of the occupants; that the materials used are suitable for the purpose (and that the work is done in a substantial and workmanlike manner), and is of sufficient strength and solidity to answer the purpose for which it is designed; and before the foundations are laid, he shall examine the trenches dug for the same, and be fully satisfied that the soil or substratum is sufficient for the structure, or at least the best that can be obtained. And should the nature of the soil be such, and the work of sufficient magnitude, in the judgment of the inspector, as to require piling, the same should be driven as required by said inspector, provided that if it be deemed necessary by the inspector, his visits and inspection shall be repeated from time to time during the erection, construction or alteration of such buildings, until the entire completion of the building, when his duties shall terminate.

Ibid. § 4.

854. Reports of Building Inspector, to whom made. The Building Inspector of the City of Savannah shall hereafter make to the Committee on Streets and Lanes of the said city the reports heretofore made under ordinance to the Mayor of the City of Savannah, instead of making them to the Mayor.

Whenever any matter is referred to the said Building Inspector by any committee of the Mayor and Aldermen of the City of Savannah it shall be the duty of the said Building Inspector to report thereon in writing to the committee making the reference.

Feb. 27, 1907.

855. (709.) Requirements for buildings within fire limits. No person or persons shall erect, or cause to be erected within the fire limits of the City of Savannah, as now established by ordinance, or hereafter may be established by ordinance, any building or other structure, or addition to a building or other structure, the outer walls of which are not composed of brick, stone or iron: Provided, that in cases where it becomes necessary in the judgment of said inspector and the Mayor, additions may be made to brick buildings and covered with metal or metallic laths and plaster. Every building erected or built as aforesaid shall be covered or roofed with slate, tiles, tin, zinc, copper, iron or other equally fireproof roofing satisfactory to said inspector and the Mayor, and if any building within the limits aforesaid shall be destroyed to the extent of one-half thereof, it shall be unlawful to rebuild the same unless the outer walls and roof of the portion rebuilt shall be composed entirely of fireproof material such as above designated. Any person who shall violate any of the provisions of this section shall forfeit and pay to the Mayor and Aldermen of the City of Savannah the sum of twenty dollars for each day the same shall be permitted to remain without being made to conform to the laws and ordinances of the city; such building shall be a public nuisance.

Aug. 17, 1904.

856. (710.) Wooden buildings damaged, when unlawful to repair. Whenever any frame or wooden building or structure within the fire limits shall have become damaged by fire or decay, the extent of which, in the judgment of the inspector, exceeds 50 per cent. of the value of the same, it shall be unlawful to repair or rebuild the same as a frame building.

Ibid. § 6.

857. Fireproof roofing. Every building erected or built within the City of Savannah shall be covered or roofed with slate, tile, tin, zinc, copper or other equally fireproof roofing satisfactory to the Building Inspector, and the Mayor, and if the roof of any building within the city limits shall be destroyed to the extent of one-half thereof, the portion of the roof rebuilt shall be composed entirely of fireproof material such as is above designated.

Dec. 5, 1917, Section 9.

858. (711.) Height of stories. The height for stories for all given thickness of walls must not exceed 11 feet in the clear for basement, 18 feet in the clear for first story, 15 feet in the clear for second story, 13 feet in the clear for third story, 12 feet in the clear for fourth story, and 14 feet in clear average height of upper stories; if any story exceeds these heights respectively, the walls of such story, and of all stories below the same, shall be increased four inches in thickness additional to the thickness designated in the following table:

Aug. 17, 1904.

859. (712.) Thickness of walls. In accordance with the foregoing provisions, all walls for business buildings shall be of the thickness designated in the following table:

Height of Building.	Thickness of Wall in Inches. 1st Story.	2d Story.	3d Story.	4th Story.	5th Story.
One-story building----	13	--	--	--	--
Two-story building----	17	13	--	--	--
Three-story building---	17	17	13	--	--
Four-story building---	22	17	17	13	--
Five-story building---	26	22	17	17	13

Parapet walls to rise not less than 18 inches above roof and to be not less than 13 inches thick.

Girders and beams to rest on ledges of metal, stone or brick.

The following being a full and correct description of a standard building:

Is one having walls of brick or stone (brick preferred) not less than 13 inches thick at top story, extending through, and 18 inches above roof in parapet and coped, and increasing four inches in thickness for each story below to the ground, the increased thickness of each story to be utilized for beam and girder ledges. Ground floor area not over 5,000 square feet (say 50 by 100); height not over four stories or 50 feet; floors of three-inch plank, covered by one-inch flooring crossing at right angles, with waterproof paper between (tin or sheet iron between preferred); wooden beams and girders and wooden story posts or columns 12 inches square, or protected iron columns; elevators, stairways, etc., cut off by brick walls or plaster on metallic studs and lathing; communications with stairways at each floor protected with approved tin covered doors and fireproof sills; windows and doors on exposed sides, protected by approved tin-covered doors and shutters; walls of flues not less than 8 inches in thickness, to be lined with fire-brick, terra-cotta or cast-iron, and throat capacity not less than 64 square inches, if steam boilers are used; all floor timbers to be trimmed at least four inches from outside of flue; heated by steam; lighted by gas; cornices of brick, metal, terra-cotta or other incombustible material; roof covered with metal or tile; if partitions are hollow or walls are furred off, there must be mortar or other fire-stops at each floor.

Ibid. § 8.

860. (713.) "Business Building," defined. The term "Business Building" shall embrace all buildings used principally for business purposes, thus including among others, hotels, theatres and office buildings.

Ibid. § 9.

861. (714.) "Wholesale store" and "Warehouse," defined. The terms "Wholesale Store" or "Warehouse" shall embrace all buildings used (or intended to be used) exclusively for purposes of mercantile business or storage of goods.

Ibid. § 10.

862. (715.) "Basement story," defined. A basement story of any building is defined as a story whose floor is twelve inches or more below the sidewalk, and whose height does not exceed eleven feet in the clear. All such stories that exceed twelve feet high shall be considered as first stories.

Ibid. § 11.

863. (716.) Height of building, how computed. The height of all buildings for the purpose of this chapter shall be taken from the grade of sidewalk to a point half way from the lowest to the highest part of the roof.

Ibid. § 12.

864. (717.) Increase of height; increased walls. Whenever it is sought to increase the height of any building beyond the height for which the original permit was granted, the thickness of walls thereof shall also be increased in accordance with the above table.

Ibid. § 13.

865. (718.) Walls supporting trussed roofs, etc. The outside walls of rooms having trussed roofs or ceilings, such as churches, public halls, theatres, dining-rooms or the like, if more than fifteen or less than twenty-five feet high, shall average at least sixteen inches; if over twenty-five feet high, at least twenty inches; if over forty-five feet, at least twenty-four inches in thickness. An increase of four inches in thickness shall be made in all cases where the walls are over one hundred feet long, unless there are cross walls of equal height.

Ibid. § 14.

866. (719.) Walls with solid buttresses. If solid buttresses are employed with a sectional area of three hundred or more square inches, placed less than eighteen feet apart, and extended to or nearly to top of walls, four inches may be deducted from the thickness of any wall having such buttresses.

Ibid. § 15.

867. (720.) Backing of stone facings, etc. Cut stone facings of walls shall be backed up with brickwork of same thickness required where no cut stone is used. In cases where the cut stone is in a great measure self-supporting, four inches less thickness of brick backing may be used. Ashler fronts, properly bonded to the brickwork, may have backing same as self-supporting stone fronts or walls.

Ibid. § 16.

868. (721.) Former party walls may be used, when. Any party wall now existing that shall have been built conformable to the requirements of any law regulating the construction of such walls, and in force at the time of such construction, if sound and in good condition, may be used in the construction of any adjoining building: Provided, however, that no brickwork shall be placed on such wall to give additional height to the wall, unless the thickness of such additional wall and the thickness of the old wall in each story shall at least equal the thickness required for division walls. This section shall apply in all cases where it is desired to add additional height to any business building. In case of outside walls of any business building being built against the wall of any old building (not being party wall), the new wall shall be of the same thickness required for outside walls in such building.

Ibid. § 17.

869. (722.) Brickwork, when first story for business and upper stories for dwellings. Buildings having the first story or basement and first story designed for business purposes, and the upper stories for dwellings, the first being not more than thirty inches above grade of sidewalk, shall have walls of brickwork of the thickness as follows, to-wit: For two-story and basement buildings, the basement and first story walls, twelve inches; second story, twelve inches; for three-story and basement buildings, basement wall, sixteen inches; first and second stories, twelve inches; third story, eight inches; for four-story buildings, the basement wall, twenty inches; first story, sixteen inches; second, third and fourth stories, twelve inches. When built in blocks of two or more buildings, the division walls in three-story buildings may be twelve inches in basement, and in four-story buildings they may be sixteen inches in basement.

Ibid. § 18 A. Dec. 5, 1917

870. (723.) Brick walls for dwelling houses. Thickness of brick walls of dwelling houses. 1. In two-story buildings the foundation and first-story walls shall not be less than one and one-half brick thick; second-story gables and parapets may be one brick thick. In three-story buildings the foundation wall to be not less than two brick thick, first and second story not less than one and one-half, third-story, gables and parapets may be one brick thick. In four-story buildings, foundation and first-story to be not less than two brick thick, second and third-story, one and one-half brick thick, fourth-story, gables and parapet may be one brick thick.

2. Wherever two or more dwellings are built adjoining, the party wall between same may be four inches less in thickness than required for the exterior wall in their respective stories, excepting, however, that no part of said party walls below the parapet shall be less than one brick thick, and the parapet shall be carried at least two feet above the roof surface.

3. If a wall shall be built to a greater length than thirty-three feet, without angles or pilasters intervening, the several thicknesses required in paragraphs 1 and 2 shall be increased one-half brick.

Ibid. § 18 B.

871. (724.) Construction of walls at roofs. All dwelling houses, including those having first story used for business purposes, and all other buildings that are used, more than two stories high, having flat roofs, shall have all the walls (except front walls), extended sixteen inches above the roof, and not less than eight inches thick; to have proper copings of incombustible materials; double pitched roofs to have their division and side walls carried up, forming fire walls in same manner; walls at the eaves of all roofs (except flat roofs) shall be carried up their full thickness flush with upper edge of the rafters of roof, and the sheeting boards shall be bedded in mortar on such walls.

Ibid. § 19.

872. (725.) Same on business buildings. Business buildings more than two stories high, having flat roofs, shall have their side and rear walls carried up two feet above the roof; division or party walls, four feet above, forming fire walls not less than twelve inches thick, to have copings of incombustible materials; front walls may terminate flush with the upper surface of sheeting of roof; division and party walls to extend through mansard or other steep roofs not less than sixteen inches, and having copings same as other fire walls.

Ibid. § 20.

873. Hollow walls for dwellings. All dwelling houses hereafter constructed of hollow tiling shall have walls of the thickness designated in the following table:

	1st Story. Inches.	2nd Story. Inches.	3rd Story. Inches.
1-story building	8x12		
2-story building	12x12	8x12	
3-story building	12x12	12x12	8x12

No building of more than one story shall be built with less than twelve-inch by twelve-inch tiling.

All joists must be anchored every five feet in between. Walls and partitions, front and rear, must be anchored to every pillar between openings. All tiles must be laid of mortar composed of one-half lime and one-half Portland cement, sand not more than three barrels to one barrel of lime and three barrels to one barrel of cement.

Dec. 5, 1917, Section 3.

874. Brick veneered dwellings in fire limits. (a) All brick veneered dwellings within the fire limits of said city shall have foundation walls not less than twelve inches thick, with sills setting back from outside of wall six inches and sheeted up outside with sheathing boards seven-eighths inch thick put on, and the brick work tied back to the sheathing every sixth course with iron and anchors, one to each brick. All openings must be closed in with either brick arches, stone or iron; brick must not in any case be supported with wood.

(b) In frame buildings not over two stories in height, having basement walls not over twelve feet high, the said basement walls may be built of brick or Portland cement, concrete nine inches in thickness, provided with proper buttresses or cross walls for support, with centers not over eight feet apart. In the event the basement walls are over twelve feet high the same shall be governed by this building ordinance relating to thickness of walls. All concrete walls for foundation walls may be ten per cent. less than the thickness required for brick walls in frame buildings only.

(c) All piers shall be built of good, hard, well-burnt brick. All piers to have a footing course projecting not less than six inches, when built on solid foundation of clay.

(d) Size of joists, sills and piers in frame residence, floor joists, two by eight not over twelve feet between bearings; two by ten not over sixteen feet between bearings; two by twelve not over twenty-two feet between bearings. All trimmers and headers shall be double and under all partitions, unless provided with center supports. Ceiling joists, two by eight not over twelve feet; two by ten not over twenty feet. Unless provided with supports as may be directed by the building inspector, sills not resting on solid wall shall have piers not over eight feet from center sill for frame residence; ceiling joists between bearings as ordered by the building inspector. All frame buildings must be storm sheathed as required by the building inspector.

Dec. 5, 1917. Section 10.

875. (726.) Chimneys and flues. No chimney shall be built with less than four-inch walls, and no chimney top shall be less than five feet above the roof (for flat roofs), two feet above the ridge of any pitched roof. Chimneys coming out at eaves to finish no lower than level with ridge. Ordinary flues in business buildings shall have walls and eight-inch jams; flues larger than two hundred and fifty square inches and less than five hundred square inches shall be surrounded with walls not less than eight inches thick; the walls of such flues above the inlet funnel, shall be twelve inches thick for the first fifteen feet around and above such inlet; tops of such chimneys to be at least eight feet above the roof, or five feet above the highest part of the roof within fifty feet of such chimney. Flues with more than five hundred or less than eight hundred inches area shall have not less than twelve-inch walls for the first thirty-six feet, and sixteen-inch walls opposite the inlet and ten feet above the same; top of chimney ten feet above the roof, or seven feet above highest part of the roof within fifty feet of such chimney.

In all chimneys hereafter constructed the flues shall be lined with fire-brick or terra cotta tubing for their entire height above inlet, no flues to be less than eight inches square. All chimneys less than eight inches thick shall be plastered on the outside before being furred. If any pockets or blank flues are built they shall be covered down at top with two courses of brick; no wood plugs shall be driven in chimneys

nor furring or setting of mantels; no studding, furring or any other woodwork shall be nearer than two inches to thimbles of chimneys.

Dec. 5, 1917. Ibid. § 21.

876. (727.) Flues in party walls. The provisions of the foregoing sections as to the thickness of walls pertaining to chimneys shall be applicable only to such chimneys as are part of or situated in any building. Flues in party walls shall not extend beyond the center of the wall, joint flues in party walls shall be separated by a four-inch "width" of fire brick their entire height.

Ibid. § 22.

877. (728.) Chimneys, foundations and support. Any chimney not forming a part of a wall shall rest upon the ground with proper foundation, and in no case shall any chimney rest on or be supported by framework, beams or posts of woodwork of any description.

Ibid. § 23.

878. (729.) Foundations of buildings. Proper foundations or masonry shall be prepared for the support of buildings, and no foundation shall be less than one foot below the exposed surface of the ground, and in no case shall any foundation rest on any filling or made ground. The breadths of the foundations of the several parts of any building shall be proportioned so that, as nearly as practicable, the pressure shall be equal on each square foot of the foundation. In no case shall the brick foundation for a two or more story building be less than eight (8) inches wide on each side of walls or piers, and five (5) courses high, the two first courses plumb, then racked back to the thickness of walls or piers. In one-story buildings the foundations may be one brick less in height and six inches wide on each side. Cement mortar shall be used in the masonry of all foundations exposed to dampness.

Ibid. § 24.

879. (730.) Piles for walls to rest on. Piles driven for a wall to rest upon shall be not less than eight inches in diameter at the smallest end, and shall be spaced not more than three feet on centers in the direction of the length of the wall, and nearer, if required by the inspector. The inspector shall determine the grade at which piles shall be cut off.

Walls not exceeding twenty feet in height, where piling is necessary, may rest on a single row of piles, if deemed advisable by the inspector; walls exceeding twenty feet in height shall rest on not less than two rows of piles. Extra piles shall be driven where required by the inspector.

Ibid § 25 and 26.

880. (731.) Other provisions for walls. In brick walls every seventh course shall be headers. All fire flues shall be smoothly plastered or have struck joints. Walls shall be securely anchored to the timbers and joists resting upon them.

Ibid. § 27.

881. (732.) Hollow walls. Hollow walls, not bearing walls, may be used in all cases; but all hollow walls shall be bonded or tied together with incombustile anchors placed not more than three feet part. If used as bearing walls the thickness shall be reckoned by their solid parts, unless either part is at least eight inches thick, and solid connections are made in upright direction, not less than twelve inches wide nor more than eight feet apart from centers. In such cases two-thirds

of the hollow space shall be connected with the solid parts; provided, that in no case shall the ends of the joists or other wood be allowed to come within four inches of the hollow space.

Ibid. § 28.

882. (733.) Alteration of walls, permit requisite. No wall of any building now erected, or hereafter to be built or erected, shall be cut off or altered without a permit so to do having been first obtained from the inspector. Every temporary support placed under any structure, wall girder, beam or column during the erection, finishing, altering or repairing of any building, or part thereof, shall be equal in strength to the permanent support required for such construction.

Ibid. § 29.

883. (734.) Doorways through party walls. No opening or doorway shall be cut through a party wall of a brick building without a permit from the inspector, and every such doorway or opening shall have top, bottom and sides of stone, brick or iron; shall be closed by two sets of standard metal covered doors (separated by the thickness of the wall) hung to rabbeted iron frames, or to iron hinges in brick or of stone rabbets; shall not exceed ten feet in height by eight feet in width, and every opening, other than a doorway, shall be protected in a manner satisfactory to the inspector.

Ibid. § 30.

884. (735.) No timber in walls of brick buildings. No timber, excepting lathing strips, shall be used in any wall of any brick building except arch forms for interior arched opening.

Ibid. § 31.

885. (736.) Walls and beams to be anchored. All walls of a brick building on which the ends of beams rest shall be anchored at each tier of beams at intervals of not more than ten feet apart, with good, strong wrought iron anchors, at least one-half inch by one and one-half inch, well built into the walls and fastened to the beams; and where the beams are supported by girders the ends of the beams resting on the girders shall be butted together, end to end, and strapped with wrought iron straps or tie irons at the same distance apart and in the same beams as the wall anchors, and shall be well fastened.

Ibid. § 32.

886. (737.) Piers and buttresses. All piers shall be built of the best quality of good, well-burnt hard brick, laid in cement and sand mortar, and well wet when laid in warm weather.

Brick piers under lintels, girders or columns of brick buildings, over one story high, shall have a cap of iron at least two inches thick, the full size of the pier.

Brick piers and buttresses shall be bonded with thorough courses, level and bedded, each course, and where their foundations rest on piles a sufficient number shall be driven to insure a proper support.

Ibid. §§ 33, 34 and 35.

887. (738.) Supporting columns. Every metal column in a brick building shall rest on an iron plate of not less thickness than two inches. Wooden columns supporting girders and floors in such buildings shall set on one and a half inch iron plates with sockets and counter sinkages.

Ibid. § 36.

888. (739.) Iron fronts. The backing of any iron front that is not wholly self-supporting shall be treated as an independent wall. If the iron is self-supporting, then the party wall shall be extended to meet

the outer thickness of iron, and all vacancies shall be filled with grout to insure a complete separation of adjoining buildings.

Ibid. § 37.

889. (740.) Large openings, store fronts, etc. For all large openings, such as store fronts, the upper wall shall be carried with steel beams, to be supported with brick or stone piers or iron columns, iron beams and columns resting on cast iron plates not less than two inches thick.

It shall be unlawful to support any brick or stone wall, piers or abutments upon wooden lintels, girders or columns in connection with a building more than one story in height.

Ibid. § 38.

890. (741.) Roof and appendages to be covered. No uncovered tar, composition, rosin, felt or woodwork shall in any way be exposed on any roof or appendages.

Appendages to any business building above the first story and above thirty feet from grade of sidewalk on any building, if not wholly of incombustible material, shall be enveloped with metal. Dormer windows, cornices, mouldings, balconies, bay windows, towers, spires, ventilators, etc., shall be considered as appendages.

Ibid. §§ 39 and 40.

891. (742.) Bay windows not to project over street. No bay window or other structure shall be placed on any building so as to project over any public street, way or place, without the permission of the Mayor and Aldermen of the City of Savannah, in Council assembled.

Ibid. § 41.

892. (743.) Awnings, permit. Where awnings are attached to buildings, the framework shall be entirely of metal, permits to be required for awnings just as hereinbefore prescribed for buildings, and same to be under control and supervision of the inspector.

Ibid. § 42.

893. (744.) Leaders and gutters. All buildings hereafter erected shall be kept provided with proper metallic leaders for conducting the water from the roof to the ground, sewer or street gutter in such a manner as shall protect the walls and foundations from damage; and in no case shall the water from such leaders, or otherwise, be allowed to flow upon the sidewalk, but shall be conducted by drain pipes to the street gutter or sewer.

Ibid. § 43.

894. (745.) Cornices, etc., to be incombustible. All cornices, gutters, eaves and parapets within the fire limits (above first story of business buildings, and above thirty feet from grade of sidewalk on all other buildings) shall be made of incombustible materials. Cornices may have wooden lockouts.

Ibid. § 44. Dec. 5, 1917.

895. (746). Roofs to have scuttles or steps. All roofs shall be so constructed as to be reached by a scuttle, or by iron steps fastened to the outside of the outer wall. If by scuttle the same shall be at least 20 by 30 inches, the frame and lid covered with metal, and shall have a stationary ladder communicating with such scuttle.

Ibid. § 45.

896. (747.) Certain buildings to have standpipes and hose for fire service. All stores, warehouses, factories and buildings of similar character, that are three or more stories in height, above ground level, and within one hundred (100) feet of city water main, shall have a system

of fire service consisting of a two and one-half inch or larger iron stand pipe carried up the entire height of building, with outlets at each floor, provided with suitable valves and fifty feet of hose attached to valves, and nozzle attached to hose. Hose to be kept coiled and ready for use at any time. Standpipe to be within ten feet of landing of stairs on each floor. The supply from main to these pipes to be independent from other water service of the building and arranged so that engine hose can be attached on the street. All hose coupling shall conform to the size and pattern adopted by the Fire Department. Owners of such buildings shall put in such system of fire service as soon as possible after the passage of this ordinance. Such system of fire service shall not be used except for the extinguishment of fires.

Ibid. § 46.

897. (748.) Beams and joists to be clear from flues and chimneys. All floor beams, joists and headers shall be kept at least two inches clear of any wall enclosing a fire flue or chimney breast, and the space left between the framing and such flue shall be filled solid with gauged mortar.

Ibid. § 47.

898. (749.) Strength of floors. All floors shall be constructed to bear a safe weight per superficial foot, exclusive of materials, as follows: For dwellings, tenements or lodging houses, one hundred pounds; for storehouses, warehouses, machine shops, armories and drill rooms, not less than two hundred and fifty pounds. These requirements shall apply to all alterations, as well as to new buildings. In all calculations for the strength of materials to be used in any building the proportion between the safe weight and the breaking weight shall be as one to three for all beams, girders and other pieces subjected to cross strain; and as one to six for all posts, columns and other vertical support, and for all tie beams, and other pieces subjected to a tensile strain; and the requisite dimensions of each piece of material are to be ascertained by computation, by rules given by the best authorities, using for constants in the rules only such numbers as have been deducted from experiments on materials of like kind with that proposed to be used.

Ibid. § 48.

899. (750.) Hearths and fireplaces. All hearths for ordinary fireplaces shall rest on trimmer arches or re-enforced concrete not less than six inches below top of joists, the header kept at least twenty inches from face or chimney breast. The back of all fireplaces shall not be less than eight inches thick; all stovepipe holes to have proper thimbles and stoppers. No furring, lathing and plastering to return more than six inches on face of chimney, and not lower down than four feet from top of joist. The arches of all fireplaces shall be supported with iron bars, not less than half-inch by two inches, no grates or mantels shall be set until an inspection is made.

Ibid. § 48. Dec. 5, 1917.

900. (751.) Sundry regulations. Ends of joists or beams entering a brick wall shall be cut not less than three-inch bevel, so as not to disturb the brick work by any defection or breaking of the joints or beams. All such joists or timbers entering a party or division wall from opposite sides shall have at least four inches of solid brick work between the ends of such timbers or joists. All buildings for residences or business purposes, shall have fire stops. All furred brick walls, chimneys and all walls of frame buildings and wooden partitions of all buildings shall have fire stops. Walls to have three rows of blocks cut

in between furring and studding, one on floor, one under ceiling and one in center of height. Stud partitions to have one row of blocks in center of height. Brick walls between joists to be built so as to be even with top of same and made smooth on top with mortar.

Joists and girders in any building shall be of proper dimensions to sustain the load designed to be placed upon them. Girders may rest upon piers of brick or stone, or upon columns of wood or iron of proper dimensions. All floor joists shall be properly bridged with cross bridges. All headers in floor framing of business buildings that are placed at a greater distance than two feet from the end of a trimmer, shall be fixed in proper iron stirrups.

Ibid. §§ 50 and 51.

901. (752.) Dangerous structures removed if not remedied. Whenever, in the opinion of the building inspector, any building, staging or other structure or anything atached to or connected with a building or other structure shall become unsafe so as to endanger life or property, he shall notify the Chief Engineer and the Fire Chief, and the three of them, the Chief Engineer, the Fire Chief, and the building inspector, shall make a close inspection of such building or other structure, and if, in the opinion of a majority of them, it shall be determined that the said building or other structure is so unsafe as to endanger life or property, they shall cause the inspector to notify the owner or other party having an interest in such building or other structure of their decision, and immediately upon receipt of such notice the said owner or other party shall cause the same to be made safe and secure or taken down, and when public safety requires immediate action, the inspector may enter upon the premises with such assistants as may be necessary, and cause the said structure to be secured or taken down without delay, at the expense of such owner or party interested. No staging or stand for observation purposes shall be constructed or occupied upon the roof of any building in said city.

Ibid. § 52.

902. (753.) Dangerous buildings, notice to be posted. Every building which shall appear to the inspector to be especially dangerous in case of fire, by reason of bad condition of walls, overloaded floors, defective construction, decay or other causes, shall be held to be unsafe; and the inspector, besides proceeding as provided in the preceding section, shall also affix a notice of the dangerous character of the structure to a conspicuous place on the exterior wall of said building; any person removing such notice so affixed, shall be liable to punishment as hereinafter prescribed.

Ibid. § 53.

903. (754.) Owner punishable. The owner, or party having an interest in the unsafe building or structure mentioned in the two preceding sections, being notified thereof in writing by the inspector, shall be punished as hereinafter prescribed.

Ibid. § 54.

904. (755.) Alterations to be first approved by Inspector. No building now or hereafter built shall be altered until it has been examined and approved by the inspector as being in a good and safe condition to be altered as proposed, and the alteration so made shall conform to the provisions of this and any ordinance of the city of Savannah in relation thereto.

Ibid. § 55.

905. (756.) Quality of brick. All brick walls and buttresses shall be of merchantable, well shaped bricks, well laid and bedded, with well

filled joints, in lime or cement mortar, and well flushed up at every course with mortar; and all brick used during the warm months shall be wet at the time they are laid, and shall be dry at time they are laid during the cold months.

Ibid. § 56.

906. (757.) Recesses in walls. No continuous vertical recess, chase or flue shall be made in any party wall so deep that it will leave the thickness at the back less than eight inches at any point, and no recess of any kind shall be made in any eight-inch wall. No horizontal recess shall be made in any wall except by a special permit from the inspector. No continuous vertical recess other than flues in stacks shall be nearer than seven feet to any other recess.

Ibid. § 57.

907. (758.) Walls of buildings other than brick, stone or wood. In the erection or alteration of any building within the fire limits the material of which, in whole or in part, is other than brick, stone or wood, the thickness of walls, of such material, and the method of construction, shall be such as the inspector shall approve.

Ibid. § 58.

908. (759.) Partitions of scantling. Partitions in hotel buildings and tenement houses made of scantling to be lathed and plastered shall be filled with brickwork eight inches high in the best manner. Scantling partitions shall not be employed as supporters of any floor or roof (except dwelling houses).

Ibid. § 59.

909. (760.) Stairways. Stairways shall not be enclosed with partitions made of plank, boards, flooring or scantling, unless plastered on both sides or covered with metal.

Ibid. § 60.

910. (761.) Hoist openings. Hoisting openings shall have trap doors (covered with metal on the underside) on all floors except where elevators are used, with sufficient guards for protection during the hours of business, and said doors shall be kept closed at all other times.

Ibid. § 61.

911. (762.) Fireproof doors and shutters. All stores, storehouses, mills and manufactories that may hereafter be erected in Savannah, which are more than two stories high, shall have doors, blinds or shutters made of fireproof metal, on every window or entrance where the same do not enter upon a street, unless fireproof glass is used. When, in any such building, the shutters, blinds, or doors cannot be put on the outside, they shall be put upon the inside, and hung upon iron eyes or frames independent of any woodwork; shutters above the first story to be arranged so that they can be opened from the outside. Prismatic lights in iron frame shall be regarded as an equivalent to iron shutters.

Ibid. § 62.

912. (763.) Fire escapes. All buildings in said city three stories or more in height, not including basements, used as a factory, workshop, lodge room, hotel, department store, boarding house, public hall, or sleeping place, or apartment, shall have thereon suitable and substantial fire escapes of the following character and material: Brackets must not be less than ½x1¾ inches, wrought iron, placed edgewise, or 1¾-inch angle iron, well braced, and not more than three feet apart, and the braces to brackets must not be less than ¾-inch square, wrought iron, and must extend two-thirds of the width of the respective brackets

or balconies. In all cases the brackets must go through the wall, and be turned down three inches.

Brackets on new buildings must be set as the walls are being built. When brackets are to be put on old houses, the part going through the wall shall not be less than one inch in diameter, with screw nuts and washers, not less than five inches square and one-half inch thick.

Top Rails.—The top rail of balcony must be 1¾x½ inch, wrought iron, and in all cases must go through the walls, and be secured by nuts and 4-inch square washers, at least ⅜-inch thick.

Bottom Rails.—Bottom rails must be 1¼x⅜ inch wrought iron, well leaded in the wall. In frame buildings the top rails must go through the studding and be secured on the inside by washers and nuts as above.

Filling in Bars.—The filling in bars must not be less than one-inch round or square wrought iron, placed not more than six inches from centers, and well riveted to the top and bottom rails.

Stairs.—The stairs, in all cases, must not be less than 18 inches wide and constructed of ¼x3¼-inch wrought iron sides of strings. Steps to be ⅝-inch round iron, double rungs, ⅝x3-inch flat iron, and well riveted to the strings. The stairs must be secured to a bracket on top, and rest on and be secured to a bracket or extra crossbar at the bottom. All stairs must have a ⅜-inch hand rail of wrought iron, well braced.

Floors.—The flooring of balconies must be of wrought iron 1½x¼-inch slats, placed not over 1¼ inches apart, and secured to iron battens 1½x⅜-inch, not over three feet apart, and riveted at the intersection. The opening for stairways in all balconies shall not be less than 18 inches wide and 30 inches long.

Drop Ladders.—Drop ladders from lower balconies, where required, shall not be less than 14 inches wide, and shall be 1½x⅜-inch sides and ⅝-inch rungs of wrought iron. In no case shall the ends of balconies extend more than 9 inches over the brackets.

The height of railings around balconies shall not be less than two feet, nine inches. A balcony must be at each story.

Ibid. § 63.

For State law on this subject see Sections 306-311, this Code.

913. (764.) Board of Fire Escapes. The Fire Chief, Building Inspector and the Chief Engineer of the City of Savannah shall constitute a Board of Fire Escapes, and no fire escape will be accepted without their approval, and they shall have authority to decide the number and location of all fire escapes on buildings.

Ibid. § 64.

914. (765.) Failure to provide fire escapes, penalty. Notice of the requirements for fire escapes having been published for fifteen days as required by law, it is, and shall be the duty of the owners of all buildings coming within the requirements of this chapter as to fire escapes, to place upon said buildings such fire escapes as are required by law or ordinance. Should any owner or person having control of such building fail to have fire escapes placed as provided herein, he shall upon conviction before the Police Court of the City of Savannah be subject to a fine not exceeding one hundred dollars and be imprisoned not exceeding thirty days, either or both, in the discretion of the court, and each day's failure to comply with this ordinance shall be considered a separate offense.

Ibid. § 65.

See Acts 1910, p. 88, § 4.

915. (766.) Notice to repair fire escapes. After fire escapes have been placed on any building as aforesaid in compliance with the pro-

visions of this ordinance, and the same shall become unsafe or in need of change or repair in order to make the same safe, the Chief or Acting Chief of the Fire Department shall serve notice to make such change within ten days. In case of failure of any owner to have such change or repairs made within the time as required by the notice, he shall for such failure be subject to the same penalty provided in this ordinance for failure to place fire escapes in the first instance.

Ibid. § 66.

916. (767.) Certain trades not allowed within fire limits. No building within the fire limits of the City of Savannah shall be used or occupied, in whole or in part, for any of the trades hereinafter mentioned, to-wit: Planing mills, sash, door and blind factories, unless such building so occupied shall have in connection with it a brick or fireproof vault of sufficient capacity to contain all shavings, sawdust, chips or other light, combustible refuse connected therewith, and all such shavings and other light, combustible refuse shall be removed daily from such premises to such vault.

In no event shall proprietors, owners or lessees of such manufactories allow combustible refuse to accumulate upon any lot or in any building unless stored in a fireproof vault.

Ibid. § 67.

917. (768.) Floors under stoves. Floors under all stoves shall be protected by a covering of incombustible material. Stoves shall be kept at least twenty inches, and their smokepipes twelve inches, from any unprotected woodwork.

Ibid. § 68.

918. (769.) Boiler houses or rooms. The woodwork of all boiler houses and boiler rooms shall be kept at least six feet from the boiler and four feet from the breeching or smoke conductor, and one foot from the dome of the boiler, unless such woodwork is properly protected with incombustible material, and then there shall be at least two feet space from the boiler or smoke pipe and protection.

The floors of all rooms, when containing stationary boilers, shall be made of incombustible materials, five feet on all sides, and at least eight feet in front of any boiler.

Ibid. §§ 69 and 70.

919. (770.) Steam and hot air pipes. Steam pipes shall be kept at least two inches from all wood work; otherwise they shall be protected by a soapstone, asbestos, or earthenware ring or tube, or rest on iron supports.

Wherever hot air pipes are placed in stud partitions the pipes shall be wrapped in two thicknesses of asbestos paper, studding, joist, sills and any wood nearer than three inches of flues or register boxes, shall be covered with asbestos paper before the flues or boxes are set in place. The lathing shall be metal over all spaces for heater pipes. When only one register is connected with the furnace, said register shall have no valves.

Ibid. § 71.

920. (771.) Inspectors; right to enter buildings. All the officers designated under this chapter, or any future amendments to the same, shall, as far as may be necessary for the performance of their respective duties, have the right to enter any building or premises in said city at any time.

Ibid. § 72.

921. (772.) Alterations of buildings subject to this ordinance. Any work in addition or alteration made for any purpose in, to, or upon any building or structure, except the necessary repairs, not affecting the external or party walls, chimneys, stairways, or height of building, shall to the extent of such work, or alteration or addition, be subject to the regulations of this ordinance.

Ibid. § 73.

922. (773.) Public halls, doors and exits. All egress openings in public halls shall have the word "Exit" conspicuously placed over them. The aisles in such halls shall at all times be kept unobstructed; the doors to open outwardly or be hung with spring hinges, opening inwardly and outwardly.

Ibid. § 74.

923. (774.) Elevators, inspection of. It shall be the duty of the owners of buildings to cause a careful inspection by a competent mechanic of all passenger and freight elevators in the City of Savannah at least once in six months, and see that said elevator shafts and doors are in a perfectly safe condition and in accordance with the provisions of this ordinance.

Ibid. § 75.

924. (775.) Certificate of inspection to be posted. When an inspection of an elevator or elevators has been made by a competent mechanic and the same has been put in perfectly safe condition, and the shafts and doors in accordance with this chapter, he shall make out a certificate of the same, which shall state the date of inspection of the elevator, the weight it may safely carry, and that the shafts and doors are constructed in accordance with this chapter, which certificate shall be framed by the owner and put in some conspicuous place near such elevator for examination by the public.

Ibid. § 76.

925. (776.) Unsafe elevators, unlawful to use. It shall be unlawful for any person owning or having the care or control of any elevator to use or permit the use of the same after it has been declared by the inspector to be in a dangerous or unsafe condition and he has prohibited the use of the same, until all necessary repairs have been made, and the owner, agent or other person has procured a certificate from said inspector that said repairs have been properly done, and that said elevator may be safely used, under the penalty of fifty dollars for each offense.

Ibid. § 77.

926. (777.) Space between chimney flues and timbers. All floor timbers, headers and trimmers of every brick building hereafter erected or altered, in which a chimney is to be built in a brick wall, shall be placed distant two inches from the outside of every chimney and the space between such brick work and timbers shall be closed by a proper fire stop of incombustible material.

Ibid. § 78. Dec. 5, 1917.

927. (778.) Failure to remove dangerous chimney or heater, penalty. If any chimney flue or heating apparatus on any premises shall, in the opinion of the inspector, endanger the premises, the inspector shall at once notify, in writing, the owner or agent of said premises. If such owner or agent fails for a period of forty-eight hours after the service of said notice upon him to make such chimney flue or heating apparatus safe, he shall be liable to punishment, as hereinafter prescribed.

Ibid. § 79.

928. (779.) Furnaces and ranges. No furnace and no range set in masonry shall hereafter be placed or its location changed in any building, except as the inspector shall approve.

Ibid. § 80.

929. (780.) Stove flues. That all the stove flues shall be constructed of hard-burned brick, starting from the ground, and shall not be less than sixteen inches square from base to a point six inches above the roof line. Flue to be thoroughly plastered inside. No flue to be less than five feet high, and higher should the building inspector deem it necessary for the safety of the building.

Ibid. § 81.

930. (781.) Ordinance applies to what buildings. The term "Building" as used in this chapter shall include structures of whatsoever character erected, repaired or altered within the limits of the City of Savannah; and it shall not be lawful to construct, erect, add to, alter or repair any building or structure within the limits of said city except in the manner and according to the provisions of this ordinance.

Ibid. § 82.

931. Public garages and livery stables; location of. It shall be unlawful to operate any public livery stable or public garage or place for the repairing of automobiles within the jurisdictional limits of the City of Savannah south of Jones street and within 50 yards of any hospital, church or place of public worship.

Nov. 22, 1916.

932. Frame buildings to be storm-sheeted. All frame buildings hereafter constructed in the City of Savannah of more than one story height shall be storm-sheeted diagonally before being weather-boarded.

Dec. 5, 1917.

933. Standard of construction. All buildings hereafter constructed in the City of Savannah shall be built in conformity with the rules and regulations set out in what is known as the "Building code recommended by the National Board of Fire Underwriters (fourth edition, 1915)," in so far as such rules and regulations do not conflict with any present or future ordinance adopted by the Mayor and Aldermen of the City of Savannah. In case of conflict the city ordinance shall govern.

Dec. 5, 1917.

934. Penalty. A failure on the part of the owner of any building or structure erected, constructed, repaired, altered or added to, in the corporate limits of the City of Savannah, to comply with each and all of the requirements of the preceding sections of this chapter, and such failure on the part of any contractor or architect, as the case may be, upon conviction before the Police Court of the City of Savannah, shall subject him or them for each and every violation of the same to a fine not exceeding one hundred dollars, or to imprisonment not to exceed thirty days, either or both, in the discretion of the court; and if such owner, contractor or architect be a partnership, then each member of said partnership shall be liable to punishment thereunder as aforesaid; and if said parties be a corporation, then each officer of said corporation shall be liable to punishment as aforesaid; and the punishment so provided shall be in addition to any money penalties hereinbefore prescribed for any particular infringement of any of said preceding sections.

CHAPTER XXXIV.

PLUMBERS AND PLUMBING INSPECTION.

935. (857.) Under Chief Engineer. The Inspector of Plumbing of the City of Savannah and his subordinates shall belong to, and be under the jurisdiction of, the Chief Engineer's Department of the City of Savannah.

Aug. 1, 1917.

936. (858.) Board of Plumbing Examiners. All the plumbing done in the City of Savannah shall be under the control of a board of five plumbing examiners, which board of plumbing examiners shall consist of the Chief Engineer of the City of Savannah, the chairman of the Committee of Council on Water, the chairman of the Committee on Streets and Lanes, one master plumber and one journeyman plumber, who shall be appointed by the Mayor.

Aug. 1, 1917, § 2.

937. (859.) Plumbing Inspector, appointment and salary. An Inspector of Plumbing in and for Savannah, Ga., who shall be a resident of said city, shall be appointed by the Mayor, with the approval of Council, who shall be paid a salary of one hundred and twenty dollars ($120) per month, out of the City Treasury, and who shall be subject to be discharged at any time, by the Mayor, for causes deemed sufficient by the latter. No one shall be eligible to said appointment as Inspector of Plumbing who is not a practical plumber.

Jan. 3, 1906, § 1. Oct. 10, 1906.

938. (860.) Oath, qualifications and bond. Before entering on the discharge of his duties such Inspector of Plumbing shall take and subscribe an oath to faithfully and impartially discharge the duties of his office, which oath shall be taken and filed with the Clerk of Council.

No person who has any interest, directly or indirectly, in any plumbing business in Savannah, Ga., shall be qualified to hold such office.

He shall give bond, with a surety company as surety, acceptable to the Mayor, in the sum of one thousand dollars ($1,000), conditioned for the faithful performance of his duties as such inspector.

Jan. 3, 1906, § 2.

939. (862.) His duties. He shall inspect all houses in course of erection, alteration, or repair, as often as may be necessary, and shall see that all the plumbing, drainage and sewerage work is done in accordance with the provisions of ordinances. All plumbing shall be inspected first, when the drain, soil, waste and vent-pipes are run in the building, they shall be left uncovered, and the plumber shall report the same at once to the office of the Inspector of Plumbing for inspection and again when the fixtures are placed in position and the work completed.

It shall be the duty of the Inspector of Plumbing, immediately upon written notification by the plumber, to proceed to inspect and pass upon the work; and all inspections shall be made within twenty-four hours after such notification. He shall promptly condemn and order the removal of any defective material, or any work done as to plumbing for drainage or sewerage work. Upon a complete and satisfactory inspection of any work he shall grant a certificate of approval.

The Plumbing Inspector shall have the power to condemn any work

heretofore or hereafter installed, when in his opinion such work is unsanitary and dangerous to the health of the community in which said work may exist.

Dec. 5, 1917.

940. (863.) Board of Plumbing Examiners, duty. It shall be the duty of said Board of Plumbing Examiners to examine and pass upon the qualifications of all persons who desire to engage in the business of plumbing within the corporate limits of the City of Savannah. This examination shall satisfy the said examiners as to the applicant's qualifications as a plumber and his familiarity with the plumbing regulations of the City of Savannah.

Each applicant shall pay a fee of $5.00, which shall be divided equally between the master plumber and the journeyman plumbers on the Board of Examiners, for their services in holding the examination.

Feb. 9, 1898, p. 298. Dec. 5, 1917.

941. (864.) To license plumbers. It shall be the duty of the said board to issue to competent plumbers proper license authorizing them to engage in the plumbing business within the City of Savannah, but before said plumber shall receive his license he shall first file with the Clerk of Council a bond payable to the Mayor and Aldermen of the City of Savannah, with two or more sureties, to be approved by the Clerk of Council, in the sum of five hundred ($500) dollars, conditioned that he or they will discharge his or their duties as a plumber in accordance with the provisions of the ordinances of the city. Upon the filing and approval of said bond, the Clerk of Council is authorized and directed to issue a certificate to said plumber showing that he has complied with the requirements of the ordinances, which certificate shall be presented by the plumber to the City Treasurer, who shall, upon the payment of the license fee required by the tax ordinance for the current year, issue to said plumber a receipt acknowledging payment of the license fee, and upon presentation and surrender of the Treasurer's receipt for the said license fee to the Board of Plumbing Examiners, the said board shall then issue the proper license but not before. It is also made the duty of a plumber before doing any work as a plumber to register his name and place of business in the office of the Clerk of Council and to give notice at once to the said Clerk of Council of any change in his place of business. It shall be unlawful for any person not authorized under the terms of this ordinance to engage in the plumbing business within the City of Savannah, unless such person is either himself so authorized as a licensed plumber or is the employe of such person, duly authorized and licensed. A list of the registered plumbers of the city shall be published at least once in each year.

In the event a plumber violates any of the plumbing laws or regulations three times, the Mayor shall have authority to revoke the license of such plumber, and where a license is so revoked an additional license shall not be granted by the Board of Plumbing Examiners except by approval of the Mayor and Aldermen of the City of Savannah.

Ibid. June 1, 1898, p. 308. Dec. 5, 1917.

942. (865.) Inspection fees, etc. There shall be charged and collected by the Treasurer of the City of Savannah, an inspection fee of one ($1) dollar for each connection with city sewers in streets and lanes and an additional fee of fifty (50) cents for each fixture with a waste connection in new and reconstructed plumbing work, payable before the issuance of the permit, and receipt of the said Treasurer shall be exhibited to the Inspector of Plumbing before connection is made. If the Inspector of Plumbing is required to make an additional trip to inspect plumbing on account of defective work, a charge of one

($1) dollar shall be made for each additional trip. A sufficiency of the fees so collected to pay the salary of the Inspector of Plumbing and of the Assistant (should an assistant be appointed and paid a salary), shall be placed to the credit of the Department by the said Treasurer. The Inspector of Plumbing shall keep a daily record of all work and all business transacted and make a report of the same to the Board of Plumbing Examiners at its regular meeting every two weeks. The report of said Inspector of Plumbing shall cover all the plumbing work done within the city. All plumbing work shall be frequently inspected and shall be performed in strict accordance with the plumbing regulations and with the provisions of ordinances, and a list of imperfect plumbing that comes under the observation of the Inspector of Plumbing shall be kept in the office for an open inspection.

Feb. 9, 1898. Nov. 30, 1898, p. 309. Dec. 5, 1917.

943. (866.) Drainage, sewerage and plumbing work to be approved by Inspector. All drainage, sewerage and plumbing work, whether public or private, shall be done in accordance with definite plans previously submitted to and approved by the Inspector of Plumbing.

Ibid.

944. (867.) Plumbers to get permits for work. It shall be the duty of every plumber before proceeding with the construction of any new work, or re-construction of any old work (except in the repairs of leaks or other repairs which do not involve a change in style of fixtures, the sewerage, drainage or ventilation system) to submit to the Inspector a complete set of plans showing the proposed work to be done, and no plumbing work shall be done without a signed permit from the said Inspector, the condition of this permit must be strictly complied with and the work must be done by the plumber in whose name the permit is given or one of his employes. All new and re-constructed plumbing work shall be subject to a hydraulic test. Replacing a water closet is not interpreted as repairs only on written permission from the Inspector of Plumbing.

Nov. 30, 1898, p. 310. Feb. 9, 1898, p. 301.

945. Licensed plumber not to allow use of name. No licensed plumber shall allow his name or license to be used by any person or persons, either directly or indirectly, for the purpose of obtaining a permit, or of doing any work under his license. In case this section is violated, both the plumber and the person using the plumber's name or license shall be deemed equally guilty and shall be punished as thereinafter provided.

Dec. 5, 1917, § 5.

RULES AND REGULATIONS AS TO WORK AND MATERIAL.

The following additional rules and regulations are hereby adopted touching the work and material mentioned:

946. Service pipes. No service pipes shall be less in diameter than three-quarters of an inch; hydrants in all buildings and dwellings, and hydrants in yards shall be controlled by stopcock waste on all risers, and pipes connected therewith must be so arranged that they may empty when the water is shut off.

Dec. 5, 1917, § 6.

947. Pipes connected with water works. All pipes connected directly or indirectly with the water works system of the City of Savannah shall be laid at least sixteen inches below the surface of the ground, when laid upon public or private premises off the street. In the streets they

shall be laid not less than twenty-two inches below the surface of the street. A stop or waste cock shall be placed to the inner edge of the outside curb with a cutout box not less than four inches in diameter, having a substantial hinge cover made of cast iron, the same to be subject to the approval of the Plumbing Inspector. When an old service pipe is repaired or a new one put in the stop cock and box, if located on a pavement, shall be removed to the inner edge of the outside curb.

All connections to fire protection must be independent of all service pipes.

Ibid. B. Feb. 9, 1898.

948. Waste pipes, etc. All branches on waste pipes must be made with Y's and one-eighth bends and cleanouts provided and made accessible where practicable. Branches to sink waste must be connected into soil pipe between closet and sewer where practicable. Cleanouts shall be placed at the bottom of each stack, where accessible. All cleanout plugs to be brass-screwed, bodies of which may be either cast iron or brass. All sink wastes must be provided with same cleanout screws when five or more feet from stack. All horizontal soil and waste pipes must be graded and given uniform fall from house to sewer, of at least one foot in fifty feet, and supported by piers built of brick or concrete or suspended from beams or joints every five feet, with suitable hangers. All soil pipe fittings must be free from defects and same weight and thickness as pipe to which they are connected. All drain and waste pipes constructed under concrete or cement floor must be provided with cleanouts at the end of each branch and in all cases made accessible. When buildings are built on piers and are open on three sides, terra cotta pipe may be used for the house sewer, provided it can be covered with twelve inches of earth at the highest part, at the natural level, and does not come within a radius of three feet of any wall, pier or chimney, otherwise extra heavy cast iron soil pipe and fittings shall be used to a point four feet from building line. No rainwater leader or surface water pipe shall be connected to the house drainage system.

Ibid. C.

949. Waste pipe fittings. Standard galvanized iron or extra heavy cast iron pipe shall be used for soil or waste pipes above basement in any building, four or more stories high, ends of pipe to be well reamed and screwed to shoulder in fitting. All fittings with said pipe must be cast iron, galvanized recessed drainage or Durham patent and all branches or change of direction must be made with Y's and long radius bends, with cleanouts provided and made accessible, where practicable, as provided in system of cast iron soil pipe.

Ibid. D.

950. Size of soil and waste pipes. All lead, cast iron and galvanized iron soil and waste pipes must be the following sizes:

	Number.	Inches.
Water closets	1 to 5	4
Water closets	6 to 15	5
Water closets	16 to 40	6
Slop sinks	1 to 7	3
Slop sinks	8 to 20	4
Kitchen sinks	2 to 8	2
Kitchen sinks	1	1½
Kitchen sinks	9 to 15	3
Kitchen sinks	16 to 40	4
Urinals	1	1½
Urinals	2 to 8	2

	Number.	Inches.
Urinals	9 to 15	3
Urinals	16 to 30	4
Wash trays	1	1½
Wash trays	2 to 8	2
Wash trays	9 to 15	3
Wash trays	16 to 30	4
Bath tubs or showers	1	1½
Bath tubs or showers	2 to 10	2
Bath tubs or showers	1 to 30	3
Lavatories	1	1¼
Lavatories	2 to 4	1½
Lavatories	5 to 20	2
Lavatories	21 to 40	3

Ibid. E.

951. Rain water leaders and waste pipes. Rain water leaders shall not be connected with or emptied into house sewers, nor used as soil, waste or vent pipes, nor shall any soil, waste or vent pipes be used as a leader. Soil or waste pipes placed in any building for future use shall be ventilated, tested and subject to the same rules in every respect as if intended for immediate use, and all openings closed by screw plugs, caulked or soldered. All house plumbing can be connected with the sewer when it is found upon examination by the Inspector of Plumbing to conform in all respects to the requirements governing plumbing.

Feb. 9, 1898. Dec. 5, 1917.

952. Tests and approval. No soil, drain or vent pipe shall be covered from view or concealed until after the work has been tested and examined, and approved by the Inspector of Plumbing and the Inspector of Plumbing shall be notified when the work is ready for inspection and the said plumber shall prepare the whole system of plumbing for the Inspector of Plumbing to make a proper test of same, by filling the pipes with water, or air pressure of five pounds to the square inch.

Ibid. G.

953. Traps, how constructed. Traps to all bath tubs and soda fountains, bar fixtures, wash trays and refrigerators must be Benner, or other approved type, traps, with trap screws at least three inches in diameter, and traps must be so constructed as to provide a water seal of at least three inches in depth. The outlet from all traps must be wiped. Traps to lavatories must be of lead or brass, with seal not less than one and one-half inches in depth and a discharge capacity to equal one and one-quarter-inch pipe, provided with trap screw, or cleanouts so constructed as to afford access in case of stoppage. Traps for urinals must be of lead, cast iron or brass traps, with seal not less than one and one-half inches and a discharge capacity to equal one and one-half inch pipe, provided with a trap screw, or so constructed to afford access in case of stoppage. Waste from refrigerators or other receptacles in which provisions are stored shall not be connected directly with the drainage system, but shall be arranged to waste into an open tray, in plain sight below. This tray may be connected to drainage system upon being properly trapped and vented; Benner or other approved type traps to be used. The so-called wet vent may be used on traps, but in this event the vent must be of same size as vent opening.

June 6, 1918.

954. Vents. All traps and fixtures must be revented, using either standard cast-iron, galvanized iron or lead pipe and all lines, horizontal vent pipes must be constructed to drain towards waste pipes. The end of all galvanized iron vent pipes, or pipes below the level of fixtures, must be well reamed and all fittings used in construction thereof, must be galvanized cast-iron pipe fittings. The vent pipes from all drum traps must be wiped into waste pipes, Y's branches not more than eighteen inches from the trap seal. Closet vents must be connected to branch of soil or waste pipes, just below the lines of floor and above any waste connections, wiped or connected to any soil or waste pipe. Revents to closets may be omitted when there is only one closet and one four-inch stack. When a vent pipe from a trap connection into a vent from another, the said connection must be made at least one foot above the highest fixture. When a stack or vent pipe extending through a roof, is within a distance of fifteen feet from any opening, above the said stack, the said stack or pipe, must be extended at least two feet above the opening. Flat roof vents must extend at least six inches above fire wall. No caps, cowls or bends may be affixed to the top of any vents or stacks. Wire baskets may be used. All vent pipes must be run as direct as possible, and forty-five degree Y's or one-eighth bends may be used at all times when practicable. No closet or urinal shall be placed in a room that has not four square feet of open window or ventilation to outside of building.

Ibid. I.

955. Size of vents. All vents to be full size at trap outlets, except water closets, slop sinks, or catch-basins. Two water closets or three other fixtures, except slop sinks, may be revented on one two-inch pipe. Above that number it must be increased in size, according to number of fixtures at least one-fourth of an inch for each additional fixture. Slop sinks, wash racks or floor drains, and catch-basins to be vented the same as water closets. Ten bath tubs or basins may be revented on one two-inch pipe, and the above number may be increased at a rate of one-fourth of an inch for each additional fixture, until the size of three inches is reached, which size may be used to revent thirty bath-tubs or basins. Six kitchen sinks, butler's sinks or urinals may be revented on one two-inch pipe; above that number must be increased in accordance with the number of fixtures at least one-fourth of an inch for each additional fixture until the size of three inches is reached, which size may be used to revent twenty sinks or urinals. Three water closets or slop sinks may be revented by one two-inch pipe. Above that number, they must be increased at a rate of one-quarter-inch for each additional fixture, until the size of three inches is reached, which size may be used for ten water closets or slop sinks; above that number it must be increased again at a rate of one-quarter of an inch for each additional fixture until the size of four inches is reached, which size may be used to revent forty water closets or slop sinks. Revent stacks from roofs of more than five fixtures to each floor in buildings of more than two stories in height must connect into stacks with Y's and one-eighth bends just below the line of connections on first floor. Revent stacks must be continued through roof independent of main stack or connected into stack not less than three feet above the highest fixture.

Ibid. J.

956. Vents omitted. When more than two water closets are placed in an outbuilding on same floor of building, separate from dwelling, then the traps of lead bend of said closet need not be separately vented, but the soil pipe must extend above the roof full size to the end of the line. When toilets in bath room, having more than one closet and three

other fixtures therein is located on one floor only on the top floor of any building and such closets are set not more than three feet from the vertical soil pipe the revent pipe may be omitted when siphon-jet closets are used. Top fixtures need not be revented, but continuous vent must be used.

Ibid. K.

958. Traps, placing of. Traps shall be placed as near the fixture as possible and in no case shall the trap be more than two feet from waste outlet of its fixture. The discharge from any fixture must not pass through more than one trap before reaching the house drainage. All traps must have at least one and one-half-inch water seal.

Ibid. M.

959. Open plumbing. All plumbing fixtures shall be installed as open plumbing. Any water closet or group of water closets within a building shall be supplied from a separate tank or cistern and no flush shall be less than one and one-quarter inch flush pipe.

Ibid. N.

960. Continuous stacks. Branches of waste pipes twenty feet or more in length shall be extended full size through roof or returned to main stack above the highest fixture. Branches of soil pipe of fifteen feet or more in length shall be extended up to and through the roof or returned to main full size stack above the highest fixture.

Ibid. O.

961. Joints. All joints in castiron pipe must be made with picked oakum and soft pig lead. The oakum to be well packed and then at least twelve ounces of molten lead to each inch in diameter of pipe, poured into hub of pipe and joints caulked until air and water-tight. All joints in galvanized iron pipe must be screwed into fitting at least three-quarters of an inch and made air and water-tight. All joints of lead pipe or between lead and brass must be plumbers' wiped joints. Sweat or bolted joints will not be permitted.

Ibid. P.

962. Connections between lead and cast-iron pipes. All connections between lead and cast-iron pipe or lead and galvanized iron pipe must be made with brass ferules or soldering nipples, wiped into a lead pipe, caulked or screwed into pipe connection therewith as the case may be.

Ibid. Q.

963. Lead bends. Lead bends must be used on all closets above the first story, in system of cast-iron drainage and in roughing in for traps to be installed on finish. Lead bends must be used at the foot of revent drops.

Ibid. R.

964. Supports, hangers, etc. All pipes must be supported by hangers or supported as follows: Horizontal cast-iron pipe must be supported every five feet by piers built of brick or concrete or suspended from joists or beams with hangers made of one-eighth by one-inch wrought iron; horizontal galvanized pipes must be supported every ten feet by piers or hangers made of same size wrought iron and all horizontal lead pipes of more than two feet in length must be supported the entire length with a bridge of sufficient thickness to prevent sagging.

Ibid. S.

965. Prohibited material. No water closet known as a pan plunger or valve hopper or No. 3 front or back washout shall be used in plumbing which may be constructed or reconstructed after the passage of this

ordinance. Those used to be known as tank closets. No sanitary "T" shall be used as a waste or soil fitting on any horizontal pipe unless the size opening is smaller than the main body of fitting. No aqueduct lead shall be used for any purpose in connection with plumbing work. Flushometer closets will be permitted to be used.
Ibid. T.

966. Test inspection. There will be one test on all plumbing work installed in any building. When all roughing-in is completed, all waste and vent openings must be sealed with solder or plugs and the entire system filled with water, and made air and water-tight, and the same must be inspected by the Inspector of Plumbing. The inspector shall make the final inspection when all fixtures are set. The inspector must also inspect all sewers, or any connection made with the city main and branches of said sewer or connections must not be refilled until said sewer or connections have been approved by the Inspector of Plumbing.
Ibid. U.

977. Certificates of Inspector. When the plumbing in a building is completed, the plumber or his representative shall secure for the owner of such building, from the Inspector of Plumbing, a certificate of inspection, signed by the Inspector, certifying that the work has been tested, as provided by law; that all persons, or firms, carrying on the plumbing business within the City of Savannah, under the terms of this chapter, before they shall do any work upon sanitary sewer or make any connection with same or before they shall do any work upon any of the pipes or connections, must first obtain permit from the Inspector of Plumbing.
Ibid. V.

978. Non-syphon traps. The use of non-syphon traps on reconstruction work will be allowed when the written permission of the Inspector of Plumbing has been obtained and not otherwise.
Ibid. W.

979. Yard water closet. All yard hopper closets hereafter installed, reconstructed or replaced shall be of the frost-proof "Vogel" patent, or a substitute to be approved by the plumbing inspector, with a galvanized iron automatic pressure tank, or No. 1 standard syphon tank of a type approved by the plumbing inspector. Closet and trap shall be enameled on inside and painted on outside. The trap shall be above the floor and caulked into a cast iron waste pipe. Each trap must have a hand hole cover or vent opening. The waste pipe under floor of closets shall be not less than four inches, of cast iron pipe. This to apply to yard closets.
June 6, 1918.

980. Water closets to be ventilated. Water closets, urinals or slop sinks must never be placed in unventilated rooms or compartments. In every case the compartment must be open to outer air or be ventilated by a shaft or air duct having an area to the air of at least 36 square inches.
Feb. 9, 1898.

981. Water closets out of main building. It will not be necessary to ventilate water closets when same are located outside of main building. Outbuildings intended for servants' quarters, having plumbing fixtures in same, shall be ventilated. The waste from water closets outside of main building must be four-inch iron pipe, extending 18 inches outside of enclosure.
Ibid.

982. Oil traps in garages, etc. All garages, public establishments where automobiles are washed and cleaned, gasolene filling stations, dyeing and cleaning establishments and other like establishments using gasolene, oil and other inflammable material, which is carried into the public sewers of the City of Savannah, shall install in connection with the drainage from their sinks, wash-traps and other receptacles a system of gas and oil traps of a type satisfactory to the Chief of the Fire Department.
Oct. 24, 1917.

983. Kind of trap to be used. Each trap installed shall consist of suitable basin, depending upon the size of the establishment, and in the basin there shall be a removable receptacle to receive mud, gasolene, oil and other matter washed into same. The trap shall be provided with suitable air chamber and with ventilating pipe. The trap manufactured by Compound Injector and Specialty Company, known as the Dehn's Peerless Garage Floor Drain, is a satisfactory type, but any other equally as effective will be accepted.
Ibid. ¶ 2.

984. Penalty. Any person who shall neglect or refuse to comply with, or shall violate any of the requirements of the foregoing provisions of this chapter, or such ordinances as now exist, or which may be hereafter adopted touching the plumbing regulations of the City of Savannah, shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed one hundred ($100) dollars, and imprisonment not to exceed thirty days, either or both, in the discretion of the court; and in addition thereto he shall be compelled to cause the work to conform to these regulations, and each day's delay in complying shall be held a separate and distinct offense, and punished accordingly.

CHAPTER XXXV.

GUNPOWDER AND EXPLOSIVES.

985. (783.) Keeper of Powder Magazine, how appointed, bond, etc. The appointment of the officer known as Keeper of the Powder Magazine, shall be confided to the Mayor of the City of Savannah, and such appointment shall be for the term of two years, comporting with terms of other city officers; such appointments to be subject to the confirmation of Council, and such officer to be removable for misconduct or unfaithfulness, as in the case of other city officers. He 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.

Aug. 2, 1872. Dec. 15, 1817.

986. (784.) Duty. It shall be the duty of such keeper, in addition to his other duties prescribed by ordinance, to reside and remain at said powder magazine by day and by night, necessary official absence only excepted, for the receiving and delivery of gunpowder; and for any violation of this section such keeper may be dismissed from office and be fined in the Police Court in a sum not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, on conviction.

June 21, 1871. Dec. 15, 1817.

987. (785.) To keep and wear woolen socks while in magazine. The said keeper shall cause to be prepared, at his own proper cost, four pairs of woolen socks to cover the feet, to be kept within the door of the magazine, to be worn by himself and all persons resorting thereto, to be put on before entering and to be worn whilst remaining therein.

March 8, 1835.

988. (786.) Penalty for not wearing. The said keeper or any other person who shall refuse or neglect at any time to wear such woolen socks as aforesaid, whilst in the magazine, shall, on conviction before Police Court, be fined in a sum not exceeding twenty dollars, or be imprisoned not exceeding twenty days, either or both, for each offense, on conviction.

Ibid.

989. (787.) Fees of Keeper. The Keeper shall receive for every keg of powder placed in the magazine, of the weight of from twenty-five to twenty-eight pounds, twelve and a half cents at the time of receiving the same, and the further sum of twelve and a half cents at the time of delivering the same to the owner, and a like sum in proportion to the weight thereof, and he shall not be entitled to any compensation when a sale takes place, unless said sale is accompanied with a delivery. And all powder delivered to said Keeper as aforesaid, shall be immediately stowed in the safest powder magazine under his care, under penalty of fine not exceeding one hundred dollars for the first offense, and the like penalty and removal from office for the second offense. In addition to fees, said Keeper shall be paid such further compensation as Council may prescribe.

Aug. 2, 1839.

990. (788.) Dealers, etc., not to keep over 25 pounds at a time. No mechant, factor, retailer or dealer in powder, or any person or persons in this city shall retail, keep, or have in their possession at any time, a greater quantity of gunpowder than twenty-five pounds weight, under a fine of not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both, upon conviction in the Police Court.

May 9, 1850.

991. (789.) Keeping gunpowder in city regulated. It shall be the duty of every person keeping or having in his or her shop, store or other place of business, any quantity of gunpowder, to have the same kept in a metal canister near one of the doors or entrances to be designated by the Chief of the Fire Department, and a sign placed outside of the door or entrance bearing in white letters, not less than three inches in length, upon a black ground, the word "Gunpowder"; and any such merchant, retailer or dealer in powder who shall violate any of the provisions hereof, shall, on conviction in the Police Court, be fined in a sum not exceeding one hundred dollars, or be imprisoned not more than thirty days, or both, in the discretion of the court.

Sept. 22, 1875.

992. (790.) Carrying through streets without a covering prohibited. It shall not be lawful for any person or persons to carry gunpowder without a secure and proper covering, in any wagon, cart or dray, or otherwise, through the squares, streets, lanes or wharves of the city, and every person or persons so offending, shall be fined in a sum not exceeding thirty dollars, or be imprisoned not exceeding thirty days, either or both.[1]

March 11, 1825.

993. (791.) Duty of masters of vessels. The master or commander of any merchant ship or vessel, which shall or may at any time arrive at or in the harbor of Savannah, having on board more than fifty-six pounds weight of gunpowder, shall within twenty-four hours after his mooring at or opposite the City of Savannah, cause such gunpowder to be removed to the magazine, and the powder receiver shall there receive the same, and the Harbor Master is hereby required to give notice and inform the master or commander of any such ship or vessel so arriving at or in the harbor of Savannah, of the duties required of him by this article. And any master or commander of any ship or vessel who shall refuse or neglect to comply with the terms of this section, shall

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(1) The following provides for the keeping of a private portable magazine:

"An Ordinance to permit ———— to keep a powder magazine, as herein provided, in the city of Savannah.

"Section 1. Be it ordained by the Mayor and Aldermen of the city of Savannah, in Council assembled, That permission is hereby given ————, of Savannah, Ga., to keep a portable powder magazine within the city of Savannah, on the open sidewalk, on the north side of Bay street, and opposite their store, No. —— Bay street, as asked for in their petition, as to which a report was adopted by Council at its meeting of ————. The said magazine is to be made of heavy sheet iron, with overlapping and projecting cover, and to be made safe and secure, to the satisfaction of the Chief of the Fire Department, and is to have a capacity of holding not exceeding four hundred (400) pounds of powder.

"Section 2. Be it further ordained, That the right is reserved by the Mayor and Aldermen of the city of Savannah to cause the removal of the said powder magazine at any time it is determined by the said Mayor and Aldermen of the city of Savannah that the same is dangerous.

"Section 3. Be it further ordained, That all Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed."

Private Ordinances of this character have been passed for the benefit of private parties from time to time.

be liable to a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both, in the discretion of the Police Court.

March 11, 1875.

994. (792.) Shipping gunpowder from wharves. No gunpowder shall be shipped on board of any merchant vessel, boat or flat, whilst lying at any of the wharves of the city, in any quantity exceeding fifty-six pounds, but every such vessel, boat or flat, before receiving such shipment, shall be hauled into the stream and shall not be permitted, after receiving the powder, to remain in any part of the river opposite to the city for a longer period of time than twelve hours. And for a violation of this section, the captain, owner, agent or consignee of the vessel shall, on conviction before the Police Court, be fined in a sum not exceeding thirty dollars for each offense, and not exceeding thirty dollars for each hour such ship or vessel shall remain after the time limited, or be imprisoned thirty days, either or both, in the discretion of the court.

March 8, 1835.

995. (793.) In transit by railroad or river to interior. All gunpowder arriving at this port to be forwarded to the interior by railroad or river, may be transported directly from the vessel bringing it to the cars of the railroad or the boats to which it is destined, without being subject to be placed in the magazine, or to fees to the keeper thereof. Provided, however, that as soon as any vessel having gunpowder on board for such destination be made fast to the wharf, it shall, without being suffered to remain on the wharf, at once be placed in a safe and proper conveyance, under cover of a tarpaulin, conspicuously marked "powder," and transported to the railroad depot, or to the landing of the boat for which it is destined. And when gunpowder shall be transported to a railroad 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, 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 railroad 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. Each and every violation of this section shall be punished by a fine not exceeding one hundred dollars, or imprisonment of thirty days, either or both, in the discretion of the court.

March 29, 1849.

996. License to keep explosives. It shall be unlawful for any person, firm or corporation to keep within the corporate limits of the City of Savannah any phosphorus, gunpowder, explosives, shotgun shells, rifle cartridges or other ammunition of any character, except as hereinafter provided, unless the person, firm or corporation shall first obtain a license as hereinafter provided; provided, however, that this ordinance shall not apply to citizens of the United States who have in their possession not more than five hundred 22-caliber cartridges, more than fifty pistol or rifle cartridges of larger caliber, and not more than five hundred shotgun shells, and this ordinance shall not apply to persons in the military or naval service of the State of Georgia or of the United States of America, nor the Police Department of the city.

The word "person" when hereinafter used shall mean "person, firm or corporation."

Whenever any person desires to have in possession, custody or control any phosphorus, gunpowder, explosives, shells, cartridges or other ammunition as above stated, in excess of the amount excepted, he shall make application to the Clerk of Council, who is hereby made licensing officer, giving his name, age, nationality, residence, place where explosives or ammunition are to be located, and purpose for which they are to be kept. If the Clerk of Council is satisfied that it will be safe to the inhabitants of the city to grant such license, he shall, upon the applicant paying the license fee, issue the license.

If the clerk is not so satisfied, then he shall refuse the license. In such case the applicant may appeal to a board consisting of the Mayor, the Chief of Police and the Fire Chief.

Nov. 21, 1917.

997. Revocation of license. After a license is granted, it may be revoked whenever, in the opinion of the Mayor, the Chief of Police and the Chief of the Fire Department, or a majority of them, it would be dangerous to the inhabitants of the city for the person licensed to continue to hold the license.

998. License fee. The license fee to be charged shall be twenty-five (25c) cents per license, the same to be paid to the Clerk of Council by the applicant before the license issues and by the Clerk of Council immediately paid into the City Treasury.

999. Form of application. The applicant shall make the following affidavit:

"Georgia, Chatham County, City of Savannah.

"Personally comes _____ who makes application for license to keep explosives within the corporate limits of the City of Savannah, and who, being sworn on oath, deposes and says as follows: My name is _____; I reside at _____. I was born at _____, on the _____ day of _____, 18____, and am now a citizen of _____ nation. Corporation: I am _____ of _____, corporation chartered at _____, on the _____ day of _____, 19____; Partnership: I am senior member of the firm of _____; the other partners are _____ (give names of each). I desire to keep the following explosives _____ at No. _____, in the City of Savannah, for the purpose of _____, and agree to abide by all the ordinances of the City of Savannah and the laws of the State of Georgia and the United States of America in regard to the keeping of explosives.

_____

"Sworn to and subscribed before me, this _____ day of _____, 19____.

_____

"Notary Public Chatham County, Georgia."

In case the applicant is a corporation the president or business manager must make the affidavit, and shall also state the place and date of incorporation.

In case the applicant is a firm or partnership the senior member of the firm shall make the affidavit, giving the names and nationality of the co-partners.

1000. Explosives to be kept in conformity with law. All explosives of every kind kept in the City of Savannah, whether held under license or not, shall be held and kept in conformity with the ordinances of the City of Savannah, and the laws of the State of Georgia and of the United States of America.

1001. Penalty. Any person violating the provisions of this chapter shall, upon conviction in the Police Court of the City of Savannah, be fined in a sum not exceeding one hundred dollars and imprisoned not exceeding thirty days, either or both, in the discretion of the court.

CHAPTER XXXVI.

BOARD OF PURCHASE.

1002. Creation; officers. A Board of Purchase is hereby created, consisting of the Mayor, Chief Engineer and two members of City Council, to be appointed by the Mayor. The Mayor shall be chairman of said board and shall designate one of the members of the board to act as the purchasing officer. A secretary to said board shall be appointed and designated by the Mayor from one of the city employes.
Jan. 21, 1914.

1003. Duties. The said board shall be charged with the sole and exclusive purchase of all supplies and materials of whatsoever nature needed or required by any department of the city government, and shall see that all advertisements are properly inserted by the purchasing officers for all bids for materials and supplies and that the payment of bills for materials and supplies purchased is in accordance with the bids accepted. No vouchers for the payment of bills for materials and supplies purchased shall be issued unless approved by the chairman of the Finance Committee and the chairman of Committee on Accounts.
Ibid. ¶ 2.

1004. May establish rules. The said Board of Purchase shall have full power and authority to establish rules and regulations relative to the purchase, distribution and storage of supplies and materials in accordance with the report on the accounting system rendered on the 29th day of September, 1913.
Ibid. ¶ 3.

CHAPTER XXXVII.

PENSION BOARD.

1005. Created; term of office. There shall be a Pension Board for the City of Savannah, the same to be appointed by the Mayor, subject to the approval of Council. The first board shall hold office until the regular election by Council of city officers in January, 1917, and each succeeding board shall hold office for the same length of time as other city officers.

April 26, 1916.

1006. Officers. The said board shall consist of one practicing physician of high standing in the medical profession, to be designated by the Mayor, with the chairman of the Committee on Fire, the chairman of the Committee on Streets and Lanes, and the chairman of the Committee on Police.

Ibid. ¶ 2.

1007. Duties. It shall be the duty of said board to examine each employe who applies for a pension on account of physical disability and also those who are now or hereafter upon the pension rolls of the city as soon thereafter as may be practicable, and it shall be the duty of said board to report to Council the physical and mental condition of each pensioner and of each applicant for pension, and in the case of pensioners, the reason for which the pension was granted, and said board shall make any recommendations to Council they may deem proper. Said examination shall be outlined by the Health Officer of the city.

Ibid. ¶ 3.

1008. Compensation. The member of said board not an Alderman shall receive for the examination of each person, pursuant to the terms of this ordinance, the sum of five dollars ($5.00), the same to be paid from the City Treasury.

Ibid. ¶ 4.

1009. No person to be pensioned until passed by Board. Hereafter no person shall be pensioned by the city until he shall have been first examined by said board, and it shall be the duty of said board to examine such employes of the city as the Mayor may direct with a view to determining whether such employe should be pensioned by the city, and said board shall make a report of the result of each examination as provided for in section 1007 hereof.

Ibid. ¶ 5.

CHAPTER XXXVIII.

TRAFFIC BUREAU.

1010. Traffic Bureau established; Traffic Expert. Pursuant to and under the provisions of an amendment to the City Charter of Savannah, enacted by the General Assembly of Georgia, August 16, 1915, a Municipal Traffic Bureau for the City of Savannah is hereby established which shall be conducted under the supervision and control of a Traffic Expert to be appointed by the Mayor, subject to the approval of Council.

April 29, 1916.

1011. Duties. It shall be the especial duty of the said Municipal Traffic Bureau and its officers to prevent any freight or passenger rate discriminations against the City of Savannah.

Ibid. 2.

1012. Assistants to Traffic Expert. The Mayor shall have authority from time to time to appoint such assistant or assistants to the said Traffic Expert, not exceeding three, as in the opinion of the Mayor may be needed to properly perform the duties required of said bureau, and the officers and employes thereof shall perform such other duties as may be required by the Mayor or Council.

Ibid. 3.

1013. Salary of Traffic Expert. Said Traffic Expert shall be paid at the rate of four thousand dollars ($4,000) per year and his assistants shall be paid for their services such amounts as the Finance Committee may by resolution fix, subject, however, to the approval of Council. The term of office of each of said persons shall correspond with that of city officials elected by Council, but the Mayor shall have the right to terminate the employment of any one or more of them, subject to the approval of Council, whenever, in his opinion, the interests of the city require.

Ibid. 4.

CHAPTER XXXIX.

WATER.

1014. Authority to own and operate Water Works. Under its General Welfare clause the City of Savannah has authority to establish, construct, own and operate a system of water works.

96 Ga. 312. 140 Ga. 611.

1015. Chief Engineer, Head of Water Works. The Chief Engineer of said city shall, under the Mayor of said city, have full and complete control of the Water Works Department, its officers and employes, and shall also have charge of all buildings, machinery, live stock, wagons, tools and any other personal property of the City of Savannah belonging to, used in or connected with the said department.

Jan. 3, 1917.

1016. Officers, employes, appointed and removed by Mayor. All officers and employes of said department shall be appointed by the Mayor upon recommendation of the Committee on Water. The Mayor shall have the right to discharge any official or employe of the said department at any time, with or without cause assigned.

Jan. 3, 1917.

1017. (810.) Officers and employes, duties, salaries. The Committee on Water, in conjunction with the Chief Engineer of the City of Savannah, shall prescribe the duties of the officers and employes of the Water Works Department; the said committee shall fix also the salaries of such officers and employes, provided such salaries be approved by the City Council.

May 4, 1854. Jan. 3, 1917.

1018. Committee on Water. The Committee of Council on Water shall have power to make rules and regulations for the government of the water works of the city, and to devise a system of revenue to be derived therefrom, all of which shall be submitted to the City Council for its approval.

May 4, 1854. Feb. 18, 1880.

1019. (806.) Chairman. The Chairman of the Committee on Water shall exercise a general supervision over the water works, the property connected therewith, and over all officers and agents.

May 4, 1854.

1020. (807.) Bills. All bills for expenditures by the said committee shall be certified by the chairman, and vised by the Mayor.

1021. (808.) Repairs. The said committee, with the approval of the Mayor, 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.

1022. (809.) Committee not to be interested in contracts. No one or more of said committee 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.

1023. (805.) Annual report. The said Committee on Water shall, on or before the first day of January, 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.

Ibid.

RULES AND REGULATIONS OF SAVANNAH WATER WORKS.

The following rules, regulations and penalties are hereby prescribed for the government of the water works department of the City of Savannah, and the use of water furnished by said city.

Adopted by Council June 20, 1917.

1024. (811.) Making unauthorized connection. If any person shall make any opening or connection with any pipe or reservoir without a license, he or she so offending shall be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, in court's discretion.

1025. (812.) Material of service pipe. The material of all service pipe, connected with the distributing pipes, shall be approved by the Committee on Water.

1026. (813.) Connections with distributing pipe. 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.

1027. (814.) Fee for permit; tapping illegally, etc. Upon receiving a permit to connect the service with the distributing pipes, there must be

paid such sum as the Committee on Water may require, to cover the expense of the service cock and inserting the same, which service cock will be inserted by persons employed by the said committee 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 be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, in Police Court's discretion.

1028. (815.) Leaky connections. If the connections 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 not exceeding twenty dollars, or be imprisoned not exceeding ten days, either or both, in court's discretion; and if such person shall continue to neglect to have the same repaired, the supply of water on such premises shall be shut off.

1029. (816.) False keys. 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 offense, be subject to a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both, in court's discretion.

1030. (817.) Wasting water. If any person shall knowingly and unnecessarily waste the water on his or another's premises, he, she or they shall be liable to punishment as hereafter provided, and the supply of water may be withheld from such premises.

1031. (818.) Polluting water. If any person shall wilfully pollute the water in the reservoirs or pipes, he, she or they shall be subject to a fine of not more than one hundred dollars, or imprisonment not exceeding thirty days, either or both, in Police Court's discretion.

1032. (819.) Unauthorized taking of water. 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 fine of not exceeding twenty dollars, or imprisonment not exceeding five days, either or both, in court's discretion; and the supply of water may be shut off from such premises, at the discretion of the Committee on Water, and every person who may use the water without paying therefor, upon conviction before the Police Court, shall be subject to a fine not exceeding thirty dollars, or imprisonment not exceeding fifteen days, either or both, in court's discretion.

May 4, 1854, p. 495.

1033. (820.) Leaks to be reported. It shall be the duty of all persons regularly employed on the works to report to the office of the Water Department, in writing, any leaks or unnecessary waste of water that may come to their knowledge, also any violations of the provisions of this chapter.

1034. (821.) Use of private fountains. 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 Committee on Water, the public exigency may require.

1035. (822.) Supply of water may be withheld, when. The supply of water may be withheld from all premises when the ordinances, rules or regulations adopted by the City Council and the Committee on Water have, in any manner, been violated, and the supply be 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 on.

1036. Rates and conditions. The water rents for all buildings and premises within the corporate limits of the City of Savannah supplied with water on assessment plan by the City of Savannah are fixed and assessed for semi-annual charges payable in advance falling due on the first day of January and the first day of July of each year for six (6) months ending June 30 and December 31.

1037. Flat rates for water. All service not provided for in this ordinance shall be equipped with meters and if not provided in the following tariff on water rates, will be subject to special rates made by the Committee of Council on Water.

(a) Dwellings to be charged flat rates according to the city valuation on improvements as follows:

Valuation—	Per Annum.
$500 and under without drainage	$ 3 00
$500 and under with drainage	5 00
Over $500 and not exceeding $1,000	7 50
Over $1,000 and not exceeding $1,500	10 00
Over $1,500 and not exceeding $2,000	12 00
Over $2,000 and not exceeding $2,500	13 50
Over $2,500 and not exceeding $3,000	15 00
Over $3,000 and not exceeding $3,500	17 50
Over $3,500 and not exceeding $4,000	20 00
Over $4,000 and not exceeding $4,500	22 00
Over $4,500 and not exceeding $5,000	23 50
Over $5,000 and not exceeding $6,500	25 50
Over $6,500 and under $10,000	28 00
$10,000 and over	30 00

What Allowed—All dwellings to be allowed two hydrants in yard, hot and cold water in kitchen for sink use and in basement for wash tub use; one pantry sink with hot and cold water, or either for same; two bath tubs to be either within the house, or one in the house and one in outhouse; two water closets, either in house, or one in the yard, or one in the outbuilding and two wash basins.

(b) Sprinkling Streets With Hose.—For sprinkling streets with hand hose, per foot front of lot, 30 feet or less, $3 per annum. Same 30 to 60 feet, $4.50 per annum. Same, over 60 feet, $0.08 per foot. Hose not larger than ¾ inch with ⅜ inch orifice, and use of hose limited to five hours per day, between the hours of 7 and 9 in the morning and 5 and 8 in the afternoon except that during the months from October to February inclusive, water may be used for said purposes between 3:30 P. M. and 6:30 P. M. The use of hose for outside sprinkling other than for street purposes shall be confined to the hours between 7 and 9, in the morning, and 5 and 8 in the afternoon. Except that during the months of October to February, inclusive, water may be used for said purposes between 3:30 P. M. and 6:30 P. M.

The limitation as to hours of use here prescribed shall not apply where the water used is paid for by meter rates.

(c) Stables (private), including water for washing carriages, etc.:
For one horse ---------- $2 00
For each horse over one ---------- 1 50

(d) Stores, Shops, Offices, Etc.—Each water fixture to be charged for separately as follows:

A hydrant	$7 50
A wash basin	7 50
A water closet	7 50
A bath tub	7 50
A urinal	7 50

(e) Tapping Main—The charge for tapping main pipe and inserting ferrule, not larger than 5/8-inch, $3.00.

(f) Turning on Water—The charge for turning on water when shut off for any cause, $1.50.

(g) Branch to Main—The charge for permit for a branch connection with main, $3.00. The branches, sleeves, lead and all material and labor to be furnished by applicant, and the work to be superintended by the department.

(h) Additional Fixtures—For each additional faucet in yard or premises ---------- $2 00

For each additional bath tub	7 50
For each additional water closet	7 50
For each additional wash basin	7 50
For each additional faucet or any other fixture not enumerated above	7 50

(i) Where there is more than one apartment to a dwelling, or where there is a store with apartment or apartments over same, the valuation of the dwelling portion shall be determined by the tax assessors and their decision shall be final and the rates for the dwelling portion shall be based upon said valuation of same, and the rates for stores as prescribed in rates for same. If there is more than one apartment in any dwelling, the valuation of each apartment shall be determined by the tax assessors and the water rates shall be fixed as per valuation so determined.

(j) Building Purposes—For each thousand bricks ---------- $ .10

For each 50 squares of plastering	.10
For each cubic yard of concrete	.05
For each 100 square feet of concrete sidewalk pavement	.02

For any other purposes not provided for, rates will be fixed by the Chief Engineer when application is made for water.

1038. Meter Rates. The rate of charge for water furnished through meters shall be as follows:

For each meter installed in separate dwellings of assessed value of not exceeding $1,000 there shall be a minimum charge of 37.5 cents per month.

For each meter installed in two dwellings, under one ownership of assessed value of not exceeding $500 each, there shall be a minimum charge of 75 cents per month.

For each meter installed in separate dwellings of assessed value of not exceeding $1,500 nor less than $1,000, there shall be a minimum charge of 75 cents per month.

For all other meters installed there shall be a minimum charge of 90 cents per month.

For the first ten thousand cubic feet (or part thereof) 90 cents per thousand cubic feet.

For the second ten thousand cubic feet, 83 cents per thousand cubic feet.

For the third ten thousand cubic feet, 75 cents per thousand cubic feet.

For all over thirty thousand and not exceeding one hundred thousand cubic feet, 60 cents per thousand cubic feet.

For all over one hundred thousand cubic feet, 45 cents per thousand cubic feet.

1039. Discount 10%. Where meter bills are paid on or before the 15th of the month following that in which the water is consumed, a discount thereon of 10% shall be allowed.
Oct. 24, 1917.

1040. Meters, who required to have. The following consumers will be required to have meters: Soda water manufacturers, all laundries, public buildings, restaurants, bakeries, blacksmith shops, stock yards, photograph galleries, stone and marble yards, licensed boarding houses, livery stables (boarding, sale, truckmen stable), dry cleaning establishments, all free users of water, greenhouse or florist, milk depot, drug stores, dye establishments, foundries, soda fountains, stationary engines and boilers, hospitals, printing offices, chemical laboratories, dry and scouring establishments, barber shops, all fountains, either out of doors or in doors, all contrivances used for automatic or continuing spraying or delivering water; any consumer using water motors, either for elevator or other use; all manufacturing establishments, either for elevator or other use; all manufacturing establishments, any establishment for storing automobiles where repairs are made, bottling and bottle-washing establishments, apartment houses and all premises of assessed valuation of $2,500 or over, all consumers located outside the corporate limits of the City of Savannah.

Meters of 5/8-inch, 3/4-inch and 1-inch in size will be furnished without cost to the consumer, excepting those consumers located outside of the corporate limits of the city, but the cost of installing, making connections with the property and furnishing meter box will be paid by the consumer.

Consumers outside of the city limits shall be required to pay one-half of the cost of the meter in addition to the extra cost of installation and meter box. Title, however, to all meters shall remain in the city.

Consumers found to be using water wastefully will be duly notified and if waste is not discontinued and kept discontinued, said consumers shall be required to be equipped with meters.

Where meters, as herein required, are installed after the consumer has paid a flat rate in advance, a pro rata amount of the sum so paid will be credited on the meter charge, dating from the date of installation or will be refunded to the consumer.
March 13, 1918.

1041. Meter charges, when payable. Meter charges shall be payable monthly. Bills will be presented to the consumer on or before the 5th day of the month following the consumption, and if the bills are not paid on or before the 15th of said month, the discount provided for will not be allowed, and if the bills are not paid within thirty days after the 15th of the month specified, the water department reserves the right to shut off the water supply, and to add to the amount due $1.50, all of which shall be paid before water may be turned on.

1042. Flat rates, when payable. Flat rates are payable in advance, falling due on the 1st day of January and the first day of July each year. If paid within fifteen days after the first day of January, or fifteen days

after the first day of July, discount of 10 per cent. will be allowed. If the bills payable semi-annually are not paid within thirty days after they become due, that is February 1 and August 1, the city reserves the right to shut off the supply of water and to add to the amount due $1.50, all of which shall be paid before the water may be turned on again.

1043. Persons responsible for water charges. The owner or owners of the property are responsible for the payment of water rent, whether the supply is directly for his use or for a tenant or lessee of the property. If a written notice is furnished by the owner of property furnished water through meters requesting meter bills to be rendered the tenant or lessee of the property such notice will be recognized, and the meter bills will be rendered accordingly, but if they are not paid according to the rules and regulations governing the payment of bills the owner of the property will be held liable for payment of any amount due, and if the premises are vacated by the old tenants, new tenants shall not be entitled to a supply until all arrearages on the premises are paid. Water charges are a lien upon real estate and property owners thereof are responsible for delinquencies. Information as to water assessment and charges against any property will at all times be furnished on application. When more than one occupant of the premises are supplied from the same service pipe, the charge for the whole supply furnished by said pipe will be made to the owner in one amount, and in cases of non-payment, the water may be shut off, although some of the occupants may have made settlement therefor with the owners.

Water will be furnished free of charge only when recommended by the Water Committee of Council. All places where water is supplied free of charge may at the discretion of the Committee on Water be required to have meters through which the water will pass and the Water Committee will further have discretion as to whether charge shall be made against consumers for the cost of the meters and installation of same, or whether the city shall install same without cost to the consumers. The maximum free amount of water that will be allowed to hospitals, charitable institutions, asylums, public buildings, or building grounds, etc., shall be fixed by the Water Committee, and if an excess of water is used over the maximum allowed, payment will be required to be made at excess water rates as provided.

1044. Bills, delivery of. Meter bills will be delivered when and as far as practicable. When not delivered the owners or consumers are required to call at the office and obtain them without notice. When bills for water are sent or delivered to the premises supplied, it shall be the duty of the occupants to pay the bill so sent or send it to the owner or party liable for the same or to return itto the Water Department accompanied by a statement giving the name and address of the person who is to pay this water charge, such statement to be signed by the occupants of the premises, however, upon request meter bills will be sent or delivered to such owners. In all cases, where the bills are not paid as herein provided the city may turn off the water immediately.

If receipt by mail is desired, return envelope with postage prepaid thereon must accompany the remittance. Payment for water bills may be made through the mail, or to the Treasurer's office at the City Hall, but money sent through the mail is at the sender's risk.

1045. Leaks, charge in excess for. All water that passes through the meter shall be charged for, whether used, wasted or lost by leakage or other causes, except that when meters are first installed and the first

month's reading shows an excess amount of water passing through the meter due to leakage in plumbing, that the owner or user would not be reasonably expected to know of or to have had a fair chance to have stopped same and on other exceptional cases then the Water Committee may make such adjustment as is reasonable and proper.

1046. Meter fails to register, charges. If meter should get out of order or fails to register, the consumer will be charged at the average daily consumption as shown by the meter when in order.

1047. Charges to be estimated, when. If meter reader is unable to procure a reading of meter after two calls, owing to building being locked, or vacant, or occupant not permitting entrance, or entrance to premises is made precarious by vicious dog or otherwise, or ingress to meter is obstructed in any manner whatsoever, whether in building or vault, the water may be shut off by the city and an estimated charge made for the amount of water consumed. In case water is shut off for any of such reasons, it will not be turned on again until free access to meter is provided and payment made as provided for in Section 1041 unless water is discontinued for a period of six months, or longer, a minimum rate will be charged.

1048. Deducting meters. Where it is desired to subdivide the cost of water between two or more buildings or premises, or among the tenants of the same building, supplied with water through a main meter on one connection, deducting meters may be placed by the city at the cost of the property owner, so that water passing through the main meter will be registered on the deducting meter. The deducting meters will be read upon request of the person, who is responsible for the entire amount of water consumed and bill will be made out for the amount consumed by the tenant of building, but the Water Department shall not be responsible for its collection, nor will it hold such tenant responsible for the payment of water rent.

1049. Fire service, deduction for water used through meter. A deduction may be made for meter water used to put out or prevent the spread of fire, provided, however, that such use of water be immediately reported to the Chief Engineer's office at the City Hall in writing, otherwise the same shall be paid according to the regular meter rates.

1050. Application for service. Every person desiring supply of water from the city's mains must make application at the office of the Water Department at the City Hall for service pipe and connection with the city's mains. Such application shall be made in writing upon blank forms furnished by said department, giving location and number of lot, and shall set forth all purposes for which the water is to be used. It must be signed also by the owner of the property or his duly authorized agent, with the distinct understanding that the property is to be held liable for all water charges accrued or which shall accrue against it. The turning on of water at any premises shall mean that compliance with the rules and regulations of the Savannah Water Department has been agreed to by the applicant.

1051. Alterations, Etc., Permit For. No consumer after the water has been introduced into building or premises, shall make or employ any person to make any connections, extensions or alterations, of any attachments to the pipes or fixtures without a permit from the Water Works office, which permit shall specify the alterations or additional uses to be made.

1052. Meters installed, charge for connections, etc. In all cases

where meters are installed the cost of installation must be paid for before the water will be turned on. The meters will be set by the city. Where connections to the water mains are made a charge of three ($3.00) dollars for five-eighths-inch (⅝), three dollars and fifty ($3.50) for three-fourths-inch (¾), four dollars ($4.00) for one-inch (1) meter, for making tap to mains must be paid for by the property owners or their authorized agent before connections are made. Only licensed plumbers can be employed by property owners or his or their authorized agent in making connections from city's mains to buildings. The size and number of taps will be fixed when application is made, by the Chief Engineer. Generally five-eighths-inch (⅝) tap in main will be allowed for a supply of ordinary water for ordinary fixtures in the dwelling.

1053. Connecting mains to be laid before street paved. Whenever streets, lanes or other highways are to be paved, notice is served upon the property owners at least twenty (20) days prior to the beginning of such paving. This notice requires that all connections to mains must be made to the curb before paving is laid. If this is not done within the time specified the person, company or corporation refusing to comply with such notice shall be prohibited from making underground connections, which would require the tearing up of the paving for a period of five (5) years from the date of completion of such paving.

See sec. 76 hereof.

1054. Service pipe, depth of. All service pipes up to the curb line shall be so laid that the elevation of same shall be not less than 24 inches below the established sub-grade of the paving of the street, lane or roadway.

See sec. 947 hereof.

1055. Stop-cocks. A stop-cock will be required at or near the curb line for every connection that is made to the city's mains. The cost of stop-cock and cover shall be paid for by the property owner, and the maintenance of the stop-cock and cover shall be kept up by the property owners, and if cover of same becomes displaced it will be the duty of the property owner to have another put on, and shall an accident occur to property or person the property owners will be responsible for any liability that may arise due to either the absence of the cover or the bad condition of the box.

See section 1083.

See sec. 946-947 hereof.

1055-a. Stop and waste-cocks. Owners of all property upon which water is furnished by the City of Savannah, whether within or without the corporate limits of the said city, shall install effective combined stop and waste-cocks so that when the stop-cock is closed any water in the pipes above the waste-cock will drain from said pipes through the combined stop and waste-cock. The combined stop and waste-cock contemplated by this ordinance shall be of brass of a type similar to the Mueller make, or its equal, and shall be supplied with a handle so that the consumer of water can readily turn the same off, and must be so installed so as to be easily accessible to the consumer. Such combined stop and waste-cocks shall not be more than six inches above the surface of the ground, and if they are located above the surface of the ground must be boxed or protected so that it will not freeze. If the installation called for hereinbefore is not had before the date specified, water may be shut off from the premises and will not be supplied until such installation is had.

(a) The combined stop and waste-cocks must be so installed as to drain all pipes located above the surface of the ground, although this may require the installation of separate stop and waste-cocks for yard hydrants, yard closets or other pipes furnishing water.

(b) All service pipes between the stop and waste-cocks, herein required, to the curb shall be so laid that they will not be exposed to frost.

(c) Where a number of houses are furnished water from one service, the stop and waste-cock shall be set between the curbing and the first house reached by such service.

(d) All plumbing hereafter placed, or water connections hereafter made shall be placed or made with the installation hereinbefore described.

(e) When property upon which city water is furnished is occupied by a tenant, it shall be the duty of such tenant to so use the said stop and waste-cock as to prevent the freezing of the water pipes upon the said property, and upon failure to do so the said tenant shall be punished as hereinafter provided.

(f) Where two or more houses are furnished water by one service, it shall be the duty of the tenant residing in that one of said house occupied nearest such stop and waste-cock to use the same so as to prevent the freezing of the water pipes of the houses reached by such service, and upon failure to do so, the said tenant shall be punished as hereinafter provided.

(g) The letting of hydrants run for the purpose of preventing freezing is prohibited.

March 27, 1918.

1056. Meters to be set by city. Meters will be set firmly, substantially and in a workmanlike manner, in a convenient accessible location for reading and examining. Generally they will be set at the curb line. When meters are set in basements or cellars, these shall be placed close to the wall, where inlet pipe enters between the meter and entrance pipe through the wall.

1057. Meter tests, registration in. All new meters must register within the following percentage of the actual water passed through them, with full flow or with one-eighth (⅛) inch opening.

	Per Cent.
⅝-inch, ¾-inch and 1-inch meters	1½
1½-inch and 2-inch meters	2
3-inch meters	3
4-inch meters	4
6-inch meters	5

No meter shall be placed on water-works service unless it has first been tested and found to be in accurate working condition.

1058. Meter tests, registration in, after use. Upon examination and test of meters after they have been in service a reasonable time, meters must register within the following percentage of the actual amount of water passed through them either with a full flow or one-eighth (⅛) inch opening:

	Per Cent.
⅝-inch, ¾-inch and 1-inch meters	3½
1½-inch and 2-inch meters	4
3-inch meters	5
4-inch meters	6
6-inch meters	7

1059. Charge for repairs. Cost of maintenance of meters will be borne by the City with the following exceptions, when repairs will be made at the expense of persons who receive the supply through said meters: Damage due to hot water backing into meters or any damage

caused by carelessness or accident on the part of consumers, tenants or employes of consumers—the cost of said repairs will be billed the consumers and must be paid for within fifteen days after the bills are presented, or the City may cut off the supply of water and water will not be turned on again until said charges are paid to the City, and a charge of $1.50 will be made for turning on the water.

1060. Meters and equipment under control Water Works Department. All meters, curb cocks, valves and meter boxes connected with the City Water Works mains and service pipes, including those furnished at the expense of consumers or property owners shall remain under the direct control of the Water Works Department, and it shall be unlawful for any person or perosns other than those authorized by the Chief Engineer of the City of Savannah to connect, disconnect or tamper with any such meter, or to turn off the water at the curb cock, valve or meter, or to open, move or tamper with any meter box.

It shall be unlawful for any person, firm or corporation to interfere or in any way intermeddle with any of the wells, reservoirs, conduits, basins or with the water in same, or to make or knowingly permit any connection or tapping on their premises or premise in their possession or control as agents, tenants or otherwise, except as authorized by this ordinance.

It shall be unlawful for any person to take or use water from the system of the Savannah Water Works, except under the terms and conditions specified in this chapter. All owners and occupants of property are hereby prohibited from furnishing water to any person for any purpose other than is specified herein without the written consent of the Chief Engineer of the city.

1061. Water for fire protection. (A) Water for fire protection will be furnished upon the condition that the owner of the property sign the form of application and contract as prescribed by the Water Committee.

The following classes of service will be allowed which must be fitted with such fixtures only as are needed for fire protection and water must not be used therefrom for any other purpose whatsoever,

(B) Domestic Fire Hydrant Service (class 1)—Combination domestic and fire hydrant service shall consist of a pipe line with a meter on by-pass of suitable size for the domestic service required. This is the only class of fire service on which a tap will be allowed for domestic use.

(C) Fire Hydrant Service (class 2)—Fire hydrant service shall consist of a pipe line with fire hydrants of the same size hose thread and operating nut as the city hydrant, and supply pipe shall be metered in a manner satisfactory to the city.

(D) Standpipe Service (class 3)—Standpipe service shall consist of a pipe line with hose connections smaller than that of the standard 2½ inch hose as used by the city. All hose valves to be closed and sealed and opened only in case of actual fire.

(E) Automatic Sprinkler Service (class 4)—Automatic sprinkler service shall consist of a pipe line equipped with all the necessary appliances as required by the insurance companies, water to be supplied either direct to tank or a combination of both. Valve on by-pass to fill tank shall be closed and sealed. Seal to be broken only by an employe of the Water Department, who will fill tank and re-seal valves which will be done upon request at the Water Works office.

(F) Automatic Sprinkler and Fire Hydrant Service (class 5)—Automatic sprinkler and fire hydrant service combined shall consist of a pipe line supplying both automatic sprinkler and fire hydrant.

The rules governing class 2 (fire hydrant service) and class 4 (automatic sprinkler service) shall apply to this service.

(G) Drain Valves—All drain valves on any of the above classes of service are to be closed and sealed.

(H) Report of Installation—Water will not be turned into any fire service until the party making same has filed and signed the blank installation report furnished by the Water Department.

(I) Regulations and Penalties—Fire service will be inspected by the Water Department from time to time as they deem necessary for good service and for the purpose of seeing that these rules are complied with. When the seal on any of the above classes of service is broken the occupant of the property shall immediately notify the Water Department, and if he fails to do so, upon conviction in the Police Court of the City of Savannah, shall be punished as hereinafter provided. Any abuse or illegal connection for the use of water through these services shall forfeit the right of such service for fire protection and the Water Committee in their discretion have the power to require all such service to be provided with a meter to be put in at such time, as said committee may in each case prescribe, and to make any change of just and reasonable requirements as good service may from time to time require in each instance, either as to said meter or as to any other part of said appliances pertaining to the same.

(J) Testing Fire Apparatus—The parties having connections used for fire protection can test their fire apparatus at any time under the following conditions:

First—Notice to be given to the Water Works office that such test is desired, when date and house will be fixed, when test can be made.

Second—All tests must be made by or in the presence of a proper employe of the Water Works Department.

(K) Cost of Installation, Consumers or Owners of Property Pays For Same—The expense of tapping the mains, making connections, testing completed work, placing valves, meters or any other protective device, that the Water Committee may deem necessary and all cost of material and labor used in making or repairing said fire service at any time must in all cases be borne by the owner of the property. The Water Committee will not be responsible for any defective casting which might develop after being installed, the cost of replacing same must be paid by the property owner. All connections from the city mains to the property line must be made by the authorized employes of the Water Department, and all piping, valves, hydrants and connections to said fire service inspected and approved by the Water Department before the water is turned into said service.

(L) Free Water in Case of Fire—Whenever water is used from a fire service in actual case of conflagration, no charge will be made for same provided the Water Department is notified in writing within twenty-four (24) hours thereafter. But a charge of ten (10) cents per 1,000 gallons will be made for water for filling the tanks connected with fire service systems. A meter must be attached to pipe supplying the tank, same to be of the size and make as ordered by the Committee of Council on Water. These meters will be furnished and installed by the Water Department at actual cost of meter, including time, labor and material required to set same.

(M) Valves Between City Supply and River Supply—If any manufacturers, corporations, companies or individiuals derive a supply of water from the Savannah river and the pipes in any way are connected with the city's mains, or other supply pipes, such method of installing valves between two supplies shall be adopted that will be satis-

factory to the Chief Engineer of the city, and the entire cost of installing these valves will be paid by the corporation, company or individual that is so connected.

See section 1077.

1062. Neighboring premises not to be furnished water. No water taker will be allowed to supply water in any manner or through any fixture or device whatever to the occupants of neighboring premises of any description, except by special permit from the Water Works Department, and if found doing so said water taker shall be charged, and shall at once pay to the city an extra rate for each premises so supplied; and shall be liable to punishment as herein provided. Upon refusal of any person to comply with this rule the water shall be shut off from the premises.

1063. Inspectors may enter premises. (a) Inspectors, meter readers or employes of the department, whose duty it may be to enter upon private premises in examination of meters, pipes, fixtures in connection with the city's water supply, will be provided with badges or other credentials as the Chief Engineer of the city may deem necessary to identify them as agents of the department.

(b) Such inspectors, meter readers or employes or any person authorized by the Chief Engineer of the city must have free access at all reasonable hours to all parts of the building, for the purpose of inspecting meters, examining water fixtures and observing the manner in which water is used.

(c) In case any authorized inspector, meter reader or employe is refused admittance to any premises or, being allowed, shall be hindered or prevented from any such examination or the removal of the meter, the city may turn off the water from said premises after giving twenty-four (24) hours' notice to the owner or occupant of said premises and the person obstructing such inspector shall be punished as herein provided.

1064. Employer responsible for employes. In all cases where any servant, employe, apprentice or minor shall be guilty of any violation of the provisions of the rules of the Water Department, or any ordinance pertaining thereto for the management and protection of the City Water Department, the master, mistress, employer, parent or guardian of such persons shall be held responsible for such violation, as well as the person committing the offense.

1065. Persons damaging mains, etc., to be punished. Any person interfering with or causing damage to pipe, mains or other appurtenances of said water system shall be punished, and any violation of any of the rules and regulations as are herein prescribed shall be punished as herein provided.

1066. Transactions with Department to be in writing. As errors or misunderstandings are liable to occur in all oral transactions, the city will not accept any notice as binding, except such notice be made in writing. Persons giving notice either orally or by telephone do so at their own risk.

1067. Service outside city limits, charges for. Rates to govern where water is used for fire and domestic service outside city limits:

2-inch	$12 00
3-inch	18 00
4-inch	24 00

6-inch	36 00
8-inch	36 00

Rates to govern where water is used for fire protection without use of water for domestic purposes:

2-inch	$16 00
3-inch	24 00
4-inch	32 00
6-inch	48 00
8-inch	48 00

The above charges to be payable one-half with January bill and one-half with July water bill.

Should any one having a fire service refuse or fail to pay the above charge, their supply shall be cut off after having been served with a three days' written notice that said bill has not been paid.

1068. Water bill not received no excuse for failure to pay. The department will endeavor to render meter bills to consumers, but non-receipt of bill will be no excuse for failure to pay when due.

1069. Implied contract. The city ordinances and rules and regulations and water rates adopted by the Water Committee shall be considered as part of the contract with every person, company or corporation supplied, and every such person, company or corporation, by taking water, shall be considered to express his or their consent to be bound thereby.

1070. Rules may be amended. The right is reserved to amend or add to these regulations as experience may show to be necessary.

1071. One meter, different houses may use, when. The chairman of the Committee on Water, in his discretion, may permit water to be furnished through one meter for apartments, tenements and houses located under one roof, and for adjoining houses on the same block under one ownership.

1072. (825.) Licensed plumber must be employed. Parties desiring water put in their premises shall employ only a licensed plumber to do the work.

May 15, 1889, ¶ 3. June 6, 1917, ¶ 15.

1073. Additional regulations. (a) RIGHT TO SHUT OFF RESERVED BY DEPARTMENT. The City and the Water Works Department reserve the right at any time, without notice, to shut off the water in its mains for the purpose of making repairs or extensions or for other necessary purposes. And all persons having boilers on their premises depending upon the pressure in the pipes are hereby cautioned against danger from collapse.

(b) NOTICE OF DISCONTINUANCE, ETC. No deduction will be made from the rates on account of any fixture in premises not being used. If it is intended to discontinue the use of any fixture in premises such fixture must be cut off and effectually discontinued, and the certificate of a licensed and bonded plumber be presented at the Water Works office certifying that the fixtures have been discontinued by him, when charge for same will cease. Notice of discontinuance of the use of water in premises or for any fixture must be served in the office one week prior to beginning of a term, otherwise full rate will be charged.

(c) TURNING ON OR SHUTTING OFF WITHOUT AUTHORITY PROHIBITED. No person will be allowed to turn on or shut off the water in any of the pipes or mains without a permit, or proper authority from the Water Works Department, except licensed plumbers, and then only to test their work.

(d) HOPPER WATER CLOSETS FORBIDDEN. The use of Hopper water closets having been a great cause of the waste of water, the putting in and use of such fixtures is forbidden, and hereafter no permit will be issued to any premises in which Hopper water closets are intended to be used.

(e) TWO METERS, ONE CONSUMER. Where there are two or more meters furnishing water to one consumer in the same building, in the discretion of the chairman of the Committee of Council on Water, the meter readings may be consolidated and the water billed as served through one meter.

June 20, 1917, sections 24, 25, 26, 27. June 19, 1918.

1074. Executions for water charges. Whenever water rent shall be due by any person for using water of Savannah Water Works, and such rent shall not be paid on demand by municipal authority, it shall and may be lawful for the City Treasurer to issue an execution against such person in arrears for water rent; such execution to be signed by said Treasurer and directed to the Marshal of the City, as in cases of taxes due said City, which execution the marshal shall forthwith proceed to enforce as in other cases of executions placed in his hands. Nothing in this section shall be construed to abridge, limit or take away from said committee on water any right which they now have to enforce the collection of water rents.

June 20, 1917, paragraph 28.

1075. (855.) Surface wells prohibited where water mains accessible. It shall not be lawful for any person within the City of Savannah to use a surface well in any case where the city water mains are accessible; and surface wells, except where the city water mains are inaccessible, are abolished. Any person violating this section shall, upon conviction before the Police Court of the City of Savannah, be subject to a fine not to exceed one hundred dollars ($100), and imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court for each violation thereof.

Aug. 24, 1895, June 20, 1917.

1076. (856.) Allowed in certain special cases. It shall hereafter be within the discretion of the Mayor and Aldermen of the City of Savannah, in Council assembled, upon petition, to permit the use of a surface well in any case which presents, in the judgment of the said Mayor and Aldermen, by its special facts and circumstances, a proper case for an exception to the policy manifested by the foregoing section.

March 25, 1896, June 20, 1917.

1077. Reservoir, tanks, etc., to be registered. Any person having a connection from the city's water supply to any reservoir, tank or cistern shall, within ten (10) days after the passage of this ordinance, register with the Chief Engineer the location of said connection or connections and the location of such tanks, cisterns or reservoirs. Any person or persons having a connection or supply pipe from the Savannah river or other supply to any tank, basin, reservoir, boiler, vat or sprinkler fire system which also connects with the city's water main, shall register with the Chief Engineer within ten (10) days after the passage of this ordinance the location of said connections.

Feb. 13, 1918.

1078. Connections with private mains to be registered. Any person or persons having a connection from the city's water main to his or their private main into which there is a connection from the Savannah river or other supply, shall register with the Chief Engineer within ten (10) days after the passage of this ordinance the location of such connections. Whenever a connection is hereafter made from the city's water supply to a private main or to any tank, reservoir, vat, boiler or sprinkler system, the person making said connection or causing the same to be made, shall register the location thereof with the Chief Engineer within ten (10) days after said connections shall have been made, and no city water shall be turned in from the city's main until said registration has been had, and if water shall have been turned in prior to said registration, the authorities of the city shall have the right to cut off all city water until said registration has been made.

1079. Valves, gates, etc., to be inspected. When registration provided for by either of the preceding sections has been made, the Chief Engineer will cause an inspection to be made of all connections and of valves, gates, meters and stop-cocks, and if, in his opinion, there is any improper installation, the consumer will be notified and shall, within fifteen (15) days thereafter make such additions or changes in the manner of installation or of valves, stop-cocks, gates or check valves as are hereafter referred to and should the order to make such additions or changes be not complied with within the period specified, then the supply of water to the said consumer from the city's main shall be cut off.

1080. Inspected twice a year. Twice a year, during the months of April and October, respectively, the Chief Engineer will cause an inspection to be made of all connections coming under the terms of the three preceding sections, and it shall be the duty of the consumer having such connections to permit said inspections to be made and to render every assistance called for in order to clean the check valves or to make any repairs or renewals thereof called for by the Chief Engineer, and for a failure to make such repairs or renewals after notice from the Chief Engineer, city water shall be cut off from said consumer until such repairs or renewals are made.

1081. Sketches of fittings required. Sketches showing the methods of controlling flow from mains to connections as enumerated in the preceding sections and showing proper connections for the protection of city water from contamination, and sketches showing the character of fittings and valves that will be required thereunder are of file in the office of the Chief Engineer, identified by his signature.

1082. Artesian wells to be registered. All persons, whether natural or artificial, owning or maintaining an artesian well or wells either within the corporate limits of the City of Savannah or within two miles of said corporate limits, shall within thirty (30) days after the passage of this ordinance, register the said well or wells with the Clerk of Council, giving in writing the location of the same, when bored, depth, depth of casing, character, and how the water is obtained from same.

a. All new wells hereafter bored within the limits aforesaid shall be registered by the person or persons owning or maintaining the same within thirty (30) days after the boring of the same has been completed.

b. At least once each year the Health officer of said city shall test the water from each of the said wells, and if the same be found impure or contaminated, the wells shall be condemned and the water therefrom shall not be used again until the well has been put in good condition and approved by the Health Officer. If, at the expiration of

thirty days, the well has not been put in good condition, the Chief Engineer shall plug the said well for the purpose of preventing contamination of the aquifer.

c. Should an artesian well be abandoned at any time, within the territorial limits aforesaid, the owner or party maintaining same shall, within ten (10) days after said abandonment, notify in writing the Clerk of Council, and the Chief Engineer of said city shall immediately plug the same so as to prevent the contamination of the aquifer.

Feb. 27, 1918.

1083. Penalty. Any person violating any of the provisions of this chapter wherein punishment is not otherwise specifically prescribed, shall upon conviction before the Police Court of the City of Savannah be punished in a fine not to exceed $100.00 or be imprisoned not to exceed 30 days, either or both in the discretion of the court.

CHAPTER XL.

WEIGHTS AND MEASURES.

1084. Standard of Weights and Measures. The weights and measures received from the United States under joint resolutions of Congress, approved June 14, 1836, and July 27, 1866, and such new weights and measures as shall be received from the United States as standard weights and measures in addition thereto or any renewal thereof, and such as may be supplied by the State of Georgia in conformity therewith and certified by the National Bureau of Standard, shall be standard weights and measures for the purposes of this ordinance.

Sept. 12, 1917.

1085. Sealer of Weights and Measures; deputies; appointment. For purpose of rendering this act effective and for the performance of the duties hereinafter described, the Mayor shall have the right to appoint a City Sealer of Weights and Measures and such deputy or deputies as may hereafter be found necessary.

1086. City Sealer to keep other standard weights and measures. In addition to said standards of weights and measures provided for above, to be kept at all times in the office of the City Sealer, and to be known as office standards, there shall be other weights and measures and such apparatus as may be found necessary to carry out the provisions of this ordinance to be known as working standards, such standards to be sealed by the Ordinary of Chatham County, pursuant to the provisions of Section 1881 of the Code of Georgia of 1910.

The office standards shall once in each year hereafter be compared with the State standards and the working standards with the office standards.

1087. City Sealer; powers and duties. When not otherwise provided by law, the City Sealer shall have the power and it shall be his duty to inspect, test, try and ascertain if they are correct all weights, measures and weighing or measuring devices kept, offered or exposed for sale, sold or used, or employed within the City of Savannah by any proprietor, agent, lessee or employe in proving the size, quantity, extent, area or measurement of quantities, things, produce or articles for distribution or consumption, purchased, or offered, or submitted by such person or persons for sale, hire or reward, and he shall have the power to and shall from time to time weigh or measure and inspect packages or amounts of commodities of whatsoever kind, kept for the purpose of sale, offered or exposed for sale or sold or in the process of delivery, in order to determine whether the same contain the amounts represented, and whether they be offered for sale, or exposed for sale or sold in a manner in accordance with the provisions of this ordinance and the laws of said State. He shall at least twice each year, and as much oftener as he may deem necessary, see that all weights, measuring and weighing or measuring devices used in said city are correct.

He may for the purpose above mentioned and in the general performance of his official duties enter, go into or upon and without formal warrant, any stand, place, building or premises, or stop any vendor, peddler, junk dealer, coal wagon, ice wagon, gasoline wagon, delivery wagon, or any person whomsoever and require him if necessary to proceed to some place which the Sealer may specify for the

purpose of making the proper test. Whenever the City Sealer finds that this ordinance has been violated in any particular he shall cause the violator to be prosecuted.

1088. Weights and measures to be stamped. Whenever the City Sealer compares weights, measures or weighing or measuring devices and finds that they correspond or causes them to correspond with the standard in his possession, he shall seal or mark such weights or measures, or weighing or measuring devices with the letter "S" followed by the last two numerals of the year in which the inspection is made.

1089. Condemnation of weights and measures. The City Sealer shall condemn and seize and may destroy incorrect weights, measures or weighing or measuring devices, which in his best judgment are not susceptible of satisfactory repair; but such as are incorrect, but yet, in his best judgment, may be repaired, he shall mark or tag as "Condemned for Repairs." The owners or users of any weights or measures or weighing or measuring devices of which such disposition is made shall have the same repaired and corrected within ten days, and they may neither use nor dispose of the same in any way, but shall hold the same at the disposal of the Sealer. Any weights, measures or weighing or measuring devices, which have been condemned for repairs and have not been repaired, as required above, shall be confiscated and destroyed by the Sealer.

No person shall use a condemned weight, measure or weighing or measuring device, nor shall any person use any weight, measure or weighing or measuring devices which has been "condemned for repairs," until same shall have been repaired and corrected as required herein.

1090. Record of City Sealer. The City Sealer shall keep a complete record of all of his official acts and shall make an annual report to the Mayor and Aldermen, duly sworn to, and such special reports as the said Mayor or as the said Board of Aldermen may request.

1091. City Sealer and deputies to have certain police powers. The City Sealer and such deputies as may be appointed pursuant to the provisions of this ordinance are hereby made special policemen and subject to the laws of the State in regard to issuance of warrants and arrests without warrant; are empowered to arrest any violator of the provisions of this ordinance, and to seize for use as evidence any false or unstamped weight, or measure or weighing or measuring devices or package or amount of commodity found to be used, retained or offered or exposed for sale, or sold, in violation of the provisions hereof.

1092. Obstructing or impersonating Sealer or his deputies; punishment. Any person who shall hinder or obstruct in any way the Sealer or any of his deputies shall be punished as hereinafter provided. Any person who shall impersonate in any way the Sealer or any of his deputies by use of his seal or counterfeit of his seal, or otherwise, shall be punished as hereinafter provided.

1093. Commodities to be sold by weights and measures. It shall be unlawful to sell except for immediate consumption on the premises liquid commodities in any other manner than by weight or liquid measure, or commodities not liquid than in any other manner than by measure of length, by weight, by numerical count, or in accordance with the standards of dry measure, unless otherwise agreed in writing by the mutual consent of the buyer and seller; provided, however, that nothing in this section shall be construed to prevent the sale of fruits, vegetables or other dry commodities in the standard barrel, provided for in

section 1094, or of berries, or small fruit in boxes, as provided for in section 1095, or of vegetables or fruits usually sold by the head or bunch in this manner; provided, further, that nothing in this section shall be construed to apply to foodstuffs put up in original packages.

For the purpose of this section the term "original package" shall be construed to include a commodity in a package, carton, case, can, barrel, bottle, box, phial or other receptacle, or in coverings or wrappings of any kind, put up by the manufacturer, or when put up prior to the order of the commodity by the vendor, which may be labeled, branded or stenciled, or otherwise marked, or which may be suitable for labeling, branding or stenciling, or marking otherwise, making one complete package of the commodity. The words "original package" shall be construed to include both the wholesale or retail package.

For the purpose of this section the term "commodities not liquid" shall be construed to include goods, wares and merchandise which are not in liquid form, and which have heretofore been sold by measure of length, by weight, by measure of capacity or by numerical count, or which are susceptible of sale in any of these ways.

1094. Standard measures. The standard barrel for fruits, vegetables and other dry commodities other than cranberries shall be of the following dimensions when measured without distension of its parts; length of staves, twenty-eight and one-half inches; diameter of heads, seventeen and one-eighth inches; distance between heads, twenty-six inches; circumference of bulge, sixty-four inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch; provided, that any barrel of a different form having a capacity of seven thousand and fifty-six cubic inches shall be a standard barrel. The standard barrel for cranberries shall be of the following dimensions when measured without distension of its parts: Length of staves, twenty-eight and one-half inches; diameter of heads, sixteen and one-fourth inches; distance between heads, twenty-five and one-fourth inches; circumference of bulge, fifty-eight and one-half inches, outside measurement; and the thickness of the staves not greater than four-tenths of an inch.

It shall be unlawful for any person to offer or expose for sale, sell or ship any other barrels for fruits, vegetables, or other dry commodities, or to offer or expose for sale, sell or ship any fruits, vegetables or other dry commodities in other barrels than the standard barrels as defined in this section, or sub-divisions thereof, known as the third, half, or three-quarters barrel. Provided, however, that nothing in this section shall apply to barrels used in packing or shipping commodities sold exclusively by weight or numerical count; and provided, further, that no barrel shall be deemed below standard within the measuring of this section when shipped to any foreign country and construed according to the specifications or directions of the foreign purchaser if not constructed in conflict with the laws of the foreign country, to which the same is intended to be shipped.

A third barrel shall have a capacity of 2,352 cubic inches; a half barrel, 3,528 cubic inches, and three-quarter barrel 5,292 cubic inches.

1095. Unlawful to sell except from standard measures. It shall be unlawful to sell or offer to sell any berries or small fruits in any other manner than by weight, or in the containers described in this section. It shall be unlawful to procure or keep for the purpose of sale, offer or expose for sale, sell or give away baskets or other open containers for berries or small fruits holding one quart or less, or to procure or keep for the purpose of sale, offer or expose for sale or sell berries or small fruits in baskets or other open containers, holding one quart or less, of any other than the following capacities, when level full: One quart, one pint or one-half pint, standard dry measure.

1096. Liquid measure. No commodities not liquid shall be sold by liquid measure.

Ibid. 14.

1097. Coal, coke, etc., regulating sales, Public Weigher. It shall be unlawful to sell or offer for sale at retail any coal, coke, or charcoal in any other manner than by weight, as hereinafter directed. All coal, coke, or charcoal shall before delivery be weighed upon one of the public scales established by the Mayor and Aldermen of the City of Savannah by one of the public weighers designated by the said authority, and a weight or delivery ticket and a duplicate thereof shall be issued and signed by the Public Weigher. Upon each of said tickets the Public Weigher shall in ink or other indelible substance distinctly express in pounds the gross weight of the load, the tare of the delivery, vehicle, and the quantity or quantities of coal, coke or charcoal contained in the vehicle used in such deliveries, with the name of the purchaser thereof and the name of the dealer from whom purchased, one of which tickets shall be delivered to the purchaser of said coal, coke, or charcoal, or his agent or representative at the time of the delivery of the fuel, and the other ticket shall be retained by the seller of the fuel.

No person shall in any wise alter said delivery ticket after the same has been issued by said Public Weigher, and no person shall, after the issuance of such delivery ticket by said Public Weigher and prior to delivery to the purchaser of said coal, take any part thereof from the vehicle or container in which the said coal was so weighed.

The public weighers contemplated by this ordinance shall be appointed by the Mayor and shall give bond to be approved by the Clerk of Council in the sum of $500.00 for the faithful performance of their duties, and shall be subject to discharge by the Mayor at any time, with or without cause assigned.

Fees for Weighing Coal, Etc.—The fees to be charged by the Public Weighers of the City of Savannah, and to be paid by the seller, shall be ten cents for each separate weighing, and if the quantity so weighed at any one time be more than a ton, ten cents for each ton or fractional part thereof.

Ibid. 15. Dec. 5, 1917. Feb. 13, 1918. For Wood Measurements, see sections 681, 396, 1290.

1098. Packages to have net quantity stamped upon same. It shall be unlawful to keep for the purpose of sale, offer or expose for sale, or sell any commodity in package form unless the net quantity of the contents be plainly and conspicuously marked on the outside of the package in terms of weight, measure or numerical count; provided, however, that reasonable variations or tolerances shall be permitted and that these reasonable variations or tolerances shall be established by rules and regulations made by the Sealer of Weights and Measures and approved of by the Mayor, and, provided further, that these reasonable variations or tolerances shall not be construed to apply to those commodities in package form the manner of sale of which is specifically regulated by the provisions of other sections hereof.

Sept. 12, 1917, § 16.

1099. Butter, etc., to be sold by weight; regulations. It shall be unlawful for any person to sell or offer to sell any butter, or renovated or process butter or oleomargarine, in any other manner than by weight. It shall be unlawful for any person to put up, pack or keep for the purpose of sale, offer or expose for sale, or sell any butter or renovated or process butter or oleomargarine in the form of prints, bricks or rolls in any other than the following sizes, to wit: One-quarter pound, one-half pound, one pound, one and one-half pounds, or multiples of one pound. Each print, brick or roll shall bear a definite, plain and conspicuous statement of its true net weight, on the principal label, where there be such label; otherwise, on the outside wrapper thereof. Such statement shall be in gothic type not less than one-quarter inch square.

The prints, bricks or rolls referred to in this section shall be construed to include those prints, bricks or rolls, put up by the manufacturer or producer; or when put up prior to the order of the commodity, by the vender.

Ibid. 17.

1100. Milk, etc., bottles, capacity of. Bottles used for the sale of milk or cream shall be of the capacity of one gallon, one-half gallon, three pints, one quart, one pint, one-half pint, and one gill.

The City Sealer is not required to seal bottles or jars for milk or cream, but shall have the power to and shall from time to time make tests on individual bottles used by the various milk dealers for the distribution or sale of milk in the said city to ascertain if the same are correct.

Ibid. 18.

1101. Net weight to be sold. When any commodity is sold on the basis of weight, it shall be unlawful to employ any other weight in such sale than the net weight of the commodity, and whenever the weight of a commodity is mentioned in this chapter it shall be understood and construed to mean the net weight of the commodity.

Ibid. 19.

1102. Bond of City Sealer and Deputies. The City Sealer and each of his deputies shall give bond, conditioned for the faithful performance of their duties in such amount as may be fixed from time to time by the Finance Committee of Council, and shall receive such compensation as may be fixed by said committee. Either of said officers may be discharged at any time by the appointing power, with or without cause assigned.

Ibid. 20.

1103. Deputies have power of City Sealer. All powers and duties exercised by the City Sealer may, subject to his direction, be exercised by any of the said deputies.

Ibid. 21.

1104. Penalty. Any person violating the provisions of this chapter shall upon conviction by the Police Court of the City of Savannah, be fined not more than $100 and imprisoned not more than thirty days, either or both, in the discretion of said court.

CHAPTER XLI.

INSPECTION OF GAS AND ELECTRIC METERS.

1105. (870.) Gas and electric meters subject to inspection. Each and all gas and electric meters, now in use or hereafter to be used in this city, shall be subject to inspection, testing and proving as hereinafter prescribed, to the end that the same shall register accurately the quantity of gas or electricity, respectively, consumed or used on the premises whereon such meters may be located.

Dec. 21, 1904, p. 376.

1106. (871.) Inspector of Meters. The office of Inspector of Meters is hereby created, and such officer shall be appointed by the Committee on Water, with the approval of the Mayor, and he shall hold office during such period of time as he shall satisfactorily perform the duties thereof; that is to say, he may be removed at any time by the Committee on Water, with the approval of the Mayor, and a successor appointed in his place. The salary of said official shall be such as shall be fixed by the Committee on Water, to be paid out of the City Treasury of Savannah, in equal bi-monthly instalments.

Ibid. § 2.

1107. (872.) Attached to Water Department; duties, etc. Such inspector shall be charged with the duty of inspecting, testing and proving gas meters and electric meters in the City of Savannah as prescribed herein, shall have his office in and be attached to the Water Department, and shall in addition to the foregoing, perform such other duties as may be assigned to him by the head of that department, or by the Committee on Water.

Ibid. § 3.

1108. (873.) Inspection, how conducted. Whenever any person in this city who may have a gas or electric meter on his premises and who may be liable to pay for consumption or use of gas or electricity, shall desire to have such meter inspected, tested, proved and regulated, he may, by himself or agent, present to the City Treasurer of Savannah a written request to said inspector to inspect such meter, to examine, test, prove and ascertain the accuracy of the registration of the same, and shall then and there prepay to said City Treasurer, the fee for such work, to-wit: One dollar for each such meter removed from such premises, tested, proved and sealed, whereupon, the said City Treasurer shall send at once the said written request to said inspector. Thereupon, it shall be the duty of said inspector to inspect, examine, test and prove said meter so complained of, in the presence of said complaining consumer, if he so desires, or in the presence of the gas or electric company's employe, if it so desires, and if said meter shall be found to be correct in its registration, then said inspector shall stamp, seal or mark such meter so found to be correct with some proper, distinguishing and intelligible device. if, upon such test and examination, the said meter shall be found to register incorrect, because too fast, then, and in such event, upon the written order of said inspector, on the City Treasurer, the fee paid by said consumer, as hereinbefore provided, shall be returned to him, and a like amount shall be paid to the City Treasurer by the gas or electric company, as the case may be, whose manufacture of gas or electricity has been consumed on said premises, as a payment or remuneration for the removal, testing, correcting and sealing of such meter, and it shall be the duty of such gas or electric company to make such payment within five days after it shall have been notified in writing by the Inspector of Meters, that such meter has been found to be inaccurate and has been corrected and stamped, sealed or marked as aforesaid and replaced. The said five days shall date from the time when such written notice shall have been mailed by the inspector in the Savannah postoffice, addressed to said gas or electric company.

The apparatus used by the inspector, and the mode of testing practiced by him, shall be standard such as may be approved by the Committee on Water.

If in testing and proving any such meter, the inspector shall find that it is so worn that it cannot be corrected and made useful and adequate for the purposes of registration, he shall condemn the same and give written notice accordingly to the gas or electric company interested, as the case may be, and said condemned meter shall not be replaced, but it shall be the duty of such gas or electric company in such event, to replace said useless meter with a new one, which must be previously proved to be correct by the inspector and be sealed or marked by him, and for said service the said company shall pay a fee of twenty-five cents into the City Treasury, and the City Treasurer's receipt for the same shall be exhibited to the inspector before he shall seal or mark said meter to be correct.

A meter shall be deemed correct for the purpose of this ordinance if it appears from the inspection and test of the inspector that it does not vary more than three per cent. from the standard, proved by the Inspector of Meters.

Ibid. § 4.

1109. (874.) Collecting for more than registered, unlawful. It shall be unlawful for any gas or electric company, under any circumstances, to charge or collect, in the City of Savannah, for any greater amount of gas or electricity, as the case may be, than is registered by the meters, respectively.

Ibid. § 5.

1110. (875.) Penalty. In case any gas or electric company in the City of Savannah, or any official thereof, shall fail or refuse to comply with the provisions of this chapter or any of them, such person, corporation or official of such corporation so violating the same, shall on conviction before the Police Court of the City of Savannah, be punished for each and every such offense by a fine not exceeding fifty dollars, or imprisonment not exceeding thirty days, either or both, in the discretion of the court.

Ibid. § 6.

CHAPTER XLII.

BOARD OF SANITARY COMMISSIONERS.

1112. (876.) Board of Sanitary Commissioners; duties. Hereafter within ten days after he shall have taken the oath of office, the Mayor shall appoint two Aldermen and three citizens, who, with the Mayor of the City and the Health Officer as ex-officio members, shall constitute a Board of Sanitary Commissioners for the City of Savannah, whose duty shall be to supervise the administration of all the health laws of the city, to examine into all cases of malignant, pestilential, infectious and epidemic diseases, which may occur in the city, and the causes thereof; to examine into all such nuisances as may tend to endanger the health of the city, and to take such general supervision over the sanitary regulations of all municipal institutions, such as public schools, markets, prisons, etc.; to superintend all matters pertaining to quarantine and the quarantine physician or Health Officer, and direct all measures of detention, disinfection and purification of vessels, cargoes and passengers coming from ports against which quarantine may have been proclaimed, not contrary to the laws of the State of Georgia or the laws of the United States.
Feb. 21, 1877.

1113. (877.) To prevent spread of disease. Whenever it shall appear to the Board of Sanitary Commissioners that any pestilential or infectious disease has made its appearance in the city, said board shall take such measures as to them may seem expedient and requisite to prevent the spread of such disease, and any person failing or refusing to comply with the requirements of the board in all such cases, shall, upon conviction before the Police Court, be liable to fine or imprisonment, or both, in the discretion of the court, such fine not to exceed one hundred dollars and such imprisonment not to exceed thirty days.
Ibid. § 2.

1114. (878.) Removing persons infected from place to place within city without permit of Board; penalty. No person having small pox, yellow fever, typhoid fever, or other infectious, contagious or pestilential disease, or any transmissible disease dangerous to the public health, shall be removed from one place to another within the city limits, or from any place without the city into the city without the permit of the Board of Sanitary Commissioners, and any person or persons removing such person having such disease, shall, upon conviction before the Police Court of the City of Savannah, be liable to a fine not to exceed one hundred ($100) dollars and to imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court.
Oct. 23, 1907.

1115. (879.) Physicians to report to Board cases of disease immediately. It shall be the duty of every physician or other person practicing medicine in the City of Savannah, to report in writing to the Board of Sanitary Commissioners every case of small pox, yellow fever, typhoid fever, or any infectious, contagious, pestilential, or transmissible disease dangerous to the public health, which he may be called upon to treat within the city limits, said report to be made immediately after he shall have ascertained the character of the case and to specify the name of the patient and the locality of the house in which such person is to be found; and any case he may be called upon to treat of which he may have doubts or suspicions as to whether or not it is within the intent and meaning of this section, he shall, likewise, report in

writing, immediately, specifying in his report the name of such patient and the locality of the house in which such person is to be found; and, further, it shall be the duty of such physician or other person practicing medicine in the City of Savannah, to give written notice of the time when he shall discharge such case at least twenty-four (24) hours before such discharge, and any person violating any provision of this section shall be subject, upon conviction before the Police Court of the City of Savannah to a fine not to exceed one hundred ($100) dollars and imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court.
Oct. 23, 1907.

1116. (880.) Citizens to report to Board cases of disease, when, etc. Every citizen upon whose premises there may occur any case of small-pox, yellow fever, or other infectious, contagious or pestilential disease not under the charge of any physician, shall in like manner, as ordained in the preceding section, immediately report the facts in writing to the Board of Sanitary Commissioners, and for failure or refusal to make such report, shall, upon conviction before the Police Court, be liable to fine or imprisonment, or both, in the discretion of the court, such fine not to exceed one hundred dollars, and such imprisonment not to exceed thirty days. But whenever any disease has been declared epidemic by the Board of Sanitary Commissioners, it shall not be required that further cases shall be so reported.
Ibid. § 5. Nov. 11, 1903, p. 318.

1117. Pulmonary tuberculosis—an infectious disease. Pulmonary tuberculosis is hereby declared to be subject to municipal regulation as an infectious disease; and it is hereby made the duty of the physician or person in charge of a patient afflicted with pulmonary tuberculosis to report the case to the Health Officer of the City of Savannah promptly after the fact is known.
April 7, 1909.

1118. Health Officer to distribute sanitary rules. It is hereby made the duty of the Health Officer of the City of Savannah to distribute sanitary rules bearing upon the sanitation of pulmonary tuberculosis to all reported cases, unless the attending physician requests that this be not done.

1119. Rooms to be disinfected. Upon the death or removal from the premises of a patient afflicted with pulmonary tuberculosis, it shall be the duty of the attending physician or person in charge to report promptly to the said Health Officer the said death or removal, and, after the said death or removal, the room occupied at the time of the death or removal by the patient shall be disinfected at the expense of the City of Savannah, and under the supervision of the Health Officer.

1120. Sanitary rules to be enforced. It shall be the duty of a patient afflicted with pulmonary tuberculosis, and of every person in attendance upon such patient, to observe and enforce all sanitary rules of the Sanitary Board of the City of Savannah bearing upon the disease, and it shall be the duty of the attending physician to report to the said Health Officer all cases of pulmonary tuberculosis that may be cured.

1121. Penalty. Any person violating any provision of the four preceding sections shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed one hundred dollars ($100), and to imprisonment not to exceed thirty (30) days; either or both, at the discretion of the court.

1122. (881.) Board may make requisition for services of city officers. Whenever, in the opinion of the Board of Sanitary Commissioners the services of the City Attorney, or the City Engineer, or the City Marshal, shall become necessary for the furtherance of the sanitary interests of the city, such services shall be rendered on requisition of the Board made on the Mayor; whenever in the opinion of the Board of Sanitary Commissioners it shall become advisable for the furtherance of the sanitary interests of the city, to have the assistance of the police force, the board shall make application to the Mayor, stating the number of policemen required, the purpose for which they are required, and the probable length of time for which they may be needed, and if the Mayor approves the application, he shall order the necessary detail to be made and placed for the time being under the order of the Board of Sanitary Commissioners.

Feb. 21, 1877, ¶ 6.

1123. (882.) Sanitary Inspectors. The Mayor, upon recommendation of the Committee on Health, shall from time to time appoint such sanitary inspectors as may be authorized by Council or its authority, who shall be paid such salaries as may be fixed by Council, and shall have such duties as may be fixed by the Board of Sanitary Commissioners or Council. Such inspectors shall have free access at all reasonable hours to enter into, and upon, and inspect any and all houses, stores, buildings, yards, premises and places in the City of Savannah, in the discharge of their duties. In case any authorized inspector shall be hindered or prevented from making a lawful inspection, the person obstructing such inspector shall be punished as hereinafter provided.

1124. (883.) Chief Sanitary Inspector. The Chief Sanitary Inspector of the City of Savannah shall be appointed by the Mayor of Savannah upon the recommendation of the Health Officer, approved by the Committee on Health.

Jan. 27, 1913.

1125. (884.) Health Officer, duties as Executive Officer of Board. The Health Officer shall be the executive officer of the Board of Sanitary Commissioners, and, under the direction and control of the board, shall exercise a general supervision over the sanitary interests of the city. He shall make an inspection at least once every week to every part of the city, extending to the city limits. In all cases where he may discover the existence of any agent dangerous to the health of the city, he shall take the proper measures to have any ordinance in existence for its correction immediately enforced. If there be no ordinance in existence sufficient to the correction of the evil, he shall make a full report of all the attending circumstances to the Board of Sanitary Commissioners, accompanied with his opinion of the necessity of extraordinary or special action. He shall make diligent inquiry into all cases of malignant, infectious or contagious diseases, which may occur in the city, cause immediate measures to be taken to arrest their progress, and report the fact at once to the Board of Sanitary Commissioners. If any person or persons controlling or occupying any premises, lots, outhouses or yards in which there is cause to believe that nuisances or pestilential or infectious diseases exist shall refuse to permit the Health Officer or the Board of Sanitary Commissioners to examine the same, such person or persons shall, upon conviction before the Police Court, be liable to fine or imprisonment, or both, in the discretion of the court; such fine not to exceed one hundred dollars, and such imprisonment not to exceed thirty days.

Ibid. § 8.

1126. (885.) To keep book of complaints. The Health Officer shall keep at the office of the Clerk of Council a book of complaints, in which any police officer or any citizen may enter on record a report of any nuisance affecting or likely to affect the public health which he may have observed, stating therein the locality and nature of the nuisance. If any difficulty should arise in the removal of such nuisance, he, the Health Officer, shall make personal examination into the facts in all such cases, and if the person responsible refuses or fails to remove such nuisance, the Health Officer shall report to the Mayor and Aldermen, who may cause the same to be abated in accordance with the existing laws in relation thereto.

Ibid. § 9.

1127. (887.) Board to control Pest House. The City Pest House or smallpox hospital, shall be conducted under the direction and control of the Board of Sanitary Commissioners, and care shall be taken to keep the buildings in proper repair and ready for the reception of patients; the board shall procure all necessary supplies by a requisition on the Mayor, and shall prescribe the rules and regulations for the efficient management of that institution; they shall require the Health Officer to keep a book to be entitled the "Register of the Smallpox Hospital," in which shall be registered the names, ages, sexes, colors, nationalties, diseases, dates of admission, dates of discharges, deaths and recoveries, together with such other details as the Board of Sanitary Commissioners may think proper.

Ibid. § 11. See Index "Pest House," "Lazaretto."

1128. (888.) Health Officer to make bi-weekly reports to Board. The Health Officer shall make to the Board of Sanitary Commissioners bi-weekly reports of all the business done in connection with his office, including the report of the sanitary condition of the city, and the report of the City Smallpox Hospital when that institution is open for the reception of patients, together with such other information as the Board of Sanitary Commissioners may require.

Ibid. § 12.

1129. (889.) Bringing dead from other cities, regulated. No body of any deceased person shall be brought to the city from any other place unless it is accompanied by a proper certificate of the cause of death; and if the death was caused by smallpox, yellow fever, or any other infectious or pestilential disease, such body shall not be brought into the city without the permit of the Board of Sanitary Commissioners having first been obtained, under penalty, upon conviction before the Police Court, of fine or imprisonment, or both, in the discretion of the court; such fine not to exceed one hundred dollars and such imprisonment not to exceed thirty days.

Ibid. § 16.

1130. (890.) Expenditures by Board must be specially authorized. The Board of Sanitary Commissioners shall make no expenditures except such as may be authorized from time to time by special action of the City Council.

Ibid. § 17.

1131. (891.) Meetings of Board. The stated meeting of the Board shall take place on the Tuesday after each regular meeting of City Council, and if any member shall absent himself from three consecutive meetings without sufficient excuse, his seat shall be declared vacant and his place supplied as provided in the organization of the board. Any vacancies otherwise occurring, either by death or resignation, shall also be filled in the same manner. The Mayor shall be ex-officio chairman of the Board of Sanitary Commissioners.

Ibid. § 18. March 29, 1893, p. 77. March 1, 1916.

1132. City Bacteriologist. The office of a Bacteriologist for the City of Savannah is hereby established, and the Board of Sanitary Commissioners for the City of Savannah is hereby authorized to select such bacteriologist, after a competitive examination, and under such rules and regulations as the said Board may prescribe touching said examination, its scope and character and the time and place thereof.

The result of the said examination shall be determined by the said board, and the person selected by the said Board shall be the official bacteriologist for the City of Savannah and shall hold his office for the term of five (5) years from and after the time of his qualification and until his successor is appointed and qualified, unless sooner removed for inefficiency or unbecoming conduct by the said Board. He shall qualify by taking and subscribing the usual oath required of city officials before the Mayor of the City of Savannah.

The said bacteriologist shall be under the control and direction of the said Board and of the Health Officer, as its executive officer, and that he shall make all examinations and reports requested by the said Board or the said Health Officer, and shall perform such duties as may, from time to time, be prescribed by the said Board.

The said bacteriologist shall have and keep his office in the City Hall; shall devote all of his time to the city's work; shall receive such salary as may be fixed by Council, and shall receive no fees of any kind

Feb. 12, 1908.

1133. (892.) Violation of Mayor's proclamation of quarantine, penalty. Any person violating the order or proclamation of the Mayor, issued by authority of law, or of the Council, in reference to quarantine by land or sea, to prevent the introduction of epidemic or infectious diseases into the city, may be fined in a sum not exceeding one hundred dollars, or imprisonment not exceeding thirty days, or both, in the discretion of the Police Court, and they may be subjected to removal from the city and quarantined for such time and at such place out of the city limits as the Mayor shall prescribe.

Aug. 13, 1888, p. 76.

1134. (893.) Quarantine proclamations, etc., have force of ordinances. All proclamations issued by the Mayor of the City of Savannah, relating to the public health and quarantine, and all quarantine regulations issued by the Board of Sanitary Commissioners and approved by the Mayor, are adopted as health measures and are given the full force and effect of ordinances of the City of Savannah.

Sept. 21, 1888, p. 75.

1135. (894.) Penalties. Any person violating any one of the proclamations or regulations mentioned in the preceding section or any part thereof, and any person harboring or concealing any person violating said proclamation or regulation or any part thereof, or aiding and abetting in any way such violation, shall, on conviction before the Police Court of the City of Savannah, be fined in a sum not exceeding one hundred dollars, and be imprisoned not more than thirty days, with or without labor, or both, at the discretion of the court.

Ibid. § 2.

1136. (895.) Circulation of false reports, penalty. Any person who shall originate or circulate, in any way, in the City of Savannah, any false or unfounded report concerning the existence of yellow fever, smallpox, cholera, or other contagious or infectious disease, in the City of Savannah, shall, upon conviction before the Police Court of the City of Savannah, be fined in a sum not to exceed one hundred dollars, or imprisoned not to exceed thirty days, either or both, in the discretion of the court.

Sept. 19, 1893, p. 77.

CHAPTER XLIII.

SANITARY REGULATIONS.

1137. (896.) Unoccupied buildings to be ventilated. It shall be the duty of the owner or owners, or tenants, of all unoccupied stores, houses, or buildings, within the limits of the City of Savannah, to cause the same to be opened and ventilated at least once in every week, from the first day of May to the tenth day of November in each and every year. And every owner, or tenant, of such 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 the Police Court, be fined in a sum not exceeding thirty dollars, for each and every failure or omission, or be imprisoned not exceeding ten days, either or both, in the court's discretion.

Aug. 25, 1823.

1138. (897.) Unoccupied buildings to be whitewashed or cleansed. It shall be the duty of the owner or owners, or tenants, of all unoccupied stores, houses, or buildings, as aforesaid, to cause the same to be whitewashed or cleansed in such manner as the Health Officer 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 Health Officer; and on any such owner or owners', or tenant's, failure or omission to comply with the order or requisition of the Health Officer, as aforesaid, he, she or they shall, for each such failure or omission, be fined, on conviction before Police Court, for each and every such offense, in a sum not exceeding thirty dollars, or be imprisoned not exceeding ten days, either or both, in the court's discretion.

Aug. 25, 1823.

1139. (898.) Owners absent, etc., Health Officer to have same done. In case the owner or owners, or tenants, of any such unoccupied stores, houses, or buildings, be absent from the city, and have no known agent or attorney residing within the same, then and in such case, the Health Officer is hereby authorized to cause the same to be opened and ventilated, as aforesaid, and if the same, in his opinion, require whitewashing or cleansing, to direct and require a sanitary inspector to cause the same to be done, as aforesaid. The expense whereof shall be paid by the owner, or tenant, of said stores, houses or buildings, and the City Treasurer shall issue execution for same and deliver to the Marshal for collection as provided for by law.

Ibid.

1140. (899.) Stable litter, etc., to be removed every twenty-four hours. Every person within the city who shall keep, and have the management, care or charge of one or more horses, mules, oxen, or cows, in any one stable, yard, or other enclosure within the city, 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 fifth and rubbish removed by the Scavenger Department.

Aug. 15, 1839.

1141. (900.) Premises where fish, crabs, shrimps, oysters, etc., are kept or prepared, to be kept clean. It shall be the duty of any occupant

or occupants of any premises in this city where any fish, crabs, oysters, shrimps or shell fish of any kind are kept for sale or prepared for market or shipment, or where poultry of any kind is killed or prepared for market, to keep the premises in a clean condition, and it shall be unlawful to clean or wash fish, or to clean, wash or open shell fish of any kind, or to slaughter or clean poultry of any kind without arranging for the washings, drippings and offal to be properly removed from the premises, but in no case shall the washings, drippings or offal be permitted to run into the streets or lanes of this city or into any sink or well on such premises or any neighboring premises; and all shells or other offal on such premises to be removed shall be kept in a proper receptacle and removed from the city to such distance beyond its limits as the ordinances of the city require offal and garbage to be deposited.

July 28, 1886, § 1.

1142. (901.) **Throwing filth, slops and garbage in streets; penalty.** It shall not hereafter be lawful for any person to throw or deposit any filth of any kind, or any slops or garbage, into any street, lane or thoroughfare, within the corporate limits of Savannah, under a fine of not more than fifty dollars for every separate offense, or imprisonment not exceeding fifteen days, either or both, in Police Court's discretion, and every tenant or occupant of a house or other premises, opposite or nearest to which such filth or garbage may be found, shall be presumed to be the offender.

Aug. 30, 1871.

1143. (902.) **Gutters or spouts conveying filth into streets; penalty.** 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.

Aug. 2, 1839.

1144. (903.) **Throwing dead animals in streets, etc.** If any person shall throw or put into the streets, lanes, or squares, or commons within or without the city, any dead hog, goat, dog, cat, fowl, or other dead animal, he or she shall be fined in a sum not exceeding one hundred dollars for each and every offense, or be imprisoned not exceeding thirty days, either or both, in the discretion of Police Court; and all horses, cows, hogs, dogs, goats, calves and other animals which may die or be found dead within the limits of the city, shall be removed and carried beyond the 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 by the Scavenger Department, at the expense of the owner. And it shall be the duty of such department, at the request of the owner or any other person, or whenever any dead animal shall be found anywhere within the limits of the city, to remove the same without delay, and the said department shall be entitled to receive for the use of the city, from the owner of any such dead animal, for removing 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 department shall make a return to the City Treasurer of all moneys received by it for the use of the city, and shall pay the same to said Treasurer immediately.

Aug. 15, 1839. See sections 1303, 1304.

1145. (904.) **Burial of dead to be within 36 hours.** Whenever any person shall die within the jurisdictional limits of the City of Savannah, his or her body shall be buried within thirty-six (36) hours after such death, and this time limit shall in no case be extended unless a specific permit be asked for, and be granted in writing by the chairman, or acting chairman, of the Board of Sanitary Commissioners, and this can only be done on condition that such dead body be embalmed, or in some other way be protected against decomposition.

Nov. 11, 1903, p. 313.

1146. (905.) **In case of bodies brought into city.** Any dead body which may be brought into and within such limits, shall, if embalmed, or in some other manner protected against decomposition, be buried within twenty-four (24) hours after being so brought in, unless extension permit be obtained as provided in the foregoing section; and if not embalmed, or in some other manner protected against decomposition, shall be buried within twelve (12) hours after being so brought in.

Ibid. § 2.

1147. (906.) **Duty of next of kin; penalty.** It shall be incumbent upon the surviving husband, wife, parent, child, brother, sister or next of kin, as the case may be, of such deceased person, and any and all persons who shall have such dead body in charge, and whose duty it shall be to cause the same to be buried, to conform to the regulations in this ordinance prescribed, and any person guilty of the violation of any of the terms of this and two preceding sections shall be subject, upon conviction in the Police Court of Savannah, to a fine not exceeding one hundred ($100) dollars, or be imprisoned for not exceeding thirty (30) days, either or both, in the discretion of said court.

Ibid. § 3.

1148. (907.) **Public funerals of persons dying from contagious diseases, prohibited.** It shall be unlawful to have a public or church funeral of any person in said city who has died of smallpox, diphtheria, scarlet fever, yellow fever, typhus fever, Asiatic cholera, or other infectious or contagious diseases; but the funeral of such person or persons shall be private and unattended by any other person or persons than the immediate family residing in the house where the death takes place. And it shall not be lawful to invite or permit at the funeral of any person who has died of any of the above named or any other contagious or pestilential disease, or at any service connected therewith, any person whose attendance is not necessary to or to whom there is danger of contagion or spreading contagion thereby; and every person who shall permit any person or persons whose attendance is not necessary to come to his or her house for the purpose of attending the funeral of any person who has died of any of the before-mentioned diseases shall, on conviction thereof before the Police Court, be fined in a sum not exceeding one hundred dollars, or imprisoned not more than thirty days, or both, in the discretion of the said court.

Nov. 7, 1883, § 1.

1149. (908.) **Undertaker not to use public carriage or conveyance, when, etc.** It shall not be lawful for any undertaker or other person who has charge of any funeral in this city or any person who has died of any contagious or infectious disease, to use for the purpose of conveying the body to the cemetery or burial place any public carriage or conveyance, but shall in all such cases use a hearse for conveying the body to the cemetery, or burial place. And every undertaker or other person violating the provisions of this section shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred

dollars, or imprisoned not more than thirty days, or both, in the discretion of the said court.

Ibid. § 2.

1150. (909.) Transporting through city disinterred bodies; penalty. It shall be unlawful to carry or transport through the City of Savannah the remains of any person which have been disinterred or removed from any cemetery, public or private, without the permit of the Health Officer of the City of Savannah, and any person carrying or aiding in the transporting of such remains through the City of Savannah shall be fined, on conviction thereof in the Police Court, in the sum of not more than one hundred dollars, or be imprisoned for ten days, either or both, in the discretion of the officer presiding in said court.

April 9, 1884.

1151. (910.) Removal of bodies of deceased persons for interment out of city, without permit, prohibited. It shall not be lawful to remove, or cause to be removed, from the City of Savannah, for interment outside of the City of Savannah, the body of any deceased person without first obtaining the permit of the Health Officer authorizing such removal, and any person violating this section shall, on conviction before the Police Court of the City of Savannah, be subjected to a fine not to exceed fifty dollars, or imprisonment not to exceed ten days, either or both, in the discretion of the court.

April 7, 1889, p. 75.

1152. (911.) Boarding house keepers to report sick seafaring men, etc. 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 Mayor, through the Clerk of Council, 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 the Police Court, he or she shall be fined in a sum not exceeding thirty dollars, or be imprisoned ten days, either or both.

Dec. 3, 1839.

1153. (912.) Boarding house keepers to give bond for expenses, etc. The persons keeping the above mentioned houses shall be compelled to give bond and security to the Mayor and Aldermen 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 Health Officer, the person so being sick be not immediately sent to the hospital, and upon neglecting or refusing to comply with the the requisitions of this section, the persons keeping such houses, shall be fined in a sum not exceeding thirty dollars, or imprisoned not exceeding ten days, either or both, in the discretion of the Police Court.

1154. (913.) Ponds or basins not to be excavated within city limits. There shall not be excavated or created within the jurisdictional limits of this city any pond or basin for the holding of timber for saw mills, or for any other purpose whatsoever.

Dec. 6, 1849.

1155. (914.) Beds of basins not to be exposed. It shall not be lawful at any time from the first day of May to the first day of December to allow water to be drained off from any canal or basin within the jurisdictional limits of the city, so as to expose the bed thereof, unavoidable accidents and disasters excepted.

1156. (915.) Canals or basins, tide flood gates to be opened, etc. The flood gates of any and every canal or basin within the jurisdictional limits of the city 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.

1157. (916.) Rice chaff not to be exposed. It shall 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 corporate limits of the city. And for a violation of the provisions of this section, the person so offending may be fined in a sum not exceeding one hundred dollars for each and every such offense, 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, which shall be collected by an execution issued by the City Treasurer against said person or property.

Aug. 2, 1839.

1158. (917.) Manure heaps to be sheltered from sun and rain. All persons having manure heaps upon their farming land adjacent to the city and within the jurisdictional limits, shall erect over such heaps board shelters sufficiently large and tight to protect such heaps from the action of the sun and rain, and under no circumstances shall any manure be stored or kept within the jurisdictional limits, except upon such farming lands as provided by this ordinance.

Oct. 1, 1879.

1159. (918.) Disposition of offal, garbage and dead animals. It shall not be lawful for any person whomsoever to deposit offal, garbage or dead animals, at any place within one mile of the corporate limits of the City of Savannah. If any person shall violate the provisions of this section, he or she shall, on conviction thereof in the Police Court, be fined not less than ten nor more than thirty dollars, or imprisoned not more than thirty days, or both, in the discretion of said court.

Dec. 12, 1877.

1160. (919.) Private sanitariums or hospitals. It shall not be lawful for any private sanitarium or private hospital to be erected in the City of Savannah, on any lot or parcel of land less than two hundred feet square, and then only after the location of the building and lot has been approved by the Board of Sanitary Commissioners of the City of Savannah.

June 2, 1897, p. 354.

1161. (920.) License, supervision by Sanitary Board. No private sanitarium or private hospital shall be run or conducted in the City of Savannah, until the same shall have been first licensed by the City of Savannah, and after the same shall have been licensed it shall be under the supervision and inspection of the Board of Sanitary Commissioners.

Ibid. § 2.

1162. (921.) Penalty. Any person or persons violating the two preceding sections, or any provision thereof, shall be subject upon conviction before the Police Court of the City of Savannah to a fine not to exceed one hundred ($100) dollars, and to imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court, and

each day's continuance in the violation of the two preceding sections, or of any provision thereof shall be deemed and held to be a separate and distinct offense.

Ibid. § 3.

1163. (922.) Vaccination compulsory. All persons residing in the City of Savannah, permanently or temporarily, who have not been successfully vaccinated within the past seven years, are required to be vaccinated. The Health Officer of the City of Savannah or a city physician is hereby authorized and empowered, under the control and direction of the Mayor of the City of Savannah, to require such residents to submit to vaccination, and it is hereby made the duty of all such persons residing in the City of Savannah to satisfy the said Health Officer or City Physician when thereto requested of the fact of such vaccination. The certificate of a reputable Savannah physician shall be taken as sufficient evidence of the fact. Should any person residing permanently or temporarily in the City of Savannah neglect to be vaccinated or fail or refuse to submit to vaccination when thereto requested by said Health Officer or a City Physician, or fail or refuse to submit evidence of vaccination when thereto requested, such person shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed one hundred ($100) dollars, and imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court.

March 31, 1900, p. 302.
See Sections 99, 100, 101, this Code.

1164. Weeds and grass to be cut. For the better protection of the public health and particularly to prevent the spread of disease by forbidding persons who are responsible to allow weeds and grass to grow upon premises in the City of Savannah, the following rules and regulations are hereby prescribed:

(a) The tenant or occupant of any leased or occupied premises, lot or other area, shall not permit weeds or grass over one foot in height to grow or stand on the premises, lot or area leased or occupied by him.

(b) The person, firm or corporation owning any premises, lot or other area, not leased or occupied by another, shall not permit weeds or grass over one foot in height to grow or stand on such premises, lot or other area so owned.

(c) The tenant or occupant of any leased or occupied premises, lot or other area shall not permit weeds or grass over one foot in height to grow or stand on the sidewalk abutting the premises, lot or other area leased or occupied by him.

(d) The person, firm or corporation owning any premises, lot or area not leased or occupied by another, shall not permit weeds or grass over one foot in height to grow or stand on the sidewalk abutting such premises, lot or area so owned.

(e) A firm or corporation having franchise rights or privileges on the streets shall not permit weeds or grass over one foot in height to grow or stand on any street or area or any part thereof, which, by the terms of its franchise, it is bound to care for or to keep in good order, condition or repair.

(f) For the purpose of enforcing the provisions of this ordinance a corporation shall be deemed to be represented by its president, or, in his absence, by its vice president, or in the absence of both, by the officer or individual in charge of the affairs of the corporation, and such representatives shall be held responsible and punishable for any violation by the corporation of the provisions of this ordinance. The owner shall be deemed to be the person, firm or corporation appearing as owner upon the records of the tax assessors' office of the City of Savannah, Georgia.

(g) Each of the members of the firm shall be responsible and punishable for any violation by the firm of the provisions of this ordinance.

Aug. 2, 1916.
See sections 513-516, and 1295, this Code.

1165. No prosecutions under preceding section until after notice. No person, firm or corporation shall be prosecuted under the preceding section until such person, firm or corporation has had notice to cut or remove the grass or weeds from his lot, premises, area or sidewalk plat, from the Health Department of the City of Savannah; such notice may be served in either of the following manners:

(a) By serving a written notice upon the person responsible under this ordinance, the notice to be served by an inspector of the Health Department either personally or by leaving same at the residence or place of business of said person, firm or corporation; or by mailing such notice to the last known address of the person responsible.

(b) By publishing a notice in the official organ of the City of Savannah; the notice so published shall give the number or other description of the lot, premises, area or plat upon which the grass or weeds are located, and the name of the owner as the same appears upon the records of the tax assessors' office of the City of Savannah.

All notices shall be served or published at least seven (7) days before prosecution is instituted.

Aug. 1, 1917.

1166. Penalty. For every violation of any of the provisions of the two preceding sections, the person, firm or corporation responsible, shall, on conviction before the Police Court, for the first offense be punished by a fine of not less than one ($1.00) dollar nor more than twenty-five ($25.00) dollars, and for the second and each subsequent offense not less than five ($5.00) dollars nor more than twenty-five ($25.00) dollars, and in default of payment of the fine, in either case, by imprisonment in the county jail for not less than five (5) days nor more than thirty (30) days, either or both, in the discretion of the court.

Aug. 2, 1916.

1167. (925.) Houses, yards and premises to be kept in sanitary condition. It shall be the duty of every occupant, tenant, owner or agent of any yard, premises, house, or outhouse in the City of Savannah to keep such yard, premises, house or outhouse free from all filth, rubbish, putrid, offensive and unsanitary matter and water of every kind and character, and to maintain the plumbing and water connections in such yard, premises, house and outhouse in good order and in sanitary condition at all times, and to this end they shall make frequent inspections of the same.

Feb. 17, 1904, p. 373.

1168. (926.) Duty of occupants. Should any yard, premises, house, or outhouse in said city become unsanitary or a menace to health or offensive by reason of the existence or accumulation of any filth, rubbish, putrid, offensive and unsanitary matter and water of any kind or by reason of defective or insufficient plumbing or water connections, it shall be the duty of the occupant or tenant to immediately remove such filth, rubbish, putrid, offensive or unsanitary matter or water from said yard, premises, house, or outhouse and to immediately repair, put in, or renew such plumbing and water connections subject to the approval of the Inspector of Plumbing.

Ibid. § 22.

1169. (927.) Unsanitary matter to be put in boxes or barrels. The tenant, occupant, owner or agent of such yard, premises, house, or outhouse shall not dispose of such filth, rubbish, putrid, offensive or unsanitary matter or water by placing or throwing the same into any of the lanes, sidewalks, streets or other public places in said city, but shall dispose of such filth, rubbish, putrid, offensive, or unsanitary matter and water by placing the same in boxes and barrels, as prescribed in ordinances, or shall dispose of it in such other manner as the ordinances of the city may require, and if such filth, rubbish, putrid, offensive, or unsanitary matter or water be found in street, lane, or other public place of said city, then the tenant, occupant, owner, or agent of the house, yard, premises, or outhouse nearest which such filth, rubbish, putrid, offensive, or unsanitary matter or water shall be found shall be liable hereunder.

Ibid. § 3.

1170. (928.) Owners and agents liable. The provisions of the three preceding sections shall apply to the owners and to the agent or agents, representative or representatives, or the owner of any yard, premises, house or outhouse in said city after three (3) days' notice of the condition of such yard, premises, house or outhouse to such owner, or to such agent or agents, or representative or representatives of the owner, and if such owner, agent or agents, representative or representatives of the owner of any yard, premises, house or outhouse in said city be a corporation, then the president or manager of the same shall be liable hereunder, and if a partnership, then any one of the partners.

Ibid. § 4.

1171. (929.) Penalty. Any person guilty of a violation of the four preceding sections shall, upon conviction in the Police Court of said city, be subject to a fine of not more than one hundred dollars, and to imprisonment not to exceed thirty days, either or both, in the discretion of the court.

Ibid. § 5.

PURE FOOD LAWS.

1172. Food Inspector. All meats, fish, vegetables, fruits, cereals or any other article sold or offered for sale, to be used for human consumption as a food in the City of Savannah, shall be inspected and approved by a person known as the "Food Inspector," who shall be appointed by the Mayor, upon the recommendation of the Health Officer, after he (the Food Inspector) has attained the required score upon an examination held by the Health Officer under the rules and regulations of the United States Bureau of Animal Industry. The salary of the said Food Inspector to be fixed and determined by the Committees on Health and Finance.

March 28, 1917.

1173. May enter enclosures. The Chief Food Inspector and his assistants may enter at any time, and no person shall hinder or prevent him or them from entering any place in this city where live cattle, calves, sheep, goats or swine are held, or where animals are slaughtered, or where poultry, game, fish or oysters are dressed, scaled or prepared to be disposed of for human food; and likewise they may enter any house, store, market stall, railroad car, wagon or other vehicle, boat or vessel, where meat, sausage, poultry, game, fish or oysters are prepared, packed, stored, transported, held or kept for sale for human food; and likewise they may also enter any factory or place where dead animals are skinned or rendered, or where the offal from slaughter houses or meat stores, such as fat, head, feet or guts, are steamed, tanked or otherwise disposed of.

1174. Meats to be stamped. No person shall sell or offer for sale within the city limits, or otherwise dispose of, for human food therein, any meat or meat product of any cattle, calf, sheep, goat, or swine which does not bear the Food Inspector's brand or other mark of identification of the United States Bureau of Animal Industry, or inspected and stamped by the Food Inspector of the City of Savannah or his assistants, or by the duly authorized Food Inspectors of the State of Georgia, or by veterinary inspectors of other municipalities having inspection similar to that of the City of Savannah, which inspectors and system of inspection shall have been approved by the State Veterinarian.

1175. Inspection. No carcass or any part thereof, of any slaughtered cattle, calf, sheep, goat or swine, shall be branded, or otherwise marked for identification by the Chief Food Inspector, or his assistants, until it has been carefully inspected and passed for food, and the viscera, head, tongue, tail and caul of each and every cattle, calf, sheep, goat or swine slaughtered when the Inspector is not present, shall be kept together and wholly separated from similar parts of any other carcass.

1176. Carcass not to be removed until marked. No dressed carcass or any part thereof of any slaughtered cattle, sheep, goat or swine to be used for human food, shall be removed from any slaughter house, or slaughtering place, within the city limits, before it has been branded, or otherwise marked for identification, by the Chief Food Inspector, or his assistants, by the Inspector of the Department of Agriculture of the State of Georgia, or by the Inspector of the United States Bureau of Animal Industry.

1177. Meats brought into city, how inspected. Meats slaughtered without the city, but brought into the city for sale, may be inspected and branded, or otherwise marked for identification by the Chief Food Inspector, or his assistants, under the following rules, to wit: All carcasses must have the head and all viscera, except the stomach, bladder and intestines, held together by natural attachments, and all such carcasses shall be wrapped in clean white cheese cloth or muslin covered by burlay and shall be brought to a place designated by the Chief Food Inspector, who shall be notified when such meat is ready for inspection.

1178. Diseased meat; how disposed of. Any carcass, or any part thereof, of any slaughtered cattle, calf, sheep, goat or swine in this city which, because of disease, injury or any other condition is unfit for human food, shall be freely slashed with a knife and saturated with coal oil by the Chief Food Inspector, or his assistants, and shall not be sold or otherwise disposed of for human food.

1179. Veal; how slaughtered. No veal calf at any time of slaughter shall be dressed with the skin left on the carcass, unless such skin is clean and the feet and head are removed; and provided that such veal calf shall weigh not less than sixty (60) pounds dressed (head, hide and feet removed).

1180. Meats not to be exposed. No fresh or cured meats, or meat product, shall be exposed in the open air to the action of moisture, soot, dust and flies in front of any shop, store or other place.

1181. Meats; how transported. No meat or meat product, shall be transported in any wagon or other vehicle in the city, unless fully protected from moisture, soot, dust and flies by the use of covered vehicles, with the front and back closed, or by the use of clean white cloths, spread over the meat, or meat products. All delivery wagons and other vehicles, together with boxes, barrels and other containers used in transporting meats in the city, shall be kept perfectly clean; and no dirty burlap, or other dirty cloths, shall be used in contact with meat.

1182. Stock yards and animals; inspection. A careful examination shall be made by the Chief Food Inspector, or his assistants, at all public stock yards, supplying for this city live cattle, swine, sheep, goats or calves (when requested to do so by a purchaser of any such animal), intended for slaughter under the post-mortem inspection of the Health Officer; and no person shall sell any such animal judged as diseased, or otherwise unfit for human food or suspected of being diseased, or of being otherwise unfit for human food to any butcher or any person slaughtering live stock under the post-mortem inspection of the Health Officer; provided, that such an animal may be sold subject to a post-mortem inspection and may be removed to any slaughter house where post-mortem inspection is conducted, when properly tagged for identification.

1183. Diseased animals not to be brought to city. (a) No person shall bring into the city, or sell or offer for sale, or give to the proprietor, or agent of any packing or slaughter house, or to any butcher in this city, any cattle, hog, sheep or lamb that is diseased, injured, crippled, immature, underweight, badly emaciated, or that, for any other obvious reason, might be unfit for human food, without first delivering said cattle, hog, sheep or lamb at one of the public stock yards of this city, where the Chief Food Inspector, or one of his assistants, shall be called, reporting all the facts known to him, relating to such animal or animals, to said officer and receiving written permission from the Health Officer.

(b) No proprietor, or agent of any packing house or slaughter house, or any butcher in this city, shall bring into this city, or buy, or offer to buy, or accept in this city any cattle, calf, hog, sheep or lamb that is diseased, injured, crippled, immature, underweight, badly emaciated, or that, for any other obvious reason, might be unfit for human food, without first reporting all the facts known to him, relating to such animal or animals, to the Chief Food Inspector and receiving written permission from the Health Officer so to do.

1184. Meat, poultry, etc., diseased, to be seized and destroyed. No person shall bring into this city, or sell, or offer for sale, any meat, sausage, poultry, game, fish or oysters that is diseased, adulterated, unsound, unwholesome, or that for any other reason is unfit for human food; and all such articles of food shall be seized and destroyed by the Chief Food Inspector or his assistants.

1185. Rules governing places where meat products are prepared, etc. All houses or places in which meat and meat products are prepared, cured, packed, stored, handled or sold, shall be suitably lighted and ventilated, and maintained in a sanitary condition. All work in such establishments shall be performed in a cleanly and sanitary manner.

(a) Ceilings, side walls, pillars, partitions, etc., shall be frequently whitewashed, or painted, or, where this is impracticable, they shall, when necessary, be washed, scraped or otherwise rendered sanitary. Where floors or other parts of the building, or tables, or other parts of the equipment, are so old or in such condition that they cannot be readily made sanitary, they shall be removed and replaced by suitable materials, or otherwise put in a condition acceptable to the Chief Food Inspector. All floors upon which meats are piled during the process of curing shall be so constructed that they can be kept in a clean and sanitary condition, and such meats shall also be kept clean.

(b) All tracks, trays and other receptacles, all chutes, platforms, racks, tables, etc., all knives, saws, cleavers, and other tools and all utensils and machinery used in moving, handling, cutting, chopping, mixing, canning or other process, shall be thoroughly cleansed daily, if used.

(c) The aprons, smocks or other outer clothing of employes who handle meat in contact with such clothing, shall be of a material that is readily cleansed and made sanitary, and shall be cleansed daily, if used. Employes who handle meat, or meat food products, shall be required to keep their hands clean.

(d) All toilet rooms, urinals and dressing rooms shall be entirely separated from compartments in which carcasses are dressed or meat food products are cured, stored, packed, handled, prepared or sold. They shall be sufficient in number, ample in size and fitted with modern lavatory accommodations, including toilet paper, soap, running water, towels, etc. They shall be properly lighted, suitably ventilated, and kept in a sanitary condition.

(e) The rooms or compartments in which meats, or meat products, are prepared, cured, stored, packed or otherwise handled, shall be properly lighted and ventilated, and shall be so located that odors from toilet rooms, catch basins, casing departments, tank rooms, hide cellars, etc., do not permeate them. All rooms or compartments shall be provided with cuspidors, which employes who expectorate shall be required to use.

(f) Persons afflicted with tuberculosis, syphilis or any other communicable disease shall not be employed in any of the departments, or establishments, where carcasses are dressed, meats handled or meat food products prepared, and any employe suspected of being afflicted shall be so reported by the Chief Food Inspector or employer, to the Health Officer.

(g) No use incompatible with proper sanitation shall be made of any part of the premises on which a slaughter house is located. All yards, fences, pens, chutes, alleys, etc., belonging to the premises of such establishments shall, whether they are used or not, be maintained in a sanitary condition.

(h) Butchers who dress diseased carcasses shall cleanse their hands of all grease and then immerse them in a prescribed disinfectant and rinse them in clear water before engaging again in dressing or handling healthy carcasses. All butchers' implements, used in dressing diseased carcasses shall be cleansed of all greases and then sterilized, either in boiling water or by immersion in a prescribed disinfectant, and rinsed in clear water, before being used again in dressing healthy carcasses. Facilities for such cleansing and disinfection, approved by the Chief Food Inspector, shall be provided by the establishments. Separate tracks, etc., shall be furnished for handling diseased carcasses and parts. Following the slaughtering of an animal affected with an infectious disease, a stop shall be made until the implements have been cleansed and disinfected, unless duplicate implements are provided.

(i) Meats and meat food products intended for rendering edible products must be prevented from falling on the floor, while being emptied into the tanks, by the use of some device, such as a funnel.

(j) Butchers who dress carcasses are prohibited from holding in their mouths skewers to be used in such dressing.

(k) No dog shall be permitted in any slaughter house, or any place where meats are prepared, stored or sold.

1186. Regulations governing meat, fish and poultry places. The following rules and regulations governing (a) meat shops, (b) fish houses, and (c) poultry shops and killing places, shall be in full force and effect on and after July 1, 1917.

REGULATIONS GOVERNING MEAT SHOPS.

(a) Rule 1. All enclosed or indoor shops in which meat or meat products are stored and exposed for sale, shall be kept scrupulously clean. During the summer months all doors and windows opening into

such shops shall be effectively protected against the entrance of flies by the use of fly screens.

Rule 2. No meats of any description shall be permitted to hang or stand in the open air exposed to insects or street dust, or other contaminating influences, but must be under glass or fly netting, and in summer properly iced to prevent spoiling. Meats exposed in the open markets shall be so covered with netting as to be effectively protected from flies.

Rule 3. Blocks or stands upon which meats are cut or chopped shall be kept scrupulously clean by frequent washing and by scraping as often as in the judgment of the Inspector seems necessary.

Rule 4. Scales, knives and implements of every description shall be cleaned at the close of each day's business.

Rule 5. Ice boxes, racks and hooks shall be kept thoroughly cleaned by scrubbing and scraping and ice boxes shall be scoured thoroughly once each week and as much oftener as necessary.

Rule 6. Floors must be thoroughly scraped and scrubbed twice a week; all used sawdust must be removed and fresh sawdust sprinkled or laid (where used) at least twice weekly.

Rule 7. Meat cutters and other attendants who handle meats shall be cleanly dressed, and they shall be free from contagious or infectious diseases. Their hands and outer garments shall be kept clean.

Rule 8. No refuse, scraps, bones, rancid fat or decaying flesh shall be kept in the ice box with fresh meats, nor shall an ice box used for the keeping of meats be employed for any other purpose.

Rule 9. The custom of wrapping meats in old newspapers or in wrapping paper that is soiled, or that has been used for any other purpose, is expressly prohibited. Every piece of meat sold shall be wrapped in fresh, clean wrapping paper that has not been used for any other purpose.

Rule 10. Live poultry shall not be kept in the same room or compartment in which meats are prepared, stored or exposed for sale. Nor shall live poultry be kept in any room adjoining such room if the conditions are such that the room used for the storage of live poultry ventilates into the next shop, so that the odors from the fowls and their cages may contaminate the meats.

REGULATIONS GOVERNING FISH HOUSES.

(b) Rule 1. Boxes, trays, stands, stalls or other receptacles in which fish are stored, or exposed for sale at retail, shall be of impervious material, or if made of wood, they shall be of metal lined and kept scrupulously clean by scraping and scrubbing at the close of each day's business.

Rule 2. The floors or the premises where fish are sold, stored, exposed, smoked or prepared shall be of impervious material, and shall be cleaned daily by flushing and washing with liberal quantities of water and disinfected when in the judgment of the Chief Food Inspector or his assistants this is necessary.

Rule 3. Ceilings and walls, if not painted, shall be whitewashed as required. Where painted they shall be kept clean by washing and repainted when necessary.

Rule 4. Where fish are cleaned or dressed a metal-sheathed box shall be so placed as to catch the refuse, blood and drippings. This box shall be emptied and thoroughly cleaned after each day's usage.

Rule 5. In indoor wholesale fish markets the floors shall be made of impervious material, and sloped so as to drain to a trapped inlet connecting with the sewer. Such floors are to be flushed and scrubbed daily with water.

Rule 6. Outdoor fish markets or sale places shall be supplied with ice during the heated months, and effectively screened against flies and other insects, and from dust and other street refuse at all times.

Rule 7. Where fish are exposed for sale outdoors, or in market houses, or from wagons or carts, a metal-lined receptacle shall be provided to catch the ice drippings and other fluids, and another receptacle, also water-tight, to hold refuse, etc., of cleanings and disemboweling. This refuse is to be removed at the close of each day's work.

REGULATIONS GOVERNING POULTRY SHOPS AND KILLING PLACES.

(c) Rule 1. Live poultry shall not be kept in the same storage or shop room with milk, meat or groceries, nor shall crates used for shipping live poultry be permitted in such rooms.

Rule 2. Storage cages, for use when live poultry is kept several days, shall be so constructed that they can be kept clean and wholesome. It is suggested that such cages be made wholly of iron, galvanized; if made of wood, they must be kept in good repair and well painted. Such cages must be kept clean.

Rule 3. Poultry must not be killed in living rooms or in rooms used for storing or selling food products. Rooms used for the killing of poultry should be kept clean and sweet and free from objectionable accumulations of any kind.

If as many as 300 fowls are killed per week, a special room shall be provided with impervious floor and walls, and with special equipment as is necessary to conduct the business in a sanitary manner. Poultry-killing rooms or establishments used for slaughter of 300 or more fowls per week shall be subject, as far as applicable, to the regulations governing slaughter houses.

Rule 4. Dressed poultry may be stored and vended only in accordance with the regulations governing the storage and handling of fresh meats.

1187. **Penalty for violations.** The violation of any provision or regulation of this ordinance, and any failure to comply therewith, and the refusal or failure to comply with any direction or order of the Chief Food Inspector, or his assistants hereunder, shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not exceeding one hundred ($100.00) dollars, and to imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court, and each day's failure or neglect to comply shall be held and deemed to be a separate and distinct offense and punishable accordingly.

1188. **Stock yard to be designated by Mayor.** There shall be a stock yard to be designated by the Mayor upon any certain property which is suitable and convenient, owned by the city, where live cattle are to be brought and inspected by the Chief Food Inspector or his assistants.

MILK ORDINANCES.

These regulations are valid: Thorpe v. Savannah, 13 Ga. App. 767. Davis v. Savannah, 147 Ga. ——.

1189. **Must have permit to keep cows in city limits.** It shall not be lawful for any person, persons, or corporation to keep or possess within the corporate limits of the City of Savannah any cow or cows, either for the conduct of dairy business, or for his or her personal use, unless and except that a permit shall have been first obtained from the Health Officer permitting such cow or cows to be located within the corporate limits of the City of Savannah, as by this ordinance prescribed; which permit must designate upon its face specially the location for the keeping of such cow or cows. And all owners of cows must register with the Health Officer the places where said cows are kept, and the num-

ber of cows, and the Health Officer shall keep a complete register thereof.

Aug. 11, 1909.

1190. Cow stables. No building or shed shall be used for stabling cows kept within the city limits which is not well lighted, ventilated and drained, provided said cows be kept in a stall or stalls having windows or doors on at least two sides, all stalls to be not less than three and a half (3½) feet in width by six (6) feet in length, and provided further, that said stalls and premises shall be kept in absolutely perfect sanitary and hygienic condition, and free from offensive odors.

Oct. 18, 1915.

1191. Floors to cow stables. No building shall be used for stabling cows for dairy purposes which is not provided with a suitable floor, laid with grades and channels to carry off all drainage; if a public sewer abuts the premises upon which such building is situated, they shall be connected therewith.

1192. Feeding troughs, etc. No building shall be used for stabling cows which is not provided with good and sufficient feeding troughs or boxes, and with a covered watertight receptacle outside of the building for the reception of dung or other refuse.

1193. No water closet, etc., in cow stable. No water closet, privy, cesspool, urinal, inhabited room, or workshop shall be located within any building or shed used for stabling cows for dairy purposes, or for the storage or sale of milk or cream; nor shall any fowl, hog or horse, sheep or goat, be kept in any room used for such purposes.

1194. Cow stables to be cleaned daily. It shall be the duty of each person using any premises for keeping cows for dairy purposes to cause the building in which cows are kept to be thoroughly cleaned daily, and to remove all dung from the premises at least once every twenty-four hours, so as to prevent its accumulation in great quantities.

1195. Cows to be cleaned daily. Every person keeping cows for the production of milk shall cause every such cow to be cleaned every day, and to be properly fed and watered.

1196. Water for cows. Every person using any premises for keeping cows shall cause the yard used in connection therewith to be provided with a proper receptacle for drinking water for such cows, none but fresh, clean water to be used in such receptacles.

1197. Cow enclosures to be clean. Any enclosure in which cows are kept shall be graded and drained so as to keep the surface reasonably dry, and to prevent the accumulation of water therein, except as may be permitted for the purpose of supplying drinking water. No garbage, urine, fecal matter, or other similar substances shall be placed or allowed to remain in such enclosure, and no open drain shall be allowed to run through it.

1198. Milk receptacles for dairies. Any person using any premises for keeping cows for dairy purposes shall provide and use a sufficient number of receptacles, made of non-absorbent materials, for the reception, storage, and delivery of milk, and shall cause them at all times to be cleaned and purified, and shall cause all milk to be removed without delay from the room in which the cows are kept.

1199. Contagious diseases among cows. It shall be the duty of any person having charge or control of any premises upon which cows are kept to notify the Health Officer in writing of the existence of any contagious or infectious disease among such cows, immediately upon the discovery thereof, and to thoroughly isolate any cow or cows affected, or which may reasonably be believed to be affected, and to exercise such other precautions as may be directed by the Health Officer.

1200. Contagious diseases on premises. It shall be the duty of any person having charge or control of any premises upon which milk or cream is produced, handled, stored, or distributed, or sold, to notify the Health Officer immediately upon the discovery of any case of croup, diphtheria, measles, scarlet fever, smallpox, typhoid fever, typhus fever, or any other contagious or infectious diseases upon such premises. No milk or cream shall be sold, exchanged, given away, or in any other manner distributed from such infected premises until all danger of spread of disease has been removed, and the Health Officer certifies to that effect. No person who attends cows or milks them, or who has the care or handling of vessels for the sale, storage, or distribution of milk or cream, shall enter any place or premises wherein exists any of the diseases mentioned herein, nor shall any such person have any communication, direct or indirect, with any person who resides in or is an occupant of such infected place.

1201. Dairies to have permit from Health Officer. Every person or corporation desiring to sell, offer for sale, expose for sale, dispose of, exchange, or deliver milk or cream in the City of Savannah, shall make application to the Health Officer for a permit so to do. If the Health Officer decides that the applicant is a suitable person or corporation, then the applicant shall make application on a printed form to be furnished by the Health Officer, upon demand, and the applicant, if an individual, shall state therein his full name and residence and if a corporation shall state therein full name and residence of each of its officers. Such application shall also state the location of the place at which it is proposed to carry on the business. It shall also contain a statement of the number and character of wagons or other vehicles to be used by the applicant in or about his or its business; also the number of cows, if any, owned or controlled by the applicant, and such other data concerning the conduct of such business as the Health Officer may require. The Health Officer, upon receipt of such application, shall cause to be investigated the place of business described in such application, and the wagons and other vehicles, if any, intended to be used by such applicant, and if such places of business and such wagons or other vehicles are found, upon such investigation to be in a sanitary condition, and fit for the uses and purposes to which they are intended to be put, said Health Officer shall forthwith register such applicant in a proper record to be kept for the purpose, and issue a permit authorizing such applicant to carry on, engage in and conduct the business of vendors of milk in the City of Savannah, at the place designated in such application; provided, that in every case where the application may be rejected by the Health Officer the applicant shall have the right of appeal to the Board of Sanitary Commissioners, who shall accord the applicant a hearing and shall, after such hearing, either grant or reject the application, as it may consider just and proper. All permits granted pursuant to this ordinance may at any time be revoked by the Health Officer, subject to the approval of the Board of Sanitary Commissioners for the violation of any law or ordinance of the City of Savannah having to do with the care of cows, stables for cows, dairies, milk and the sale of milk, or of any regulation of the Health Officer governing the keeping of cows, stables for cows, dairies, milk and the sale of milk

in the City of Savannah; provided, however, that no such permit shall be revoked by the Health Officer for the foregoing reasons unless he shall first have given the holder of the same not less than five (5) days' notice in writing of his intention to revoke such permit, and an opportunity to be heard by the Board of Sanitary Commissioners, as to why such should not be done; this proviso not to be taken to apply to cases where the sale of milk or cream may be temporarily prohibited by the Health Officer on account of disease on the premises, temporary unsanitary conditions, or similar causes, such permits shall not be transferable, and no permit used hereunder shall entitle or authorize the holders thereof to carry on, engage in, or conduct the business of vendor of milk in any place or places other than that designated and set out in such permit. If any person having a permit to vend milk as aforesaid shall change the location of his or its place of business notice of such proposed change shall be given to said Health Officer, and his consent in writing received to conduct such business at such new location; and no business shall be conducted or carried on at such new location until such consent has been received.

(a) The Health Officer of the City of Savannah with the consent and approval of the Board of Sanitary Commissioners, may prohibit the keeping of cows in any section of the City of Savannah where, because of congested population, the keeping of cows would impair the public health, and all permits to keep cows in said sections shall be revoked by the Health Officer; provided the holder of a permit shall be given at least five (5) days' notice before his permit is so revoked.

Sept. 27, 1916.

1202. Vendors of milk to furnish statements. Every vendor of milk, having a permit aforesaid, shall, whenever so required, furnish the Health Officer a statement of all changes in the data and information provided for in the preceding section, and shall also, whenever so required, furnish him a list of all persons from whom he or it receives milk or cream for use in his said business, whether said shipments be from within or outside the City of Savannah; and said Health Officer shall have power, by regulation, to require that changes or additions in said lists of shippers shall be furnished him from time to time as they occur. Said Health Officer shall keep a record of such shippers, when furnished as aforesaid, for the use of his office, but the same shall not be open to the inspection of other persons.

Aug. 11, 1909, ¶ 14.

1203. Permits to be posted. The permit to engage in the vending of milk, hereinbefore referred to, shall be posted conspicuously in the applicant's place of business, at a point to be designated by the Health Officer or a Health Inspector. Each vendor of milk shall, before engaging in the sale of milk or cream, cause his name or the name of the dairy, and the permit number, the former in letters of a readable size, and permit number in figures not less than three inches in height, to be placed and remain on each outer side of all wagons or other vehicles used by such vendors in the conveyance or sale of milk or cream.

1204. May adopt regulations. The Health Officer shall have power to adopt such regulations as he may deem proper and necessary to insure all milk and cream intended for consumption in the City of Savannah being produced, transported, stored, kept, distributed, retailed, and delivered, under conditions rendering them suitable for consumption as human food, and to compel perfect hygienic and sanitary conditions of all cow stables, creameries, and dairies from which milk and cream so intended for consumption in the City of Savannah are produced; copies of the same to be printed and kept for free distribution

to the public; and said Health Officer shall have power to prohibit the sale within the corporate limits of the City of Savannah of milk or cream produced, transported, stored, kept, distributed, retailed, or delivered contrary to such regulations, whether said milk or cream be produced within or outside the corporate limits of the City of Savannah; and to the end that said regulation may be enforced in the case of milk or cream produced outside the corporate limits of the City of Savannah, but intended for consumption therein, said Health Officer may require such of the City Milk Inspectors as he may designate for the purpose to make inspections at such intervals and times as he may deem expedient of all dairy farms, stables, and other places outside the City of Savannah from which milk or cream is shipped for consumption into the City of Savannah. In case full access to such premises, or a full opportunity to investigate all the conditions under which milk is there produced or kept, shall be denied said Inspectors, or in case, upon such inspection, the conditions are found such as in the opinion of said Health Officer render such milk or cream unsuitable or unsafe for human food, and warrant the exclusion of said milk or cream from sale in the City of Savannah, said Health Officer shall have power to absolutely prohibit the sale thereof, at any place in the City of Savannah, until such time as the reason for their exclusion shall, in his opinion, have ceased; and he shall adopt such means of identifying such milk and cream as to him may seem proper and expedient. In case of the exclusion of any milk or cream as aforesaid from sale within the City of Savannah, said Health Officer shall immediately make a record of such fact in a properly indexed book, kept for that purpose, said book to be open to the inspection of all vendors of milk who may desire to inspect the same. The action of the Health Officer hereunder to be subject to the approval of the Sanitary Board.

1205. May enter and inspect premises. The Health Officer and all other officers of the Health Department, and any Inspector or Police Officer authorized by the Health Officer, shall have the right and power to enter and have full access to any building, structure, or premises where any milk and cream, or either of them, is stored or kept for sale, and shall have the right of access to all wagons, railroad cars, or other vehicles of any kind for the conveyance or delivery of milk and cream, or either of them, and to any building, structure, or premises where he believes or has reason to believe milk and cream, or either of them, is stored or kept for sale; and shall have the right to take samples of milk and cream therefrom (such samples not to exceed one quart), for the purpose of inspecting, testing, or analyzing the same.

1206. Samples of milk. Every sample of milk delivered to any officer of the Health Department, or Inspector, shall have a label attached to the vessel containing such sample, upon which shall be written at the time of the delivery of such sample the number of the dealer's permit, the number of the sample, the date of collection, and the name of the Inspector or Officer taking the same; and a memorandum shall be made by the Officer or Inspector collecting such sample of the number of the sample and the name of the owner and driver from whom collected; and no conviction shall be had of any person for selling or having in his possession adulterated milk, as in this ordinance defined, unless at the time of taking the sample, upon the evidence of which conviction is asked, a duplicate sample, properly sealed and marked for identification, shall have been delivered to the person from whose possession such original sample was taken.

1207. Rules and regulations for keeping cows and the sale of milk. The following rules and regulations are hereby established governing the keeping of cows and the sale of milk:

a. Whole or Pure Milk is milk that shall conform to the following standard:

Not less than fat, 3.5 per cent.; solids (not fat), 8.5 per cent.; total solids, 12.00 per cent. Specific gravity, 1030. Water (not more than) 88.00 per cent.

The removal of cream, addition of water or any foreign substances to be considered adulterations. Milk so altered will be condemned and confiscated, and on third offense revocation of license will result. Milk drawn from cows within fifteen (15) days before calving, or within seven (7) days afterwards, is not whole or pure milk, and will be condemned and confiscated as above stated.

b. Cream shall conform to the following standard:

18 per cent. fat.

c. Skimmed Milk may be sold, provided each container holding said milk be distinctly marked on the outside "Skimmed Milk," in letters not less than one (1) inch in length.

d. Bacterial Standard milk shall not contain more than (from April 1 to November 1) 150,000 bacteria per cubic centimeter; November 1 to April 1 of each year, not more than 100,000 bacteria per cubic centimeter; and shall be entirely free from any bacteria of transmissible diseases.

e. Cream shall not contain more than (from April 1 to November 1) 1,000,000 bacteria per cubic centimeter; November 1 to April 1, 500,000 bacteria per cubic centimeter; and shall be entirely free from any bacteria of transmissible diseases.

f. Cow Stalls — Requirements of Dairy Cows Within Corporate Limits:

No cow or cows shall be kept stalled or milked within fifty (50) feet of a building used as a residence; of a water closet, privy vault, or garbage receptacle, unless said receptacle be of metal with tightly fitting top. No cow or cows shall be milked while standing on the ground, but all barns, stables, or sheds must be floored, preferably of cement or similar material; if of wood, to be so constructed as to shed all urine. Floors shall be flushed daily with water. No bedding shall be used containing dirt or dust. Manure must be removed from barns, stables, or sheds twice a day, and from the premises every day, as prescribed by ordinance. No loose food products shall be stored above apartment where cows are milked, unless the ceiling of said apartment is of tongued-and-grooved boards, so that dirt or dust will not fall into said apartment. No horses or mules shall be kept in stables, barns, or sheds with cows.

g. Food—Cows shall not be fed on slops, swill, or any refuse, decaying or fermented material.

h. Water—For all purposes, artesian, and it is recommended that it be from tap for its detailed use.

i. Pastures—No cows shall be pastured where there is any garbage deposit or dumping ground for refuse matter nor where they have access to any stagnant or polluted surface water, either for drinking purposes or where cows may lie down in said water.

j. Milking—Cows shall at all times be kept free from manure and other filth, and before being milked all long hairs on flanks and udders shall be removed. Udders should be washed and dried before milking.

k. The Milker should cleanse his hands with soap and water, and dry them. Foremilk should not go into milking pail. Clean clothes, preferably of cotton stuff, are recommended, and the same are requisite for a perfect score on the score card.

l. Utensils—Each time before use all milk containers, beginning at the milking pail and ending with receptacle in which milk is delivered to consumer or retailer, must be immaculately cleaned and sterilized by

exposure inside and outside to a temperature of not less than 212 degrees Fahrenheit for five minutes.

m. Milking Pails and Containers should be narrow-mouthed, metal containers, free from dents and sharp angles, rust, seams not properly soldered. As soon as filled, they should be covered and removed to milk-house or room for straining, aeration, and lowered to a temperature of less than 50 degrees Fahrenheit. This house or room must not be used as a residence, nor must any other food product be stored there. The wall, ceiling, and floor must be kept immaculately clean, and all doors and windows screened to exclude flies and dirt. Bottling and canning tables, stands, or racks should be kept immaculately clean, and exposure to atmosphere in this process to be as short as possible.

n. Transportation—All vehicles used for transporting milk shall be free from dust and dirt, and kept so at all times. They shall be covered. The name of the proprietor or name of dairy must be on such vehicle in large, plain letters.

If milk is transported by hand, in wire racks or by other devices, the container must be covered to exclude dirt and dust. No milk container shall be returned from any house where there is any contagious or infectious disease, but the milk must be delivered to such a house by transferring it to a receptacle from the house.

o. Dairies Outside of Corporate Limits—In addition to the regulations laid down for dairies in the corporate limits, the following requirements are promulgated for daries located outside the corporate limits of the city:

The use of surface water is prohibited. Manure shall be removed from barns, stables, and sheds before each milking, in a watertight vehicle, to a point not less than one hundred (100) yards from barn, stable or shed; urine deposits to be treated in the same manner. Cow yards must be free from stagnant polls of water, and shall be cared for so that the footing for cows shall be free from quagmires. Surface walls are forbidden. Water closets or privies shall not be less than one hundred (100) yards from milking stable, barn, or shed.

p. Milk Depots—Milk shall be kept at a temperature below 50 degrees Fahrenheit. No milk, nor any of its products, save butter, shall be handled, stored, or sold from any building used as a residence. All surfaces, floors, walls, and ceilings shall, at all times, be kept immaculately clean. Windows and doors shall be screened, for the prevention of flies and dirt. Refrigerators and ice boxes shall have their inner surfaces lined with porcelain or metal. No other food products shall be stored in refrigerators or ice boxes. Utensils must be clean, free from rust and rough surfaces, and must be sterilized on inner and outer surfaces by exposure to a temperature of not less than 212 degrees Fahrenheit before receiving milk.

q. Pasteurization of Milk and Cream—First. No person, either himself or his agent, shall offer for sale pasteurized milk or pasteurized cream, unless the same shall have been produced, transported, stored, pasteurized, and handled in accordance with the rules of the Board of Sanitary Commissioners.

Second. Any person or corporation desiring to pasteurize milk or cream for sale in the City of Savannah shall make application to the Health Officer for a permit, said permit to be issued on proof that the rules and regulations of this Board are and can be complied with.

Third. Raw milk and cream containing more than five million bacteria per cubic centimeter, or showing an abnormal fermentation, shall be considered insanitary and unfit for consumption as human food, even when pasteurized.

Fourth. Pasteurized milk or cream shall contain not more than 50,000 bacteria per cubic centimeter, nor more than one per cent. of the

number of bacteria contained in the product before pasteurization, and shall contain no pathogenic bacteria. Pasteurized products shall otherwise conform to the usual tests for efficiency of pasteurization.

Fifth. Pasteurized milk and cream shall be sold only in bottles sterilized in live steam for 30 minutes; the packages shall be plainly marked to indicate the contents.

r. The Consumer—The responsibility of the producer ends with the delivery to the consumer. Immediately after the delivery of milk it should be refrigerated in the original package, and when taken from it for use should be placed in a serving vessel of simple design, with rounded bottom and with covered top, which after being used should always be washed in hot water with either soap or washing powder, and rinsed with hot water, and so placed that it will be safeguarded from flies. The same procedure should be followed with containers in which the milk is brought by the producer before their return. Bottled milk is the best form of milk containers.

s. Certified Milk—While, at this time, it not deemed advisable to legislate on this subject, certified milk will, in time, be a necessity, and the following statements should be embodied in the regulations:

The term "Certified Milk" shall mean milk produced, stored, handled, and sold in accordance with special rules of the Board of Sanitary Commissioners, for the control of certified milk, in general accordance with the methods of the American Association of Medical Milk Commissions. The sale of milk under the term "Certified Milk," not produced, stored, handled, and sold in accordance with these rules shall be subject to penalty, as provided by ordinance for violation of the rules of the Board of Sanitary Commissioners.

The following score cards, on which results of inspections of dairies and milk depots, are to be used to educate the producer and handler of milk, to protect the consumer, and to systematize the work of milk inspection:

t. DAIRY SCORE CARD.

	Division 1—Health, comfort, and protection of cows:	25
1.	Health of cows	10
2.	Isolation during sickness and calving	10
3.	Comfort, bedding, etc.	11
4.	Location of stable	12
5.	Construction of stable	4
6.	Lighting of stable	8
7.	Ventilation, cubic space, etc.	10
8.	Food	10
9.	Water	100
	Total score	
	Division 2—Cleanliness of cows and their surroundings:	45
10.	Cleanliness of cows	45
11.	Cleanliness of stable, freedom from odor and dust	8
12.	Condition of barnyard	2
13.	Condition of pasture	100
	Total score	
	Division 3—Construction, cleansing, and care of utensils:	25
14.	Construction of utensils	30
15.	Cleaning of utensils	25
16.	Water supply for cleaning	20
17.	Care of utensils after cleaning	100
	Total score	

	Division 4—Health of employes, and their methods of milking:	
18.	Health of employes	45
19.	Cleanliness of milkers	15
20.	Milking with clean, dry hands	15
21.	Quiet milking	5
22.	Cleaning of udder	12
23.	Rejection of foremilk	8
	Total score	100
	Division 5—Handling of milk:	
24.	Cleanliness of attendants	5
25.	Prompt removal from stable	8
26.	Promptness of cooling and aeration	8
27.	Efficiency of cooling	22
28.	Method of straining	10
29.	Sanitary milk-room	25
30.	Methods of storage	11
31.	Methods of transportation	11
	Total score	100
	Total of all scores	500

u. SPECIAL DEDUCTION FOR CAUSE.

Final score	----

Sanitary rating—

v. SCORE CARD FOR MILK DEPOT.

		Perfect.
	1.—Location and cleanliness of plant:	
1.	Location	10
2.	Arrangement	10
3.	Construction	14
4.	Light and ventilation	3
5.	Screens	15
6.	Cleanliness	48
	Total score	100
	2.—Machinery and utensils. Water supply:	
7.	Construction	20
8.	Cleanliness	50
9.	Water supply	30
	Total score	100
	3.—Handling and storage of milk:	
10.	Handling of milk	70
11.	Storage of milk	30
	Total score	100

4.—Wagons and salesrooms:

12.	Wagons (construction)	8
13.	Wagons (condition—cleanliness)	18
14.	Wagons (protection of product)	18
15.	Salesrooms (location)	20
16.	Salesrooms (order—cleanliness)	36
	Total score	100

5.—Health, cleanliness of employes:

17.	Cleanliness and neatness of employes	40
18.	Health of employes	60
	Total score	100
	Grand total score	500

Rating—

First—A total score of 480 per cent., and each division of 90 per cent., excellent.

Second—A total score of 450 per cent., and each division of 80 per cent., good.

Third—A total score of 400 per cent., and each division of 60 per cent., medium.

Fourth—A total score of 350 per cent., and each division of 55 per cent., poor.

Fifth—A total score of 300 per cent., and each division of 50 per cent., lowest score passable.

Oct. 20, 1909.

HOTELS AND RESTAURANTS, INSPECTION AND REGULATION OF.

1208. Definitions. The word "hotel," as used in the following sections of this chapter, shall be construed as meaning any place where persons are permitted to eat and are furnished with a bed in which to sleep in consideration of a fixed price therefor. That the word "restaurant" or "cafe," as used in the said following sections, shall be construed as meaning any place where a person or persons, other than the employes of such restaurant or cafe, in consideration of a fixed price, are provided with food to eat but are not furnished with a room or bed in which to sleep. The words "inns" and "taverns" as used in this chapter, shall be construed as meaning all other public places where boarders are furnished with a meal or meals, either by the day, week or month, with or without being provided with a sleeping apartment. The words "hotel, restaurant, cafe, boarding houses, inn, tavern or other public eating house or place," as used in this chapter, shall not be construed to mean a private residence occupied by a family where boarders are kept under private arrangement and not catering to the general public for patronage.

1209. Must have permit. No building or part of any building or any place in the City of Savannah shall be used as a hotel, restaurant, cafe, boarding house, inn, tavern or public eating house or place, as herein defined, unless the proprietor of such hotel, restaurant, cafe, boarding house, inn, tavern or public eating house or place has obtained a permit therefor as herein provided.

May 17, 1911.

1209-a. Application for permit, etc. Any person, company or corporation desiring a permit to conduct or operate as a hotel, restaurant, cafe, boarding house, inn, tavern or public eating house or place, any building or part of any building, or any place in the City of Savannah, shall make application to the Health Officer for a permit so to do. Such application shall be made on a printed form to be furnished by the Health Officer upon demand, and the applicant, if an individual, shall state therein his full name and residence; and, if a corporation, shall state therein the full name and residence of each of its officers. Such application shall also state the location of the building or buildings or parts thereof or place intended to be used as a hotel, restaurant, cafe, boarding house, inn, tavern or public eating house or place in said city. Upon the filing of any such application for a permit, the premises and places therein described shall be inspected by the Health Officer or a sanitary inspector of said city, who shall keep a permanent record of such inspection. If such premises and place are found, upon such inspection, to be in a sanitary condition and fit for the uses and purposes for which they are intended to be used, said Health Officer shall forthwith register said applicant in a proper record to be kept for the purpose, and issue a permit authorizing such applicant to conduct or operate such hotel, restaurant, cafe, boarding house, inn, tavern or public eating house or place at the place designated in such application. All permits granted pursuant to this ordinance may at any time be revoked by the Health Officer, subject to the approval of the Board of Sanitary Commissioners for the persistent, repeated or willful violation of any law or ordinance governing the operation of such hotel, restaurant, cafe, boarding house, inn, tavern or public eating house or place:

Provided, however, That no such permit shall, at any time, be revoked by the Health Officer unless he shall first have given the holder of the same not less than 5 days' notice in writing of his intention to revoke such permit, and an opportunity to be heard by the Board of Sanitary Commissioners as to why such should be done. Such permit shall not be transferable and no permit issued hereunder shall entitle or authorize the holder thereof to carry on, engage in or conduct the business mentioned in said permit in any place or places other than that designated and set out in such permit. If any person having a permit shall change the location of his or its place of business, notice of such proposed change shall be given to said Health Officer and his consent in writing received to conduct such business at such new location, and no business shall be conducted or carried on at such new location until such consent has been received. All permits issued under this ordinance shall be in force for the current calendar year in which the same are issued unless sooner revoked.

1210. Health Officer and Inspectors may enter premises. The Health Officer and the sanitary inspectors of said city shall at all times have the right to enter into and upon and inspect any and all hotels, restaurants, cafes, boarding houses, inns, taverns and other public eating houses and places in the City of Savannah whenever the said Health Officer shall deem the same necessary for the preservation of health and the prevention and suppression of disease in said city.

1211. Rules and regulations. The owner, proprietor and person in charge of any hotel, restaurant, cafe, boarding house, inn, tavern and other public eating houses and places in the City of Savannah shall, in conducting the same, comply with and conform to each and all of the of the following rules and regulations, to-wit:

(a) Kitchen and dining-room floors shall be tongued and grooved,

or covered with linoleum or other substance in order to prevent deposit and accumulation of filth or dirt in crevices.

(b) No garbage or filth shall be allowed to stand or accumulate about the premises for a longer period than 24 hours.

(c) Milk and butter shall be kept in an ice box separate from that in which meat, vegetables and other articles of food are kept.

(d) Ice boxes and refrigerators must be thoroughly cleansed and put in a pure and sanitary condition at least once every three days.

(e) All kitchen and dining-room floors shall be carefully mopped and cleaned or oiled at least once every three days.

(f) All knives, forks, spoons, dishes and other tableware shall be thoroughly sterilized with steam or boiling water each time after they are used.

(g) All kitchen and dining-rooms shall be thoroughly screened and protected from dust and flies.

(h) All furniture, counters, cellars, closets and the surrounding premises must be kept and maintained in a good sanitary condition.

(i) Every room used for the manufacture, storage, or sale of food products shall be light, dry and airy; its walls and floors shall be so constructed as to exclude rats and other vermim, and shall be at all times free from moisture and kept in good repair. Its floors shall have a smooth surface constructed of wood, cement, or tiles laid in cement, save that when the floor is more than four feet below the level of the street, or adjacent ground it shall never be constructed of wood.

(j) No water closet, earth closet, privy, or ash pit shall communicate directly with any bake room or kitchen of any hotel, restaurant, cafe, boarding house, inn, tavern, or other public eating house or place.

(k) The Health Officer shall have the power to adopt such further rules and regulations as he may deem proper and necessary relative to the condition of any hotel, restaurant, cafe, boarding house, inn, tavern and other public eating houses and places in the City of Savannah.

(l) The Health Officer shall have the power to adopt a score card showing the condition of the premises of the said places; copies of the same to be printed and kept for free distribution.

Aug. 6, 1913.

1212. Inspection score to be posted. It shall be the duty of the owner, proprietor, or person in charge of any hotel, restaurant, cafe, inn, boarding house, tavern and other public eating houses and places in the City of Savannah to post in a conspicuous place the score, as furnished by the Health Officer, after the inspection of the premises by the Health Officer, or a Sanitary Inspector of said city.

Aug. 6, 1913, ¶ 2.

REGULATIONS IN REGARD TO BAKERIES.

1213. Definition of "Bakery." Any place in the City of Savannah used for any process of mixing, compounding or baking, for sale, any bread, biscuits, pretzels, crackers, buns, rolls, cakes, pies, or any food product of which meal or flour is the principal ingredient, shall be deemed a bakery for the purposes of this ordinance; provided, licensed restaurants or hotels in which any of the foregoing food products are mixed and baked for use only in such restaurant or hotel, and all kitchens or rooms of dwellings where any of said products are mixed or baked in an ordinary kitchen stove or range, shall not be considered bakeries within the meaning of this ordinance.

Jan. 10, 1912.

1214. Bakery must have permit. Every person, firm, or corporation maintaining, operating or establishing a bakery shall make application to the Health Officer of said city, stating the location of the bakery and

name of the owner or proprietor thereof, and within five days after it shall be the duty of the Health Officer to inspect the place where the bakery is or is intended to be located, to see whether it meets the requirements of this ordinance as to location, light, ventilation, sanitary arrangements, and equipment, and if such inspection shows that the place conforms to this ordinance he shall issue to the applicant a permit which must be at all times posted in a conspicuous place in such bakery.

1215. Must be kept clean. Every place used as a bakery shall at all times be kept in a clean and sanitary condition as to its floors, side walls, ceilings, wood work, fixtures, furniture, tools, machinery and utensils, and every part of the bakery shall be well lighted and shall be ventilated by means of windows, skylights, air shafts, air ducts or mechanical apparatus if necessary, so as to insure at all times a free circulation of fresh air, such ventilation, construction and equipment shall be of such a character that a complete change of air in all parts of the bakery can be made at least four times each hour; provided, however, that it shall not be necessary to ventilate at such times or in such manner that the process of mixing or rising of dough shall of necessity be interfered with or prevented.

1216. Floors to be of impervious material. The floor of every place used as a bakery, if below the street level, shall be constructed of concrete, cement, asphalt or other impervious material or of tile laid in cement, which floor may be covered with a hardwood floor having tight joints, and the floor of every place used as a bakery above the street level may be of hardwood with tight joints or may be of any impervious material and in all cases whether the floor be below or above the street level the angles where the floor and walls join shall be made and maintained so as to be ratproof.

1217. Wire screens for doors, etc. The doors to every bakery shall be fitted with self-closing wire screens and windows, other openings with wire screens, and which shall be kept closed at all times, the side walls and ceilings to every bakery shall be plastered and smoothed, tiled or sheathed with metal or wood sheathing and shall be kept clean and in good repair. All wood work to the bakery shall be well painted and the walls painted, lime washed, or calcimined.

1218. Plumbing must be adequate. Every bakery shall be provided with adequate plumbing and drainage and have impermeable wash sinks on iron supports and no water closet shall be in direct communication with the bakery.

1219. Persons must not sleep in bakery. No person shall sleep in the bakery or in rooms where flour or meal used in connection therewith, or the food products made therein are handled or stored, and all sleeping places located on the same floors as the bakery must be kept dry and well ventilated and sanitary.

1220. Workmen to have shoes of washable material. All workmen and employes while engaged in the handling or manufacturing of bakery products in a bakery shall provide themselves with slippers or shoes and a suit of washable material which shall be used only while the wearers thereof are engaged or working in the bakery, and these garments shall at all times be kept clean.

1221. Spitting, smoking, snuffing or chewing prohibited in bakery. No employe or other person shall spit upon the floor or the side walls of any bakery or any place where the food products of said bakery are

stored. The smoking, snuffing or chewing of tobacco in any bakery is hereby prohibited, and the owner or proprietor of any bakery is required to post a plain notice in the bakery forbidding any person to use tobacco therein or spit upon the floor or side walls thereof.

1222. Persons having tuberculosis and certain contagious diseases not to be employed. No person who has tuberculosis or any venereal disease or any communicable skin disease shall work in any bakery, and no owner, manager or person in charge of the bakery shall knowingly require, permit or suffer such person to be employed in his bakery, and it shall be the duty of the said Health Officer to see that the requirements of this section are complied with.

1223. Storage rooms to be well ventilated. All rooms used for the storage of flour or meal used in connection with any bakery shall be dry and well ventilated, and every bakery and room used for the storage of materials and the food products therefrom, shall be so arranged that the shelves, cupboards, trays, troughs, bins, cases and all other appliances for handling and storing the same can be easily removed and cleaned, and if the floor of any such room is below the street level, such products shall not be stored nearer than one foot to the floor.

1224. Bakeries to be above street level. No new bakery shall be established in any room below the street level, and if any bakery now being operated below the street level shall be discontinued it shall thereafter be considered for the purposes of this ordinance a new bakery.

1225. Vehicles for delivery to be covered, etc. All vehicles for the delivery or transporting of said food products from a bakery to a purchaser or consumer shall be a covered vehicle and equipped with lidded compartments for the protection of said food products, and the said compartments shall be at all times closed except when the said products are being removed therefrom.

1226. Health Officer and Inspector may enter bakeries. The said Health Officer and the Sanitary Inspectors of said city shall at all times have the right to enter said bakeries for the purpose of making inspection in order to see that the provisions of this ordinance are being complied with.

1227. Permits may be revoked. All permits granted pursuant to this ordinance may at any time be revoked by the Health Officer subject to the approval of the Board of Sanitary Commissioners for the persistent, repeated or willful violation of the provisions of this ordinance; provided, however, that no such permit shall at any time be revoked by the said Health Officer unless he shall first have given to the holder of the same not less than three days' notice in writing of his intention to revoke such permit, and an opportunity to be heard by the Board of Sanitary Commissioners as to why such should not be done, this proviso not to be taken to apply to cases where the sale of said food products may be temporarily prohibited by the Health Officer because of disease in the premises, temporary unsanitary conditions or similar causes.

Such permit shall not be transferable and shall only be issued after an inspection of the premises as herein provided for.

1228. Inspection monthly. The said Health Officer shall make monthly inspections of the bakeries in said city and shall publish a report of said inspections in the official gazette of the City of Savannah.

ICE CREAM.

1229. Regulations for sale of ice cream, etc.; manufacturers and parlors must have permits. It shall not be lawful for any person or corporation, within the corporate limits of the City of Savannah, to operate a plant for the making of ice cream or any other frozen concoction of milk, or to conduct a parlor, store, or other place for the sale of ice cream or any other frozen concoction of milk, unless a permit shall have first been obtained from the Health Officer of said city permitting the operation of said plant or the running of said parlor, store or other place for the purpose aforesaid; but in no event shall such plant, parlor, store or other place for the purposes aforesaid be located in a dwelling house. The said permit must show the name of the owner and location of such plant, parlor, store or other place where the said ice cream or other frozen concoctions of milk are to be made or sold, and shall state which of said articles are contained in the product made or sold; and in case of the product being conveyed to the consumer, each vendor shall place his name, permit number and name of product being sold in letters of readable size on each outer side of all wagons or carts used for the conveyance of their products.

June 14, 1911. April 29, 1914.

1230. Ice cream parlors must be kept sanitary. The said plant, parlor or store or other place for the making or sale of the products and articles mentioned in section 1229 hereof, shall be kept in a sanitary state and shall, once a week, during the entire year, be carefully inspected by the said Health Officer or by some officer of the Health Department of said city designated by him, and the said Health Officer shall make, or have made, a report of each inspection to show the condition of the plant, parlor, store or other place used as aforesaid, and such report shall be recorded in a special book to be kept for that purpose.

June 14, 1911. Aug. 6, 1913.

1231. Health Officer or Inspector may enter premises, etc. In the making of said inspection the Health Officer or the officer designated by him shall have the right to enter any building or premises where any of the said products are made, stored or kept, or to stop any cart or other vehicle used in selling or conveying any of said articles or products, in order to take samples of the same for the purpose of having said samples tested or analyzed, and it shall be the duty of said Health Officer to publish weekly in the official organ of said city the results of such inspection and analysis.

June 14, 1911, ¶ 3.

1232. Receptacles to be sterilized daily. All receptacles and containers used in the manufacture or storage of said ice cream or other frozen concoctions of milk shall be cleansed in water and sterilized once every day, and all glasses, cups, saucers and spoons used in dispensing the same shall be boiled once a day and thoroughly washed after each usage in running water.

1233. Notice of filler to be posted. In all parlors, stores, carts and other places where ice cream is sold, in which gelatine, starch, prepared gum, evaporated cream or milk or any other filler is used in the making thereof, there shall be posted in a conspicuous place in letters not less than one inch in length a sign which shall read: "We use gelatine (or starch, prepared gum, evaporated cream or milk, as the case may be, naming the filler) in ice cream sold here.

1234. Standard test of ice cream, etc. It shall be unlawful for any person or corporation to sell, barter or dispense ice cream in which there shall be contained less than eight per cent. butter fat or more

than two million bacteria per cubic centimeter, and the same shall be entirely free from any bacteria of transmissible diseases.
June 14, 1911. April 29, 1914.

1235. Permits may be revoked. All permits granted pursuant to this ordinance may at any time be revoked by the Health Officer, subject to the approval of the Board of Sanitary Commissioners for the persistent, repeated or wilful violation of the provisions of this ordinance; provided, however, that no such permit shall at any time be revoked by the said Health Officer unless he shall first have given to the holder of the same not less than three (3) days' notice in writing of his intention to revoke such permit, and an opportunity to be heard by the Board of Sanitary Commissioners as to why such should not be done, this proviso not to be taken to apply to cases where the sale of ice cream or other frozen concoctions may be temporarily prohibited by the Health Officer because of disease in the premises, temporary unsanitary conditions or similar causes. Such permit shall not be transferable and shall only be issued after a thorough inspection is made of the premises for which the permit is sought.
June 14, 1911, ¶ 7.

1236. (943.) Pastures to be fenced from unsanitary waters. All owners of lands, renting the same as pastures for cattle, are required to erect substantial wood or wire fences, which will effectually prevent cows using such pastures from having access at any time, to any unsanitary ditch or waterway.
Aug. 18, 1905.

1237. (944.) Spitting on sidewalks, in street cars and public buildings. It shall not be lawful for any person to spit upon the sidewalks in the City of Savannah, or upon the floor or platform of any street car in said city, or in any public building in said city, except in a cuspidor in the building.
March 20, 1904, p. 324.

1238. (946.) Fences or walls surmounted by broken glass, etc. It is hereby declared to be unsanitary and unlawful for any person within the jurisdictional limits of the City of Savannah to have, keep or maintain on the top of fences or walls, broken glass, crockery, pottery, bottles or other substances, which may tend to collect or retain water or filth, and upon written notice from the Health Officer to the owners respectively of such property to remove such substances from the top of such fences or walls, it shall be the duty of such owner so notified to remove or cause to be removed the same within twenty days after the reception of such notice.

1239. Penalty. The violation of any of the provisions or any of the rules or regulations of this chapter, or any failure to comply with the law, or the refusal or failure to comply with any direction or order the Health Officer, issued hereunder, shall subject the guilty party, upon conviction before the Police Court of the City of Savannah, to a fine not exceeding one hundred dollars or imprisonment not exceeding thirty days, either or both, in the discretion of the court; and each day's failure or neglect to comply shall be held and deemed to be a separate and distinct offense and punishable accordingly.

CHAPTER XLIV.

NUISANCES.

1240. (948.) Maintaining nuisances on premises; penalty. No person shall keep on his or her premises any nuisance to the annoyance of his or her neighbor or injurious to public health, nor shall any person maintain any source or sources of filth and cause of sickness in the corporate or jurisdictional limits of the City of Savannah, and any person keeping any nuisance injurious to the public health, or maintaining any source or sources of filth and cause of sickness on their premises in the corporate or jurisdictional limits of the City of Savannah, shall, on conviction therefor, in the Police Court of Savannah, be fined in a sum not exceeding fifty ($50) dollars, or be imprisoned not exceeding twenty days, either or both, in the discretion of the court.
May 26, 1880, § 1.

1241. (949.) Occupants of premises required to remove nuisance. Whenever any nuisance injurious to the public health, or likely to become so, shall be reported to the Mayor or Acting Mayor, he shall forthwith notify in writing the party occupying the premises to remove the nuisance complained of within twenty-four (24) hours after service of the said notice, which may be served by the Marshal, or any member of the police force, and if the said nuisance is not abated within twenty-four hours after such notice, for every day following, the person or persons on whose premises the nuisance remains, shall, upon conviction before the Police Court, be fined in a sum not exceeding twenty dollars, or imprisoned not exceeding thirty days, either or both.
Ibid. § 2.

1242. (950.) Matter dangerous to public health. Whenever it shall come to the knowledge of the Health Officer or Marshal of the City of Savannah that any animal, vegetable or other matter dangerous to the public health, is kept within the corporate or jurisdictional limits of the City of Savannah, it shall be the duty of said Health Officer or Marshal to at once make a written report as to such unsanitary matter to the Mayor of the city, which written report shall specify the place, or places, where it is kept, the character and condition of the substance complained of, and the name or names of the person or persons owning or keeping the same; and thereupon it shall be the duty of the Mayor to call a special meeting of the Aldermen of the City of Savannah for the purpose of considering the question of causing the immediate removal from the city of such unsanitary matter, of which meeting and its purpose, the party or parties interested shall have not less than six hours, nor more than twenty-four hours' notice, according to the seeming exigencies of the case. Should the said Aldermen, at the said meeting, find that the said matter is in such unsanitary condition as to endanger the public health, and that it ought to be removed out of the city limits, it shall be the immediate duty of the Mayor to issue the order to the City Marshal or to the police force to at once remove the same sufficiently far from the city to prevent any danger to the inhabitants thereof, at the expense of the owner or owners of the matter condemned and removed.
Aug. 7, 1889, p. 73.

1243. (951.) Penalty for keeping. The person and persons guilty of keeping the matter or substance specified in the foregoing section,

when convicted before the Police Court of the City of Savannah, shall be punished by a fine not to exceed one hundred dollars, or imprisonment not to exceed thirty days, either or both, in the discretion of the court.

Ibid. § 2.

CHAPTER XLV.

HEALTH OFFICER.

1243. (952.) Health Officer. There shall be a Health Officer of the City of Savannah who shall have such duties and be paid such salary as may be fixed by the Mayor and Aldermen of the City of Savannah.

1244. (953.) To furnish certificates of death, when. In all cases of death occurring within the city limits in which no adequate certificate can be obtained from a physician, the Health Officer shall visit and inspect the body of such dead person, investigate all the circumstances, and make out the certificate required; except in such cases which may occur within the jurisdiction of the Coroner, when that officer shall be duly notified.

Feb. 21, 1877.

1245. Undertakers to report bodies. All bodies of deceased persons passing into the hands of undertakers shall be reported by said undertakers to the Health Department of the City of Savannah as being in their possession within twenty-four (24) hours after such undertakers have taken charge of the same.

April 12, 1917.

1246. Death certificate to be obtained. A death certificate of the attending physician, Health Officer or of the Coroner shall be obtained within said time by the undertaker.

1247. Sanitary Commissioners to make rules and regulations. The Board of Sanitary Commissioners of the City of Savannah shall have power and authority to make and promulgate such rules and regulations as may be proper to carry into effect this ordinance and shall have power to prescribe the information to be contained in the report of the undertakers and the certificate of the attending physician, Health Officer and Coroner.

1248. Penalty. Any person violating any provision of the three preceding sections shall upon conviction in the Police Court of the City of Savannah be fined in a sum not exceeding one hundred ($100.00) dollars or imprisoned for a period not exceeding thirty (30) days, either or both, in the discretion of the court.

1249. (954.) Burial orders to be signed by. Each and every sexton of each and every cemetery used for public burial within five miles of the city, shall demand and require with each and every application to him for burial of any deceased person, an order of burial signed by the Health Officer, setting forth the name, sex, color, age, nationality, residence, day of death, cause of death and name of attending physician, and in no instance shall any sexton of any cemetery used for public burial permit the body of any person to be interred without such order of burial, under penalty, upon conviction before the Police Court, of fine or imprisonment, or both, in the discretion of the court, such fine not to exceed one hundred dollars, and such imprisonment not to exceed thirty days.

Dec. 20, 1882.

1250. (955.) Required to give burial orders, when. The Health Officer shall be required to give an order of burial whenever application

is made to him, basing said order upon a proper certificate from a physician, Coroner or other responsible person, made out and filled according to the form adopted by the Board of Sanitary Commissioners, and the authority to give an order for the burial of any and all deceased persons shall be vested in the Health Officer alone.

1251. Undertakers to secure burial order. Any undertaker who shall bury or attempt to bury a deceased person within the limits of the City of Savannah, or within five miles thereof, without first having obtained from the Health Officer of the City of Savannah an order of burial, signed by the said Health Officer, setting forth the names, sex, color, age, nationality, residence, day of death, cause of death and name of attending physician, as provided in sections 1249, 1250 and 1801 of the present Code of the City of Savannah, shall upon conviction before the Police Court of the City of Savannah be subject to a fine of one hundred dollars, and imprisonment not exceeding thirty days, either or both, in the discretion of the court.

Oct. 28, 1914.

1252. (956.) To keep on hand a supply of vaccine virus. It shall be the duty of the Health Officer to procure and keep constantly on hand a sufficient supply of 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.

Jan. 31, 1839.

1253. (957.) Sending patient to Pest House from vessel; whose expense. In case it shall be deemed necessary by the Health Officer to send a patient to the Pest House from a 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 fine, in case of failure or refusal, of not exceeding one hundred dollars on conviction before the Police Court; and the expense of such sending shall be paid out of said fine.

Sept. 4, 1856.

1254. (958.) Physicians to notify Health Officer of contemplated autopsies. It is hereby made the duty of the physicians holding an autopsy in the City of Savannah for the purpose of ascertaining whether any death in the City of Savannah has resulted from any contagious or infectious disease, to notify the Health Officer of the City of Savannah of the time and place for the holding of the said autopsy, so as to give the said Health Officer an opportunity to be present at the said autopsy; and any physician failing to comply with these requirements shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not exceeding one hundred dollars, or imprisonment not to exceed thirty days, either or both, in the discretion of the court.

Sept. 19, 1893, p. 73.

1255. (959.) Physicians and mid-wives to report births. It shall be the duty of any physician attending a female during her confinement to make a written report of the birth of a child of such female, born within the corporate limits of the City of Savannah, within five days after the birth of the said child, which said written report shall state the time of the birth, the sex, and color of the child, and the name of the parents, and shall also specify the place of the birth, giving the street and number of the house. Should no physician be present, it is hereby made the duty of any mid-wife that may be present at such birth, to make the said written report to the said Health Officer within five days. Should no physician or mid-wife be present, it shall be the duty of the parents of the said child to make the said written report within the said time.

Feb. 20, 1889.

1256. (960.) Penalty. Should the person or persons whose duty it is made by the preceding section to make the written report prescribed therein, fail to do so within five days after the birth of the child, he or she, upon conviction, before the Police Court of the City of Savannah, shall be punished by a fine not to exceed fifty dollars ($50), or imprisonment not to exceed ten (10) days, either or both, in the discretion of the court.

Ibid. § 2.

1257. (961.) Physicians and mid-wives to register. All physicians practicing in the City of Savannah, including those in public institutions, are hereby required to register their names and addresses at the office of the Health Officer of the City of Savannah on or before the 15th day of January of each and every year, and all persons practicing mid-wifery in the City of Savannah shall also register their names and addresses at the office of the said Health Officer on or before the 15th day of January of each and every year.

July 27, 1898, p. 346.

1258. (962.) Penalty. A physician or mid-wife failing to comply with the preceding section, shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed the sum of one hundred dollars, and imprisonment not to exceed thirty days, either or both, in the discretion of the court.

Ibid. § 2.

1259. (963.) Health Officer to placard infected houses. The Health Officer of the City of Savannah, under the direction and control of the Board of Sanitary Commissioners for the said city, is authorized to placard infected houses in cases of infectious and contagious diseases found in said houses, whether the same be located in the corporate limits of the City of Savannah or within two miles of the said corporate limits. And any person removing, altering or in any wise interfering with such placards, shall be punished, on conviction in the Police Court, by a fine not exceeding one hundred dollars, or imprisonment not to exceed thirty days, either or both, in the discretion of the court.

Dec. 11, 1901, p. 327.

1260. Inspects artesian wells. At least once each year the Health Officer shall test the water from each artesian well located within the corporate limits of the City of Savannah, or within two miles thereof for the purpose of determining whether the water flowing therefrom is pure, and if the same is impure it shall be condemned, as provided in Section 1082 of this Code.

QUARANTINE.

1261. (966.) On June 16, 1897, Council adopted revised quarantine rules and regulations for the Port of Savannah. On April 17, 1899, the report of a committee providing for the turning over of the city's quarantine station and property to the United States government as represented by the Public Health Service, upon certain terms, providing for the sale of the property to the government and its control of the quarantine of the port, was adopted, and the Mayor authorized to enter into an agreement with the Secretary of the Treasury. This arrangement, temporary at first, was made final by resolution of Council, September 5, 1900, since which time the matter of maritime quarantine for the Port of Savannah has been regulated and administered exclusively by the United States government.

The sections prescribing duties of Health Officer, requiring him to keep a book of complaints, to see that quarantine is enforced, and to report weekly to the Board of Sanitary Commissioners, will be found in the chapter entitled "Board of Sanitary Commissioners," page 258.

CHAPTER XLVI.

CITY PHYSICIANS AND HOSPITALS.

1262. (967.) City Physicians; four to be elected. There shall be elected by Council, at the regular time for electing subordinate city officers, four City Physicians, of whom two shall be white and two colored, whose duty shall be to attend the sick poor, under such rules and regulations as may be prescribed by the Mayor and the Board of Sanitary Commissioners, and who shall hold office for the term of two years, and until their successors are elected and qualified.

June 2, 1897. Dec. 23, 1891.

1263. (968.) Power to send patients to hospital. The physicians so elected shall have power, with approval of the Mayor, from time to time, to send to the hospitals receiving city appropriations, such sick and distressed persons (except permanently disabled and chronic cases) whom it may be found necessary, and for the best interests of all concerned, so to dispose of.

May 14, 1879.

1264. (969.) To give medical attention to police and firemen. It shall be the duty of the City Physicians in whose respective districts the policemen or firemen of the City of Savannah, needing medical attention, may reside, to render suitable medical aid and attention, when their services may be required; but their services are not required to be rendered to the members of the families of any such policemen or firemen. The said City Physicians are also authorized to give prescriptions, when absolutely necessary, on the City Dispensary, for the use, exclusively, of said policemen and firemen.

June 16, 1897, p. 354.

1264(a). (970.) Rules and regulations for City Physicians prescribed by the Mayor and Board of Sanitary Commissioners. 1. Districts for City Physicians, White. The northern district shall comprise that territory from the river to the north side of Gaston street, inclusive, and extending east and west to the corporate limits.

The southern district shall comprise that territory from the south side of Gaston street to the southern corporate limits extended and taking in all that district between the eastern and western corporate limits.

2. Districts for City Physicians, Colored. The eastern district shall comprise all of that territory east of Bull street, extending from the river to the southern extended corporate limits.

The western district shall comprise all of that territory west of Bull street, extending from the river to the southern extended corporate limits.

3. It shall be the duty of each City Physician to furnish medical advice to all persons residing in his district, who may be unable to employ a physician, and to attend all sick poor, keeping a correct and accurate record of the same, and making a return to the Mayor every Monday by 12 M. in full of all work done by him, giving names, ages, sex, disease and locality of cases attended.

4. In addition to professional work, each City Physician will be required to examine daily, the general sanitary condition of his district, and report promptly to the Mayor anything coming under his notice, which in his judgment may be prejudicial to the public good health.

5. Any refusal on the part of any City Physician to attend any worthy poor person seeking medical assistance, being reported to the Mayor, will subject the party so offending to a recommendation to Council to be discharged from further service, and the vacancy so occasioned to be supplied.

6. Each Physician will be permitted with the approval of the Mayor to send to one of the hospitals receiving city aid such sick persons as may be in a destitute condition and without means of procuring sufficient care as to diet, etc., at home, being governed in the disposition of white persons in such cases alternately so far as the Savannah Hospital, St. Joseph's Infirmary and Park View Sanitorium are concerned. Children under ten years of age may be sent to Oglethorpe Sanitorium. Such colored charity patients shall be sent to Georgia Infirmary and Charity Hospital. Permanently disabled and chronic cases shall not be sent to hospitals.

Res. Jan. 3, 1917. Min. of Council Feb. 18, 1917.

7. Each City Physician shall be required to report to the Mayor, by 12 M. every Monday, the names of all persons sent to hospital for treatment, their diseases, etc., during the week preceding. In addition, they shall also report every Monday the condition of all such cases in hospital, so that their stay may not be prolonged at city's expense for a longer period than is absolutely necessary.

HOSPITALS AND SANITARIUMS.

1265. Hospitals receiving city appropriations to have city representation on Board of Governors. Each and every board of governors, trustees, or directors of each and every hospital or sanitarium supported wholly or in part by the City of Savannah shall, within thirty (30) days after the passage of this ordinance, elect, as members of each and every such board of governors, trustees, or directors, three (3) members of the Municipal Administration, namely: the Mayor, Health Officer, and the chairman of the Committee on Public Health, to serve on such boards, with rights, powers, and privileges equal to other members of such boards, during the entire terms of these officers in these respective offices in the Municipal Administration.

(a) In case any of the hospitals or sanitariums supported wholly or in part by the City of Savannah has no board of governors, trustees, or directors, the Mayor, Health Officer, and the chairman of the Public Health Committee shall be named and recognized by the owners or controllers of such hospitals as a board of trustees for the money appropriated by the City of Savannah for such hospital, with all the rights and privileges granted a board of trustees under the laws of Georgia.

May 19, 1909.

1266. City representatives on Board; duties of. It shall be the duty of these representatives of the Municipal Administration (the Mayor, Health Officer, and Chairman of Public Health Committee) to inquire diligently into the administration of the affairs of the various hospitals or sanitariums supported wholly or in part by the City of Savannah, with a view to a strict economy in their fiscal affairs, the maintenance of a capable medical and surgical staff, and a just distribution of the money appropriated by the city among the city's poor, and the prevention of a diversion of these appropriations to the care or treatment of pay patients. It shall also be their duty to require each institution to render to the Municipal Administration a complete and comprehensive annual report, setting forth exactly the cost to the city per patient per day, and to submit a monthly statement whenever called upon to do so showing the cost to the city per patient per day.

May 19, 1909, ¶ 3.

1267. City representatives to resign when offices expire. It shall be the duty of the above-mentioned representatives of the Municipal Administration on the governing boards of the various hospitals or sanitariums to tender their resignations as members of such boards immediately upon their retirement as Mayor, Health Officer, and chairman of the Public Health Committee, respectively, and it shall be the duty of these hospital boards to accept these resignations, and to elect on their respective boards within thirty days thereafter the Mayor, Health Officer, and chairman of the Public Health Committee succeeding to those offices in the Municipal Government.

May 19, 1909, ¶ 4.

1268. In case of death successor to be named within thirty days. In case of the death of either of the above-named representatives of the Municipal Administration on the various hospital or sanitarium boards of the city, his successor in the Municipal Government shall be elected to fill his place on the several hospital boards within thirty days thereafter.

1269. No appropriation if hospital fails to comply. Any hospital or sanitarium failing to comply with any of the proviisons of the foregoing four sections of this chapter shall be deprived of its appropriation from the city.

CHAPTER XLVII.

CITY DISPENSARY.

1270. (971.) City Dispensary. A City Dispensary for the sick poor of Savannah is hereby established, under rules and regulations prescribed by the Board of Sanitary Commissioners.

June 8, 1897, p. 357.

1271. (972.) Keeper, and porter. The keeper of the City Dispensary shall be appointed by the Mayor of the City of Savannah upon recommendation of the Health Officer, approved by the Committee on Health. A porter for the City Dispensary shall be appointed by the Mayor. The City Dispensary and the said officer and porter shall be under the control and regulation of the Sanitary Board and shall receive such compensation out of the Treasury of the City of Savannah as Council may prescribe, payable in equal monthly installments. It shall be the duty of the Board of Sanitary Commissioners to pass rules and regulations looking to the supply of medicine to the indigent poor of the City of Savannah and to the usefulness and efficiency of said Dispensary.

June 2, 1897. Aug. 9, 1899. Sept. 9, 1909. Jan. 27, 1913.

1272. (973.) Oath, bond and duty. The said keeper shall take the oath prescribed for city officers, give bond in such sum as may be prescribed by the Board of Sanitary Commissioners, and supply the sick poor of the City of Savannah with medicines at the times and in the manner prescribed by the rules adopted for their government.

Ibid. Nov. 25, 1858.

1273. (974.) Obtaining medicine by misrepresentation, penalty. Any person who shall, by misrepresentation, obtain medicine at the public expense, who is able to pay for the same, shall, upon conviction before the Police Court of the City of Savannah, be subject to a fine not to exceed twenty dollars and imprisonment not to exceed ten days, either or both, in the discretion of the court.

June 2, 1897.

1274. (975.) Medicines not to be sold, nor supplied to any but sick poor. It shall not hereafter be lawful for such keeper, under pain of immediate forfeiture of his office, to vend any medicines or to supply with medicine any but the sick poor of the City of Savannah, under such rules and regulations as exist or may hereafter be made under ordinance or ordinances of said city; and in any and every case where such keeper shall have just cause to suppose that a patient is able to pay for medicine, such officer shall furnish medicine, but within twenty-four hours thereafter he shall report the facts to the attending physician, and also to the Mayor.

Sept. 2, 1868.

1275. (976.) Rules for the City Dispensary established by the Sanitary Board. 1. Any regularly licensed physician may prescribe upon the Dispensary, if the patient is unable to pay. Quacks, charlatans or persons practicing medicine under fictitious or misleading names, thereby deceiving the public, are, however, excepted and are not entitled to the privilege of the Dispensary.

2. No prescription shall be filled unless properly written upon the regulation blank provided for that purpose.

3. No prescription will be filled, the date of which shows that it had been written twenty-four hours or more previously.

4. Prescriptions will be renewed only upon an order written by the physician upon the Dispensary blanks, setting forth the number of the prescription to be filled, and said order must be accompanied by the original label, and in no case will a prescription be refilled after thirty days from the date of its first filling.

5. Patients must furnish bottles when liquid preparations are prescribed, except in cases of emergency, when the keeper shall use his discretion.

6. When the keeper is certain, beyond doubt, of the ability of an applicant to pay for medicine, he shall refuse to fill his prescription, writing his reasons for refusing on the back of the same.

7. Where the keeper has just cause to suspect that patients are able to pay he shall inform the attending physician and the chairman of the Committee on Public Health, stating his reason for such suspicion.

8. The porter shall be under the direction and supervision of the keeper, who shall report any infraction of the rules on his part to the Chairman of the Committee on Public Health.

9. The hours during which the Dispensary shall remain open are from 8 A. M. to 8 P. M., daily, except Sundays.

Sundays, from 8 A. M. to 1 P. M., and from 5 to 7 P. M. In emergency cases the night bell must be answered at any hour.

Physicians, however, prescribing at night must state on the prescription the hour at which it was writen, and no prescription will be filled after the closing hour that had been written before 8 o'clock.

CHAPTER XLVIII.

CHIEF ENGINEER'S DEPARTMENT.

1276. Chief Engineer. There shall be a Chief Engineer for the City of Savannah who shall be elected by the Mayor and Aldermen and shall hold office during the term of the other officials elected by Council and until his successor is elected and qualified. The said officer shall have an office in the City Exchange and shall be paid such salary as Council may determine prior to the election of such officer, which shall not be increased during his term of office.

March 3, 1913, ¶¶ 1, 2, 4.

1277. Oath of office and bond of Chief Engineer. The said officer, when elected and confirmed, before entering upon the duties of his office, shall take and subscribe, before the Mayor of the City of Savannah, the following oath, to wit:

"I swear that I will faithfully, carefully and impartially perform the duties of Chief Engineer of the City of Savannah, during my continuance in office, and that I will not be concerned, nor interested in a pecuniary way, directly or indirectly, in any contract for the work to be done, or material to be furnished for, or in connection with any work or improvements done under my supervision, or with which I may be connected in any way, as on officer of the City of Savannah; nor in any contract for work to be done, or material to be furnished for or by any public work, or improvement to be done, under my supervision, or in connection with my office; nor in any contract for the purchase of property, or supplies appertaining thereto. I will make all selections, or purchases of material; will make and execute all contracts, and in all other respects, discharge the duties of the said office for the sole and exclusive regard to the public good, and I will faithfully execute all lawful orders of the City of Savannah, relating to my office, or its conduct, as officially expressed by ordinance, resolution or otherwise."

This oath shall be filed in the office of the Clerk of Council of the said city, and at the time of filing said oath with the said clerk, the said officer shall also execute a bond to "the Mayor and Aldermen of the City of Savannah," the security to be approved by the Mayor, in the sum of $5,000, conditioned for the faithful discharge of the duties of said office, and for the faithful accounting, according to law, for all public moneys which may come into the hands of said officer, while he may hold office; which bond shall also be filed with the Clerk of Council; and if a surety company be accepted as security, the premiums for the same shall be paid by the city.

March 5, 1913, ¶ 3.

1278. Duties and authority of Chief Engineer. The Chief Engineer shall have full and complete control of the execution of all work of every kind ordered from time to time by the Mayor and Aldermen of the City of Savannah, or work contracted by the said Mayor and Aldermen of the City of Savannah, to be done on the streets, lanes, roads or extensions of the same, and all drainage work ordered by, or contracted for by the Mayor and Aldermen of the City of Savannah; all sidewalks and passages through parks and squares, curbing, bridges and culverts, and all sewers and drains of whatsoever kind the City of Savannah, including the sprinkling, cleaning and lighting of streets, except work within the exclusive cognizance and jurisdiction of the Park and Tree Commission.

The Chief Engineer shall also have full and complete control of the Scavenger Department, including the removal of garbage from the yards, streets and lanes and other portions of the city and of the place designated or to be designated for the disposal of garbage.

He shall, under the Mayor of said city, have full and complete control of the Water Works Department, its officers and employes, and shall also have charge of all buildings, machinery, live stock, wagons, tools and other personal property of the City of Savannah, belonging to, used in, or connected with the said department.

He shall have charge of the building and repairing of all public docks and slips of the city, of building and repairing all buildings owned by the city, except those connected with or embraced in the Police and Fire Departments, and shall also have charge of all live stock, wagons, tools, machinery and other personal property of the City of Savannah used in and about the public works, except as may be used in the Police and Fire Departments.

He shall also have power to apppoint and remove with the consent of the respective committees of the departments of the City Government, to which they belong, such assistants, foremen and other appointees as, in his opinion and in the judgment of said committees, may be required in the said department; but in the event of any disagreement between the said Chief Engineer and the said committees of Council as to any appointment or removal in the departments under control of said committees, the decision of the committees shall control as to any appointment or removal. The said Chief Engineer shall recommend such appointment and discharges as, in his judgment, the public interest dictates, and they shall be made when his recommendation has been confirmed by the committees.

March 5, 1913, ¶ 5. Jan. 3, 1917.

1279. Entire time shall be devoted to city business. The Chief Engineer shall devote his entire time to the interest of the city and shall not engage in any other calling, or business, during the time that he may continue to occupy his office.

1280. Accounts and expenditures of city funds. All accounts for work done in the department of the said Chief Engineer, or any of its branches, shall be paid for out of the regular annual budget or appropriation set apart by the Mayor and Aldermen of the City of Savannah, in Council assembled, for such department or work, and shall, before they are paid, be made out as other city bills or accounts against the City of Savannah are made, to be approved by the said Chief Engineer, if found to be correct, and to be approved further by the Appropriate Committee of the City Council. The said Chief Engineer shall be responsible to the Mayor and Aldermen of the City of Savannah, for the just, business-like and economical expenditure of the public funds, and, in contracting and performing the work under his control, the said officer shall be subject to the direction and control of the said City Council and such orders and regulations as that body may from time to time adopt in relation to the same. The books and records of the said office shall always be subject to inspection by the Mayor of the City of Savannah, or by any Alderman of the city, or by any committee of the Council designated by the said Mayor.

1281. Chief Engineer reports to Mayor. The Chief Engineer shall make a report to the Mayor of the City of Savannah in the month of October of each year, submitting an estimate of the expense of running said department and all branches thereof, for the next year, and, on or before the first day of January in each year, the said Chief Engineer shall submit a report in writing to the Mayor of said city, to be filed

with the Clerk of Council, showing all the actings and doings of his department, its receipts and disbursements, its condition, and everything connected therewith during the preceding year, with such recommendation as the said Chief Engineer shall see fit to make in regard to the same, and the said officer shall make such other reports, from time to time, as may be required of him by the said Mayor, or by the City Council of Savannah.

1282. Repairs to paved streets. When repairs to paved streets are made necessary by work done on the streets by contractors or other parties, they shall be made by the City of Savannah, through its proper department of the Chief Engineer, at the expense of the party or parties who have dug up the streets, or made the repairs necessary, and every permit granted for the digging up of a paved street, or for other work thereon which makes the repairs necessary shall be subject to the terms and provisions hereof

1283. To make surveys, etc. It shall be the duty of the Chief Engineer to make for the city all necessary surveys for all drainage work, or other public work ordered or contracted for by the city, and to make surveys for all city grades and such other duties as may be required by Council, or by the different committees of Council for public purposes, and all surveys for the laying down of pavements.

1284. To furnish lot lines, etc. 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 lot, owned or occupied by him or her, unless such line is first ascertained by the Chief Engineer, 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 affect the right of the city. And it shall be the duty of the Chief Engineer 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 Chief Engineer, on the application of any lot holder, to attend and stake off such lot, within five days after such application is made. Provided, nevertheless, that it shall be the duty of the Chief Engineer when an application is made for the street line only, to give such line without cost to the lot holder, or occupier of said lot, and when it becomes necessary, under the provisions of the city ordinances, that a plat shall be given by the Chief Engineer, showing all the holdings, lines, etc., of said lot, requiring a survey for the purpose, the sum of five dollars shall be paid for the survey, said amount to be first paid to the City Treasurer, and upon the exhibition of the Treasurer's receipt to the Chief Engineer, the survey shall be made.

1285. Encroachments to be reported to Council. Whenever a party claims any prescriptive title to an encroachment upon a street or any other part of public domain, in the City of Savannah, the Chief Engineer, before setting such party back to the proper line, shall submit the matter to the Council of the City of Savannah, to the end that the Council may determine whether this shall be done; and the City of Savannah will not recognize any liability save such as may grow out of the action of its Council in the premises.

1286. Encroachments, obstructions, etc., to be marked out. Whenever the City Marshal is ordered to remove or cause to be removed any encroachment or obstruction, the same shall be marked out and directed, under the superintendence of the Chief Engineer, 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 Police, who are hereby required and enjoined to aid and assist in the premises.

1287. Unlawful to build until grade ascertained. It shall not hereafter be lawful for any person to put up any building or improvement on the line of any public street, lane or way of said city, until or before the proper grade for such street, lane or way shall have been ascertained and fixed by the Chief Engineer, with the approval of the Mayor or Acting Mayor; and then such building or improvement shall correspond to the proper grade so established, and any person offending against any provision of this section, shall, on conviction before the Police Court, be liable to be fined in a sum not less than thirty or more than one hundred dollars; provided, always, that any person purchasing a lot from said city, and for the first time putting or desiring to put up a building or other improvement on such lot, shall have the right, without expense to him or her, to have the proper grade ascertained and fixed by the Chief Engineer.

1288. Pavements to be built on grade. 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 Chief Engineer, 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 Chief Engineer 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, and the person so violating the same, or the owner, lessee or possessor of the lot, may be fined in the Police Court, 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 Chief Engineer.

1289. Grade levels of street railways, Chief Engineer to furnish. Whenever any corporation authorized by law shall use the streets of the City of Savannah for the purpose of laying down and operating street railways, the Chief Engineer will furnish the lines and levels for the road, and shall supervise the entire construction of the road until completed.

1290. To measure and certify dimensions of wood racks, etc. It shall be the duty of the Chief Engineer, upon the application of sellers of wood, to measure and furnish certificates of the dimensions of wood racks, or wagons, when the same are in compliance with the city ordinances.

See sections 681-684.

1291. Appeal from decision of Chief Engineer. Any owner of a lot who shall consider him or herself aggrieved by the acts of the Chief Engineer and Street and Lane Committee, shall have the right to appeal to Council for its decision.

1292. Interfering with Chief Engineer's stakes; penalty. It shall not be lawful for any person to change, remove, destroy, tamper or interfere with in any way, any stake, peg, or mark of any description, erected or placed by the Chief Engineer or his authorized assistant, for the purpose of designating a property line, or property within the corporate

limits of the City of Savannah; and any person violating this section, or any part thereof, or a party in any way to such a violation shall, upon conviction before the Police Court of the City of Savannah, be fined in a sum not to exceed one hundred dollars and imprisonment, not to exceed thirty days, either or both, in the discretion of the court.

1293. Assistant Chief Engineer. The Assistant Chief Engineer of the City of Savannah shall be appointed by the Mayor of Savannah upon the recommendation of the Committee on Streets and Lanes.

Jan. 27, 1913.

1294. (979.) Chief Clerk to Chief Engineer. The Chief Engineer shall appoint a Chief Clerk and the said Chief Clerk shall attend to the clerical duties which may devolve upon him under the direction and control of said Chief Engineer, and before entering upon the duties of his office the said Clerk shall take an oath before the Clerk of Council for the faithful and impartial discharge of his duties, which oath shall be filed with the said Clerk of Council, and he shall also give a bond payable to the Mayor and Aldermen in the sum of one thousand ($1000) dollars, with security to be approved by the Mayor, conditioned for the faithful discharge of his duties, which bond shall also be filed with the said Clerk of Council; and if a surety company bond is accepted the premiums for the same shall be paid by the city. The said Clerk shall receive a salary such as may be fixed by the Chief Engineer with the approval of the Finance Committee, and shall be subject to discharge at any time by the Chief Engineer whenever, in the judgment of said Chief Engineer, his discharge is proper and expedient, and when discharged his compensation and salary shall immediately cease. Except when otherwise directed by said Chief Engineer the Clerk shall remain in the office of said Chief Engineer during business hours. Suitable books shall be kept in said office, showing, among other things, a record of all the doings of the said office and all moneys received and disbursed.

1295. Weeds and grass, cut by Engineer's Department. Whenever a property owner, tenant or occupant of premises may desire the City of Savannah to cut and remove weeds or grass from a lot, plat or area, for which he is responsible under Section 1164 of this Code, such person shall make application therefor to the City Treasurer and shall at the time of making such application pay to the City Treasurer the cost of cutting and removing said weeds based upon the rates prescribed. Upon receipt of the application and the payment of the charges the City Treasurer shall give the applicant a receipt showing the sum paid and the lot, plat or area from which the grass or weeds are to be cut, and he shall immediately send the application to the Chief Engineer of the city with a certificate that the charges have been paid. Upon receipt of the application and certificate, the Chief Engineer shall have the grass or weeds cut and removed from the premises described.

Aug. 1, 1917. See Sections 513-516, 1164.

CHAPTER XLIX.

SCAVENGER DEPARTMENT.

1296. (985.) Scavenger Department under Chief Engineer. The Chief Engineer of the City of Savannah shall have full and complete control of the Scavenger Department, including the removal of garbage from yards, streets, lanes and other portions of the city.

March 31, 1915.

1297. (986.) Scope of department. It shall be the duty of the Chief Engineer to have collected in a proper and sanitary manner from all parts of the city refuse consisting of household, hotel and restaurant garbage; all rubbish, excluding building material debris, from market, households, hotels, restaurants and stores; ashes and cinders except from manufacturing plants; and stable sweepings and to carry and deposit same either at the desructor plant or at any such place or places that meet with the approval of the Health Department and the Committee on Streets and Lanes. The department shall on Sundays have carts ready for the removal of any garbage or offensive matter that it may deem necessary to remove.

1298. (987.) Residents to keep metal receptacles for garbage, etc. The owners, tenants or occupants of houses having yards or enclosures, and all occupants of houses, merchants, shopkeepers, grocers and tradesmen occupying premises to which no yards are attached, shall keep a metal receptacle, as herein described, of sufficient size, in which shall be deposited all the garbage, rubbish, ashes and other waste matter generated in said building or enclosure, and the said filth of every description shall be placed in said metal receptacle for removal by the Scavenger Department. It shall be unlawful for any occupant of a house, merchant, shop-keeper, grocer or tradesman to sweep into or deposit in any street or lane in this city any paper, trash or rubbish of any kind whatsoever, but the same shall be kept in the metal receptacle hereinafter provided for, for removal by the Scavenger Department of the city. Any person not having a yard may put the said receptacle containing the offal, rubbish, etc., in the street or lane for removal by the Scavenger Department, provided the receptacle so put in the street or lane shall be at all times tightly closed, and shall not in any way interfere with the traffic on said street or lane; and any person other than the owner interfering with or troubling the said receptacle so put in the street or lane shall be punished, on conviction thereof in the Police Court of the City of Savannah by a fine not exceeding $50, or imprisonment not exceeding 30 days, either or both, in the discretion of the court.

1299. (988.) Cover to be closed. The persons referred to in the preceding section are not required to keep more than one receptacle, but such receptacle shall be metal, of sufficient size to hold the garbage and refuse to be deposited in it, and shall have a close fitting top or cover. The top or cover shall at all times, except when said receptacle is being filled or emptied, be kept tightly closed.

1300. (989.) Location of receptacle. It shall be the duty of every occupant of any building, residence or place of business in the City of Savannah, to place the receptacle referred to in the preceding sections

just inside or outside of the gate in the street or lane, at or before 7 o'clock a. m., city time, and where there are not lanes, inside the property line and within five (5) feet of the street entrance, and the Scavenger Department shall have free access to these barrels and boxes from 7 o'clock a. m. to 6 o'clock p. m. of each day. Where there are narrow alleyways, on which abut three or more houses, it shall be the duty of the occupants of the said houses to provide metal receptacle at the point where the alleyway opens on the street, in which receptacle it shall be the duty of the occupants to deposit the matter and material for removal by the Scavenger Department. It shall be the duty of the sanitary inspectors to see to the carrying out of these provisions.

1301. (990.) Penalty. Any person violating the provisions of the three preceding sections shall be subject upon conviction before the Police Court of the City of Savannah, to a fine not exceeding $50 and to imprisonment not exceeding 30 days, either or both, in the discretion of the court, and each day's violation or neglect of said provisions, or any of them, shall constitute a separate and distinct offense.

1302. (901.) Removal or interfering with receptacle, prohibited. It shall be unlawful for any person or persons to take away, remove or interfere with any receptacle within the yards or enclosures of any owners, tenants or occupants of houses, or in the vicinity of such yard or enclosure for the reception of garbage, rubbish, ashes or other waste matter to be removed by the Scavenger Department, and any person or persons other than such owners, tenants, occupants or their agents or servants, taking, removing or interfering with any such receptacle shall, upon conviction before the Police Court of the City of Savannah, be fined in a sum not exceeding one hundred dollars and imprisoned not exceeding thirty days, either or both, in the discretion of the court.

March 14, 1883. March 31, 1915.

1303. (992.) Department to remove dead animals. It is hereby made the duty of the Scavenger Department, without delay, to remove from the city all dead animals which may be brought to its attention or reported, and dispose of the same as required by law or the proper corporate authority.

June 24, 1891, § 1. See sec. 1144.

1304. (993.) Dead animals to be reported to Police Barracks. It is hereby made the duty of all persons in the City of Savannah losing an animal by death in the said city, or having a dead animal on his or her premises, in the City of Savannah, to report the same to the Police Barracks within ten hours after its death, which said report shall specify where the said animal may be found. Any person failing to comply with this section shall, upon conviction before the Police Court of the City of Savannah, be fined not exceeding twenty-five dollars, or imprisoned not exceeding ten days, either or both, in the discretion of the court.

Ibid. § 2.

1305. (994.) Charge of pound. The Scavenger Department shall have charge of and feed all cattle or other animals that shall be impounded by the members of the police force, and deliver up said cattle or other animals to their owners on the customary fees being paid, or to the City Marshal for sale by him as required by law. It shall have at the said Pound some agent at two stated hours each day, when cattle or other animals are within, for the purpose of such delivery to the owners.

Dec. 26, 1866. Aug. 2, 1893.

1306. (995.) Fees for maintenance of animals. The prices for maintenance of animals at the City Pound shall be as follows, to-wit: For horned cattle (except goats and sheep) per head per day, twenty-five cents; for goats and sheep, per head per day, fifteen cents, and for horses and mules, per head per day, forty cents, and no more.

Oct. 26, 1870.

CHAPTER L.

SINKS.

1307. (996.) Privies, how constructed. No privy shall be constructed within the corporate limits of said city unless the same be built with good brick or stone at least six (6) feet below the surface of the lot upon which it is sunk, and be built at least one (1) foot above the surface, and the bottom of the privy shall be left of the earth, so as to allow seepage. On one of the four sides, which may afford a convenient outlet for cleansing the privy, whether it be on street or lane, or in a yard, an arch shall be built at the bottom of the brick or stone work and filled in with brick or stone, so as to allow of its displacement and replacement for purposes of cleansing. The vault of every such privy shall be floored over with waterproof flooring one (1) foot above the ground, and to have seats with close, tight covers. There shall be a flue from each vault extending into the open air at least two and one-half (2½) feet above the roofing of said privy, and if any person shall violate this section, he or she, the owner or lessee of the premises, shall pay a fine in a sum not exceeding fifty dollars, or be imprisoned not exceeding fifteen days, either or both, for each and every offense, upon conviction before the Police Court, and the said privy shall be rebuilt in the manner prescribed by this ordinance, or be filled up.

March 26, 1873.

1308. (997.) Unlawful to cement bottom. It shall not be lawful to cement the bottom of any privy vault, or dry well, in the City of Savannah, and any person violating this section shall be subject to a fine not to exceed fifty dollars, and imprisonment not to exceed ten days, either or both, in the discretion of the court, upon conviction before the Police Court of the City of Savannah. Whenever any privy, or dry well, which has been already cemented may be cleaned, the cement bottom shall be removed.

July 10, 1889.

1309. (998.) Dry wells permitted only where sewer connections impracticable. It shall be unlawful to dig, construct or make any dry well within the limits of said city, except after permission obtained from Council, upon the recommendation or sanction of the Sanitary Board, where it is impracticable to make sewer connections; but the wells shall in no case be dug in the streets or lanes of the city.

Aug. 27, 1884. July 14, 1886.

1310. (999.) Privy vaults, dry wells, etc., to be cleansed by city; charges for. All privy vaults, surface drawers and dry wells in the City of Savannah shall be cleansed, and all privy vaults shall be cemented, by the city authorities, and the same shall be cleansed and repaired from time to time, as it may become necessary, by the city authorities.

Aug. 27, 1884.

The charge to owners for cleansing privy vaults shall be fixed at four ($4) dollars per vault, without reference to the size or the contents thereof, and two ($2) dollars per vault for filling the same. The charge for cleansing and removal of a tub or barrel, or similar movable receptacle used by them in place of a privy vault, shall be three ($3) dollars in each case, and this charge is hereby assessed against said owners.

Mar. 14, 1894. Nov. 14, 1900, p. 302. Jan. 1, 1896.

Immediately upon the receipt of the daily report by the contractor or other person or persons employed by the city for such work of the vaults, dry wells, etc., cleaned that day, the Chief Clerk of the Board of Health shall notify on a form designed for that special purpose, the persons, firm or corporation for whom said vaults, dry wells, etc., have been cleaned, of the amount charged against them and demand that within thirty days therefrom payment shall be made directly to the City Treasurer. Concurrently with this issuance of such notice a copy thereof shall be delivered to the Comptroller of Accounts, who shall immediately record the same as a charge to the City Treasurer and shall then deliver the copy to the City Treasurer for entry upon his record known as "Sink Assessment." Upon receipt of this notice the City Treasurer shall be held responsible for the charge until properly accounted for.

Jan. 7, 1914.

1311. (1000.) Assessments for cleansing; executions may be issued. If any such owner or owners of such privy vault or vaults, dry well or dry wells, surface drawer or surface drawers, as may be cleansed, shall fail or refuse to pay the sum that shall be assessed for such cleansing, for thirty days after the cleansing shall be completed, then the City Treasurer shall issue executions therefor and for the further sum of $1 for costs, and said executions shall be placed in the hands of the City Marshal, who shall proceed with such executions in the same manner as a sheriff does under executions from Superior Courts of this State.

Aug. 27, 1884.

1312. (1001.) Ten per cent. deduction for prompt payment. Every person or corporation who shall pay his or her bills due the City of Savannah for cleansing privy vaults, dry wells and surface drawers, promptly within fifteen days after the same shall become due, shall be entitled to a deduction of 10 per centum of the amount thereof, and the City Treasurer is hereby directed to make such deduction upon the receipt of the amount due within the time above prescribed.

1313. (1002.) Penalty for cleansing by other than city authorities. No person owning or occupying any premises in said City of Savannah, and no agent of any such owner, shall clean, or cause to be cleaned, any privy vault, surface drawer or dry well in said city; but all privy vaults, surface drawers and dry wells shall be cleansed by said city authorities, and every person or persons offending against these provisions, or any part thereof, shall, on conviction thereof in the Police Court of Savannah, be fined in a sum not exceeding one hundred dollars, or imprisonment for a term not more than thirty days, either or both, in the discretion of the said court.

1314. (1003.) Emptying waste water into privy vaults. It shall be unlawful for any person or persons to connect the waste water pipes from any part of their premises with any privy vault or to empty any waste or slops of any kind from their premises into any privy vault within the City of Savannah.

Aug. 27, 1884.

1315. (1004.) Lime to be thrown into privies during certain months. It shall be the duty of every householder 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.

Aug. 15, 1839.

1316. (1005.) Unlawful to throw slops, etc., in cesspools. It shall not be lawful for any person or persons to throw slops or other foul matter of any kind into the cesspools in the City of Savannah. This is not to apply to waste water.

Any person or persons violating this section, shall, upon conviction before the Police Court of the City of Savannah, be fined in a sum not to exceed one hundred dollars, or imprisoned not to exceed thirty days, either or both, in the discretion of the court.

Sept. 2, 1891.

1317. (1006.) Water closets projecting over line of street, etc., forbidden. It shall not be lawful for any person or persons to build or construct any water closet, or place to be used as such, over or into the line of any street or lane in this city. Any such place so built or constructed shall be deemed a public nuisance, and shall be liable to immediate removal as such at the expense of the offending party .

Aug. 20, 1879.

1318. (1007.) Penalty. Any person violating the provisions of the preceding section shall be liable to a fine of not less than fifty dollars for every day that such nuisance may be continued after notice to abate the same, and to imprisonment not exceeding fifteen days, either or both.

Ibid. § 2.

1319. (1008.) Obstructing water closets, etc., penalty. Any occupant of a dwelling in the City of Savannah who shall designedly or through negligence stop up or obstruct a water closet, or its sewer connections, on the premises, and shall refuse or neglect to remove the said obstruction and repair the damage incident thereto, shall, on conviction before the Police Court of the City of Savannah, be subject to a fine not to exceed fifty ($50) dollars, and imprisonment not to exceed fifteen days, either or both, in the discretion of the court.

Jan. 26, 1898, p. 380.

CHAPTER LI.

SEWERS AND DRAINAGE.

1320. (1009.) Maps of new house drainage system and regulations. As the house drainage system of the City of Savannah is completed for various portions of the city, the Committee on Streets and Lanes shall cause maps thereof to be prepared and kept in the office of the Chief Engineer and of the Plumbing Inspector, and notice thereof to be published to the citizens of the City of Savannah in the official gazette for information. After the publication of such notice it shall be unlawful to lay any sewers, to connect with storm-water sewers, or to construct privy vaults, or dry wells, within said completed portions or districts of the city.

The said Committee on Streets and Lanes shall through the Chief Engineer issue all permits for connections to the house drainage system.

June 15, 1900, p. 298.

1321. (1010.) Connections with, how made; records to be kept. Connections of primary drains with the house drainage system of Savannah shall be made only under the supervision of inspectors to be designated by the Mayor and after all plumbing connected therewith shall have been found by the Plumbing Inspector to fully comply with the requirements of this and other ordinances, provided that this section shall not be so construed as to require the remodeling of the plumbing in building already erected, if, in the judgment of the Plumbing Inspector, such remodeling is not necessary.

A complete record shall be kept in the office of the Chief Engineer showing their location, date and under whose supervision made.

Ibid. § 2.

1322. (1011.) Regulations as to connections. The following regulations are hereby adopted in connection with the new house drainage system of Savannah now being constructed, namely:

1. No fresh air inlet or trap or any manner of obstruction to the free passage of air shall be placed in the course of the main drain or of the soil pipe. The waste from each fixture shall be properly trapped, as is specified elsewhere.

2. The soil pipe shall be extended full size above the roof of the main house, and the opening must be at least two (2) feet above the roof, or fifteen (15) feet from any window or door of the building or adjoining building. No main soil pipe shall be less than four (4) inches in diameter.

3. No gas-house liquor or other waste having naphtha shall be connected with the house drainage system.

4. The Street and Lane Committee of Council shall have the power to stop and prevent from discharging into the house drainage system any private drains through which substances are discharged which are liable to injure the drains or obstruct the flow of the sewage.

5. No person shall place or deposit in any water closet, waste, soil or vent pipe, any garbage, ashes, cinders, rags or other refuse materials liable to clog the pipe.

6. All connections to house drainage sewers shall be made of a ⅛ 4-inch bend at the Y, and 4-inch pipe shall extend from this bend to inside the property line; all reducers and increasers, if used, must be made inside the property line.

Ibid. § 3.

1323. (1012.) Penalty. Any person violating the three preceding sections or any provision thereof, shall, on conviction before the Police Court of the City of Savannah, be subject to a fine not to exceed one hundred ($100) dollars, and to imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court.

1324. Connections to house drainage system. (1) All property owners in the corporate limits of the City of Savannah shall make proper house drainage connections with the house drainage system of the City of Savannah in accordance with the ordinance of Council adopted June 15, 1900, and entitled, "An ordinance for the regulation of house drainage and the house drainage system," contained in Sections 1320, 1321, 1322 of this Code, unless expressly relieved therefrom by action of the Mayor and Aldermen of the City of Savannah, in Council assembled.

(2) Any person failing to make the connection within the time mentioned shall be subject upon conviction in the Police Court of the City of Savannah to a fine not exceeding ten dollars and imprisonment not exceeding five days, either or both, in the discretion of the court, and each failure to connect shall constitute a separate and distinct offense and be punished accordingly. The agent of an owner not residing in the City of Savannah shall be held responsible for the failure to connect and be punished for such failure.

(3) The provisions of this ordinance shall not be construed so as to annul any provisions in the preceding ordinances, and shall be construed as being cumulative on the same.

March 23, 1910.

1325. Connections with house drainage system of 1916 and 1917. When any portion of the extension of the house drainage system of the City of Savannah now being constructed is completed, the Committee on Streets and Lanes shall through the Chief Engineer, issue all permits for connections with said house drainage system and shall serve or cause to be served by the Chief Engineer or City Marshal, notice upon the owners of the property situated in that district of the city to be served with such completed portion of the extension of the house drainage system, to make the proper connections to said new system in accordance with Sections 1320-1324 of this Code, and upon the service of such notice, or notices, any and all permits heretofore issued for vaults, dry wells or connections to open ditches or to private sewers, are hereby revoked.

Within thirty days after any property owner is served with the notice above provided for it shall be the duty of said property owner to make such connections and the same shall be made in accordance with Sections 1320-1324 of this Code.

After the service of said notice it shall be unlawful for any person upon whom the same shall be served to lay or cause to be laid any sewers to connect with storm water sewers, or to construct privy vaults, or dry wells within said district of the city in which a portion of the extension of the house drainage system has been completed.

The notice required by the provisions of this ordinance may in the case of non-residents or persons absent from the city be served upon the agent of said owner or owners or tenant in possession.

After the expiration of thirty days from the date of the service of the notice herein provided for, should the property owner or owners fail to make the required connections, then the City of Savannah shall proceed to make the said connections at the expense of the property owner or owners with the right to issue an execution therefor against said property owner or owners and their property in the same manner as executions are issued for city taxes.

Any person violating any of the provisions of this ordinance shall

be subject to a fine not to exceed one hundred dollars and to imprisonment not to exceed thirty days, either or both, in the discretion of the court.

Sept. 13, 1916.

1326. Unlawful to connect any auto garage with the house drainage system. It shall not be lawful to connect any auto garage with the house drainage system of the City of Savannah, or to maintain, or continue, any such connection that may have heretofore been made. This ordinance is not to be construed to apply to such connections as are intended and used for ordinary toilet purposes only.

Any person violating this section, or any provision thereof, shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed fifty ($50) dollars and imprisonment not to exceed ten (10) days, either or both, in the discretion of the court, and each day's continuance of the connection hereinbefore prohibited shall be held and deemed a separate and distinct offense, and punished accordingly.

May 18, 1910.

1327. Garages, etc., install oil traps, etc. All garages, public establishments where automobiles are washed and cleaned, gasolene filling stations, dyeing and cleaning establishments and other like establishments using gasolene, oil and other inflammable material, which is carried into the public sewers of the City of Savannah, shall install in connection with the drainage from their sinks, wash-traps and other receptacles a system of gas and oil traps of a type satisfactory to the Chief of the Fire Department

Oct. 24, 1917.

1328. Kind of trap to be used. Each trap installed shall consist of suitable basin, depending upon the size of the establishment, and in the basin there shall be a removable receptacle to receive mud, gasolene, oil and other matter washed into same. The trap shall be provided with suitable air chamber and with ventilating pipe. The trap manufactured by Compound Injector and Specialty Company, known as the Dehn's Peerless Garage Floor Drain, is a satisfactory type, but any other equally as effective will be accepted.

1329. (1015.) Sewer connections, etc., on paved streets; to be done by city. It shall be unlawful for any plumber, gas fitter, or other person or corporation, to dig up any portion of any street in the City of Savannah for the purpose of laying down gas or water pipes, or making sewer connections, or laying railroad tracks; but whenever it shall be necessary for said purposes to take up any portion of the pavement on any street in said city, the same shall be done, on application, by the said city at the cost and expense of the party for whom the work is done; but this section shall not be construed as repealing or in any manner interfering with the full operation of Sections 76, 1320-25, 1331 of this Code.

Nov. 19, 1884. Apr. 5, 1899.

1330. (1016.) Penalty. If any person or corporation shall dig up any portion of any paved street in said City of Savannah, for the purpose of laying down gas or water pipes, or making sewer connections, or laying railroad tracks, or cause the same to be done, shall be fined on conviction thereof in the Police Court of Savannah in a sum not more than one hundred dollars, or imprisoned not exceeding thirty days, or both, in the discretion of the said court.

Ibid. § 2.

1331. Connections to be made before improvement of streets and lanes. Whenever any street, lane or other highway in the City of Savannah is to be paved, notice shall be served by the City Marshal, at least twenty days prior to the beginning of such pavements, upon the owners or agents of owners of the property alongside such street, lane or other highway to be paved, and upon each company or corporation known as utility corporations having gas, water, sewerage, electric conduits or other underground connections, that all such connections must be made to the curb line before such pavement is laid. And all such gas, water, sewerage, electric conduits and other underground connections must be made as specified in said notice.

Any person guilty of a violation of any of the proviisons of this section or a refusal or failure to comply with such ordinance shall, upon conviction before the Police Court of the City of Savannah, be subject to a fine not exceeding one hundred ($100.00) dollars and imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court, and in addition to this, if said connections are not made prior to such pavement, the person, company, or corporation refusing or failing to comply with such notice shall be prohibited from making any underground connections whatsoever, which would require the tearing up of street pavements, for a period of five years from the completion of such pavements.

Feb. 3, 1915. See Acts 1914, p. 1178(4). Sec. 76 hereof.

1332. (1021.) General penalty. As to each and all sections in this chapter, wherein penalties are not specifically prescribed, each person violating the same, or any of them, shall be liable on conviction before the Police Court of the City of Savannah to a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both, in the discretion of the court.

CHAPTER LII.

DRY CULTURE.

1333. (1022.) Rice culture prohibited within two miles of city. The cultivation or rearing of rice shall be, and is, prohibited within two miles outside of the corporate limits of Savannah.

June 26, 1826.

1334. (1023.) Penalty on planter. Any person who shall plant, rear or cultivate rice or cause it to be planted, reared, or cultivated in contravention of the provisions of the preceding section, shall be subject, and is hereby made subject to a fine of not exceeding one hundred ($100) dollars for each and every day that he, she, or they 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 it is hereby declared to be a separate and distinct offense, and further subject to imprisonment not exceeding thirty days, either or both, in discretion of Police Court.

1335. (1024.) Penalty on owner. 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, such owner or owners shall likewise be considered as offenders, with the intent and meaning of this chapter, and are hereby made subject, as well as the tenant or tenants, cultivator or cultivators of said lands, to the penalties hereinbefore recited.

1336. (1025.) Mayor's duty to serve notices on owners, etc. 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, upon which the cultivation of rice is prohibited, 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 Police Court 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.

May 29, 1848. Mar. 6, 1878.

1337. (1026.) Owner or tenant failing to appear, rice to be destroyed. 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 Police Court, or if having appeared, no sufficient cause should be shown why the said rice should not be removed, and its culture abandoned; then, in such case, the said Police Court may direct the City Marshal and police force of Savannah, forthwith to remove the said rice, and destroy the same effectually, wherever it may be planted or growing on the land whereon its cultivation is prohibited, all at the expense of such offenders.

May 29, 1848.

CHAPTER LIII.

SIDEWALKS.

1338. (1027.) Charter power as to sidewalks. Said Mayor and Aldermen shall have power to order such pavements and sidewalks, and repairs of the same, as they may deem proper; and upon the failure of any person to comply with such order within the time prescribed, the said Mayor and Aldermen may have the same done, and levy and collect the expenses thereof by execution 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.

See charter part of this Code.

1339. (1028.) Sidewalks to be paved. Every owner of a lot, piece, or parcel of ground within the corporate limits of the City of Savannah, upon notice from the municipal authorities, shall be bound to place a good and sufficient pavement or sidewalk of the kind required by the city ordinances, 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 prescribed by ordinance, and of such height and level as shall be marked out by the City Engineer.

Aug. 28, 1851. July 14, 1875. Apr. 6, 1887.

1340. (1029.) Sidewalks to be kept in good order and repair. All sidewalks shall be kept in good order and repair by the owner or owners of the lot abutting on the same, from time to time, as the same may require; and, in putting in good order and repairing the same, all persons shall be required to maintain the grade as laid down by the City Engineer, and no sidewalk shall be taken and held as in good order in which any part of its surface may be raised out of the proper grade by any cause, or in which the cellar areas shall be out of grade, or which hold water in any part thereof.

June 30, 1886.

1341. Property owners to repair sidewalks. It is hereby made the duty of the owner or lessee of any lot in the City of Savannah to keep in good repair the sidewalk along the whole length and depth of said lot, which fronts on any street or square of said city, including the iron boxes for gas and water connections in said sidewalk, which shall have metal covers adapted to the sidewalk level.

May 3, 1911.

1342. Property owner primarily responsible for injuries through defect of sidewalk. The owner of any lot or tract of land within the corporate limits of the City of Savannah shall be primarily liable to any person injured by reason of any defect in or obstruction on the sidewalk bordering his property whenever the defect or obstruction is caused by the owner or person in possession, or wherever the defect is not caused by the owner or person in possession, but such defect has been previously brought to the attention of the owner, his agent, or the person in possession of said property, or where such defect remains unrepaired for such a period of time as would make the city liable; and whenever the Mayor and Aldermen of the City of Savannah are sued in such cases they shall vouch into court the owner of such property, and said owner shall be liable to the city for the amount of judgment obtained in such suit against the city,

Acts 1914, p. 1180, § 5.

1343. Sidewalks to be made of artificial stone. Whenever a sidewalk in the City of Savannah is laid or relaid it shall be unlawful to lay or relay the same with any material other than artificial stone; provided, that the committee of Council of said city known as the Committee on Streets and Lanes, may authorize the use of other material in the territory north of Liberty street and east of East Broad street, and in the territory north of Jones street and west of West Broad street.

May 3, 1911, ¶ 3.

1344. Notice to be published once a year. The Chief Engineer of said city is instructed to give public notice each year in the city Official Gazette to owners of realty and all other persons concerned, calling their attention to the requirements of this ordinance, and requiring them to put in order and keep in good condition the sidewalks along their property frontages, and warning them that they will be held liable for all damages resulting from their failure to comply with the provisions of this ordinance.

1345. Sidewalks, how laid. The Chief Engineer is directed to take all necessary steps to carry out the provisions of this ordinance, and to that end shall, from time to time, cause every sidewalk in said city to be closely and systematically inspected, noting all defects and obstructions, and giving to the abutting property owner or lessee a notice in writing specifying the defect in the sidewalk and designating the character of work to be done (either by relaying or repaving) to put such sidewalks into good order and condition, and requiring such owner or lessee to do such necessary work within ten days. In the event such notice is not complied with, said Chief Engineer will proceed to have such necessary work done on such sidewalk, so as to put the same in good order and condition as directed by him.

1346. Executions to be issued. After such work shall have been done said Chief Engineer shall give a written statement thereof to the City Treasurer, showing the expense of such work, the locality and the name of the abutting property owner, and thereupon the said City Treasurer shall issue an execution against such owner and the said abutting property for the amount of such expense, and shall place the said execution in the hands of the City Marshal to be proceeded with as in cases of other executions.

1347. Notice, how signed and served. The notice required by the foregoing section shall be signed by the Chief Engineer in duplicate; one copy of said notice shall be served by the City Marshal or his deputy upon the person to be notified, either personally or by leaving the same at his residence, and if such person be a non-resident of said city, then service shall be made by said City Marshal by mailing a copy of said notice to said person at his last known postoffice address, or be served upon the resident agent of such owner, if there be any, in the manner prescribed above for service upon the resident owner; the other copy shall be returned by the City Marshal to the said Chief Engineer with a return of service noted thereon.

1348. (1031.) No person to increase or lower height of sidewalk. No person shall be permitted to increase or lower the height of the sidewalks in front of his or her lots above or below the level or grade directed by the City Engineer. 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 offense, or imprisonment not exceeding thirty days, either or both, in court's discretion.

Aug. 19, 1839.

1349. (1032.) Width of sidewalks. The width of all sidewalks on any street not specially provided for by ordinance shall be as follows: the sidewalks of such streets which are not more than thirty-five (35) feet in width shall be six (6) feet wide; of the streets which are more than thirty-five (35) feet and not exceeding forty (40) feet in width the sidewalks shall be seven (7) feet wide; of the streets wider than forty (40) feet and less than seventy-five (75) feet, the sidewalks shall be nine (9) feet in width; on streets of seventy-five (75) feet and less than one hundred (100) feet, twelve (12) feet; on streets of one hundred (100) feet and upwards, fourteen (14) feet; Provided, that the owners of property abutting on streets requiring a greater width of sidewalk than nine (9) feet may pave the portion of sidewalk nearest the curb to a width of nine (9) feet, leaving the portion nearest the property line as a grass plat. The city reserving the right to have the said portion left as a grass plat paved by the owner of the property, as provided for by existing ordinances, at any time Council may see fit to do so.

Aug. 4, 1869. Mar. 7, 1887. Oct. 29, 1890.

1350. (1041.) Display of merchandise on sidewalks regulated. It shall and may be lawful for any person or persons to display their goods, wares and merchandise on the sidewalks of said city in front of their places of business in show cases or otherwise, provided that no person or persons shall occupy more than two (2) feet six (6) inches from the wall or front of such place of business with any goods, wares or merchandise, or with any show case for the same, and that no person or persons shall be permitted to put any of their goods, wares or merchandise on the curb or further than two (2) feet six (6) inches from the wall or front of such place of business; and further, from December fifth to twenty-fifth, inclusive, in each year, it shall be lawful to occupy sidewalks as aforesaid within a space two feet and one-half (2½) from the curb, but no goods or boxes shall be left on the sidewalks after 8 o'clock P. M. each day: Provided, that nothing herein contained shall be taken to give any person or persons any rights in the streets of the City of Savannah which may not be revoked at will by the said the Mayor and Aldermen of the City of Savannah in Council assembled.

Apr. 25, 1883. Dec. 23, 1891, p. 171. See sec. 288, 1357 hereof.

1351. (1042.) Obstructing sidewalks; penalty. Any person or persons who shall obstruct the streets or sidewalks of said city, except as permitted by the ordinances of the city, shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred dollars, or imprisoned not more than thirty days, either or both, in the discretion of the said court.

Apr. 25, 1883, § 2.

1352. (1043.) Bicycles, velocipedes, trucks, wheelbarrows, etc., forbidden on. No person shall use upon any of the sidewalks of the City of Savannah any vehicle known as a velocipede, or bicycle, under a fine of not exceeding twenty-five dollars, or imprisonment not exceeding ten days, either or both, for each offense. The provisions of this ordinance shall extend to barrels, trucks, wheelbarrows and hand carts of every description, except when necessary to cross any sidewalk from the curb to the entrance of any lot, building or enclosure.

May 14, 1869, c. 266. Apr. 10, 1907.

1353. Regulating skating upon sidewalks. It shall be unlawful for any person to skate upon roller skates upon the sidewalk or upon the walks or crossing of any park or square in the City of Savannah, except upon the sidewalks, walks or crossings in, through and around the Park Extension and Emmet Park.

Aug. 25, 1905. Jan. 25, 1911.

1354. Barriers about grass plats. No person shall erect or maintain upon any grass plats in the city limits adjacent to property owned or leased by him, any barrier about a grass plat, or upon the same, of a height less than two and one-half feet, and all such barriers shall not be less than six inches from the paved portion of the sidewalk. Barbed wire shall not be used as a barrier.

Nov. 21, 1917.

1355. General penalty. As to each and all sections of this chapter wherein penalties are not specifically prescribed, each person violating the same or any part of the same shall be liable on conviction before the Police Court of the City of Savannah to a fine not exceeding one hundred dollars or imprisonment not exceeding thirty days, either or both, in the discretion of the court.

CHAPTER LIV.

ENCROACHMENTS.

1356. (1057.) Encroachments; how marked out and removed. Whenever the City Marshal is ordered 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 Engineer, or the Street and Lane Committee, or a special committee of Council to be appointed for that purpose, and the said committee of officers are hereby authorized to call to their aid and assistance the city police, who are hereby required and enjoined to aid and assist in the premises.

Aug. 19, 1839. Mar. 5, 1913.

1357. (1058.) Encroachments on any street, lane, etc., unlawful. It shall not be lawful for any owner or lessee of any lot, or part of a lot, in the City of Savannah, to encroach by fence, or in any other way, on any part of a street, lane, or other thoroughfare, beyond the true building line of such street, lane or thoroughfare; and every such encroachment which may be made shall forthwith be removed to such building line, without any power on the part of the Mayor or other officer of the city to authorize the continuance of such encroachment. If, on notice to the party, such encroachments be not removed within twenty-four hours, or other reasonable time to be allowed by the Mayor (and which time shall in no case exceed thirty days), it shall be the duty of the City Marshal to remove such encroachment, at the expense of the party putting it up or continuing the same; besides which any person offending against any part of this section, may be fined, upon conviction in the Police Court, in a sum not exceeding thirty dollars for every day's offense or default, or imprisoned not exceeding ten days, either or both, in the discretion of the court.

Aug. 4, 1869. See citations under section 288.

1358. (1059.) Encroachments on lanes. No step or portico or other encroachment of any kind shall be so constructed as to extend beyond the line of the lot so as to encroach on any lane of the city, and if any such encroachments be not removed within twenty-four hours, or other reasonable time to be allowed by the Mayor (and which time shall in no case exceed thirty days), it shall be the duty of the City Marshal to remove such encroachment at the expense of the party puting it up or continuing the same, for which expense the City Treasurer is hereby authorized to issue an execution and place the same in the hands of the City Marshal, who shall collect the same as other executions due the city are collected.

Nov. 14, 1883.

1359. (1060.) Excavations of areas into lanes, to light or ventilate cellars; Council may grant permits for. It shall and may be lawful for Council, at any time, to grant by ordinance, permits to owners of lots and improvements within the city to excavate, construct and use areas extending into the lanes of the city.

All such permits, unless otherwise therein provided, shall be granted subject to the conditions herein named and the acceptance of such permit, or the excavation, erection and use of such area by any property owner, shall be taken and construed as an acceptance of the said conditions, and binding upon the said property owner and his assigns, future owners of the said property.

July 13, 1887.

1360. (1061.) Construction of such areas regulated. All such areas, including all walls and material of any sort in the construction of the same, shall not extend into the lane for a distance greater than four (4) feet from the line of said lot. They shall be set at such grade as the proper officers of the city may designate, and kept and maintained at such grade as may from time to time be determined on for the said lane without expense to the city. They shall be used only for the purpose of light and ventilation, and for no other purpose whatsoever, and shall be covered with a substantial wrought iron grating of such form as shall be an ample protection to persons and property passing through said lane, which grating shall be stationary and immovable, and not set upon hinges or other devices arranged for entrance and exit into the buildings through said area.

July 13, 1887.

1361. (1062.) Owners to indemnify city from all damages. The owners for the time being of any property, adjacent to which areas may be erected under the provisions of this ordinance shall indemnify and hold harmless the Mayor and Aldermen of the City of Savannah, of and from any and all loss or damage that may accrue against it by reason of the excavation, erection, use or occupation of the area herein provided for, or the obstruction of the lanes of the city.

Ibid.

1361-a. (1063.) Encroachments by steps or porticos, forbidden. It shall not be lawful to occupy any part of the sidewalks or pavements for steps or porticos, and no steps or porticos shall be built as to encroach on any part of the streets or lanes of this city; Provided, that the owner or owners of any house or building erected prior to June 2, 1886, to the reasonable use or enjoyment of which steps or a portico are or is a necessity, shall be permitted, upon application to Council, and approved thereof by Council, to occupy not exceeding four feet of the sidewalk of the streets (but not of the lanes) measured from the inner line thereof for steps or porticos.

June 2, 1886. Sept. 22, 1886. Oct. 18, 1915.

1362. (1064.) Council may permit stoops and porticos, when and how. It shall be lawful for the owner of any building who desires to project a stoop or portico on or over the line of the abutting street, to present his application for this privilege to said Mayor and Aldermen, such application shall specifically designate upon which side of the lot such stoops are desired to be erected, and said Mayor and Aldermen shall have the right, whenever they deem it expedient to do so, to grant said privilege, subject to such conditions as they may impose, with the understanding always that said portico or stoop is subject to be removed at any time when said Mayor and Aldermen may desire it done.

May 18, 1891, p. 177.

1363. (1066.) Failure to close up cellars or to keep in safe condition; penalty. Any person who shall fail to close up the area of cellar steps, after the close of business, or shall fail to keep such steps or railing in safe condition, shall be liable, on conviction before the Police Court, to a fine of not more than one hundred dollars, or imprisonment not exceeding thirty days, either or both, for every day's offense; besides which it shall be in the power of the Mayor or of the City Council to close up any such area whenever the same or the steps or railing thereof, shall be dangerous to persons passing the same, and 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 when the same is kept in bad order or repair, the owner or owners shall be deemed the offender or offenders.

Aug. 31, 1870. Dec. 11, 1857.

1364. (1067.) General penalty, the provisions of. Any person violating any section (or part thereof) of this chapter, wherein punishment is not provided, shall, on conviction before Police Court, be punished, by fine not exceeding one hundred dollars, and imprisonment not exceeding thirty days, either or both, in court's discretion.

CHAPTER LV.

STREETS AND LANES — VARIOUS REGULATIONS.

1365. Stepping stones prohibited on sidewalks. No person shall have or maintain in the street or on the sidewalk in front of property owned or leased by such person, any stepping stone or carriage block, and upon failure to remove any such stepping stone or carriage block now so maintained, the Chief Engineer is authorized hereby to remove the same.
Feb. 13, 1918.

1366. (1068.) Obstructions in streets by building material, merchandise, etc. No person shall bring, lay, put or cause to be 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 City of Savannah for a longer time than two 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, tents, 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 or conveyance, may be in any wise obstructed or rendered unsafe. 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 Chief Engineer, at the proper expense of the person or persons so offending. And if any person or persons shall molest or trouble the said Engineer in the execution of such duty, such person or persons shall, on conviction thereof, be punished as hereinafter prescribed; Provided, 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, with the right, however, in the Chief Engineer of the City of Savannah to require the removal of such materials, and all fences and encroachments, from the square, street, lane or alley upon forty-eight hours' notice, whenever street paving, or any public improvement, or exigency, makes such removal expedient, the removal to be made by the said Engineer, at the expense of the person or persons using the public domain, should he or they fail to remove within the forty-eight hours. 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, exceed that allowed by a written permit from the said Chief Engineer, which permit is hereby made necessary to the occupancy of said space, 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 daylight, and the City Marshal and police are hereby enjoined to notice and report to the Chief Engineer all encroachments, obstructions or nuisances mentioned herein.
Aug. 19, 1839. Oct. 4, 1907. Jan. 11, 1888.

1367. (1069.) Rubbish from buildings to be removed. All dirt, litter, or rubbish created by the erection or repair of any building shall be carried off by the person or persons owning said building, or engaged or interested in or conducting such buildings or repairs. 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 Chief Engineer, and he is hereby required, to employ any number of carts or wagons that may be necessary, and to have the same removed 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.

1368. (1070.) Digging or removing sand from streets, except by permit, penalty. It shall not be lawful for any person to remove any sand from the bank or bluff of this city. Any person who shall dig or remove sand or earth, or deposit sand, earth or other material, at any point in the public domain, or in the streets or lanes of the city, without authority previously obtained in writing from the Chief Engineer, shall be pubished as hereinafter prescribed.
Aug. 19, 1839. May 2, 1844.

1369. (1071.) Excavations forbidden, except by permission of Council. No excavation which may interfere with any pavement or crossing, shall be made for any purpose whatever (other than that of repairing such pavement or crossing under order of the proper authority), except by permission of Council (or, in case of great urgency, by permission of the Mayor or chairman of the Street and Lane Committee), and under the immediate supervision of the Chief Engineer, and on the express condition that such pavement or crossing shall be properly relaid, under the same supervision, and at the proper cost of the person causing such excavation, and immediately after the object of such excavation shall have been completed; and in no event shall any such excavation be so made or be continued so as to interfere needlessly with travel through any street, lane or thoroughfare.
Jan. 18, 1871.

1370. (1072.) Lights to be placed at excavations at night. At the place of every excavation in a street, lane or thoroughfare, there shall be placed at night, a light or lights, sufficient to warn persons of the existence of such excavations.
Jan. 30, 1840.

1371. (1073.) Manner of filling excavations regulated. In all cases where excavations are made for any purpose in the streets and lanes of the City of Savannah, the earth must be replaced in layers not greater than six inches, and each layer levelled and well rammed until the surface is reached. The paving (if on a paved street) to be replaced in conformity with the grade of the street, and to be done by an expert, and in case of settling, to be taken up, the surface regraded and repaved.
Feb. 1, 1882.

1372. (1074.) Vehicles left standing in the street, penalty. It shall not hereafter be lawful for any carriage, wagon, cart or other vehicle,

not attached to a horse or other draft animal, to remain in any street, lane or alley, for a longer time than two hours, under a fine of not more than ten dollars on any person found guilty of a violation of this section, and under imprisonment not exceeding five days, either or both; and it shall be the duty of the city police to put on the information docket every person offending as aforesaid.

May 26, 1869.

1373. (1075.) Vehicles obstructing street passengers, penalty. It shall not be lawful for any person to obstruct by any dray, wagon, cart or other vehicle, having or not having an animal or animals attached thereto, the free passage of persons through any street or other thoroughfare in said city, or the free access of any person to his or her property, or to any sidewalk in said city, or so to place any vehicle in any such street or thoroughfare, as to cause injury to any shade trees; and no person shall keep any dray, wagon, cart or other vehicle, except on his or her premises, or opposite thereto, for such time only as may be allowed by ordinance, on pain of being fined in the Police Court in a sum not exceeding thirty dollars, and of being imprisoned not exceeding ten days, either or both, for every offense of obstruction or other offense as above defined. It shall be the special duty of every officer and member of the police force to report every violation of this section.

Jan. 8, 1870.

See Section 580, this Code.

1374. Livery stables, not to wash horses in streets. It shall not be lawful for the proprietor of any livery stable in the City of Savannah to use a public street in said city for the purpose of washing thereon his live stock, or for the purpose of cleaning thereon his vehicles, or for the purpose of keeping standing thereon his live stock when not attached to any vehicle, and when the purpose is to use the public street rather than the stable. Any person violating this section shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed twenty-five ($25) dollars, and to imprisonment not to exceed ten (10) days, either or both, in the discretion of the court.

June 1, 1910.

1375. (1076.) Lanes not thoroughfares. The lanes of Savannah shall not be used as thoroughfares. They shall be ways for ingress to and egress from the property abutting thereon.

1376. Gates not to be left open outwardly. Occupants of premises shall not permit to be left open any gate opening outwardly upon a street or lane of the City of Savannah except for such time as may be necessary to permit ingress or egress through said gate. Any person violating the provisions of this section shall, upon conviction in the Police Court, be fined not more than $100 or imprisoned not more than thirty days, either or both in the discretion of the court.

July 4, 1917.

1377. (1077.) Houses not to be moved through streets without permit. It shall not be lawful to remove any house or building through the streets of Savannah, without the permission of the Mayor.

Oct. 30, 1856.

1378. (1078.) Throwing articles, etc., from upper stories. 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 articles 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, and the occupiers of buildings out of which such articles shall be cast, thrown, or suffered to fall, contrary

to the provisions of this section, shall be deemed the offenders, and shall for each and every offense be fined as hereinafter prescribed.

Aug. 2, 1839.

1379. (1079.) Baseball, football, etc., prohibited in certain squares. The playing or carrying on in any manner of baseball, football, cricket, or similar games or sports in any public square on Bull Street, or Forsyth Park (but not in Forsyth Park Extension) is prohibited. Also any assemblages, gatherings and collections of persons in any of said public squares for the purpose of playing or carrying on any of the aforesaid games or sports, or any part thereof, or any similar practices is hereby prohibited.

1380. (1080.) Throwing rubbish or filth into streets, etc. 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.

Dec. 11, 1857.

1381. (1081.) Throwing waste paper, rubbish, trash or litter in streets, etc. It shall not be lawful for any person to throw or cast any waste paper, rubbish, trash or litter of any character in the streets, lanes, squares or thoroughfares of the City of Savannah, and any person violating this section shall, upon conviction before the Police Court of the City of Savannah, be fined in a sum not to exceed ten ($10) dollars, and imprisoned not to exceed five (5) days, either or both, in the discretion of the court.

May 31, 1899.

1382. (1082.) Hauling sand, manure, slops, etc., through streets regulated. It shall be unlawful to haul or carry through the streets of said city any sand, manure, slops or other material which may tend to obstruct, change the grade of, render unclean the streets of said city, unless the same be hauled or carried in wagons, boxes or barrels, which will prevent the same, or any portion thereof, from falling into the streets through which it is carried.

May 20, 1885.

1383. (1083.) Signs upon posts regulated. It shall be lawful to erect or put up signs in the City of Savannah upon iron or wooden posts, provided such posts are securely and safely placed immediately within the curbing of the sidewalk, and in front of the place of business of the person or persons using the same; that such posts, if made of iron, shall be not less than two nor more than ten inches in diameter, and if of wood, not less than four nor more than ten inches in diameter; that such signs shall be at least eight feet above the pavement or sidewalk, and shall not be exceeding four feet in width and five in height; and provided further, that said signs shall be securely and safely fastened to the said posts, and that the erection of the said signs and posts shall be under the direction and supervision of the Chief Engineer.

Sept. 21, 1887.

1384. (1084.) Signs suspended from buildings. It shall also be lawful from and after the passage of this ordinance, to suspend signs from the sides of buildings in the City of Savannah, provided such signs are securely and safely fastened to the sides of said buildings, at the place of business of the person or persons using the same, are at least eight feet above the sidewalk, and do not overhang said sidewalk exceeding the width of the sidewalk, and in no event to extend more than ten feet from said building, and provided also that said signs shall be put up under the direction and supervision of the Chief Engineer.

Aug. 29, 1917.

1385. (1085.) Dangerous signs unlawful. It shall not be lawful to erect or put up in the City of Savannah, or to continue erected, or to have or use any sign that is unsafe or dangerous to life, limb, person or property, no matter how said sign may have been originally constructed or erected. Should any sign be or become unsafe or dangerous, within the meaning of this section, the person or persons owning or using such signs shall be notified of this fact by the Chief Engineer, and it shall thereupon become the duty of such person or persons to forthwith make the said sign secure and safe, or to remove the same.

Ibid. § 5.

1386. Electric signs on streets. It shall not be lawful to erect in the City of Savannah illuminated electric signs unless the same are strongly built and securely guyed and fastened to the buildings so as to resist wind pressure, making the use of posts or other supports unnecessary, and each sign shall be installed under the supervision and direction of the Chief Engineer; provided, however, that the Committee on Streets and Lanes may permit the suspending of illuminated electric signs across the sidewalks and streets of the city under the supervision of said Committee and Chief Engineer, and subject to the right of said Committee or Council to have the same removed at any time.

June 5, 1907. Jan. 29, 1908.

1387. (1086.) Disused signs to be removed. Should any sign be abandoned or disused, the same may be removed at the discretion, and upon the direction of the Chief Engineer, and at the expense of the person or persons abandoning or last using the said sign.

Sept. 21, 1887.

1388. (1087.) No vested rights in signs erected. The City of Savannah reserves full and entire police control over all signs, their location, use and continuance, in so far that no vested right shall accrue to any person or persons because of the construction of said signs, as against the said city of Savannah, touching the said signs or any matter or thing connected therewith.

1389. (1088.) Wooden awnings prohibited. It shall not be lawful for any person to put up or erect, in any street or thoroughfare within the City of Savannah, any wooden awning of any character whatever, under a fine of not more than five dollars a day for every day such awning shall be or remain in any such street or thoroughfare, or imprisonment not exceeding five days, either or both.

Mar. 12, 1873.

1390. (1089.) Cloth awnings, how constructed. When any person desires to put up an awning of cloth, the framework of such awning shall be of iron, and supported by iron posts not less than two inches in diameter, placed immediately on the inner edge of the curb, and connected with the horizontal portions of such framework, with strong and

substantial metallic bracket or support, projecting over the pavement or sidewalk. And no awning shall be so constructed as to interfere with the convenience of persons passing under it, or interfere with any gas or electric lamp or light, or corner cesspool; and in no case shall it be lawful to put any stop cock for water, gas or electricity or any street washer, or awning post, or lamp post, at the corner of the curb of any street or lane.

April 24, 1872.

1391. (1090.) Poles, erection of, permit necessary. It shall not be lawful to erect any poles in any street, lane, park or square of the City of Savannah, save after the consent of the Committee on Streets and Lanes to such erection. If, in the judgment of said committee the erection is proper, it may be allowed, if done under the supervision of the Chief Engineer. If the decision of the committee is adverse to the erection, an appeal may be made to Council, which may review the judgment of the committee.

Oct. 5, 1887.

1392. (1091.) Location of may be changed by Committee on Streets and Lanes. All poles now erected, or which may be hereafter erected, may be removed at any time by order of Council, and the location of said poles may be changed at any time, by direction of the Committee on Streets and Lanes, the decision of the said committee being subject to the review of Council, on appeal to Council.

1393. (1092.) Not to have prongs or hooks under eight feet from ground. No hook or prong shall be left in any of the said poles within eight feet of the surface of the street.

1394. (1093.) Not to be placarded. It shall not be lawful to place or put on any of the said poles any sign, poster, or placard of wood, tin, paper, or other material.

1395. (1094.) Must be painted, and with owner's name. The owner or owners of all poles shall neatly paint the said poles such color as the Committee on Streets and Lanes may direct and shall also place upon said poles the name of the owner or owners thereof, said name to be distinctly and legibly painted or stenciled thereon. The owner or owners of all poles shall comply with the provisions of this section within sixty (60) days after their erection.

Ibid. § 5. Nov. 12, 1890, p. 109.

1396. (1095.) Certain poles on Bay street to be removed. 1. Within ninety (90) days from and after June 21, 1905, the owner or owners of all poles erected on Bay Street in Savannah, Georgia, and of all wires strung thereon, between the east side of Drayton Street and the west side of Whitaker Street, except the poles and wires used by the Savannah Electric Company in its trolley system for operating its street car lines, are hereby directed to take down and remove the same from said portion of Bay Street.

2. If the owner or owners of said poles and wires so to be removed shall desire to lay wires in place of the same, underground, along said portion of Bay Street, then the said underground wires shall be laid under the direction of the Streets and Lanes Committee, and in pursuance of existing ordinances touching the manner of laying underground conduits, tubes or pipes for conductors, cables or wires.

3. If at the end of said period of ninety (90) days said poles and wires shall not have been taken down and removed, as hereinbefore required and directed, then and in such event, the Streets and Lanes Com-

mittee shall cause the same to be taken down and removed at the expense of said owner or owners.

Any person or corporation violating any of the provisions of this section shall, for each and every such violation, upon conviction before the Police Court of Savannah, be subject to a fine, not to exceed one hundred ($100) dollars, and imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court, and if any person or corporation shall neglect or fail to carry out the instructions of the Committee on Streets and Lanes under this section, such person or corporation shall be subject, on conviction before said Police Court, to a fine not to exceed fifty dollars ($50) and imprisonment not to exceed fifteen (15) days, either or both, in the discretion of the court, for each and every day's delay in carrying out such instructions.

June 21, 1905, p. 292.

1397. (1096.) Bill boards, etc., in streets prohibited. It shall be unlawful for any person to erect, set up or maintain in the streets of the City of Savannah, any boards or other structure on which it is designed to paste or post any bill, programme or other advertisement, and it shall be unlawful for any person to post any bill, programme or other advertisement on any post, board or structure in the streets of said city, but nothing herein contained shall be held or taken to prevent the attaching of bill boards to walls, houses or fences, and the posting of bills, programmes or advertisements on the same, provided such boards do not extend more than four inches over the line of the street, and provided further, that no bill boards shall be attached to walls, houses or fences, without the consent of the owners of said walls, houses or fences, and that no such bill boards shall be erected in any part of said city, except by permission of the Mayor, and, provided further, that the licenses hereby granted may be revoked at pleasure of Council. Any person or persons violating, or offending against the provisions of this ordinance, or any part thereof, shall, upon conviction before the Police Court, be fined for each offense not less than five, nor more than thirty dollars, or be imprisoned not more than thirty days, or both, at the discretion of the said Police Court.

June 3, 1885. July 1, 1885.

1398. (1097.) Pasting advertisements, etc., to trees. 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 section, 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 offense in a sum not exceeding five dollars, or be imprisoned not exceeding ten days, either or both.

March 25, 1852.

1399. (1098.) Trees, how planted. In the planting of trees in the City of Savannah, the following distance from the property line shall be observed, namely: On streets less than fifty feet wide the said trees shall be planted ten feet from the property line; on streets fifty feet and less than sixty feet in width, twelve feet from the property line; on streets sixty feet or more in width, thirteen feet from the property line.

May 2, 1888.

1400. (1099.) If planted otherwise may be removed, and penalty. It shall not be lawful to plant trees in the City of Savannah at distances other than those hereinbefore designated, and any tree or trees planted in violation of this ordinance may be removed upon the order of the Park and Tree Commission, and the person or persons planting such trees shall be liable, upon conviction before the Police Court, to a fine

not exceeding fifty dollars, with the alternative, upon the non-payment of the fine, of imprisonment not to exceed ten days, either or both.

1401. (1100.) Public processions or assemblages after sunset. It shall not be lawful for any persons to have or hold a public assemblage or procession in any street, square, or thoroughfare within the corporate limits of the City of Savannah after sunset and before sunrise, without the written permission of the Mayor of the city, and any such unlawful assemblage or procession shall be dispersed by the police force of the city, under the direction of the Mayor; besides which, every person who may be in such unlawful assemblage or procession shall, on conviction, be fined a sum not exceeding one hundred dollars, and may also be imprisoned for a period not exceeding thirty days, either or both.

Oct. 16, 1867.

1402. (1101.) Processions with music after 8 P. M., permit required. It shall not hereafter be lawful for any persons to have or hold any procession, military or otherwise, and at or in which there shall be music, in any street, lane, square or thoroughfare, within the corporate limits of the City of Savannah, after the hour of eight in the evening, except with the express written permission of the Mayor or Acting Mayor of said city; and any such unlawful procession shall be dispersed by the police force of said city, under the direction of the Mayor or Acting Mayor; besides which, every person who may be in such unlawful procession shall, on conviction before the Police Court, be fined in a sum not exceeding one hundred dollars, and may also be imprisoned for a period of not more than thirty days, either or both: Provided, that nothing in this section contained shall apply to the soldiers or troops of the United States or of the State of Georgia, under command of an officer.

Sept. 11, 1872.

1403. (1102.) Washing or drying clothes in streets. No 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.

Aug. 2, 1869.

1404. (1103.) Peddlers not to occupy streets with tables, etc. It shall not be lawful for any peddler or vender of goods, wares or merchandise, 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 merchandise on the ground for sale.

Oct. 29, 1857.

1405. (1104.) Sales of certain property, not under legal process, around Court House, forbidden. It shall not be lawful to sell at public outcry personal property of any description, except stocks, bonds and other securities, and except such property as is sold under order of the court or legal process, in front of or around the Court House in the City of Savannah, and any person violating this ordinance shall, on conviction before the Police Court of the City of Savannah, be fined in a sum not to exceed fifty dollars ($50) or imprisonment not to exceed ten (10) days, either or both, in the discretion of the court.

Nov. 26, 1890, p. 47.

1406. (1105.) Parapet walls on streets or wharves to be protected by banisters. 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 all times keep in good repair, a good and sufficient banister or balustrade of wood or iron on such wall, which said banister or balustrade shall be at the proper distance from the brink of said wall, and shall be not less than three feet

high, and calculated by its strength and construction to afford protection to passengers.

Aug. 19, 1839.

1407. House numbering; centesimal or block system used. All houses and buildings in the City of Savannah must have thereon the number designated by the Chief Engineer of the City of Savannah. In designating the numbers of houses and buildings by the Chief Engineer, the centesimal or block system shall be used as far as practicable upon the streets running east and west, that is to say, each separate block shall be designated by a different number in hundreds, the first block to be from one to one hundred, the next block commencing with one hundred and one, and so on.

Jan. 31, 1917.

1408. Bull Street dividing line, eastern and western sections. Bull Street shall be dividing line between the eastern and western sections of the city, and in fixing the numbers of the streets running east and west, the Chief Engineer shall commence from Bull Street with No. 1 and the numbers shall increase going east for the eastern section of the city, and shall increase going west from Bull Street for the western section.

1409. Property owners to place numbers designated. All persons owning houses or buildings in the City of Savannah shall place upon their houses or buildings the numbers designated by the Chief Engineer under this ordinance unless they now have their houses or buildings numbered with the number so designated. And the number shall be placed on the front of the house over or near the front door.

1410. Penalty for failure to number house after notice. It shall be the duty of the Chief Engineer to learn what houses or buildings are not numbered in accordance with this ordinance and he shall call the attention of the owner of such houses or buildings to the same in writing, and if the said owner or owners shall not place the number as provided in this ordinance upon said house or building within ten (10) days after such notice by the Chief Engineer, he shall be by said Chief Engineer placed upon the docket of the Police Court of the City of Savannah, and upon conviction therein be fined in a sum not exceeding ten ($10) dollars and imprisoned not exceeding five (5) days, either or both, in the discretion of the court. The mailing of notice properly addressed to the owner shall be evidence of the service of same.

1411. Service of notice; property owner designated. For the purpose of enforcing this ordinance a corporation may be deemed to be represented by its president, or in his absence by its vice-president, and in the absence of both, by the officer or individual in charge of the affairs of the corporation. The owner shall be deemed to be the person, firm or corporation appearing as owner upon the records of the tax assessors' office of the City of Savannah, Georgia. If the property be owned by an estate, the executor or administrator shall be held responsible and punishable under this ordinance. If the property be owned by a firm, co-partnership or tenants in common, each member of the firm, each co-partner or tenant in common shall be held responsible, and subject to the penalties provided. If the owner be a non-resident, his local agent shall be held responsible and punishable hereunder.

1412. Penalty for injuring, removing or mutilating house number. Any person removing, injuring or mutilating a number placed upon a house or building in pursuance of this ordinance without the consent of the owner of the house or building and the Chief Engineer of the city,

shall, upon conviction, be fined in a sum not exceeding one hundred ($100) dollars or imprisonment not exceeding thirty (30) days, either or both, in the discretion of the court.

1413. (1110.) Defacing streets or pavements by advertisements, etc., prohibited. It shall not be lawful for any person or persons, to print, write, or otherwise enter upon the streets or pavements in the City of Savannah, any advertisements of any character; or to otherwise deface said streets or pavements. Any person or persons violating this section, or any provisions thereof, shall, upon conviction before the Police Court of the City of Savannah, be subject to a fine not to exceed twenty-five ($25) dollars, or imprisonment not to exceed ten (10) days, either or both, in the discretion of the court.

Aug. 19, 1891.

1414. (1111.) Roller skating on asphalt streets prohibited. It shall not be lawful for any person to skate upon roller skates on the roadway of Broughton, Congress, Liberty, or Bull Streets, in the City of Savannah, or on the roadway of any street heretofore or hereafter paved with asphalt, and any person violating this section shall, upon conviction before the Police Court of the City of Savannah, be subject to a fine not to exceed twenty-five ($25) dollars, and imprisonment not to exceed ten (10) days, either or both, in the discretion of the court.

Mar. 30, 1892, p. 175.

1415. (1112.) Throwing glass, tacks, etc., on streets., etc., prohibited; penalty. It shall not be lawful for any person or persons to throw, drop or otherwise place in or on the roadways and sidewalks of any of the streets and lanes of the City of Savannah, or in or on any of the parks, squares and grass plats therein, or in or on any of the public roads within the jurisdictional limits of the City of Savannah any glassware, crockery, earthenware, broken glass, broken crockery, broken earthenware, nails, tacks or any other substances calculated to injure the feet of pedestrians or animals, and the wheels of bicycles or other vehicles, excepting such material as is used by the city or permitted to be used by other corporations or persons in the construction or repair of roadways, driveways, etc.

Any person or persons violating this section shall, upon conviction before the Police Court of the City of Savannah, be fined in a sum not to exceed one hundred dollars, or imprisoned not to exceed thirty days, either or both, in the discretion of the court.

Aug. 26, 1896, p. 395.

1416. (1113.) Mixing mortar, making fires, dropping oil, etc., on asphalt pavements prohibited; penalty. It shall not be lawful for any person, firm, or corporation to mix mortar or cause mortar to be mixed on any sheet asphalt or block asphalt pavement in the City of Savannah, unless the said pavement is protected by a platform constructed to the satisfaction of the Chief Engineer, nor shall it be lawful for any person, firm, or corporation to make or cause any fire to be made on any sheet asphalt or block asphalt pavement in said city; nor shall it be lawful for any person, firm, or corporation to cause or permit kerosene, coal oil, naphtha, benzine, or any other oil or lubricating or illuminating fluid to fall or flow on or over any sheet asphalt or block asphalt pavement in said city; nor shall it be lawful for any oil tank wagon or any vehicle conveying oil to pass on any sheet asphalt or block asphalt pavement in said city, unless there is provided a pan to catch the drip of the spigot or spigots, or other device or devices for drawing, measuring, or delivering oil.

Any person violating the provisions of this section, or any of them, shall be subject, upon conviction before the Police Court of the City

of Savannah, to a fine not to exceed the sum of fifty dollars and imprisonment not to exceed ten days, either or both, in the discretion of the court.

May 18, 1898, p. 339.

1417. (1114.) Railroads not to obstruct street crossings. It shall be unlawful for any railroad company to permit the train, cars, car or engine of said company to remain stationary or standing for longer than the space of five minutes on any street crossed by the railroad track of said company, or to obstruct in any wise said street crossing for a longer time than five minutes; and, further, it shall be unlawful for any railroad company to permit any train, cars, car, or engine of said company to remain stationary or standing in front of the entrance of any store for a longer time than five minutes so as to prevent access to the said store, except only when a car, or cars are being used for the owner or occupant of said store in the business connected therewith.

Jan. 11, 1899. Mar. 9, 1898. April 1, 1891.

1418. (1115.) Penalty on engineer, and others. In addition to the general penalty provided hereinafter, in every case of violation of the foregoing section, the engineer, or other person, in charge of said train or cars, or engine, shall, upon conviction in the Police Court of Savannah, be fined in a sum not less than $5 and not more than $25, or imprisoned in jail not longer than ten days, or both, at the discretion of said Police Court.

Ibid.

1419. (1116.) C. R. R. crossing on Bay Street Extended to keep gates. The Central of Georgia Railroad Company which crosses by its tracks Bay Street as extended in the City of Savannah, is hereby required to place and maintain on each side of their tracks at said crossings, gates to be approved by the Mayor, or watchmen at each track.

1420. (1117.) Penalty. Should the said company fail to erect and maintain the said gates, or watchmen, as required by the foregoing section, it shall be liable, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed $100 for each week's delay thereafter, the delay for each week constituting a separate and distinct offense.

1421. Streets and lanes hardened for private parties. The Chief Engineer is hereby authorized and empowered, at his discretion, to harden with gravel or similar substance, portions of any of the streets or lanes of said city, where the same is necessary for the purpose of affording any of the residents better and easier access to their premises; provided, however, that in all cases it shall be entirely optional with the said Chief Engineer as to whether he shall do said work, and, provided further, that the person or persons making application for the hardening of any portion of any street or lane, shall obligate him or themselves to pay one-half of the actual cost thereof.

Nov. 15, 1911.

1422. (1118.) General penalty. Any person violating the provisions of any section (or part thereof), of this chapter, wherein punishment is not provided, shall, on conviction before Police Court, be punished, by fine not exceeding one hundred dollars, and imprisonment not exceeding thirty days, either or both, in court's discretion.

CHAPTER LVI.

STREETS AND LANES—UNDERGROUND CONDUITS FOR ELECTRIC WIRES.

1423. (1164.) Conformity to ordinance required. All corporations, firms or persons to whom permission may be granted for renewing or laying underground conduits, tubes or pipes for electrical or other conductors or cables or wires, shall conform to the requirements hereof.

Feb. 27, 1895, § 1, p. 380.

1424. (1165.) Authority from Council requisite; prompt construction, etc. No street, alley, lane or road in the City of Savannah shall be broken or occupied by any corporation, firm or person for the purpose of laying down conduits, tubes or pipes for electrical or other conductors, cables or wire unless authority by ordinance or resolution of Council be first obtained.

During the construction or laying down of said underground conduits, tubes or pipes, conductors, cables or wires no street, alley, lane or road shall be opened, or the paving broken into for a greater distance than three hundred (300) feet at any time, except by consent of Committee on Streets and Lanes, and no section of the three hundred feet shall be kept open for a longer period than five (5) days, and said opening or trench shall not be of greater width than two (2) feet, and as the work progresses the paving shall be promptly relaid, and the street, alley, lane or road put in good condition.

1425. (1166.) Plans to be filed with Clerk of Council; work to be done under supervision of city. Prior to making an opening in any street, alley, lane or road, for the laying of conduits, tubes or pipes, for electrical or other conductors, cables or wires, the corporation, firm or persons desiring to lay same shall file plans and specifications with the Clerk of Council, for the Street and Lane Committee, showing the location, route and length of the proposed conduits, pipes and tubes, and the said Street and Lane Committee shall have authority to issue the necessary permit (authority from Council as provided for hereinbefore having been first obtained), for the opening of such street, lane, alley or road, as set forth in the application and plans, as are proposed to be occupied. The opening of any street, lane, alley or road without a permit having first been obtained, shall forfeit the right of any corporation, firm or person to use or occupy such street, lane, alley or road. The work of laying underground conduits, tubes, pipes, electrical or other conductors, cables or wires, shall be under the direction and to the satisfaction of the Street and Lane Committee, and City Engineer, who shall, at all times have free and unobstructed access to the conduits, tubes or pipes, electrical or other conductors or cables for the purpose of inspecting the same, or making connections therewith for wires or conductors in use, or to be used by the city, in which case the company shall have reasonable notice.

1426. (1167.) Bond to cover all damage, etc., to be given. All corporations, firms or persons occupying any street, lane, alley or road with underground conduits, tubes, pipes, cables, electrical or other conductors or wires, shall be liable for all damages to gas and water main service, and sewer connections with sewers, and also for any damages caused by the opening of trenches or condition of streets, alleys, lanes or roads, resulting from the laying of conduits, tubes, pipes, electrical, or other conductors, cables or wires, or making connections for which

the City of Savannah would otherwise be liable, or where the same belong to the city, and sufficient bond shall be given, subject to the approval of the Mayor, in the sum of $3,000, to cover the same, and the same party or parties shall be liable to the extent of the damages.

1427. (1168.) One duct for municipal purposes to be furnished. Any company, firm or person placing conduits under these provisions, shall furnish to the city on demand, one duct for municipal purposes free, provided no electric light or power wire shall be used in telephone or telegraph conduits.

1428. (1169.) Returns as to number and extent of wires to be made annually. All corporations, firms or persons having telegraph, telephone or electric lighting wires, electrical conductors or cables placed underground shall, in writing, on or before the first day of January of each year, upon request, certify under oath, to the Street and Lane Committee, the actual number of wires, location and the miles of wire and electrical conductors underground, owned or leased or controlled by them in the City of Savannah. Failure to make such a return in the time provided for herein shall subject the offenders, upon conviction before the Police Court of the City of Savannah, to a penalty of fifty ($50) dollars per day until such return is made, for each day's delay.

1429. (1170.) Poles. For the purpose of reaching the premises of users of the service furnished by any company, firm or individual, operating hereunder, the necessary poles for distributing wires from subways may be erected under the direction and supervision of the Street and Lane Committee.

1430. (1171.) Bond to repave excavations and keep in repair. Upon the passage of any ordinance granting any company, corporation, firm or individual, privileges under this chapter, or any ordinance in force, or to be hereafter passed, relating to or regulating underground wires, electrical or other conductors, conduits, pipes, cables or tubes, the said company, corporation, firm or individual shall, before exercising any privileges thereunder, give a bond, to be drawn and approved by the Mayor and Finance Committee of the City of Savannah, in the sum of two thousand dollars, conditioned that they will properly relay and pave all openings made by them, and for a period of one year thereafter, keep in repair the same. The Street and Lane Committee shall not issue any permit as aforesaid, until this condition is complied with.

1431. (1172.) Forfeiture of franchises. Should any company, corporation, firm or individual, to which or whom privileges have heretofore been, or shall hereafter be, granted, for the laying of underground wires, electrical conductors, cables or tubes, dispose of any of the franchises granted them by ordinance or lease, or consolidate or merge with any other company, corporation, firm or individual, they shall forfeit all rights and privileges granted to them by the City of Savannah.

1432. (1173.) Penalty for violation. Any person or corporation violating the provisions of this chapter, or any of them, shall, upon conviction before the police court of the City of Savannah, be subject to a fine not to exceed one hundred ($100) dollars, and imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court; and, further, if any person or corporation shall fail or neglect to carry out the instructions of the Committee on Streets and Lanes under this ordinance, such person or corporation shall be subject, upon conviction before the police court of the City of Savannah, to a fine not to exceed fifty ($50) dollars, for each and every day's delay in carrying out such instructions, with the alternative of imprisonment for any time not to exceed ten days.

CHAPTER LVII.

STREET RAILWAYS.

1433. (1174.) Street railways, how constructed and operated. Whenever any corporation authorized by law shall use the streets of the City of Savannah for the purpose of laying down and operating street railways, said railways shall be laid down, constructed and operated in conformity with the provisions of the ordinances of the city, and all permissions to use the streets of said city shall be granted subject to the provisions of said ordinances and such other conditions as may be prescribed by Council.

Aug. 15, 1883.

1434. (1175.) Quality of rails, lumber, etc. The rails used in the construction of such railways shall be of the latest and most approved pattern of rail used in the construction of street railways and such as shall be approved by the Street and Lane Committee. The lumber shall be of the best quality of yellow pitch pine, free from sap, and of a size to be approved of by the said committee. The Chief Engineer will furnish the lines and levels for the road, and shall supervise the entire construction of the road until the same is completed.

1435. (1176.) Roadbed, how constructed and how to be kept. The company or corporation constructing a railway in the streets of said city shall, at its own expense, arrange the roadbed, and so lay its tracks that the same will be of even grade with the street in which it may be laid, and shall bring its track four feet each way from the center of the same to the proper grade, to be fixed by the Chief Engineer, and shall at its own expense, repair and keep in repair according to the proper grade so fixed four feet each way, until otherwise required, from the center of said track with such material as will form a hard and uniform surface of even grade at the point of junction with the rails themselves, so that carriages and other vehicles can cross the track with facility and comfort, and at the points where the tracks of any company or corporation shall intersect or cross any street or lane of the said city, the company or corporation constructing the same shall provide such crossings as may be prescribed by the Committee on Streets and Lanes, of the full width of such street or lane as is comprised between the curbs of such street or lane, and at the points where it is necessary for the proper drainage of the said city, that ways should be provided for the passage of water under said track, then the company or corporation constructing the same shall put in such waterways as may be required from time to time, or at any time for the proper drainage of said city, on being required so to do by the Street and Lane Committee of Council, and all such waterways shall be kept open by the company or corporation constructing the said track; and in the event that any company or corporation so using the street of said city shall permit its roadbed, tracks or rails to become an impediment to the crossing over the same of carriages and other vehicles with ease, facility and comfort, or of the free passage of water at the points designated as aforesaid, then, and in that event, the said company or corporation shall be notified by the Chief Engineer of said city of the condition of such roadbed, tracks or rails so offering an impediment to crossings or passage of water, and the same shall be forthwith repaired by said company or corporation; and if not so repaired within forty-eight hours after service

of said notice, said company or corporation shall be put on the information docket of the Police Court, charged with a violation of this section, and on conviction in said court shall be fined in a sum not less than twenty-five ($25) dollars, nor more than one hunderd ($100) dollars, for each day in which said repair shall remain uncompleted.

1436. (1177.) Damages to private individuals to be paid by company. All damages that may be sustained by private individuals from the use and occupation of their property by any such company or corporation shall be met and paid by said company or corporation, and the said Mayor and Aldermen of the City of Savannah shall in no instance be responsible or liable therefor.

The Mayor and Aldermen of the City of Savannah shall in no case be liable for any damage which may be sustained by digging or other unavoidable work in repaving or laying gas or water pipes or sewers now running or to be run in said city, but the said authorities shall in no case tear up or undermine the tracks of any company or corporation to lay down any new pipe or tracks without relaying the same; provided that nothing herein contained shall prevent the said Mayor and Aldermen of the City of Savannah from laying or authorizing the laying of gas or water pipes, the building of sewers or the construction of other works which may be proper in the opinion of Council, which may temporarily obstruct said tracks.

Aug. 15, 1883.

1437. (1178.) Company under police regulations of the city. All such companies and corporations using the streets of said city as aforesaid, and the agents of the same, shall be under the same police regulation and be liable to fine and penalties as other persons for violating the ordinances of the City of Savannah.

1438. (1179.) Company's right-of-way, penalty for obstructing. The cars of any such company or corporation shall have the right-of-way on and over such railway tracks, turn outs and switches to the exclusion of all teams and vehicles (except fire apparatus in case of fire), and any person or persons who shall obstruct any such track by occupying the same or any part thereof, or otherwise retard the progress of the cars on the same after due notice given by the car bell or other proper signal, shall be fined on conviction thereof in the Police Court of Savannah in a sum not exceeding one hundred ($100) dollars, and be imprisoned not exceeding thirty (30) days, either or both, in court's discretion.

Aug. 15, 1883.

1439. (1180.) Cars; construction and lights. The cars to be used on any street railway, constructed as aforesaid, shall be of the most approved patterns. Each car shall be furnished with a proper light on the front and rear in the night time.

Ibid.

1440. Fenders upon street cars. It shall be the duty of all persons or companies operating street railways in the City of Savannah to equip and maintain in proper condition and in suitable working order, upon every passenger car, except trailers, of said street railway, used on the streets of said city, one of the fenders or wheel guards mentioned in the next section hereof, for the protection of life and property; provided no wheel guard shall be put on any car when the distance between the front of the car and the front of the truck is less than four feet six inches.

Mar. 10, 1909. June 30, 1909.

1441. Same, kind of fender to be used. The fender or wheel guard to be so used shall, at the option of the street railway company, be either Hunter, Parmenter, American, Pfingst, Providence, Sterling, Weaver, or Hudson-Bowring.

1442. Same, penalty. For a failure to equip and maintain one of the fenders provided for in the foregoing section, upon every car other than a trailer or work car, used within the limits of the City of Savannah, every person or company so operating said car, without said fender, shall be fined, on conviction in the Police Court of the City of Savannah, in the sum of one hundred dollars ($100), or imprisoned thirty (30) days; either or both in the discretion of the court, for each and every violation.

Each day's refusal or failure shall be held and regarded as a distinct and separate offense.

If the fender or wheel guard of a car is out of repair, it shall be a violation of this ordinance for a car, with such a fender or wheel guard, to make more than one round trip while the fender or wheel guard is out of repair and before the repair of the same.

1443. (1181.) Street car companies to water their tracks. Each and every company or corporation operating any street car line within the limits of the City of Savannah, shall water their tracks so as to effectually keep the dust on the same laid. Every company or corporation violating this ordinance shall be fined, on conviction thereof in the Police Court, in the sum of fifty ($50) dollars for each and every violation of the same.

Dec. 12, 1883.

1444. (1182.) Speed in crossing other tracks. It shall hereafter not be lawful for any street car propelled by electricity on any street in the City of Savannah to cross the tracks of any street car line in the City of Savannah at a speed greater than the rate of three miles an hour.

Mar. 30, 1892, § 1, p. 152.

1445. (1183.) Right of precedence at crossings. Street cars going north and south, in crossing intersecting tracks, shall have precedence of street cars going east and west in the City of Savannah, and a car going east or west shall give a car going north or south ample opportunity to completely pass before it proceeds across an intersecting track, coming, if necessary, to a full stop. The intent of this section is to require great care to avoid collisions and to give the car going north or south the right-of-way.

1446. (1184.) Penalty. Any company which shall violate, through any employe, the two preceding sections, or any provision thereof, shall, upon conviction before the Police Court of the City of Savannah be subject to a fine not to exceed one hundred ($100) dollars; and, further, any motorman or other employe of any company violating the same, or any provision thereof, shall also, upon conviction before the Police Court of the City of Savannah, be subject to a fine not to exceed one hundred ($100) dollars, and to imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court.

1447. (1185.) Where two companies on same street, required to use same poles and span wires. It shall not be lawful for any street railroad company using electricity as a motive power in the City of Savannah to put up poles and span wires for supporting the trolley wire, in the City of Savannah, where they have already been put up by another street railroad company using electricity on the same street and running a parallel line. And it is hereby made the duty of both companies to use the same poles and span wires.

Apr. 13, 1892, § 1, p. 144.

1448. (1186.) First company erecting to receive compensation from other. The street railroad company which has first erected the poles and span wires already in use shall receive from the railroad company subsequently using the same proper and proportionate compensation for the cost and expense of the said poles and span wires so used, and in the event the companies cannot agree upon such proportion, then the amount to be paid shall be fixed by the Committee on Streets and Lanes.

1449. (1187.) Expense of maintenance to be shared. It is hereby made the duty of the railroad company which has put up the poles and span wires to keep the same in order, and the said railroad company shall be entitled to receive from the company using the same, its just proportion of the expenses incident to keeping the same in order. In the event the two companies cannot agree at any time upon this expense the same shall be fixed and determined by the Committee on Streets and Lanes.

1450. (1188.) Rate of speed for electric railways. It shall not be lawful for any electric railway company operated in the City of Savannah to run any of its cars north of the southern line of Liberty Street, in the City of Savannah, at a rate of speed exceeding ten miles an hour, and south of the said southern line of Liberty Street, in the City of Savannah, at a rate of speed exceeding fifteen miles an hour, and in case this section is violated, the employes of the railway company guilty of the violation shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed one hundred ($100) dollars, and imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court, and further, the railway company itself shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed one hundred ($100) dollars for each and every violation of this section.

Oct. 11, 1893, § 1, p. 127. Aug. 1, 1917.

1451. (1189.) Motormen and conductors required to be of certain ages. It shall not be lawful for any electric railway company operated in the City of Savannah, to employ for the operation of any car in the City of Savannah, as a motorman, any person under twenty-one years of age, or as a conductor, any person under eighteen years of age, and any electric railway company violating this section, shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed one hundred ($100) dollars, and each day's violation shall be a separate offense.

Oct. 11, 1893, § 2. July 18, 1894, p. 120.

1452. (1190.) Unlawful to run car without both motorman and conductor. It is hereby made the duty of every electric railway company operating its cars in the City of Savannah to have upon each car run in the City of Savannah a conductor and motorman, and it is hereby made unlawful for such car to be run without both a conductor and motorman. Provided, however, that the electric railway companies may operate a standard one-man car of a type to be approved by the Mayor and chairman of the Committee on Streets and Lanes, upon which car one man may act as both motorman and conductor, and provided further that until standard one-man equipment can be obtained those electric cars operating upon the Battery Park line, Fifty-fourth Street line and the Indian Street line may be operateed with one man acting as both motorman and conductor, using the present equipment.

Oct. 11, 1893, § 3, p. 128. June 19, 1918.

1453. (1191.) Weight of rails prescribed. It shall not be lawful for any street car company to lay or construct any tracks for use in the City of Savannah with rails weighing less than fifty (50) pounds, and whenever an old track or any part thereof is relayed, this provision as to the weight of rails shall apply.

Dec. 1, 1897, § 1, p. 407.

1454. (1192.) Tracks to be sunk even with street pavements. All street car companies using the streets of the City of Savannah are hereby required to sink their tracks, on street crossings and paved streets, even with the pavements, and to have the paving between their tracks on paved streets even with the street pavements on either side thereof.

1455. Street car shall not pass another standing still. It shall be unlawful for street cars running in opposite directions, in any street in Savannah, to pass each other at the intersection of any two streets, nor shall it be lawful for any street car, either passenger, parcel or freight, to pass at any point while said car is standing still for the purpose of permitting passengers to leave said standing car.

July 31, 1907.

1456. Street car crossing, regulations of. When any two or more cars are approaching the intersection of streets, all motormen controlling said cars are required to regulate the speed of same so as to prevent passage at said intersections or crossings; and when meeting cars are approximately the same distance from said intersections or crossings, the car going south shall have the right-of-way at said intersection or crossing, and the speed of such car going north shall be so regulated that the southbound car shall clear such intersection or crossing by at least fifty (50) feet before the northbound car shall pass the car going south. Cars going east and west shall observe the same rule as north and southbound cars, the right-of-way at street intersections of crossings belonging, in such cases, to the car or cars bound east.

1457. (1193.) Committee on Streets and Lanes to require compliance. It is hereby made the duty of the Committee on Streets and Lanes to see to the observance of the provisions of the two preceding sections, and that street car companies using the streets of Savannah, shall comply with and observe all of their obligations with reference to the public.

Dec. 1, 1897.

1458. (1194.) To furnish separate accommodations for white and colored passengers on cars. All companies, persons, firms and associations operating street cars in the City of Savannah are hereby required to furnish separate accommodations for white and colored passengers, and all white and colored passengers occupying seats in street cars in the City of Savannah are hereby required to occupy the respective cars or divisions of cars, provided for them, so that the white passengers shall occupy only the cars, or division of cars provided for white passengers, and the colored passengers shall occupy only the cars, or division of cars, provided for the accommodation of colored passengers. All companies, firms, persons and associations operating street cars in the City of Savannah shall furnish such separate accommodations, at their option, by the operation together of two or more cars, providing separate cars for white passengers and separate cars for colored passengers, or by furnishing separate accommodations for white and colored passengers in the same car. When separate accommodation is furnished for white and colored passengers in the same car, the front part of the car shall be designated for white passengers and the rear part of the car for colored passengers. When two or more cars are operated together, thus providing separate car or cars for white passengers and separate car or cars for colored passengers, the front car or cars shall be designated for white passengers and the rear car or cars for colored passengers. The

cars, or parts of cars, furnished for white and for colored passengers, respectively, shall have placed conspicuously at each end of the car, or part of car, signs in plain letters, not less than two inches high, indicating by the words "white" or "colored," as the case may be, that such car, or part of car, is provided for the use of white passengers or colored passengers, as the case may be; and when open cars to be entered from the side of the car are provided for the accommodation of both white and colored passengers, additional such signs shall be provided and placed conspicuously on the side of the cars so as to indicate thereby the portion of the car to be used by white and colored passengers, respectively.

Sept. 12, 1906.

1459. (1195.) Penalty. Any officer, agent or employe of any company, person or firm, who shall as superintendent or other officer of such company, or as conductor, motorman or other employe of such company, operate any car not so provided with signs on the streets of the City of Savannah for the transportation of passengers, shall, upon conviction thereof be fined not more than one hundred ($100) dollars, or by imprisonment not more than thirty (30) days, for each such offense; and any white person wilfully occupying as a passenger any car or part of car not so set apart and provided for white passengers, and any colored person wilfully occupying as a passenger any car or part of car not so set apart and provided for colored passengers, shall be deemed guilty of disorderly conduct and shall be punished by fine not exceeding one hundred ($100) dollars, or by imprisonment not exceeding thirty (30) days.

1460. (1196.) Duty of conductors and motormen. It is hereby made the duty of conductors and motormen and others engaged in the operation of street cars within the limits of the City of Savannah to call the attention of passengers to such signs and to the fact that separate provision is made for white and colored passengers, and to request white and colored passengers who are about to enter, or who have entered cars, or division of cars, not intended for their accommodation, to occupy only the cars or divisions of cars provided for their accommodation; and if any such passenger refuses or fails to leave the car, or part of car, not intended for their accommodations, to occupy only the cars or divisions of cars provided for their accommodation; and that if any such passenger refuse or fails to leave the car, or part of car, not provided for his or her accommodation, such conductor, motorman or other person operating such car shall notify the Police Department, or a member thereof, as soon as it is possible.

1461. (1197.) Police to arrest passengers occupying wrong place. Any police officer of the City of Savannah seeing any white or colored passenger occupying a car or part of car not provided for his or her accommodation as indicated by such signs, shall arrest any such person and take him or her to the Police Station as in case of any other person guilty of disorderly conduct.

1462. (1198.) Special cars may be run exclusively for either race. Special cars, in addition to the regular schedule cars, may at any time be run for the exclusive accommodation of either white or colored passengers for special occasions or special business.

1463. (1199.) Penalty for molesting signs on car. Any person wilfully molesting, removing, mutilating or destroying any sign put or placed on any car, as hereinbefore provided, and while such car is being operated for the transportation of passengers, shall be guilty of disorderly conduct, and upon conviction, be punished by fine not exceeding

one hundred ($100) dollars, or by imprisonment not exceeding thirty (30) days, either or both.

1464. Street car transfers, regulating use of. Every street railroad company doing business in the City of Savannah shall cause to be printed on the transfer tickets issued by it to passengers the conditions under which such tickets must be used. Whoever wilfully uses a transfer ticket in violation of any reasonable condition printed on said transfer ticket, and whoever uses or attempts to use a transfer ticket not issued to him, or whoever, for value, disposes or attempts to dispose of a transfer ticket issued to him to any other person, or whoever, for value, delivers or attempts to deliver a transfer ticket not issued to him to any other person, shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed twenty-five dollars ($25) or imprisonment for a term not to exceed thirty (30) days, either or both, in the discretion of the court; provided nothing in this ordinance shall abridge or alter the contract now existing between the City of Savannah and the Street Railway Company, under the terms of which the street car company agrees to carry a passenger to any place between any points within the city limits upon the payment of a five-cent fare.

June 16, 1909.

1465. (1200.) General penalty. As to any sections of this chapter, wherein no punishment is prescribed, any person or corporation violating the same shall be punished on conviction in the Police Court by a fine not exceeding one hundred dollars or imprisonment not exceeding thirty days, either or both, in the discretion of the court, and where the violation is a continuing one, each week's neglect or failure to observe any of the requirements of any section of this chapter shall be held to be a separate and distinct offense and be punished accordingly.

Feb. 26, 1908.

CHAPTER LVIII.

TRAFFIC REGULATIONS.

1466. (1133.) Drivers of vehicles for hire, qualifications, etc. Each dray, cart, wagon, carriages, cab, hack, automobile or other vehicle intended for hire on the streets or within the limits of the City of Savannah, Georgia, shall be driven and managed by a sober, discreet and able person, not less than sixteen (16) years of age, nor shall any such vehicle be left by any person owning or controlling the same, for any period of time on the streets or within said limits in control of any one except such a person, sixteen years old or over. For all infractions of this section the owner, as well as the driver of the vehicle in question, shall be punished as hereinafter prescribed.

No license shall be issued to any one to drive, use or operate such vehicles within the limits of said city, except he be of such required age and possess such qualifications.

Dec. 20, 1905, §§ 1 and 2, p. 328. Ext. Acts 1915, p. 115, §§ 15 and 1502.

1467. (1134.) Obliged to carry goods or passengers on application. Each driver respectively of such drays, carts, wagons, carriages, cabs, hacks, automobiles or other vehicles for hire shall be obliged and is hereby required at all times when he is on said streets with such vehicle to perform his full duty as common carrier, nor shall such driver when not actually engaged or pre-engaged to work for some other person refuse to immediately carry all goods, wares, merchandise, commodities or passengers as the case may be, according to the adaptability and capacity of such vehicle on application being made to such driver and payment of the proper carriage price or fare being tendered to him, and for every neglect or refusal to comply with the requirements of this section, such driver or drivers shall be punished as hereinafter provided.

1468. Rates of fare for automobiles, hacks, etc. It shall not be lawful for any person or persons engaged in driving a public automobile, hack, omnibus, wagonette, or other vehicle for hire, within the limits of the City of Savannah, to charge more than the following rates:

(a) Within the district bounded as follows: Commencing at the foot or northern end of Randolph Street and running south on Randolph Street to Liberty Street (including Tybee depot and yards), thence west on Liberty Street to East Broad Street, thence south on East Broad Street to Gwinnett Street, thence east on Gwinnett Street to Atlantic Avenue, thence south on Atlantic Avenue to Fortieth Street, thence west on Fortieth Street to West Boundary Street; thence north along the western line of West Boundary Street (including Brinson Railroad depot and Laurel Grove Cemetery) to Jones street, thence west along Jones Street to Stiles Avenue, thence north along Stiles Avenue (including Midland Railway depot and yards), to Louisville Road, thence east along Louisville Road to West Boundary Street, thence north along West Boundary Street to Bay Street, thence west along Bay Street to the western city limits, thence north along the line of the western city limits to the Savannah River, thence east along the southern line of the Savannah River to the point of beginning, the rate of transporting passengers by all horse-drawn vehicles from one point to another within said boundaries shall not exceed twenty-five (25) cents for each passenger.

(b) All public automobiles or other motor-driven vehicles for hire, shall not charge in the said district in excess of fifty cents for one or

two passengers, and twenty-five cents for each additional passenger carried.

(c) Within the corporate limits of the city, lying outside of the district hereinbefore described, the rate for all horse-drawn vehicles shall not exceed fifty cents for one passenger, with a charge not to exceed twenty-five cents for each additional passenger.

(d) Within the corporate limits of the city, lying outside of the district hereinbefore described, the rate for all public automobiles, or motor-driven vehicles shall not exceed seventy-five cents for one or two passengers, with a charge not to exceed twenty-five cents for each additional passenger carried.

(e) For five-seated automobiles used within the corporate limits of the City of Savannah, the rate shall not exceed $3.00 per hour. For seven-seated automobiles, the rate shall not exceed $4.00 per hour. For one-horse cabs, or hacks, the rate shall not exceed $1.00 per hour. For two-horse hacks or cabs, the rate shall not exceed $1.50 for the first hour and shall not exceed $1.25 for each hour thereafter.

(f) Hourly charges shall apply from the time the vehicle arrives at the place ordered until the passenger releases the same.

(g) Within the district described in paragraph "a," the rate for transferring, moving and delivering trunks and all other baggage, with the exception of hand baggage, shall not exceed twenty-five cents each.

(h) Within the corporate limits of the city lying outside of the district hereinbefore described the rate for moving, transferring and delivering all trunks and baggage, with the exception of hand baggage, shall not exceed fifty cents for each trunk.

(i) There shall be no extra charge for hand baggage taken by any passenger or passengers in any of the public vehicles for hire.

Apr. 15, 1914. Dec. 20, 1916.

1469. (1136.) Rates to be posted inside vehicles. It is hereby made the duty of the drivers of the said vehicles to post inside the vehicles, so that it may be plainly seen by passengers, a printed notice, showing the rates fixed by ordinance.

Oct. 11, 1893, § 3.

1470. (1137.) Drivers to wear badges and numbers. Each driver of said vehicles shall wear a badge placed on the outside of his coat, properly numbered, so that he may be designated. Said badges to be furnished by the City Treasurer to the owners of vehicles, for which licenses have been duly taken out.

1471. (1145.) Penalty for extortion. If any driver of an automobile, hack, dray, cart, wagon or other vehicle shall be convicted of extortion or of charging more than the rates prescribed by ordinance, he shall, upon conviction in the Police Court of the City of Savannah, be fined in a sum not exceeding one hundred dollars or imprisoned not exceeding thirty days, either or both, in the discretion of the court.

1472. Hack stands. The following stands, in the City of Savannah, are hereby established for the drivers of passenger vehicles in the City of Savannah, when waiting to be hired, namely:

(a) East side of Bull Street between Bay Street and Bay Street lane, as a stand for two (2) hacks only.

(b) West side of Johnson Square, next to the curbing, between Bryan and Congress Streets.

(c) East side of Johnson Square, next to the curbing, between Bryan and Congress Streets, except on Sundays, during church hours, when it shall not be lawful for drivers to remain on this side of Johnson Square.

(d) East side of Bull Street, between Broughton Street and Broughton Street lane, as a stand for two (2) hacks only.

(e) North side of President Street, between Bull and Whitaker Streets, as a stand for four (4) hacks only.

(f) North side of McDonough Street between Bull and Drayton Streets.

(g) South side of Liberty Street between Bull and Drayton Streets.

(h) Harris Street between Bull and Drayton Streets.

(i) Park Avenue between Bull and Drayton Streets.

(j) The Central Railroad Depot, on Railroad Street only, and west of West Broad street.

(k) Fifty (50) feet along West Broad Street, directly in front of the entrance of the Union Station shall be kept clear, and shall not be occupied by any omnibus, hack, rent automobile or other vehicle for hire, except while passengers are alighting therefrom. Immediately north of said fifty feet an omnibus and hack stand is hereby established, and immediately south of said fifty feet and extending around into Roberts Street an automobile stand is hereby established; provided the automobiles, while on said stand, shall not interfere with the persons passing along the western sidewalk of West Broad Street. The driver of every rent or hack automobile while on said stand shall remain in his automobile or at the door thereof, and no such driver shall be permitted to leave such door, except for the purpose of putting on baggage.

(l) Oglethorpe Avenue and Houston Street.

(m) At the Tybee Depot, inside of the Railroad Yard, but not on Randolph Street.

(n) East side of East Broad Street and south of Liberty Street.

(o) East side of Barnard Street between Broughton Street and Broughton Street lane.

June 8, 1908. Nov. 15, 1911. May 17, 1912.

1473. Hacks to be lighted and numbered. Each passenger hack or cab, used in the City of Savannah for hire, shall, after dark, have two (2) lights with numbers on lamps in cut metal not less than an inch and a half in length. The Treasurer of the City of Savannah is directed to preserve the numbers of the said drivers so as to make it unnecessary for drivers to change the numbers on their lamps.

June 8, 1908. Apr. 7, 1897, § 2.

1474. Hacks, other regulations. It shall be unlawful for any driver or other person to sleep in any hack or other passenger vehicle. It shall be unlawful for the driver or person in charge of such hack or other passenger vehicle to leave the same unattended. Circling in front of a railroad depot is prohibited.

June 8, 1908, § 3.

1475. Hacks and passenger vehicles to be inspected. The Chief of Police of Savannah is hereby made the inspector of hacks and passenger vehicles, and no license shall be issued therefor unless the vehicles and the animal or animals propelling the same are in a satisfactory condition, and the license may be revoked at any time if this condition becomes unsatisfactory.

1476. Other stands may be established by Street and Lane Committee. The Street and Lane Committee may add other stands in addition to those hereinbefore specified, and the said committee may also erect, or cause to be erected poles at the stands, and the drivers of the vehicle first arriving at the stand shall be entitled to the place nearest the said pole, and other drivers to places in the order of their arrival.

1477. Penalty. Any driver of any vehicle who violates any of the provisions of the foregoing sections with reference to hack stands, or any

lawful rules and regulations made in pursuance thereof, or who sleeps in his vehicle or leaves the same unattended, shall upon conviction in the Police Court of the City of Savannah be fined in a sum not exceeding one hundred dollars or imprisoned not exceeding thirty days, either or both, in the discretion of the court.

1478. (1142.) Keeping in motion about hotels prohibited. It shall be the duty of the drivers of passenger vehicles for hire in the City of Savannah, when waiting to be hired, to stand at the place or places designated by ordinance or by the Committee on Streets and Lanes, and shall not be lawful for the said drivers to keep their vehicles in motion around and about the hotels in the City of Savannah when waiting for customers, the purpose of this prohibition being to prevent the said drivers from moving their vehicles up and down in front of the said hotels and thus obstructing the usage of said streets when the said drivers are looking for customers.

Apr. 22, 1896.

1479. (1146.) Drivers at depots, etc., to remain at doors of their vehicles. Every driver or runner for hotel or boarding house shall remain at his carriage, omnibus, or hack door, at every depot, wharf or landing during the time passengers are being landed, or are getting out of the car or cars, and no such driver or runner shall be permitted to leave such door, except only and strictly for the purpose of putting on baggage. In case the wharf or depot is not open to the omnibuses and hacks, the police on duty at such wharf or station, shall keep free and open way to and from the entrance to such wharf or depot, and no hackman or drayman shall be permitted within such enclosure.

1480. (1147.) Railroad iron, etc., to be carried lengthwise on truck. All railroad iron, boilers, hoops, 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 streets within the limits of the City of Savannah.

Feb. 24, 1853.

1481. (1148.) Bull Street, between Broughton and Gaston, trucks, drays and wagons prohibited from using. For the purpose of preserving that portion of Bull Street, hereinafter described, from damage as far as possible, and of maintaining the same as a boulevard or pleasure drive for the people of Savannah, it shall, hereafter, not be lawful for the driver of any truck, dray or wagon to use that certain street in the City of Savannah, known as Bull Street, from the south side of Broughton Street to the north side of Gaston Street, except in crossing said street; provided, however, that drivers of such trucks, drays or wagons shall have the right to use such portion of said street as may be necessary, and no more, in making deliveries of articles to or from any point or points along the line of said street, and any driver violating the provisions of this ordinance shall be subject, upon conviction before the Police Court of Savannah, to a fine not to exceed ten ($10) dollars, and imprisonment not to exceed ten (10) days, either or both, in the discretion of the said court.

Mar. 11, 1896, p. 393.

1482. (1149.) Bicycles at night to display lights and ring bells. It shall not be lawful for any person to ride on any street in the City of Savannah after nightfall any bicycle, tricycle, velocipede or other similar road carriage, unless such person shall display, attached to such road carriage, a light, and shall also ring a bell as a signal upon his approach at street crossings.

Any person who shall violate the provisions of this section shall,

upon conviction before the Police Court of the City of Savannah, be fined in a sum not to exceed twenty-five dollars, or imprisoned not to exceed thirty (30) days, either or both, in the discretion of the court.
Oct. 14, 1891, p. 19.

1483. (1150.) Bicycles, etc., rate of speed. Any person using a velocipede, bicycle, tricycle, or similar vehicle, in the City of Savannah, shall not be allowed to proceed on any street in the City of Savannah, at a speed greater than at the rate of ten miles per hour. Racing and "scorching" by the riders of said vehicles is hereby prohibited.
Apr. 7, 1897, p. 416. May 5, 1897, p. 414.

1484. (1152.) On Oglethorpe Avenue or Liberty Street. It shall be the duty of all persons driving or using on Oglethorpe Avenue (formerly South Broad Street), or Liberty Street, in the City of Savannah, any automobile wagon, buggy, carriage, and any similar vehicle, and of all persons using on said two streets a velocipede, bicycle, tricycle or any similar vehicle, in going east thereon to take the paved way on the southern side of said two streets, and in going west, to take the paved way on the northern side of said two streets, excepting the block on south side of Liberty Street, between Bull and Drayton, and the block on the south side of Oglethorpe Avenue, between Drayton and Abercorn Streets. Any person violating the provisions of this section shall be subject, upon conviction, before the Police Court of the City of Savannah, to a fine not to exceed fifty ($50) dollars and imprisonment not exceeding ten (10) days, either or both, in the discretion of the court.
May 5, 1897, p. 414.

1485. (1151.) Vehicles of all kinds to keep to the right. It is hereby made the duty of all persons, driving, or using, on any street in the City of Savannah, any automobile wagon, truck, buggy, carriage, and any and all similar vehicles, and also all persons using on said streets, a velocipede, bicycle, tricycle and any similar vehicle, to keep to the right of said streets, whenever it is practicable to do so, and in going around squares in the City of Savannah, to take to the right hand side of the squares.

Whenever it may become necessary to stop any of the vehicles named in this section on any of the streets of this city, it shall be the duty of the person in charge of any such vehicle to at once draw or drive the same alongside the pavement or sidewalk of any such street, and parallel thereto, unless otherwise expressly provided herein, so that any vehicle shall not project into a street at an angle to the pavement or sidewalk, provided that nothing in this section shall prevent omnibuses, drays, or vehicles of a like character from backing up to the sidewalk for the purpose of loading or unloading within a reasonable time. In these cases, teams shall be turned at right angles to the vehicles and parallel to the curbing, when possible.
Apr. 7, 1897, p. 415; Apr. 13, 1892. See §§ 1495, 1496.

MOTOR VEHICLES, ETC., REGULATIONS OF.

1486. Motor vehicles to be registered. Every person, firm or corporation owning, using or operating within the corporate limits of the City of Savannah, upon the streets and lanes thereof, any automobile, motorcycle or other vehicle, or conveyance of like character, whether propelled by gasoline, steam, electricity or other motive power, shall register the State license number with the Clerk of Council of the City of Savannah, on or before the first day of March, 1916, and at the time of first operation and each year thereafter not later than the first day of March. Provided, that the provisions of this section shall not apply to persons passing through the City of Savannah, or visiting said city for a period of thirty (30) days or less.

A special book shall be kept by the Clerk of Council for the purpose of registration of said machines, which registry shall show the name and street address of the owner and number assigned by the State, and the make, style and kind of such automobile.
Sept. 17, 1913. Jan. 21, 1914.

1487. Chauffeurs to register license at police barracks. Every chauffeur operating within the corporate limits of the City of Savannah upon the streets and lanes thereof, any automobile, motorcycle or other vehicle or conveyance of like character, whether propelled by steam, gasoline, or other motive power, shall register his State chauffeur's license number with the Clerk of the Police Department in a book to be kept for that purpose on or before the first day of March, 1918, or at the time of first operation, and each year thereafter not later than the first day of March. In which book he shall give the name of the person by whom he is employed, with a description of the vehicle regularly driven. In case such chauffeur shall change employment or regularly drive a different vehicle, he shall make such changes upon said registration book. Provided, that the provisions of this section shall not apply to non-resident chauffeurs employed on vehicles passing through the City of Savannah or visiting said city for a period of thirty days or less.
Feb. 13, 1918.

1488. "Chauffeur," definition of. For the purposes of this ordinance the term "chauffeur" shall apply to any person operating a motor vehicle other than his own, as mechanic, employe for hire; but shall not apply to any employe of a licensed dealer, demonstrating or testing cars under said dealer's license.

1489. Rates of speed. It shall be the duty of any person or persons using upon any street of the City of Savannah an automobile of any kind and character, or any vehicle, to proceed carefully and cautiously and to so operate, handle and guide the said machine, as to avoid damage to persons or property, and the speed of said machine shall, in no event exceed fifteen (15) miles an hour, in the corporate limits of the City of Savannah, and shall be less than said speed, when because of the presence of people or vehicles on the streets or other causes, proper prudence and caution shall dictate a slower rate of speed. Provided, however, that in turning corners, or making any other turn, or when crossing any paved street running from north to south the speed shall be reduced so as not to exceed eight (8) miles an hour. Provided, further, that when any automobile or similar vehicle is emerging from any building, into a lane or street, and when said vehicle is proceeding from any lane or street, into a building, the speed shall not exceed five (5) miles an hour. It being the intention of this ordinance to prohibit, at all times, speed that is rendered dangerous by the condition existing at the moment, although the speed may be within the maximum limit herein stated.

Provided, however, that the provisions of this section shall not apply to members of the Police and Fire Departments of the City of Savannah when answering a fire alarm or hurry call to accomplish an arrest, in which event the members of said departments may propel their automobiles at a rate of speed not to exceed thirty (30) miles per hour, and no more, no matter what the emergency. Provided, further, that when no such emergency exists the members of said department shall not exceed the speed limit provided for other persons.
Sept. 17, 1913.

1490. To be equipped with horns or electric bells. All automobiles and motorcycles shall be equipped with a horn, which shall have a single note only, except that automobiles propelled by electricity shall be allowed to use an electric bell in lieu of a horn. Horns operated by the

exhaust of engines and horns or bells used not alone as a signal but as promiscuous use for noise-making are prohibited. The automobile apparatus of the Police and Fire Departments are exempt from the operation of this section.

1491. Lights to be used on automobiles. From one hour after sunset to one hour before sunrise it shall not be lawful for any person to have, use or propel upon any street or lane of the City of Savannah any vehicle which does not have a light or lights which can be seen in any direction from said vehicle, and all automobiles shall be provided with a rear lamp showing red in the rear casting a white light upon the number attached to the rear of said automobile. Nor shall it be lawful for any automobile to have in use upon any street or lane of said city any form of light casting a shadow at 200 feet or more from said light or other blinding light.

Provided, however, that automobiles or trucks engaged in hauling cotton shall not be required to carry lights while they are actually engaged in hauling cotton on the streets and lanes of said city.

1492. Right-of-way and turnings. All traffic going north or south shall have the right-of-way over that going east or west, and it shall be the duty of all vehicles to keep the right of the road, and use all reasonable and proper precautions to avoid collisions and injury to persons or property; all slow-moving vehicles shall keep close to the right curb. No vehicle shall make a turn on Bull Street, Broughton Street, Whitaker or Drayton Streets unless the turn can be made without backing.

1493. Not to pass street car standing still. When a street car stops to take on or let off passengers, all vehicles nearing the said street car, shall check the speed, and at least eight feet from said car, the said vehicles shall come to a full stop, until said street car shall have resumed its progress and all the persons leaving the street car shall have reached the sidewalk, nor shall any vehicles pass such street car by going around its left.

Sept. 27, 1916.

1494. To give sign before turning, stopping or backing. Any person or persons operating, handling or driving any vehicle in deflecting or turning to the left, shall indicate their intention to do so, by extending the arm horizontally as a signal for guidance of those in the rear. Before stopping, a signal shall be given by extending the arm vertically, so that it may be seen by drivers of vehicles in the rear.

Before backing, ample warning shall be given by horn or bell and extending the arm, and while backing unceasing vigilance shall be exercised by the driver, so as not to injure those behind.

1495. To stop on right-hand side of street. No vehicle shall stop on any paved street with its left side to the curb.

Vehicles shall stop parallel with the curb, with the wheels nearest the curb not farther away than fifteen (15) inches. Provided, that on Bull Street, north of Oglethorpe Avenue, automobiles shall be parked or left standing with their right forward wheel near or touching the curb and the body of the automobile at an angle of approximately forty-five (45) degrees from the curb.

Oct. 1, 1913.

1496. Other traffic regulations. No automobile or motor-driven vehicle shall stand backed up to the curb, except when actually loading or unloading, and the said machine in no event shall stand so backed, if it interferes with, or interrupts the passage of other vehicles or street cars.

Any person or persons operating or driving any vehicle upon the streets and lanes aforesaid, when turning into a street to the right, shall keep close to the right curb and when turning into the street to the left, shall swing wide of the left curb, passing beyond the center of the intersecting streets.

Any person operating or driving an automobile, motorcycle or similar vehicle shall ring a bell, or sound a horn, as a signal in crossing the street, or when turning from one street to another.

No vehicles shall stand abreast, along side, or lapping each other, in any streets of the City of Savannah. No vehicle shall stand nearer than ten feet to any street intersection.

No vehicle shall be parked on the west side of Drayton Street between Bay Street and Thirty-first Street, or on the north side of Congress Street between Abercorn Street and Jefferson Street, except at the hackstand heretofore established on the north side of the Hotel Savannah.

Sept. 17, 1913, ¶ 5. Jan. 30, 1918.

1497. Not to use cut-out, etc. It shall be unlawful for any automobile, motorcycle or other motor-driven vehicle to use a muffler cut-out in the corporate limits of the City of Savannah. All of said machines must be equipped with an efficient muffler.

No motor-driven vehicle or apparatus shall be driven within the corporate limits of the City of Savannah while it is giving out a heavy smoke, except within one minute of the starting of the motor, or within a half a block of the last starting point of said motor apparatus.

Sept. 17, 1913, § 6.

1498. Motorcycle regulations. It shall be unlawful within the corporate limits of the City of Savannah for two or more persons to ride upon a motorcycle or bicycle, unless such motorcycle has a regular seat for second passenger in rear of the driver.

1499. Not to obstruct fire engine. It shall be the duty of any person operating or using in said city any vehicle upon the approach of a fire engine or other fire apparatus when answering a call of fire, to immediately propel such vehicle to the right-hand curb of the sidewalk and parallel thereto, and remain to a standstill until all of such fire apparatus have passed.

Upon the approach of said fire apparatus the motorman of any street car operating in the City of Savannah shall stop such car so as not to obstruct the passage of the fire apparatus and shall remain stationary until said apparatus has passed.

1500. Temporary regulations. In cases where the traffic upon the streets of said city may become congested and upon occasions of parades, at theatres and other public assemblages where large numbers of vehicles are assembled, the police authorities of the City of Savannah may make temporary rules regulating the traffic in such congested districts and any person who, after being warned of the said temporary traffic regulations by a police officer of the said city, refuses to comply with such regulations shall be liable to the punishment prescribed in the eleventh (11) section hereof.

1501. Traffic officers. Traffic officers may be placed at the intersection of streets, and on streets near public schools, theatres and other like places to direct the traffic on such streets, and any person who fails to obey the direction of such traffic officer shall be subject to the penalty hereinafter provided.

See sec. 1505.

1502. Intoxicated persons or minors under sixteen not to drive cars. It shall be unlawful for any person who is intoxicated or under the age

of sixteen years, at any time to propel or operate any automobile, motorcycle or similar vehicle upon any of the streets or lanes of this city. Nor shall any person operate an automobile, motorcycle or similar vehicle upon any of the streets and lanes without the consent and authority of the owner of such vehicle, and any person so doing shall be subject to the punishment herein prescribed.

Ext. Acts 1915, p. 115, § 15. See sec. 1466.

1503. Bicycles, not to tow. No person riding a bicycle shall tow himself by holding on to an automobile or other vehicle.

Jan. 16, 1918.

1504. (1158.) Duty of police. It shall be the duty of the city police force to see to it that all engines, steam or street cars, automobiles, wagons and other vehicles of every description propelled or driven on or across the streets, thoroughfares or other public places of Savannah, and all bicycles and riding animals thereon, shall be operated, handled, guided and managed by those in charge of the same, respectively, with care and caution, so as to avoid damage to person and property.

Policemen shall be stationed at such points, in this city, as may be deemed by the chief necessary and proper, so as to carry out the provisions of this section, and to prevent unnecessary obstructions of streets and highways by such engines, cars, automobiles, vehicles, bicycles or animals, so as to keep the streets and thoroughfares free and open for travel, and to protect pedestrians and other persons, and property of all kinds thereon.

Aug. 16, 1905, p. 292.

1505. (1160.) Authority of police to keep thoroughfares open. The Chief of Police, his officers and the policemen on duty shall be and are hereby empowered and directed to see to it that these provisions and other ordinances applicable, are complied with, and are further empowered to order engines, steam cars, street cars, automobiles, wagons and other vehicles, bicycles, equestrians or pedestrians to stop, to move on, to move backwards, to go slow, or to move faster, as emergencies may demand, in the judgment of said chief, officers or policemen, and such respective orders shall be promptly obeyed, by those to whom they shall be directed, the burden being on the police to keep sidewalks, streets and all thoroughfares clear and open, not only on ordinary occasions, but also, in cases of fire, riots, great crowds, parades, public demonstrations or upon other extraordinary occasions.

Any persons disobeying any order of said chief, police officers or policemen, as aforesaid, shall be subject to all the penalties herein provided.

See sec. 1501.

1506. Fire hydrants not to be blocked. It shall be unlawful for any driver of any automobile, wagon, truck, carriage or vehicle of any kind or description, to stop within ten feet of either side of any fire hydrant of the City of Savannah.

Aug. 6, 1913. See Section 809 this Code.

1507. Penalty. Any person violating any of the foregoing sections, or any lawful order or regulation made in pursuance thereof, shall, upon conviction before the Police Court of the City of Savannah, be fined in a sum not exceeding one hundred dollars or imprisoned not exceeding thirty days, either or both, in the discretion of the court.

1508. Automobiles and similar vehicles, protection of. It shall be unlawful for any person to remove or use or tamper with or injure any automobile or similar vehicle standing upon the streets or other public thoroughfare or stored in a public or private stable or garage of the

City of Savannah without the consent of the owner or his authorized agent, and any person violating this section shall be subject, on conviction before the Police Court of the City of Savannah, to a fine not to exceed fifty ($50) dollars and imprisonment not to exceed ten (10) days, either or both, in the discretion of the court.

Oct. 23, 1907.

1510. (1162.) Rate of speed for horsemen, carriages, wagons, drays, etc. It shall not be lawful for any person or persons to ride on horseback in the city faster than a slow canter, nor for any coachman or other person driving a coach or other carriage, to proceed faster than a slow trot, nor for any person driving a loaded cart, wagon, dray or other carriage, used for the transportation of any article 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 streets: Provided, nevertheless, that the drivers thereof shall not be allowed to turn corners, or proceed on wharves in other manner than in a walk.

June 6, 1839. May 5, 1897, § 3, p. 416.

JITNEY BUSES, REGULATIONS.

1511. Definition of "Jitney Bus." Every person operating vehicles, hacks, automobiles, motor bus, or any self-propelled vehicle engaged in carrying passengers for hire to and from any point of the City of Savannah, or to a particular point or between the particular points or terminal in the City of Savannah, or from a point in the City of Savannah to or from a point outside of the city for a specified fare, shall be held and deemed for all purposes of this ordinance to be operating the business of a jitney bus. Provided, however, that automobiles used as private cars, ambulances, hotel, railroad and steamship buses, sightseing buses and touring cars, operating from specified stands upon the public streets, or from a garage upon telephone call, and which have no specified routes of travel, and while operating strictly within the usual functions thereof as hitherto defined and generally understood, with or without rates fixed by ordinance, shall not be construed as jitney buses within the meaning of this ordinance.

Dec. 22, 1915.

1512. License. Every person operating a jitney bus, or a line of jitney buses, shall pay a license on each car, up to and including five (5) passengers, of $25 per car and for each car seating over five (5) passengers, $35 per car. Any person who now or hereafter procures a license to operate a jitney bus under the terms of this ordinance shall be entitled to receive a license to operate an automobile or locomobile as a carrier of passengers for hire by the payment of $10.00 additional. Every person who has procured a license to operate an automobile or locomobile as a carrier of passengers for hire, pursuant to the ordinances to assess and levy taxes and raise revenue, and has paid therefor the sum of $25.00 for every automobile containing five or less passengers and the sum of $35.00 for every automobile carrying more than five passengers, shall, upon the payment of $10.00 additional, be entitled to receive a license as a jitney bus operator, pursuant to and in accordance with the provisions of the ordinances first hereinbefore referred to.

Mar. 1, 1916.

1513. Application must specify routes. Before the license imposed by section 1512 hereof is issued, the person proposing to engage in the business of operating jitney buses shall file a written application with the Mayor and Aldermen of the City of Savannah, in which application shall be specified the routes which it is desired to cover and the number of and class of vehicles to be used.

Dec. 22, 1915.

1514. Operator must be licensed chauffeur. It shall be unlawful for any person to operate any automobile, or other vehicle used in the business herein defined, other than one who has registered, and obtained a license as a chauffeur, as provided under an Act of the General Assembly, approved November 30, 1915. Such license to be obtained on or before the first day of March, or immediately upon commencing to operate such vehicle.

1515. Operator must wear badge. It shall be unlawful for any person to engage in the business of operating jitney buses without making the application and paying the license and receiving same as herein provided, and receiving from the City Treasurer a badge for each jitney bus operated by him, which badge shall be always worn by the driver on the outside of his coat while operating said jitney bus.

1516. Jitney buses must be operated only on routes specified. No person paying the tax and taking the license hereinbefore provided for shall operate its vehicles upon any other route or in any other places than may be required by the public convenience or necessity, and as provided in its application to the Council or the Mayor and Aldermen of the City of Savannah, and specified in the receipt given by the Mayor and Aldermen for said tax. It shall be unlawful for any person after paying the tax and taking out the license herein specified to operate jitney buses on any other route than the route designated in its application and approved by the Mayor and Aldermen.

1517. Jitney buses must be marked. Every person operating a jitney bus or line of jitney buses, shall have painted in a conspicuous place on both sides of such jitney or jitneys, the word "Jitney," the route, termini and the fare charged.

In lieu of the painting hereinbefore provided for, each jitney bus operator may display on both sides of such jitney or jitneys the word "Jitney," what route, terminal and fare charged, painted upon a wooden or metallic sign to be not less than 12 inches by 4 inches, and plainly legible.

Mar. 1, 1916.

1518. Number of passengers. It shall be unlawful for any jitney bus or jitney buses to carry or transport more than one person over and above the number given in the named capacity of said car by the manufacturer, and for which license has been issued, and said extra person shall not be allowed on the running board or outside of said jitneys.

Dec. 22, 1915.

1519. Stops on near side of street intersections. All jitney buses shall make their stops to discharge and take on passengers on the near side of the street intersections on the right hand side of the street traveled, leaving the cross walks open, and shall pull up to the curb to make all such stops, nor shall such vehicles receive or discharge passengers while in motion, nor shall such vehicles stand in the street a longer time than is necessary to take on and discharge passengers, and not more than two minutes at any one point. Except at stands to be hereafter established by Committee on Streets and Lanes.

1520. State license number to be displayed. It shall be unlawful for any jitney bus to operate in the City of Savannah, unless the State number is displayed at all times, and is registered in the office of the Clerk of Council as now provided for by ordinance.

1521. Bond provided for. It shall be unlawful for any person to act as driver under this ordinance without complying with the following requirements:

Each person, firm or corporation operating any such jitney bus shall before the same is placed in operation file with the Clerk of Council an indemnity bond in the sum of one thousand ($1,000.00) dollars, for the operation of each automobile or vehicle, said bond to be subject to approval by the Mayor and Aldermen, and the same shall be so approved by that body before it shall be lawful to operate such vehicle in conducting the business herein defined. And the applicant shall maintain the bond at the amount specified during the whole time of operation; and such bond shall be conditioned to the effect that in the event of any person or property being injured or damaged by the operation of any such vehicle, for which the owner may be liable under the laws of Georgia, the person so injured in his person or property shall have a right of action under such bond, and the bond shall not be void upon first recovery, but may be sued under from time to time until the full penalty thereof may be exhausted, and no license shall be issued until said bond provided for hereinbefore has been approved.

Jan. 3, 1917.

1522. Penalty clause, jitney regulations. Any person violating any of the provisions or regulations of the foregoing sections in regard to jitney buses, or any person failing to comply therewith, shall, upon conviction before the Police Court of the City of Savannah, be fined in a sum not exceeding one hundred dollars or imprisoned not exceeding thirty days, either or both, in the discretion of the court, and each day's failure or neglect to comply with any of said provisions or regulations shall be held and deemed a separate and distinct offense, and be punished accordingly.

1523. (1200.) General penalty. As to any section in this chapter, wherein no punishment is prescribed, any person or corporation violating the same, shall be punished, on conviction in Police Court, by fine, not exceeding one hundred ($100) dollars, and any such person may be imprisoned not exceeding thirty (30) days, either or both.

CHAPTER LIX.

ANIMALS.

1524. (1119.) Certain animals not permitted to run at large; penalty on owner. No horse, mare, gelding, colt, filly, mule, jackass, cow, heifer, bull, steer, calf, goat, or any other cattle shall at any time be permitted to run at large within the corporate limits of the City of Savannah, and for the violation of this section the owner or owners of such animals shall be fined for each and every offense, and for each and every such animal running or going at large in a sum not exceeding five dollars, or to be imprisoned not exceeding ten days, either or both, at the discretion of the officer presiding in the Police Court.

Aug. 2, 1893, § 1, p. 2.

1525. (1120.) Police to impound same; sale, etc. It shall be the duty of the members of the police force to take up such animals so going at large and impound the same, and if the said animal be not claimed in ten days, it shall be the duty of the City Marshal to sell same at the pound, giving at least five days' notice in the official gazette of the city of a description of the animal, and time and place of sale; he shall pay the net proceeds of the sale of such animal, after deducting the expenses for poundage, into the treasury of the city, subject to the order of Council, who may and shall cause it to be paid to the person or persons owning such animal at the time of the impounding of the same.

1526. (1121.) Hogs not to be kept in city. It shall not be lawful for any person to retain or keep hogs within the corporate limits of the City of Savannah.

Aug. 2, 1839.

DOGS.

1527. Owner must register and secure badge. Each owner or possessor and any person who harbors or keeps any dog within the corporate limits of the City of Savannah, shall cause such dog to be registered in the office of the City Treasurer, and secure an annual license, metallic badge or tag, issued by the said City Treasurer.

June 25, 1913.

1528. Dogs must be accompanied by care-taker. It shall be unlawful for any dog to be on the streets, lanes, highways or squares of the City of Savannah, unless such dog be accompanied by a competent and responsible care-taker, and it shall be the duty of any owner or possessor, or any person who harbors or keeps any dog to securely confine the same within the limits of his premises, and not permit such dog to run upon the streets, lanes, highways, squares or parks of said city, except under the conditions above set forth.

1529. Dog Catcher and assistants. The Mayor of the City of Savannah shall appoint some suitable and competent person as Dog Catcher, whose duties shall be to catch and impound all dogs kept in the City of Savannah in violation of section 1527 hereof, and all dogs found upon the streets, lanes, highways or squares of said city in violation of section 1528 hereof. Said Dog Catcher shall have as many assistants as the Mayor may deem necessary to appoint, not to exceed

two. The duties of the assistant dog catchers shall be the same as those of the Dog Catcher and they may be required to perform such other duties as the Mayor, Chief of Police or Dog Catcher may lawfully direct, with a view of effectually enforcing the provisions of this Code relating to dogs.

The Dog Catcher and Assistant Dog Catcher shall receive such salaries as may be fixed by Council or its authority.

1530. Disposition of dogs caught on streets. Any dog found upon the streets, lanes, highways or squares of the City of Savannah, in violation of section 1528 hereof, shall be caught by said Dog Catcher or his assistants and shall be disposed of as provided in sections 1533 and 1534 hereof.

1531. Disposition of dogs having no badge. Where any dog or dogs are found upon premises within the city limits without having a license badge or tag as required by section 1527 hereof, it shall be the duty of the Dog Catcher to verbally notify the person in charge of the premises to come forward and pay said tax, and upon failure of such person to comply with said notice within twenty-four hours of receiving the same, or should such person in charge of said premises disclaim ownership of such dog, by himself or any member of his household when so notified, it shall thereupon become the duty of said Dog Catcher to go upon said premises, and take charge of said dog and dispose of the same as provided in sections 1533 and 1534 hereof.

1532. Inspectors to report dogs unlawfully kept. If shall be the duty of every Sanitary Inspector, Water Inspector and policeman in the employ of the City of Savannah to notify the Dog Catcher of any dog kept upon any premises in violation of this ordinance.

1533. Dog Pound. Any dog captured or taken in charge under the provisions of this ordinance shall be kept for three days, in some convenient place within the city limits, to be known as the Dog Pound, during which time the owner, possessor or any representative of the owner or possessor, may come forward and pay the annual license tax if he has not paid the same, and pay an impounding fee of one ($1.00) dollar for each dog impounded, and his said dog or dogs shall thereupon be delivered to him.

1534. Disposition of dogs impounded. Any dog impounded under the provisions of this act, whose owner, possessor or representative shall not come forward within three days after the dog has been so impounded, and pay the annual license tax, and the impounding fee, or if the said owner or possessor refuses to pay said tax and impounding fee, and the dog shall remain in the said Dog Pound for three days, the Dog Catcher shall thereupon cause said dog to be put to death in some humane manner.

1535. Dog Catcher and assistants under Police Department. The said Dog Catcher and his assistants shall be under the control of the Police Department of the City of Savannah.

1536. Penalty. Any person violating any of the foregoing nine sections with regard to the keeping of dogs in the City of Savannah shall, upon conviction in the Police Court of the City of Savannah, be fined in a sum not exceeding one hundred dollars or imprisoned not exceeding thirty days, either or both, in the discretion of the court.

1537. (1124.) Dogs not to go within eighty feet of market during market hours. No dog shall be permitted to be brought or come within

eighty feet of the market 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, or be imprisoned not exceeding ten days, either or both.

April 11, 1839.

1538. (1125.) Hitching horse, mule, etc., to tree boxes, steps, railing or fences. 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 sidewalks in the City of Savannah. Any person or persons violating or offending against the provisions of this section, or of any part thereof, shall, upon conviction before the Police Court, be fined for each and every such violation or offense, not more than ten dollars, or be imprisoned not exceeding five days, either or both.

Dec. 11, 1857.

1539. (1126.) Horses, etc., to be hitched to hitching posts. It shall be the duty of every person, who may leave his horse or mule in front of a residence in the City of Savannah where a hitching post has been provided, to hitch said horse or mule to the said post so as to prevent the said horse or mule from injuring or damaging any tree or tree-box in front of such residence, and any person violating this ordinance shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed twenty-five dollars, or imprisonment not to exceed ten days, either or both, in the discretion of the court.

April 1, 1891, p. 1.

1540. (1127.) Tying bull, cow, ox, etc., to tree, fence, stake, etc., in streets. It shall not be lawful for any person to tie, or cause to be tied, any bull, cow, ox, calf, or other description of cattle, to any tree, fence, stake or other fastening, in any street or other public place in Savannah. It shall be the duty of the police force to impound every such animal so tied, and the same proceedings shall be had, and the same rules shall govern, as are prescribed in other cases of impounding cattle running at large.

May 8, 1861.

1541. (1128.) Driving horses and mules through streets. It shall not be lawful for any person or persons to drive, or allow to be driven, through any of the streets and ways of the city any drove or droves of horses or mules, unless the said animals are under the care and control of at least two competent male persons, each over the age of sixteen years; and it shall not be lawful to drive or to allow to be driven any such droves of horses or mules, through any of the streets and ways of the city, except before the hour of nine a. m. and after the hour of four p. m., and then not more than twenty of said animals shall be driven through the city in one drove at the same time.

July 15, 1874. Feb. 18, 1880.

1542. (1129.) Dead animals; owners to report same to Police Barracks. It is hereby made the duty of all persons in the City of Savannah losing such an animal by death in the said city, or having a dead animal on his or her premises, in the City of Savannah, to report the same to the Police Barracks within two hours after its death, which said report shall specify where the said animal may be found. Any person failing to comply with this section shall, upon conviction before the Police Court of the City of Savannah, be fined not exceeding twenty-five dollars, or imprisoned not exceeding ten days; either or both, in the discretion of the court.

June 24, 1891.

1543. (1130.) Milk or draft animals to be kept off sidewalks, grass plats, squares and parks. It shall be the duty of the owner or owners of all milk or draft animals, whether they are loose, led or driven, to keep them off the sidewalks, public squares, parks and grass plats in the City of Savannah, and also off of private grounds in said city not belonging to the owners of the said animals where permission has not been given by the owners or proprietors of the said grounds.

Any person violating the provisions of this ordinance shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed ten dollars and imprisonment not to exceed five days, either or both, in the discretion of the court.

May 19, 1897, p. 344.

1544. (1131.) To prevent poultry and pigeons from running at large. It shall not be lawful for any party owning or having in possession any poultry or pigeons of any kind to permit the same to run at large in the streets, squares, parks or other public domain of the City of Savannah, and any person violating this section shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not to exceed five ($5) dollars, and imprisonment not to exceed three (3) days, either or both, in the discretion of the court.

Apr. 17, 1901, p. 369. Apr. 25, 1917.

1545. Beasts of burden, sales of regulated. No auctioneer, broker or commission merchant shall, within the limit of the City of Savannah, sell or offer for sale, any beast of burden without first procuring a certificate in writing from the City Police Stable foreman that such beast of burden is, because of disability, disease or lameness, or for any other cause, in a condition in which it could not be worked in this State without violating the law against cruelty to animals. The provision of this ordinance shall not apply to judicial sales had in accordance with law, or to sales under any valid process issued in accordance with law. There shall be charged and paid for each inspection, as above, the sum of twenty-five cents, which shall be paid into the Treasury of the City of Savannah.

Mar. 28, 1917.

1546. (1649.) Cruelty to animals. It shall be unlawful for any person to overload any animal or beast of burden used within the city, for the transportation of persons, goods, wares or 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, or any other animal.

Dec. 20, 1849.

1546-A. (1650.) Killing or injuring squirrels. It shall be unlawful to kill, injure or attempt to kill or injure any squirrel running at large in any cemetery, park, square, street or other place in the City of Savannah.

June 25, 1902, p. 321.

General penalty. Any person violating the provisions of any section (or part thereof) of this chapter, wherein punishment is not provided, shall, on conviction before Police Court, be punished, by fine not exceeding one hundred dollars, and imprisonment not exceeding thirty days, either or both, in court's discretion.

CHAPTER LX.

HARBOR MASTER.

1547. (1462.) Harbor Master, bond. The Harbor Master, before entering on the performance of his duties, shall enter in bond in the penal sum of two thousand dollars, in such form, with such conditions, and to be approved as required by ordinance.

Oct. 16, 1845.

1548. (1463.) Rules for government of, how prescribed. Power is hereby given to the Commissioners of Pilotage for the Bar of Tybee and River Savannah, to make rules and regulations for the government of the Harbor Master of Savannah, subject to the approval, revision and control of the City Council of Savannah. And, upon the adoption of such rules and regulations and their approval by Council, the same shall be the rules and regulations for the government of said Harbor Master, under the direction of said Commissioners of Pilotage, subject to revision and control by said City Council. And provided, further, that nothing in this section contained shall be construed to prevent the Police Court, or the Mayor and Aldermen in Council assembled, from inflicting such fines and penalties on the said Harbor Master for official delinquencies, as may be authorized by law or ordinance, or to prevent the Mayor from exercising the control of said Harbor Master in respect to suspension from office, or otherwise as said Mayor may exercise over other city officers, or to prevent the City Council from at any time modifying, changing or repealing this section.

Feb. 19, 1868.

1549. (1464.) Harbor Master's fees. The following shall be the charges and fees payable to the said Harbor Master for all services by the said Harbor Master, to vessels and their cargoes in the port of Savannah, namely: By each transient brig or schooner, four dollars; by each transient ship or bark, six dollars; by each transient steamship, fifteen dollars; by each coastwise steamer running regularly to this port, six dollars per month; by each bark, brig and schooner engaged in the coastwise trade, four dollars, payable not more than twice in twelve months; by each sailing vessel or steamer, plying inland, measuring forty feet or more, two cents per foot over all measurement, payable quarterly in advance. And in every case the measurement of the vessel shall be determined by the Harbor Master according to the best information he can procure; but in case of disagreement as to the true measurement, the same shall be determined on the arbitration of the Harbor Master and the master of such vessel, and one of the Port Wardens of said port, to be selected by the master of the vessel; but no delay shall be allowed in the collection of such fees or charges on account of any delay of such arbitrament through the fault or neglect of the master of such vessel. The said fees and charges hereinbefore provided for shall be payable and collected as now directed by ordinance.

Apr. 18, 1888. Dec. 15, 1886. Apr. 18, 1888.

1550. (1465.) If not paid on presentation, doubled; execution, etc. Whenever any of said fees or charges shall be due and payable, if not paid on presentation of the bill, such fees or charges shall be doubled, and execution shall issue accordingly.

Mar. 12, 1873.

1551. (1466.) To report fees collected to City Treasurer daily. The Harbor Master is required to file in the office of the City Treasurer daily, a full and formal report of all 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 if, for any good reason, it be impossible to make such return and pay in such money on that day, then the said return and payment shall be made before 2 o'clock p. m., on the following day, unless the same be Sunday or a legal holiday, in which event it shall be on the day next succeeding, and the reason for such delay shall be made to appear in the return filed; and for failure to comply with these requirements he shall be subject to a fine, or dismissal, in the discretion of Council.

Jan. 3, 1906. Oct. 16, 1845.

1552. (1467.) Harbor regulations. The following rules and regulations shall be observed as harbor regulations for the port of Savannah:

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 the safe riding at such mooring. He shall also make known to the captain of such vessel the law requiring lights on board.

2. It shall be the duty of every pilot to inform the masters of vessels of their duty to report to the Harbor Master's office within twenty-four hours after arrival at city.

3. 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. No vessel shall discharge or load any of her cargo in the river opposite the city, except at the wharves. No anchor is allowed in the river when the vessel is made fast to the wharf.

4. All masters of vessels, as soon as they come to anchor, shall rig in their jib-boom, spanker-boom, and main-boom; and all vessels shall brace their lower and top-sail yards on starboard braces, take in the boomkins and davits, lay their sprit-sail yards fore and aft, rig in their martingale, take in all boom-irons, and cock-bill their anchors. These regulations must be observed while lying at the wharf, or at anchor in any part of the river. The master of any vessel, or his representative, refusing to move his vessel, when ordered to do so by the Harbor Master or his deputy, the vessel shall be moved, if necessary, with tug or tugs, and proper crew employed, at expense of said vessel.

5. Master or consignee of any vessel wishing to move shall give the Harbor Master sufficient notice to enable him to give her a clean berth. The Harbor Master must be the judge of the time required.

6. No vessel shall be moved, after being placed at a wharf, without permission of the Harbor Master.

7. No vessel, other than regular packets, arriving at the city, shall be docked without permission of the Harbor Master.

8. (Rule 8 of Harbor Regulations repealed Sept. 21, 1911.)

9. 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 inside berth to a vessel that wants to take on her cargo immediately. Any vessel except regular packet 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.

10. 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 said vessel, and if discharging or taking in a cargo athwart another vessel's deck, she must also keep her plank or staging so fixed as not to cause injury.

11. Masters of vessels shall not permit ballast, rubbish or dirt of any kind to be thrown into the river or harbor. All ballast or coal shall be thrown ten feet back, clear of the heads of the wharves; a heavy sail or tarpaulin must be put between the vessel and the wharf, extending under and five feet on each side of the stage, to prevent any from falling into the river. The sweepings from the deck, from the caboose, and ashes and rubbish of any kind, must be put upon the wharf and carted away.

12. No vessel, while lying alongside the wharf, or another vessel, shall be smoked for the purpose of destroying rats, but must first be hauled into the stream and kept constantly afloat so as to be easily removed in case of taking fire.

13. No tar, pitch or turpentine shall be boiled on any vessel's deck, or within sixty yards of any vessel or warehouse. Notice in all cases to be given to the Harbor Master.

14. No raft of timber or lumber shall be broken up in the front river below low water mark, except that rafts of oak or cypress may be broken up on north side of river, in accordance with provisions of ordinance passed in Council, March 25, 1885. No raft shall be permitted to lie more than forty-eight hours afloat in the river, nor shall any stave, wood or shingle raft be landed at the heads of the wharves.

15. 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, unless the owner or lessee of the wharf at which the vessel lies shall consent thereto and procure the consent of the owner or lessee of the adjacent wharves, which consent shall be in writing and filed with Harbor Master. In cases where it would not be safe to remove empty vessels, the Mayor will give permission to load a few sticks of timber at wharf, said sticks to be secured by chains and dogs after the raft shall have been broken up.

16. No person shall encumber the wharves with cotton, coal, brick, lumber, stone or other heavy article, so as to prevent the use of said wharf to vessels wishing to load or discharge cargoes.

17. 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 shall be another wharf vacant, or with only one vessel thereat, except under special permit from the Harbor Master, approved by the Mayor.

18. No vessel or boat lying alongside of any other vessel or wharf shall have a fire in the caboose, or any other 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.

19. All vessels overlaying the city wharves and docks must pay proportional wharfage. No rafts shall be kept across or in them for the purpose of loading, except by permission.

20. No shingle or sand ballast, or rubbish of any description shall be landed without permission of the Harbor Master.

21. Any vessel will be admitted to a berth, or be allowed to change from one berth to another on application to the Harbor Master.

22. No master or other person having charge of any ship or vessel 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.

23. The master of any vessel, lying at anchor in any part of the river at night time, shall cause a good and sufficient light to be shown in some part of the rigging of such vessel, at least twenty feet above her deck, which light shall be kept burning during all hours of the night.

24. Every vessel must always have on board a shipkeeper, or other person capable to take charge of her.

25. In case of any dispute or difference of opinion arising between or amongst masters of vessels, or others concerned under the foregoing Harbor Regulations, the same should be settled by the arbitration of the Harbor Master, on the application to him of those interested.

Aug. 26, 1885.

1553. (1468.) Penalty for violation. Any person violating any of the regulations contained in the foregoing section, upon conviction thereof in the Police Court, shall be fined in a sum not exceeding one hundred dollars, or be imprisoned not more than thirty days, either or both, in the discretion of the said court.

Aug. 26, 1885.

1554. (1469.) Dredges and scows, how operated. All dredges and scows in the Savannah River and the port of Savannah, shall be so operated that in the day time there shall be not less than one hundred feet of clear channel way when vessels are passing on the channel side of the plant. At night time the dredge or scow shall be hauled out of the channel so as to have a clear channel of not less than one hundred (100) feet from the center range of the channel side.

May 6, 1896, p. 357.

1555. (1470.) Dredges and scows, moorings and lights. In mooring scows at the anchorages, extra care must be taken so that the moorings are put as far from the channel as safety will allow, and one light placed on forward part of scow and one on the aft part. In daylight a black and white flag shall be displayed on the channel side of the dredge. At signals given by approaching steamers, all lines obstructing the channel must be slackened until such steamers pass. When a dredge hauls to the south side of the channel of the Savannah River at night there must be suspended on the channel side three vertical white lights, with one green light underneath, and when the dredge hauls to the north side of the said channel there are to be suspended on the channel side three vertical white lights, with one red light underneath, under the pains and penalties in the next section provided.

May 29, 1901.

1556. (1471.) Penalty. Any person operating any dredge or scow on the Savannah River and in the port of Savannah, who shall violate any provision of the two preceding sections, shall be subject, on conviction before the Police Court of the City of Savannah, to a fine not exceeding one hundred ($100) dollars, and imprisonment not exceeding thirty (30) days, either or both, in the discretion of the court.

May 6, 1896, § 4.

1557. (1472.) United States regulations established in pursuance of the Acts of Congress. Regulations for the use of the channels leading to Savannah, Brunswick, Darien, Ga., and Fernandina, Fla., and along the inside waterways between Savannah, Ga., and Fernandina, Fla., issued under authority of Section 4, of the River and Harbor Act of

August 18, 1894, as amended by Section 11, of the River and Harbor Act of June 13, 1902. The rules follow:

1. Steamers passing dredges engaged in improving the channels shall not have a speed greater than six miles an hour, and their propelling machinery shall be stopped when abreast of the dredges.

2. Vessels using the channels shall pass the dredges on the side designated from the dredge by the signals prescribed in paragraph 6 of these regulations.

3. Vessels must not anchor on the ranges of stakes or other marks placed for the guidance of the dredges, nor in such a manner as to obstruct the channel for other vessels.

4. Dredges and operating plant, in the prosecution of the work, must not obstruct any part of the channel unnecessarily.

5. Vessels must not run over or disturb stakes or other marks placed for the guidance of dredges.

6. Dredges, when working, shall display a black and white flag by day and four (4) white lights, hung in a vertical line, by night, to indicate the passing side.

7. Dredges, when not working, shall haul out of the channel, and at night shall display the following signals: When on the north side of channel—three (3) white lights, with one (1) red light, hung in a vertical line with the red light underneath; when on the south side of channel—three (3) white lights with one (1) green light, hung in a vertical line, with the green light underneath.

8. The position of breast and stern anchors of the dredges shall be marked by buoys plainly visible to passing vessels.

9. While vessels are passing the dredges in the channel, all lines running across the channel from the dredges on the passing side must be entirely slacked.

10. Dredges when working in narrow places must haul out of the channel to allow deep draught vessels to pass. Such vessels must, however, give the dredge captain or superintendent ample notice in advance of the time they expect to pass the dredge.

These regulations to take effect November 1, 1903.

ROBERT SHAW OLIVER,
Acting Secretary of War.

1558. Rules and Regulations to govern the opening of draws in bridges over all waterways connecting with the Atlantic Ocean between the Savannah River, Ga., and the St. Mary's River, Ga., and Fla., both rivers inclusive.

THE LAW.

Extract from the River and Harbor Act of August 18, 1894:

"Sec. 5. That it shall be the duty of all persons owning, operating and tending the drawbridges now built, or which may hereafter be built across the navigable rivers, and other waters of the United States, to open, or cause to be opened the draws of such bridges under such rules and regulations as in the opinion of the Secretary of War the public interests require to govern the opening of drawbridges for the passage of vessels and other water crafts, and such rules and regulations, when so made and published, shall have the force of law. Every such person who shall wilfully fail or refuse to open, or cause to be opened, the draw of any such bridge for the passage of a boat or boats, or who shall unreasonably delay the opening of said draw after reasonable signal shall have been given, as provided in such regulations, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than two thousand dollars nor less than one thousand dollars, or by imprisonment (in the case of a natural person) of not exceeding one year; or by both such fine and imprisonment, in the discretion of the court; PROVIDED, That the proper action to enforce the provisions of this section may be commenced before any commissioner, judge, or court of the United States, and such commissioner, judge, or court shall proceed in respect thereto as authorized by law in case of crime against the United States; PROVIDED FURTHER, That whenever, in the opinion of the Secretary of War, the public interest requires it, he may make rules and regulations to govern the opening of drawbridges for the passage of vessels and other water crafts, and such rules and regulations, when so made and published, shall have the force of law, and any violation thereof shall be punished, as hereinbefore provided."

THE REGULATIONS.

1. Vessel requiring the opening of drawbridges shall give by whistle or horn the proper signal as follows:

From a boat under way: The signal shall be a long blast followed by a short blast.

An additional short blast shall be given for each additional bridge to be opened, where there are one or more bridges within a distance of one mile from the nearest bridge.

From a boat about to leave a landing: The above signals shall also be used by a boat about to leave a landing, except in the case of a boat about to go upstream from a landing between bridges not over a mile from the landing. In this case the signal shall consist of two long blasts followed by a short blast, with an additional short blast for each additional bridge to be opened, within a distance of one mile upstream from the nearest bridge.

2. The direction of ebb flow shall be considered downstream in tidal channels.

3. Boats without tows shall give the signal at least six (6) minutes before the boat is to pass the draw, and repeat it at intervals of one minute until it is seen to be understood by the bridge tender.

4. Boats with tows shall give the signal at least (10) minutes before the tow is to pass the draw, and repeat it at intervals of two (2) minutes until it is seen to be understood by the bridge tender.

5. Draws shall be opened promptly and to their full extent upon receipt of the signal, except that railroad bridges may be kept closed for the passage of a train, provided the signal from the train is received first. In case the draw is not to be opened promptly, the fact shall be signaled by two long blasts of a whistle, horn or megaphone.

6. Subject to approval of the Chief of Engineers, the District Engineer Officer may require certain bridges to be kept in the open position either habitually or at certain specified times.

7. These regulations supersede all previous regulations at variance with them.

JOHN C. SCOFIELD,
Assistant and Chief Clerk.

War Department,
Approved April 19, 1916.

CHAPTER LXI.

PORT WARDENS.

1559. (1473.) Port Wardens. At the regular meeting of Council, biennially, for the election of subordinate city officers, there shall be elected two persons to act as Port Wardens for the port of Savannah, who shall give bond in the penal sum of $500 each, and be commissioned by the Mayor, under the seal of the corporation.

Jan. 28, 1895, p. 374. Mar. 18, 1824.

1560. (1474.) Clerk; records, seal, etc. The said Port Wardens 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 is hereby allowed the same fees for searches, extracts, copies of certificates, as are allowed for the like services of the Clerk of the Superior Courts of this State.

1561. (1475.) Rules, etc.; Clerk's bond and oath. The said Port Wardens 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 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 the following oath or affirmation: "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 Wardens 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."

1562. (1476.) Office hours. The Clerk of the Board of Port Wardens shall be in attendance at some convenient place from 9 to 10 o'clock each day. It shall be lawful for the Clerk of the Board to appoint a deputy, who shall take the same oath as the principal.

April 6, 1854.

1563. (1477.) One, or more, may make surveys. The said Port Wardens, or any one of them, or more, if required by the person applying for a survey, shall have power and are hereby authorized to act upon any survey, and to perform all the duties required of them by this chapter.

June 24, 1903, p. 337. April 6, 1853.

1564. (1478.) Surveys, how held. 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 one of them, as aforesaid, upon the arrival of any ship or vessel within the port or 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 merchandise damaged or supposed to be damaged, to 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. 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, 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 particularly 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.

June 29, 1903, p. 337. Apr. 6, 1853.

1565. (1479.) Clerk to collect sums due. 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 article, 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.

1566. (1480.) Port Warden's oath. Each Port Warden so appointed, before entering upon the duties of his office, shall subscribe before the Mayor 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.

Apr. 6, 1854.

1567. (1481.) Penalty for neglect of duty. 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 be removed from office, at the discretion of Council.

1568. (1482.) Not to certify unless he surveys. 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 the Police Court, be dismissed from office.

May 21, 1834.

1569. (1483.) Fees. The Port Wardens for the Port of Savannah shall be authorized to receive a fee of twenty-five dollars for each survey upon a vessel or cargo damaged by fire or other cause: Provided, that the said vessel or goods be at or within the limits of the City of Savannah; if between said limits and Five Fathom Hole, 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.

Aug. 16, 1893, p. 113.

1570. (1484.) Division of services and fees. The two Port Wardens shall serve in rotation, and the fees of the office shall be divided between

them, i. e., one shall serve as Port Warden on one vessel, and the other as Port Warden on the next vessel, requiring the assistance of such an official, and so on.

Resolution Mar. 1, 1905.

CHAPTER LXII.

PILOTAGE.

1571. (1485.) Appointment, number and term of Commissioners, etc. The corporate authorities of Savannah, Darien, Brunswick, and St. Mary's, shall each have power, respectively, to appoint Commissioners of Pilotage, seven in number, whose term of office shall be seven years, but the term of office of the Commissioners first appointed shall be one, two, three, four, five, six and seven years, respectively; they shall exercise the duties of the former boards of Pilot Commissioners in this State; and for every year thereafter one Pilot Commissioner shall be appointed by said corporate authorities to succeed the Commissioner whose term expired for that year. Said Commissioners of Pilotage to be appointed by the corporate authorities of Savannah for the Bar of Tybee and River of Savannah, and the several bars and inlets north of Sapelo Bar; by the corporate authorities of Darien for Sapelo Bar and the River Altamaha, and for the several bars and inlets south of Sapelo Bar as far as St. Simon's Bar; by the corporate authorities of Brunswick for the Bar of St. Simon's and Turtle River and St. Andrew's Bar and the several bars and inlets north of and including the Great Satilla River; by the corporate authorities of St. Mary's for the Bar of St. Mary's and all bars and inlets between the St. Mary's Bar and the St. Andrew's Bar.

Acts 1894, p. 41. Code of Ga. vol. 1, § 1897.

1572. (1486.) Vacancies. All vacancies in boards of Commissioners shall be filled by appointment by said corporate authorities for the unexpired term of the Commissioner who has held the office vacated, but no owner or part owner of a pilot boat shall be allowed to act as a Commissioner of Pilotage, and a majority of said boards shall be composed of men skilled in navigation or exporters engaged in active business at the respective ports.

Acts of 1894, p. 42. Code of Ga. vol. 1, § 1898.

1573. (1487.) Licensing of Pilots. The Commissioners of Pilotage at each of the ports of this State are empowered to license such persons (being citizens of the United States), of good character, as they shall think most fit to act as pilots, for the purpose of conducting vessels inward to, and outward from, the several ports and rivers for which they shall be licensed, during their good behavior. Pilots already licensed for any of said ports or rivers shall continue to act until removed for cause. No additions shall be made to the present number of licensed pilots until the number shall not exceed twenty (20) for the port of Savannah, ten (10) for the ports of Doboy and Darien, fifteen (15) for the port of Brunswick, four (4) for the Great Satilla River, and eight (8) for the port of St. Mary's, and thereafter, when vacancies occur in the number of pilots in any one of the before-named ports or rivers, the Commissioners of that port may, in their discretion, grant licenses as pilots as hereinbefore provided, until the number of pilots reaches the number allowed by this act for that port or river. This section shall not prevent the Commissioners of any one of the before-named ports from, in their discretion, granting licenses to such apprentices as were apprentices on December 1, 1886, when any one of such apprentices has fulfilled the requirements of the laws of the State of Georgia and the rules and regulations established by the Commissioners of said port. No per-

son, other than a duly licensed Pilot, 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, rivers or harbors for which a pilot shall be licensed. If any person, having no authority or license to act as pilot, or who, having had any authority, has had it suspended or revoked by the Commissioners, shall, while his license is suspended, pilot or conduct any vessel inward to, or outward from, any of the ports, rivers or harbors of this State; or if any person interferes with or disturbs a licensed pilot in the way of his duty, such person may, on conviction, be fined and imprisoned at the discretion of any court having jurisdiction; but any person may assist a vessel in distress without any pilot on board, if such person shall deliver up the vessel to the first pilot who comes on board and offers to conduct it. But the vessel must fly the signal for a pilot until one has been received or his services tendered.

Code of Ga., § 1899.

1574. (1488.) License of pilot, how forfeited. The Commissioners shall suspend any pilot, or deprive him of his license, for want of skillfulness, or for negligently or carelessly losing or injuring any vessel in his charge, or when he is laboring under mental derangement, or is so addicted to habits of intoxication as to untfit him, in their judgment, to be entrusted with the charge of a vessel; but in every such case an appeal may be made, as is provided for by law.

Code of Ga., § 1900.

1575. (1489.) Rules, regulations and fees. The Commissioners shall have power, and it is their duty, to prescribe rules and regulations for the government of Pilots, and to prescribe the fees for their services, and they may also impose such penalties not inconsistent with this law for neglect of duty, or for a violation of the orders or of the rules and regulations of the Commissioners, as they may think proper. They shall from time to time hereafter, whenever necessary, revise and grade the existing pilotage fees, both inward and outward, on vessels drawing seventeen feet or less, when loaded, so that said fees shall not exceed the average of the fees charged at the ports of Norfolk, Wilmington, Charleston, Port Royal or Beaufort, Fernandina, Pensacola, Apalachicola, Mobile and New Orleans. They shall exempt coastwise vessels from the payment of pilotage fees, both inward and outward, unless pilotage services are tendered outside the Bar, and they shall provide that coastwise vessels changing ports of this State shall not pay more than inward pilotage at the first port of entry of this State and outward pilotage from the last port from which they finally go to sea; but they shall allow vessels running coastwise under United States license to pay, after paying the inward pilotage for that trip, an annual license fee of twenty-five cents per registered ton, which shall belong to the pilot entitled to the inward pilotage fee, and the payment of said license fee shall exempt at that port said vessel for twelve months thereafter from compulsory employment of a pilot, either inward or outward, or payment therefor unless services of a pilot are accepted; licenses shall be renewed to vessels after having arrived in port, and if they approach the port after the expiration of a former license, the licenses shall be granted only after they are paid the inward pilotage for that trip, if service has been tendered outside the Bar; and any vessel, while in a port for which she has had a license, may, within ninety days after the expiration of said license, make application for, and on payment of the license fee, shall receive a new license for twelve months from the date of the expiration of the old license.

They shall allow half of the regular pilotage fees to be collected from all vessels, except those exempt by the laws of the United States, or

licensed as provided for in this chapter, calling at the Bar of any of the before-named ports or rivers in ballast seeking for orders if they do not load but leave in ballast, and allow half of the regular pilotage fees both inward and outward on all vessels returning to the port at which they loaded, before completing the voyage, from stress of weather or from being damaged or disabled; but vessels subject to go into quarantine shall pay full pilotage fees inward and outward.

Code of Ga., § 1901. Act of Dec. 12, 1901, p. 31.

Note.—The first section of Act of 1901 is faulty, in that certain words are left out. The foregoing is correctly copied from certified copy of original Act.

1576. (1490.) Vessels refusing to take pilot. Any person, master or commander of a ship or vessel (except vessels exempt by United States laws, and vessels while licensed under the provisions of this act, and vessels of less than one hundred (100) tons burthen) bearing toward any of the ports, rivers or harbors of this State, and who refuses to receive a pilot on board, shall be liable, on his arrival in such port, river or harbor in this State, to pay the first pilot who may have offered his services outside the Bar, and exhibited his license as pilot, if demanded by the master, the full rates of pilotage, inward and outward, established by law for such vessel.

Sections 1571-1610, from Code of Ga.

1577. (1491.) Pilots bringing in may take out. The pilot who brings a vessel into port, or one attached to his pilot boat, shall have the exclusive right to take her out, unless the master of such vessel shall prove to the satisfaction of the Commissioners that such pilot misbehaved himself while in charge of the vessel, or was in the meantime deprived of his license, or that such pilot had obtained the inward pilotage against the right of some other pilot offering his services, and in any of these cases another pilot shall be employed, and in that event the outward pilotage fees shall belong to the pilot who takes her out.

1578. (1492.) Pilot must moor vessel. Every pilot in any of the ports, rivers or harbors aforesaid, bringing any vessel to anchor in any of said ports, rivers or harbors, shall moor such vessel, or give proper directions for the mooring of the same and the safe riding thereof, or shall dock such vessel, if required by the master on arrival, and said pilot shall not be entitled to compensation, in addition to his pilotage fees, for so doing.

1579. (1493.) Pilot's fees to be paid before vessel leaves. A pilot bringing a vessel into port, or who has tendered his services to her outside the bar (unless his services have been refused because of her being licensed as hereinbefore provided), shall be entitled to his fees, both inward and outward, before her departure from port, to be paid in advance, or security given for the payment, and on failure thereof he may refuse to carry the vessel out, and all fees for pilotage may be demanded and recovered, in any court having jurisdiction, from the owner, master or consignee of the vessel, and if any licensed pilot shall ask or demand more fees for his services than are specified in the rates of pilotage, on due proof thereof before the Commissioners, he shall forfeit double the amount of such vessel's pilotage.

1580. (1494.) Fees for delivering letters off Bar. Whenever a vessel shall touch off the Bar of any of the ports, rivers or harbors of this State for instructions, any pilot delivering on board such vessel any letters or orders shall be allowed one-half of the Bar pilotage in and out.

1581. (1495.) Pilot's license and oath. The license to a pilot must be in the form of a certificate of his appointment, which must be signed

by a majority of the Commissioners, or by their chairman, by their direction, and each pilot, on receiving his license, shall take and subscribe an oath in the following form:

"I, A. B., appointed pilot for the port and harbor of ———, do swear that I will faithfully and according to the best of my ability, perform the duties of a pilot in and for the said port and harbor of ———, and will, at all times, wind, weather and health permitting, use my best endeavors to repair on board every vessel I shall see, and conceive to be bound for, coming into, or going out of the said port and harbor, unless I am well assured there is some other licensed pilot on board the same; that I will, from time to time, make the best dispatch in my power to convey any vessel committed to my charge coming into or going out of said port and harbor, and will at all times well and truly observe, fulfill, and follow, to the best of my skill and judgment, all such orders and directions as I may receive from the Commissioners of Pilotage in all matters and things relating to the duty of a pilot."

1582. (1496.) Pilot's bond. Before receiving his license, the pilot must make and deliver to the Commissioners a bond, payable to the Chairman of the Board, and his successors in office, in the penal sum of two thousand dollars, with security, to be approved by the Commissioners, and with condition faithfully to perform his duties as pilot, which bond shall be renewable at the discretion of the Commissioners, with such security or additional security as they may require.

1583. (1497.) License forfeited by non-user, absence, etc. Any pilot who fails to act as pilot for three months, or absents himself for ten days at any one time without leave of the Commissioners, may be deprived of his license; and any pilot who shall, with knowledge of the arrest of any vessel under civil process from any court of record of this State, conduct or pilot such vessel out of the port or harbor where such arrest is made, and while such vessel is in charge of a civil officer, shall forfeit his license and be forever disqualified from acting as pilot, besides forfeiting such sum as a jury may assess for damages.

1584. (1498.) Duty of pilots. Every pilot boat cruising or standing out to sea must offer the services of a pilot to the vessel nearest the Bar, unless a vessel more distant be in distress, under a penalty of fifty dollars for each and every neglect or refusal, either to approach the nearest vessel, or to aid her if required, or to aid any vessel in sight, showing signals of distress; and the Commissioners, or a majority of them, may, for such neglect or refusal, deprive the pilot of his license.

1585. (1499.) Rights and duty of pilots. Any pilot having the right to take a vessel out of port may attend in person, or procure another person out of the pilot boat to which he is attached to attend for him; and if any master or owner of any vessel in port employ any other pilot to carry his vessel down the river, or out to sea, but the pilot who brought her, or one belonging to the same boat, unless good and sufficient cause shall appear therefor, on due proof thereof before the Commissioners, he shall be liable to a fine not exceeding one hundred dollars, one-half to the pilot lawfully claiming the pilotage of the vessel; but should such pilot neglect or refuse to attend and carry down such vessel when ready for sea (wind, weather and tide permitting), when thereunto required by the master, owner, or consignee, such pilot shall, on conviction thereof before the Board of Commissioners, forfeit the upper pilotage of such vessel and be liable to a fine not exceeding one hundred dollars, and any pilot acting on board such vessel when he has no right, shall be liable to the same penalty, and shall, moreover, be liable to the pilot having the right for carrying the same vessel out: Provided, the Commissioners have no sufficient evidence of the necessity of his acting.

1586. (1500.) Pilot to be notified of vessel's departure. The master of a vessel in readiness to leave must, if practicable, give notice to the pilot entitled to conduct the vessel out, of his intention to leave, or some other pilot belonging to the same boat: Provided, such pilot be at the place of departure of such vessel, or near thereto.

1587. (1501.) Penalty for carrying off or detaining pilot. The owner, master or consignee of any vessel carrying off any pilot of such vessel, and against his consent, to any port, either foreign or on the coast, shall be liable to such pilot, in an action on the case, for the payment of all reasonable expenses, and for the further sum of not exceeding three dollars a day, during the necessary absence of the pilot: Provided, the carrying away of such pilot be not owing to any default, misconduct or negligence on his part; and the master of a vessel detaining a pilot on board his vessel, the wind and weather permitting him to go to sea, shall be liable to pay such pilot three dollars a day for every day he is so detained.

1588. (1502.) Fees for taking pilot from vessel. When any pilot boat belonging to a different pilot than the one who may have conducted a vessel out to sea takes such pilot off from such vessel, such pilot boat shall be entitled to one-third of the pilotage.

1589. (1503.) Fees for carrying vessel to another port. Any pilot belonging to any port in this State, meeting at sea with any vessel bound to another port within the same, shall, if capable and thereunto required, take charge of and pilot such vessel into such port, and shall be paid two dollars per day for every day such pilot may be on board such vessel at sea, without the Bars, over and above the usual rate of pilotage, and no other pilot shall interfere while the former is willing to continue his services.

1590. (1504.) Default of pilot, how punished. If any vessel whatsoever, or the cargo or freight thereof, shall receive any damage or miscarriage, or be lost, through the negligence or default of any pilot, after such pilot takes charge of the same, and the claim exceeds one hundred dollars, the said pilot shall, in such case, on conviction thereof before any court of record in this State, be obliged to answer and make good to the sufferers, or the master of said vessel, all and every the damages which he shall sustain thereby.

1591. (1505.) Other cases of damage, how settled. All other cases of damage or difference that may arise or be made against any master or pilot, for or concerning the pilotage of any vessel, or any other matter relating to the business or care of a pilot, in any of said harbors, shall 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 arise, who, by their decree or order, shall lawfully decide and regulate every such damage or difference, and who shall have power to enforce such decree or order by execution or warrant of distress under their hands and seals, or the hands and seals of any three of them, directed to any sheriff or constable of the county where such execution issues, commanding the sale of the offender's goods, or so much thereof as shall be sufficient to satisfy such execution or warrant, and all sales thereunder shall be conformable to the laws of the State in other cases of sale; and such sheriff or constable shall be liable to be ruled before the Judge of the Superior Court as in other cases, in term time or vacation, for any default in duly executing such process, but in case of a sentence or judgment for more than twenty dollars, an appeal may be had, as is hereinafter provided.

1592. (1506.) Commissioners must keep a record of rules. The Commissioners shall preserve, in a neatly bound book, a record of all their acts, and of the rules and regulations adopted by them for the direction and government of the pilots; but in the City of Savannah such rules and regulations shall not be operative until approved by the City Council. They must designate one of their number as chairman and cause a record thereof to be made, and prescribe such fees for the service of the pilots, and impose such fines and penalties not inconsistent with the provisions of this chapter, as they may deem expedient. They must also preserve upon record a list of all persons appointed pilots by them, as well as those by them suspended.

1593. (1507.) Fees of Secretary. All persons interested shall have access to, and be permitted to have, copies of the records; and copies thereof, certified by the chairman or secretary, shall be presumptive evidence of the facts therein stated. The Secretary of the Commissioners shall have such salary or fees as the Commissioners may determine, and such salary or fees shall be paid out of fines and forfeitures, or such other fund as shall be under the control of the Commissioners.

1594. (1508.) Office and records of Commissioners. The office of the Commissioners must be kept in some suitable place, of which the public shall have notice, and their books, papers and records may be kept in such office, or in the office of any court of record in the county.

1595. (1509.) Attendance of witnesses. When the attendance of any person shall be required as a witness before the Commissioners of Pilotage in any matter or claim of which they shall have jurisdiction, it shall be the duty of the secretary, on application, to issue summonses in the nature of subpoena, to be signed by him and directed to the persons whose attendance shall be required, when such persons reside in the county where such matter or claim may be depending. The 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 the Commissioners to which it shall be returnable, and it shall be served by the messenger of such Commissioners, or a constable, and the return of such officer shall be evidence of the service of the subpoena.

1596. (1510.) Defaulting witnesses punished. Any witness thus summoned, whose testimony shall appear to be material, and who shall fail to appear, may be attached by the Commissioners, and the attachment shall be directed to a sheriff or constable, and made returnable to the next Superior or Ordinary Court of the county; and such court may fine such witness in a sum not exceeding one hundred dollars, unless a good excuse be made to the judge of said court, but such witness shall nevertheless be liable to action at the suit of the party injured by such non-attendance.

1597. (1511.) May cite witnesses to answer interrogatories. When any witness may be a seaman or transient person, the Commissioners may issue subpoenas to such witness by their secretary, requiring such witness to appear at a time and place therein stated before any Justice of the Peace, or of the Ordinary of the county, to answer written interrogatories to be propounded to him.

1598. (1512.) Service of subpoenas. The subpoena must be served twenty-four hours before it is returnable, and notice for the same length of time must be given to the adverse party, or attorney, agent or consignee, of the time and place of putting such interrogatories. The officer taking the depositions shall seal up and properly endorse and return

such deposition, which may be offered by consent or by order of the Commissioners, and shall stand in the place of the oral examination of such witness, when his personal attendance cannot be procured.

1599. (1513.) Fees for serving subpoenas. The secretary's fees for each subpoena shall be twenty-five cents; for each attachment fifty cents; for examining a witness the Justice of the Peace shall receive one dollar; the sheriff or constable, for serving any subpoena, shall receive twenty-five cents, and for executing and returning an attachment to court, fifty cents.

1600. (1514.) Appeal from judgment of Commissioners. In any case where a pilot shall be suspended, or where a fine exceeding the sum of twenty dollars shall be imposed by any judgment or decision of the Board of Commissioners, or where the license or warrant of a pilot shall be revoked, then the person so fined or the pilot so suspended, or whose license or warrant shall be revoked, may petition the Judge of the Superior Court of the county where such judgment or sentence may be made, setting forth, on oath, the circumstances of the case, a copy of which petition shall be served on the acting chairman or secretary of such Board at least three days before the return of any rule thereon; and if, on reading such petition, the judge shall think there is sufficient ground for the allowance of an appeal, he shall therein direct an issue to be made up between such Commissioners and the appellant, which issue shall be tried by a special jury as in other appeal cases, at the next term of the Superior Court, unless good cause be shown for a continuance; and if, upon such trial, a verdict shall be rendered in favor of the appellant, the said judge shall make a rule remitting such fine, or restoring the suspended pilot, or the pilot whose warrant or license may have been revoked as aforesaid.

1601. (1515.) Commission to take testimony. In case of an appeal, as aforesaid, commissions may issue to take the depositions of any person not a resident of the county, or whose oral testimony cannot be conveniently had, as in other cases before such Superior Court, but no such commission shall issue but upon three days' notice to the opposite party, by a service of a copy of the interrogatories to be exhibited, as in other cases.

1602. (1516.) Fines and forfeitures, how disposed of. All fines and forfeitures collected by the Commissioners shall be applied toward payment of the ordinary expenses of the Board, and the residue shall be expended by the Commissioners toward improving the navigation of the port or harbor where such fines and forfeitures are inflicted.

1603. (1517.) Pilots, when to receive certificates. No person shall receive a certificate to act as pilot until he shall have served as an apprentice two full years in a decked pilot boat on the Bar, for which he seeks to be a pilot (the crew not to be considered as apprentices unless so registered in the office of the Commissioners of Pilotage), and have given satisfactory evidence of character and skill, and any certified pilot shall serve eighteen months before he shall be entitled to an increased authority; but in case of emergency, such additional pilot may be appointed as the Mayor or other chief officer of the port may determine—the foregoing restrictions to the contrary notwithstanding.

1604. (1518.) Branch pilots, how appointed. All branch pilots must be appointed by the Commissioners, and whenever a vacancy occurs in a branch, the person who has served the longest time as an apprentice must, if deemed competent by the Commissioners, be appointed to the vacancy; but no person can hold a branch who is not engaged in pilotage.

1605. (1519.) Penalty for discharging ballast in harbor. If any master of a vessel or water craft of any description, shall throw, or permit to be thrown from on board such vessel or water craft into any of the waters of any bay or harbor of this State, or within three miles of the outside Bar of any such bay or harbor, any stone, gravel, or other ballast, he shall forfeit a sum not less than five hundred nor more than two thousand dollars for any such offense, and may be imprisoned not exceeding three months, at the discretion of the court, one-half of the forfeiture to be paid to any one first giving information of the offense to the Commissioners, and the other half to the use of the Commissioners of said harbors respectively, for improvement of navigation.

1606. (1520.) Proceeding for violating preceding section. Upon the Commissioners receiving satisfactory evidence of the offense specified in the preceding section, it shall be their duty to proceed to recover such forfeiture by process of attachment, in the name of the State, which may be issued as other attachments, on the oath of the informer, or of one of the Commissioners, and be levied on the vessel from which the offense was committed. The vessel may be replevined by the master, owner or consignee, by giving bond, payable to the State, in double the amount of the penalty, with the condition to have the vessel forthcoming to satisfy such judgment as may be rendered in the suit.

1607. (1521.) Penalty against pilot for concealing such offense. It shall be the duty of every pilot having knowledge of the commission of the offense specified in the two preceding sections, to give, as soon as practicable thereafter, information thereof to the Commissioners; and, failing to do so, such pilot shall be deprived of his license, and be thereafter forever disqualified for the office of pilot.

1608. (1522.) City may prohibit discharge of ballast in navigable water. The City Council of Savannah shall have authority to prohibit, under proper penalties, the throwing or depositing in the Savannah River and within the jurisdictional limits of said city, of any substance of any nature or kind which might in any degree, lessen the depth of water in said river, or any part thereof within said limits; and the same authority is hereby vested in the corporate authorities of the other towns respectively, as to navigable waters within their respective jurisdictions.

1609. (1523.) Suits in the name of Commissioners. The same Boards of Commissioners are hereby authorized, in their own names, or in that of their chairman respectively, as such, to sue for and recover to their own use and the improvement of navigation, any forfeiture which may accrue under this chapter, which is not otherwise specifically appropriated.

1610. (1524.) Present Commissioners, etc., to stand. All existing appointments of Commissioners of Pilotage, and of officers under the same, as well as their rules and regulations not contrary to law at the time of their adoption of this Code, shall continue good and valid in law, according to their nature and terms, until superseded by authority of this Code. (The Code of Georgia.)

1611. Permanent rules of the Commissioners of Pilotage for the Port of Savannah. The following permanent rules of the Commissioners of Pilotage for the Port of Savannah, for the government of pilots, are approved:

Rule 1. The Savannah Pilots' Association shall maintain an office at some convenient point on Bay Street, where the secretary of said association, or his authorized deputy, shall be in attendance from 8 A. M. until 6 P. M. daily, except on Sundays and legal holidays, when the secretary or his deputy shall be in attendance from 8 A. M. until noon.

Rule 2. The pilot in the city, who is "next on turn," shall remain in the office during office hours until called upon for duty, then the next pilot on turn shall be notified and report at office and remain there, as above provided, thus keeping at least one pilot on duty at the office and ready for active duty all the while.

Rule 3. The master, owner or consignee of any vessel requiring the services of a pilot shall give at least one hour's notice of such requirement at the office of the Savannah Pilots' Association.

Rule 4. The pilots shall provide and maintain a steam pilot boat, with accommodations aboard for at least eight pilots, which boat shall always (weather permitting), remain on the station at the outer bar for the purpose of furnishing pilots to inward bound vessels and relieving outward bound vessels of pilots. Said pilot boat shall not leave her station at the outer bar, except in cases of emergency, oftener than twice in every twenty-four hours for the purpose of taking on or landing pilots at Tybee. Whenever pilot boat is compelled to leave outer station for coal or repairs her place is to be supplied during such absence by a proper substitute, which temporary substitute, however, shall be required to have accommodations for not less than six pilots; the remaining two pilots needed to make the regular crew of eight at outer bar, shall remain in the city office of the Savannah Pilots' Association, during office hours as per Rule 1, ready to fill any vacancy in crew at outer bar. Whenever forced to leave station on account of stress of weather, or other emergency, she shall report back at station at earliest possible moment.

Rule 5. The complement of pilots on boat at outer station shall be at least eight, which number shall be maintained at all times as near as possible, by filling vacancies occasioned by pilots coming up the river in inward bound vessels, at least once a day. In cases where all pilots on outer station are required for active service during one day, their places must be filled, during that day, in whole or in part, by pilots taken from outward bound vessels or pilots sent from the city for that purpose.

Rule 6. No vessel shall be used as a pilot boat, except by the authority and under the inspection of the commissioners of pilotage. Said vessel must be able to go to sea at all reasonable times and must carry signals as per rules prescribed by United States regulations.

Rule 7. No pilot shall hereafter absent himself from this port for more than ten days or engage in any other active business, without first making written application to and obtaining permission of the commissioners of pilotage, and no pilot shall be excused from duty for more than thirty days in any one year, except in cases of sickness.

In cases of sickness or unavoidable contingencies, whereby a pilot is compelled for a time to abandon his duties as a pilot, he shall promptly notify this board.

Rule 8. Hereafter, when any pilot is absent from duty, his place shall be supplied by any apprentice, appointed for that purpose by this board, until return to duty of said pilot. The apprentice acting for said absentee shall be paid the same as an 18-foot pilot.

Rule 9. No pilot shall tender or receive extra compensation for taking another pilot's turn on duty. All infringements of this rule shall be reported to this board. In cases where pilots secure the services of a substitute for any duty, the pilot being so relieved shall report, in writing, to this board, through the secretary of the Savannah Pilots' Association, giving the reasons for such substitution.

Rule 10. Any pilot neglecting or refusing to take his regular turn at bringing in or taking vessels out is liable to suspension, after such refusal or neglect has been reported to and investigated by this board.

Rule 11. No pilot shall report for duty, at outer station or in the city, when intoxicated. A breach of this rule will mean suspension for the first offense, and, if repeated, the guilty party shall be deprived of his license and dismissed from the service.

Rule 12. It shall be the duty of all pilots bringing vessels in or taking them out to report to the secretary of this commission, in writing, immediately, the grounding of or accidents to vessels while under their charge, and give particulars of such grounding or accident.

Rule 13. In taking "turn" in boarding vessels, inward or outward bound, it is hereby directed that certificate pilots are to be considered "on turn" when light draft vessels need pilots, and it is hereby ordered that they be assigned to such vessels, in preference to pilots holding full branch, notwithstanding the fact that said full branch pilots are next on turn. This rule is not to be construed to mean that light draft vessels will have to wait for certificate pilots, under any circumstances; its purpose is simply to give the younger and less experienced pilots more opportunities for experience, and at the same time hold in reserve men capable of handling deeper draft vessels.

Rule 14. Every pilot, when he has brought any vessel to anchor in the harbor, shall, and is hereby directed and required to, moor such vessel, or to give proper directions for the mooring of same, and for the safe riding at such mooring, without extra charge, for such service.

Rule 15. It shall be the duty of every pilot bringing vessels to the city to dock such vessels, provided the proper dock is promptly indicated on arrival, and no extra compensation shall be charged or allowed for this service. This rule may be waived, however, in cases where incoming vessels require the services of one or more tugs to properly dock them; then the duty and responsibility of pilots shall cease when tug or tugs are made fast alongside and master of tug assumes charge for the purpose of docking.

Rule 16. It shall be the duty of every pilot boarding a vessel, to take charge as pilot, to notify the master or commanding officer thereof, and to produce to said officer (if required), his branch or certificate. It shall also be the duty of pilots assuming charge of inward or outward bound vessels to furnish the commanding officer with a copy of these rules, if required.

Rule 17. It shall be the duty of the secretary of the Savannah Pilots' Association, or his deputy, when the latter is on duty at the city office, to report to this board, any pilot who fails or refuses to perform any duty assigned him, or any other infraction of these rules. The failure of the secretary, or his deputy (as the facts may indicate the one responsible for such failure), to report as above directed, will make him liable to same penalties as would have been imposed on the guilty party, had report been made in accordance with this rule.

Rule 18. Every crew reporting for duty at outer station shall elect a captain, whose duty it shall be to report to this board, in writing, the failure of any pilot to report for duty when assigned to outer station. To enable the said captain to comply with this order, the secretary of the Savannah Pilots' Association is hereby instructed to furnish the said captain with a list of pilots composing each crew as they are assigned to duty at the outer station. These crews shall be selected in regular order. The said captain is hereby further instructed to report promptly to this board, in writing, any other infractions of these rules by pilots on duty at outer station. The failure of the said captain to report as above directed, will make him liable to the same penalties as would have been imposed on guilty party, had report been made in accordance with this rule.

Rule 19. Pilots, in taking vessels out of slips, shall station a man at the end of the pier to see that the river is clear and, when so informed, may start with his ship, and at the same time give one long continuous blast of the whistle until he enters the river.

Rule 20. Hereafter, the masters of all pilot boats of this port shall furnish a weekly log of the vessel, showing a detailed daily statement of all pilots on board, with the time of joining the vessel, and the time and reason of leaving—the general position of the vessel during the day and night, with state of weather; the time, place and name of all vessels spoken, and name of pilot put on board, if any, together with any and all information that may be of interest to the commissioners of pilotage. A continuous watch shall be kept by a pilot and one of the crew, and a list of these watches, giving the name of the pilot, shall be embodied in the log, and the log shall be signed by the pilot captain in charge of the cruise. This report is to be filed with the secretary of the commissioners of pilotage weekly, and to be kept by him on file for future reference.

Rule 21. All complaints made to the commissioners of pilotage by pilots, masters, owners or consignees of vessels, shall specify, in writing, the cause of complaint, and when parties are summoned before the board as principal, the cause shall be specified in such summons.

Rule 22. It shall be competent for any commissioner of pilotage to direct forthwith any pilot not having any vessel in charge, to go on board of any vessel that may arrive in the river without a pilot or any vessel, which by any accident or contingency, may be destitute of a pilot, to take her to sea.

Rule 23. All matters in relation to apprentices shall be left to the commissioners; both as to their number, time of service, etc.

Rule 24. Notice shall be given by all the pilots to this board, of apprentices bound to them to learn the business of a pilot. No apprentice shall receive a certificate until he has served three years as an apprentice to the business, as provided for in Rule No. 25, and reached the age of twenty-one. If satisfactory evidence of character and competency for the duty of taking vessels safely from sea to the city and from city to the sea is then produced, such applicant shall be entitled to a certificate for eighteen feet.

Rule 25. Each pilot-apprentice, after the completion of two years of service on pilot boat at the bar and mouth of the river, shall accompany the pilots on their trips to and from sea for a further period of one year, that they may become familiar with the channel and the handling of vessels. To this end it shall be the duty of the pilot in charge of the boat stationed off the bar to have an apprentice accompany pilot who takes a vessel to Savannah as often as it is practicable, and it shall be the duty of such pilots to instruct the apprentice in their charge in the art of pilotage. The apprentice, on arrival at the city, shall report to the Secretary of the Pilots' Association, and the Secretary shall send the apprentice back to the pilot boat on duty at the bar in charge of a pilot on the first out-going vessel. It shall be the duty of the Secretary of the Pilots' Association to keep a record of the number of trips made by the several apprentices, and to report same monthly to the Board of Pilot Commissioners.

Rule 26. Every certificate pilot shall serve eighteen months under each certificate before he shall be entitled to increased authority. Certificates, after the adoption of these rules, shall be issued as follows:

First for eighteen (18) feet.
Second for twenty-two (22) feet, and
Third for full branch.

Pilots shall give one month's notice to this board of their intention to make application for promotion, naming their bondsmen; said application must be approved by the president or secretary of the Savannah Pilots' Association.

Rule 27. The Bar and Cockspur pilotage is not to be demanded or paid, except in cases of vessels boarded outside the bar, but any pilot bringing a vessel from sea to a safe anchorage within the bar shall receive full Bar and Cockspur pilotage.

Rule 28. For delivering instructions to vessels touching at Tybee Bar for orders, pilots shall be entitled to collect one-half Bar and Cockspur pilotage, inward and outward, except in cases where vessels are to return to Savannah to complete cargo, then the fee for such service shall be $15.

Rule 29. The following rates are established for moving vessels, for completing their loading and other purposes, except that all vessels engaged in the coastwise trade with a draft of twelve (12) feet or less, when in tow of a tug with a licensed pilot on board shall be exempt from pilotage:

Draft Feet.	Sav'h to Pt. Went. or Pt. Went. to Sav'h	Sav'h to Tybee or Tybee to Sav'h	Sav'h to Venus Pt. or Venus Pt. to Sav'h	Sav'h to 4-Mile Pt. or 4-Mile Pt. to Sav'h	Sav'h to 5 Fathom or 5 Fathom to Sav'h
6	$ 6 00	$ 8 00	$ 8 00	$ 6 00	$ 4 00
7	6 00	8 00	8 00	6 00	4 00
8	6 00	8 00	8 00	6 00	4 00
9	8 00	10 00	10 00	8 00	6 00
10	8 00	10 00	10 00	8 00	6 00
11	10 00	11 00	11 00	10 00	8 00
12	10 00	11 00	11 00	10 00	8 00
13	10 00	12 00	11 00	10 00	8 00
14	12 00	14 00	14 00	12 00	11 00
15	13 00	17 00	15 00	13 00	10 00
16 and upwards	14 00	18 00	16 00	14 00	12 00

From Tybee to Venus Point same as from Venus Point to Savannah.

From Tybee to Four-mile same as from Savannah to Venus Point.

From Venus Point to Four-mile Point same as from Four-mile Point to Savannah.

Quarantine to Savannah same as from Tybee to Savannah.

Detention per day, $4.32.

And all vessels bound up or down the river, and detained one tide, to alter the trim of the vessel, to pay the pilot a drop of $7.50, but no detention for that day.

Vessels going directly to Port Wentworth or returning directly from there on their passage to or from the sea, will be charged the rates of pilotage between Savannah and Tybee Bar.

Rates of Pilotage for the Tybee Bar and Savannah River:

Draft Feet.	Bar to Cockspur.	Cockspur to Sav'h.	Total.
6 and under	$ 14 70	$ 9 05	$ 23 75
7	16 60	10 30	26 90
8	18 75	11 25	30 00
9	20 65	12 45	33 10
10	24 70	15 30	40 00
11	29 40	17 50	46 90

Draft Feet.	Bar to Cockspur.	Cockspur to Sav'h.	Total.
12	32 50	19 40	51 90
13	35 65	21 85	57 50
14	42 80	25 95	68 75
15	48 75	29 35	78 10
16	54 40	32 45	86 85
17	61 25	36 85	98 10
18	67 50	41 25	108 75
19	75 65	45 60	121 25
20	78 15	46 85	125 00
21	87 50	52 50	140 00
22	100 00	60 00	160 00
23	114 05	68 45	182 50
24	131 25	78 75	210 00
24½	135 95	81 55	217 50
25	140 65	84 35	225 00
25½	145 30	87 20	232 50
26	150 00	90 00	240 00
26½	154 70	92 80	247 50
27	159 40	95 60	255 00
27½	164 05	98 45	262 50
28	168 75	101 25	270 00
28½	173 45	104 05	277 50
29	178 10	106 90	285 00
29½	182 80	109 70	292 50
30	187 50	112 50	300 00

All vessels drawing seventeen (17) feet or less, when loaded, shall pay 25 per cent. less than the above rates.

Rule 30. To enable the pilots to comply with Rule 8 hereof, it is ordered that at least one past apprentice be kept on duty or within call at all times to fill vacancies and maintain the quota of active pilots on duty.

Rule 31. At any time that the Commissioners have doubts as to the capability of any of the pilots to perform their duties, the Commissioners will be authorized to have such pilots examined by at least two or more competent physicians, who will report to the Commissioners the result of their examination, and upon their decision the Commissioners will be authorized to retire pilots incapacitated to perform their duties as pilots.

It being understood that such pilots so discharged will receive half pay for the following eighteen (18) months and then receive the usual pension.

Aug. 12, 1908, Oct. 20, 1909, Apr. 5, 1911, Apr. 19, 1911, Apr. 1, 1914, Mar. 14, 1917, Apr. 11, 1918, May 22, 1918.

CHAPTER LXIII.

SAVANNAH RIVER, WHARVES, VESSELS, ETC.

1612. (1527.) Harbor lines established. The harbor lines established by the Board of United States Engineers, on April 1, 1889, and approved by Secretary of War of the United States on May 1, 1889, for the Savannah River, between the city water works and Fort Oglethorpe, are hereby adopted as the official harbor lines for the said river, and it shall not be lawful for any person or persons to build or erect any structure of any character in said river, on either side thereof, beyond said harbor lines.

Feb. 19, 1890, p. 71.

1613. (1528.) Unlawful to build beyond harbor lines. It shall not be lawful for any person or persons to build at any point in the Savannah River on either side thereof, between the cross-tides above the City of Savannah and the sea, within the jurisdiction of the State of Georgia, any structure of any character whatever, or to repair any existing structure without authority from the City Council of Savannah upon regular written application made, which application shall recite in detail all the work contemplated and be accompanied by detailed plans of that portion of the proposed structure which is to extend beyond the low water line. Upon such application being made, it may be lawful for Council to grant the same, if it appears that the proposed structure is not to extend beyond the harbor lines hereby established, and that such structure will not injure the navigation of said river. All bulkheads built in the Savannah River on either side thereof, between the cross-tides above the City of Savannah and the sea, shall be built not nearer than twenty (20) nor farther than thirty (30) feet from the harbor lines established by the United States government and after a compliance with the terms of this and the preceding sections.

Aug. 8, 1900, p. 299.

1614. (1529.) Penalty. Any person or persons who shall erect, or build, or cause to be erected or built, any structure in the Savannah River beyond the said harbor lines established by foregoing two sections, or shall build or repair any structure in the said river, except after permission obtained, as heretofore provided, or in violation of, or in excess of such permission, or who shall violate the provisions of the two preceding sections, or any one of them in any respect, shall, upon conviction before the Police Court of the City of Savannah be fined in a sum not to exceed one hundred ($100) dollars, and be imprisoned not to exceed thirty (30) days, either or both, in the discretion of the court, and in addition, a structure erected in violation hereof shall be at once removed under direction of the Mayor by an officer, to be designated by him, and at the expense of the person or persons erecting the same.

Feb. 19, 1890, § 3, p. 71.

1615. (1530.) Lines for building or repairing to be established by City Engineer. Whenever any wharf within the limits of Savannah shall be built or repaired, it shall be the duty of the owner or occupant of the lot upon which such wharf is to be built or repaired, to have the lines of said wharf established by the City Engineer, who shall receive therefor the same fees as are provided in the case of the establishment of the lines of other lots in the said city, and all wharves built shall be built in accordance with the plans provided by the ordinances of the city.

Sept. 9, 1874, § 1.

1616. Wharf plans. All wharves hereafter constructed in the City of Savannah shall conform to a plan prepared by the City Engineer designated "Plan of Wharf," marked "Approved, W. J. Winn, City Engineer," and also "Plan made July 11, 1900. Tracing made January 21, 1901," which said plan is now on file in the office of the City Engineer, except that where square piles are shown on said plan, round piles, of equivalent dimensions, may be used, provided always, however, that all fender piles and front row of piles adjacent to the fender piles shall, in all cases, be square.

May 6, 1908.

1617. (1531.) Penalty for building, etc., on other lines. If any owner or occupant of any wharf lot, or any person contracting with him, her or them, shall build or repair or cause to be built or repaired, any wharf within the limits of said city, on any other lines than such as may be established by the City Engineer, or any other plan or in any other manner than is hereinbefore ordained, shall be fined, on conviction thereof in the Police Court, in a sum not exceeding one hundred ($100) dollars, or be imprisoned not exceeding thirty (30) days, or both, in the discretion of the court—each day's continuance of any such forbidden structure to be considered a separate offense and punished accordingly, and such forbidden structure shall be deemed a nuisance, and liable to abatement in the same manner as other nuisances, and at the expense of the owner or occupant of the lot on which the same shall be erected—for the amount of which expense execution may be issued and collected in the same manner as executions for taxes due to the city.

1618. (1532.) Public docks, depositing merchandise on, prohibited. No person shall bring, deposit, lay, or cause to be brought, deposited, or laid on any or either of the public docks, wharves, or landing places at the north end of, or opposite to the streets of the 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 any provision of this section, shall, on conviction, be subject to a fine of one hundred ($100) dollars for each and every offense, and the said articles may be seized and retained until the fine imposed be paid.

Aug. 19, 1839.

1619. (1533.) Obstruction of public wharves by boats, penalty. When any of the said boats shall be found moored or lying at any public wharf or wharves of the 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 provisions of the foregoing section, then, and in such case, the 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 Police Court, and on conviction shall be punished by fine not exceeding thirty ($30) dollars, or be imprisoned not exceeding ten (10) days, either or both.

June 11, 1810.

1620. (1534.) Throwing ballast, ashes, etc., in Savannah River; penalty. It shall not be lawful for any person to throw, cast, or deposit, or cause to be thrown, cast or deposited in the Savannah River, or on its banks below high water mark within the extended jurisdictional limits of the City of Savannah, from any steamer or sailing vessel, or from the shore, any ashes, ballast, rice chaff, refuse matter, or any substance of whatever nature or kind which may in any degree lessen the depth of 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 offense, be fined in a sum not exceeding one hundred ($100) dollars on conviction before the Police Court, and in case such offense be committed from or on board of any vessel, then the owner or owners, captains and consignees of such vessel shall be liable for the payment of such fine, or be imprisoned not exceeding thirty days, either or both, in the court's discretion.

April 18, 1866.

1621. (1535.) Harbor Master to incorporate in his rules. The Harbor Master is hereby required to incorporate the provisions of the preceding section into his rules, and to furnish a copy thereof to every vessel visiting this port.

April 18, 1866.

1622. (1536.) Dumping material in river permitted, when. It shall not be lawful to dump or deposit any material of any kind in the Savannah River between the cross-tides above the City of Savannah and the sea, within the jurisdiction of the State of Georgia, without the written permission first had and obtained from the Committee on Harbor and Wharves, upon application in writing, which shall state specifically the character and approximate amount of material which it is desired to deposit; and the said committee shall not grant said application unless they first ascertain and designate a point where such material may be deposited without injury to the harbor of said City of Savannah, and if no such place exists, then the permission shall not be granted, and provided always that such dumping or depositing shall be done under the personal supervision of a competent person, to be designated by the said committee, who shall be paid for his services by the said applicant not more than the sum of three ($3) dollars per day.

Mar. 5, 1890, p. 165.

1623. (1537.) Dumping without permit; penalty. Any person or persons who shall dump or deposit material in the Savannah River, except after permission granted as hereinbefore stated, or shall cause the same to be done, or shall violate the permission of the committee, or shall in any respect violate the provisions of the preceding section, shall, upon conviction before the Police Court of the City of Savannah, be fined in a sum not to exceed one hundred ($100) dollars, or to be imprisoned not to exceed thirty (30) days, either or both, in the discretion of the court.

1624. (1538.) Vessels in stream to keep lights. 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 masthead, 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. For every violation of this section, the offender shall be fined not exceeding thirty

($30) dollars (one-half to the informer), or be imprisoned not exceeding ten (10) days, either or both.

Feb. 19, 1846.

1625. (1539.) Vessels under weigh to keep lights suspended. 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 bow-sprit or jib-boom, so that another vessel or craft may know how she is standing.

June 16, 1851.

1626. (1540.) Penalty for violation. For any violation of the preceding section, the offender shall be fined in a sum not exceeding thirty ($30) dollars, upon information and conviction before the Police Court, or be imprisoned not exceeding ten (10) days, either or both.

1627. (1541.) Speed of steamers passing line of wharves, etc. 1. No steamer shall, while passing along the line of the wharves of the city, exceed in speed four (4) miles an hour; and where two or more vessels are moored abreast of any of said wharves, the steamer passing will stop her engine and "turn over slow" using every precaution to avoid unnecessary suction, until the vessels in her immediate vicinity are passed by. In passing near the dredge and dredge flats employed at any point on the river between the western limits of the city and Tybee, steamers must be slowed down, and, where necessary, stopped and worked as above specified, until the dredge or flats are passed. Every steamer violating the foregoing requirements, the owner or owners thereof shall be subject to a fine not exceeding one hundred ($100) dollars for each and every offense, on conviction before the Police Court, or be imprisoned not exceeding thirty (30) days, either or both.

2. No steamer while passing the line of quarantine wharves opposite the southeastern end of Long Island, or while passing the mooring berths at the Bight or Venus Point, or any other point at which the City of Savannah may establish mooring piles, while vessels are moored at said berths, or at any time, shall exceed a speed of five miles per hour. The master of every steamer violating this ordinance shall be subject to a fine not exceeding one hundred ($100) dollars for each and every offense, with the alternative of imprisonment not longer than thirty (30) days, upon conviction before the Police Court of the City of Savannah.

Mar. 25, 1874.
Apr. 6, 1898, p. 379.

1628. (1542.) Breaking up of rafts, except in booms or basins, prohibited. It shall not hereafter be lawful for any person to break up, or permit or suffer to be broken up, any raft or timber, lumber or wood, anywhere in or upon the River Savannah, at any point between the upper portion or limit of said city and the western extremity of Elba Island, under a penalty of not more than one hundred ($100) dollars for each and every violation of this section; and it shall be the duty of the Harbor Master and his assistant to report every such violation coming to his knowledge, or of which he has credible information: Provided, always, nevertheless, that it shall not be a violation of this section to break up such raft, where the same is done with a boom or basin; and provided further, that it shall not be a violation of this section to break up rafts of oak or cypress and load the same on the north side of the Savannah River, when the same are broken up under a permit first had and obtained through the Harbor Master from the Mayor or Acting Mayor of the City of Savannah, who is hereby authorized to give such

permit as he may see fit from time to time under such regulations as he may prescribe, and in the event that any person shall violate any of the regulations prescribed to govern said breaking up and loading, upon conviction thereof in the Police Court, such person shall be fined in a sum not exceeding one hundred ($100) dollars, or imprisoned not more than thirty (30) days, either or both, in the discretion of said court.

Mar. 27, 1872.
Mar. 25, 1885.

1629. (1543.) Rafts, etc., at mouth of canals and sewers. It shall be unlawful for any person to put or place at or near the mouth of any canal or sewer of the City of Savannah, any raft, flat, hulk, or other obstruction so as to in any wise obstruct the free flow of water out of such canal or sewer, and any person violating this section or any part thereof shall, upon conviction in the Police Court of the City of Savannah, be fined in a sum not exceeding one hundred dollars and imprisoned not exceeding thirty days, either or both, in the discretion of the court, for each offense, and every day's continuance of any such obstruction shall be considered a separate offense.

July 3, 1872.

1630. (1544.) Crews of vessels to sleep ashore August, September and October. It shall not be lawful for the crews of vessels lying in the Savannah River, within the port of Savannah, to sleep on the river during the months of August, September and October of any year, and it is hereby made the duty of the masters of vessels to require their crews to sleep on shore, and south of River Street, during the said months. And any master failing to comply with this section, shall, on conviction before the Police Court of the City of Savannah, be subject to a fine not to exceed one hundred ($100) dollars, and imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court.

Aug. 1, 1894, p. 205.

1631. (1545.) Screven's Ferry—landing at East Broad Street dock. Resolved by the Mayor and Aldermen of the City of Savannah in Council assembled, in pursuance of the compromise and settlement of the case brought by Thomas F. Screven against the Mayor and Aldermen of the City of Savannah et al., in Chatham Superior Court on the 9th day of February, 1898.

1. That the ferry right of the said Thomas F. Screven to land at the East Broad Street dock to the same extent that he has enjoyed this right at Screven's Ferry dock, at foot of Reynolds Street, is hereby acknowledged.

2. The City of Savannah will fix and maintain the East Broad Street dock so that it will suit the ferry purposes of the said Thomas F. Screven in the use and operation of his ferry and, to this end, will remove the barge office from the dock, build a platform for landing and shipping of mules, etc., and for the use of the flat at least twenty (20) feet wide, so as to make an easy ascent and descent, will cut off two (2) or more cap logs back of the barge office and cut back the earth so as to give proper slope to run back twenty (20) feet from the outside line of these cap logs, and have this slip thirty (30) feet wide; will cut off piling under barge office and clear space and remove all obstructions in the dock and will place steps at the side of the dock and will pave the sides of the cut with logs, and have surface covered with such material as that the landing and shipping can be properly and safely accomplished.

Feb. 15, 1898.

This Code section is ratified and confirmed by an Act of the Legislature of Georgia, approved Aug. 8, 1912. (Acts 1912, p. 1264.)

CHAPTER LXIV.

EDUCATION.

See Charter of City, Chapter XI., Board of Education.

1632. (1556.) Mayor to appoint three Commissioners of Massie School. At the first regular meeting of Council in February of each year, the Mayor of the City of Savannah shall appoint three (3) commissioners of the Massie School, one of whom shall be the Mayor, when he is not a member of the regular board of "Public Education for the City of Savannah"; the said Commissioners to be selected from the aldermen or the citizens at large, or both, as the Mayor may elect, and the said appointment to be subject to the confirmation of Council.

Mar. 13, 1895, p. 357.

1633. (1557.) Ex-officio part of Board of Education. Said Commissioners shall hold their office until their successors are appointed, and shall unite with, and become part of the "Board of Public Education for the City of Savannah and the County of Chatham," as created by an act of the General Assembly of the State of Georgia, approved March 21, 1866, as amended by the act of the 16th December, 1866, and be governed by said acts, and by such by-laws, rules and regulations as said "Board of Public Education for the City of Savannah and the County of Chatham" may from time to time ordain for its government.

1634. (1558.) Grant of lots to Trustees of Chatham Academy. That lots numbers seventeen, eighteen and nineteen, Brown Ward, and such portion of the adjacent lane as is now enclosed by the Trustees of Chatham Academy, be, and the same are hereby granted to said the Trustees of Chatham Academy, and their successors, for the education of youth, so long as the above described lots, and the adjacent portion of the lane now enclosed, shall be held and used by the said Trustees, and their successors, for the purpose of education of youth, as aforesaid: Provided, always, nevertheless, and on this condition, that the said, the Trustees of Chatham Academy and their successors in office, shall and will, in consideration of the grant hereby made, receive for the purpose of education, and teach, annually, at least five scholars, free of charge, bestowing upon them like care, attention and instruction with that extended to pay scholars in the said institution known as Chatham Academy; said five scholars to be known as city scholars, and to be selected from among the scholars of the Massie School, by the Commissioners of the said, the Massie School, and to be received and admitted into the Chatham Academy only upon the recommendation of the said the Commissioners of the Massie School; and, in case of the discontinuance or permanent cessation of the Massie School, then on the recommendation of the City Council of Savannah.

Dec. 22, 1859.

1635. (1559.) Shall revert to city, when, etc. The said lots, and the enclosed portion of the adjacent lane, shall revert to the City of Savannah, and again become a part and parcel of its domain, whenever the same shall be appropriated by the said the Trustees of Chatham Academy, or their successors, to any purpose or purposes other than the education of youth; and also whenever the said Trustees of Chatham Academy, or their successors, shall refuse to educate annually, free of

charge, at least five scholars, to be received as hereinbefore specified: Provided, the same be duly recommended, as aforesaid, by the Commissioners of the Massie School, or the City Council, in case the said Massie School shall be discontinued or shall cease to exist.

1636. Board of managers for new public library. A board of managers for the new public library of the City of Savannah is hereby created, to consist of twelve members, to be appointed by the Mayor, subject to the approval of Council. In addition to the twelve members so to be appointed, the Mayor of the City of Savannah shall be an ex-officio member of said board of managers, with the same powers as are given herein to the other members thereof.

Feb. 2, 1916. Amendment Feb. 16, 1916. See sections 313-315.

1637. Same; terms of office. Two of the said board of managers shall be appointed for a term expiring January 1, 1917; two for a term expiring January 1, 1918; two for a term expiring January 1, 1919; two for a term expiring January 1, 1920; two for a term expiring January 1, 1921, and two for a term expiring January 1, 1922.

At the last regular meeting of the Board of Aldermen in December of each year, the Mayor shall appoint, subject to the approvel of Council, for a term of six years, the successors of the members of said board whose terms are to expire on the first of January next succeeding.

Any vacancies caused by resignation, death or otherwise may be filled by the Mayor, subject to the approval of Council, at any regular meeting thereof.

Feb. 2, 1916, ¶ 2.

1638. Same; organization. The said board of managers shall have a chairman and vice-chairman, who shall be appointed by the Mayor for the first year, subject to the approval of Council; but thereafter the chairman and vice-chairman shall be selected by the board of managers.

1639. Same; duties and responsibilities. The said board of managers shall have complete control of the management of the library and shall generally control its affairs, but the expenditure of all funds appropriated by the city for the support of said library shall be subject to the rules of Council regulating other expenditures of the city. Said board of managers shall, at the close of each year, make a complete statement to the Mayor and Aldermen of all their actings and doings and shall, in addition, present to the Mayor and Aldermen any information or reports required by either from time to time.

Amendment May 24, 1916. Feb. 2, 1916, ¶ 7.

1640. Librarian and assistants. The librarian and his assistants shall be appointed by the Mayor subject to the approval of Council and shall receive such salaries as may be fixed by Council.

Feb. 2, 1916, ¶ 6.

1641. Board of trustees for colored library. A board of trustees of the colored library shall be elected by council, to consist of ten colored citizens, residents of the City of Savannah, whose terms of office shall be as follows, to-wit: Two of said trustees shall be elected for the current year, 1915, and their term of office shall expire January 1, 1916, and their successors shall be elected by Council for the full term of one year, from January 1, 1916; two of said trustees shall be elected to hold office for the period until January 1, 1917, and their successors shall be elected by Council for the full period of two years, from January 1, 1917; two of said trustees shall be elected to hold office for the period until January 1, 1918, and their successors shall be elected by Council for the full period of three years, from January 1, 1918; four of said trustees

shall be elected to hold office for the period until January 1, 1919, and their successors shall be elected by Council for the full period of four years, from January 1, 1919. The members of said board shall hold their office until their successors are elected.

Mar. 17, 1915.

1642. Same; expenditure of funds. The sums of money appropriated in the budget for the City of Savannah for the year 1915, and all sums hereafter appropriated, shall be expended by and under the direction of the said board of trustees, and the said appropriations shall be drawn from the treasury of the City of Savannah on the warrant of said board, and shall be paid from time to time by said board in the payment of salaries, purchase of books and other necessary expenses of said library. An itemized statement of all amounts so paid out shall be made annually, on or about the first day of December in each year, to the Mayor of the City of Savannah, and by him submitted to Council for its informatioin.

1643. Same; duties and responsibilities. Said board of trustees shall exercise a strict and rigid supervision of said library, and shall pass all necessary rules and regulations for the government and conduct of the same, which shall be submitted to Council for its approval.

1644. Same; appointment librarian and assistant. Said trustees shall have the authority to elect a librarian, and, if necessary, an assistant librarian, or designate some officer or officers to perform the duties of librarian or assistant librarian, and shall appoint and discharge said officer or officers at pleasure.

CHAPTER LXV.

BOARD OF TAX ASSESSORS.

1645. (1562.) Board of Tax Assessors created. At an adjourned meeting of Council, to be held March 31, 1899, there shall be elected three (3) freeholders, residing in the City of Savannah, as tax assessors for the City of Savannah, who shall value and assess all the property within said city liable for taxation, as hereinafter stated, and who shall begin to discharge their duties as said board on the first day of April, 1899.

At the said regular meeting, the Council of the City of Savannah shall elect one of the three assessors as the chairman and ex-officio clerk of the said board, and the said chairman and ex-officio clerk and the two associate assessors shall hold their office until the next regular election for other city officers, and shall be thereafter elected biennially.

Mar. 22, 1899, p. 355.

1646. (1563.) Oath and bond. In order to qualitfy, each of the said assessors shall take and subscribe before the Mayor of the City of Savannah an oath of office to the effect that he will well and truly perform all of the duties appertaining to his office, as prescribed by law, which oath shall be filed in the office of the Clerk of Council, and the chairman of said board shall give a bond in the penal sum of three thousand ($3,000) dollars, and his two associate assessors shall each give a bond in the sum of two thousand ($2,000) dollars, payable to the Mayor and Aldermen of the City of Savannah, conditioned for the faithful performance and discharge of all his duties as said tax assessor, and in addition to this, the bond of the chairman and ex-officio clerk shall be conditioned for the faithful performance and discharge of all of his duties, not only as tax assessor, but also as the chairman and clerk.

1647. (1565.) Office and attendance. The said tax assessors shall have an office in the City Hall, and it shall be the duty of the chairman and ex-officio clerk to be at the said office every day, Sundays and holidays excepted, from 9 A. M. to 2 P. M., and from 4 P. M. to 6 P. M., except when his absence from the said office may be required by his official duties.

It shall be the duty of the said two associate assessors to be at the said office every day, Sundays and holidays excepted, from 9 A. M. to 2 P. M. and from 4 P. M. to 6 P. M., except when their absence from the office may be required by their official duties, during the month of January of each year. During the months of February and March of each year they shall give to their duties at least five hours of each day, Sundays and holidays excepted, and such other time during months other than January, February and March as they may be called upon to give by the said chairman.

1648. (1566.) Records. The clerk of the said board shall keep a correct record of the proceedings of the said board, which shall always be subject to the inspection of the Mayor or any Alderman of the city, and shall perform such other duties as may hereafter be imposed upon him by ordinance or by the lawful rules and regulations of said board.

1649. (1567.) Duties and powers. It shall be the duty of the said assessors to value and assess all real estate and improvements within the

City of Savannah liable for taxation, and also all personal property liable for taxation, but said personal property shall be returned to the said assessors as hereinafter required by the owners thereof, under oath, and, after the said return, the said assessors may accept the same or may increase the same as hereinafter stated.

In cases of failure to return personal property for taxation, or of failure to make a true return, or of attempt at fraud in returning the same, the said assessors shall assess the value of said personal property for taxation, and shall have power in this connection to subpoena before them persons making returns for taxation and to cause them to procure before them for inspection their books, policies of insurance and other papers, to subpoena and examine witnesses and to take all other steps necessary in the judgment of the said assessors in the premises in order to obtain true and correct returns.

(a) They shall require all returns of personal property subject to taxation and held or owned on the first day of January of each year to be made before them at their office upon such form as they may prescribe or approve by the 20th day of January of each year, and the following oath or affirmation shall be administered to each and every person making returns for taxation of personal property, to-wit: "You do solemnly swear (or affirm) that the returns which you are about to make shall be a just and true statement of all personal property of every kind which you held or owned on the first day of January (inserting here the year), or were interested in, either in your own right or the right of any person or persons whomsoever, either as parent, guardian, executor, administrator, agent or trustee, or any other manner whatsoever, to the best of your knowledge, information and belief. You do further swear that you will truly, correctly and fully answer all questions asked you by the tax assessors in reference to said return and that you have not conveyed or assigned to others or removed out of the City of Savannah any property whatsoever to avoid returning the same for taxation."

The said tax assessors shall keep the tax book open and ready for returns until the time specified above, and of which full notice shall be given to the tax payers by publication in the official organ of said city and by such other means as the said board may adopt.

It shall be the duty of said tax assessors to have prepared suitable books for the purpose of receiving returns as provided herein.

(b) If any person fails, neglects or refuses to make a return of his or her personal property within the time appointed, or to truly answer such questions as may be asked, or to submit his personal property for the inspection and valuation of said assessors, or to furnish such data and information as may be called for by them, then it shall be the duty of said assessors, jointly, from the best information they can get in reference to the kind and value of the personal property owned and possessed by such person, to arrive at the true value of the same and place it upon their books. They shall also enter upon their books the name of any person, firm, company or corporation who shall either fail or refuse to give in their property and of all they are unable to find, and who they may believe to be subject to a tax on personal property and of the amount of the tax assessable against them.

(c) In the discharge of their duties the said tax assessors shall be authorized to enter the store or place of business of any person, but shall not enter any private residence without the consent of the occupants.

(d) In case of false, fraudulent or unfair returns, the said tax assessors shall cite the person making the same, before them on some day to be fixed by them, and show cause why the return should not be corrected. Upon any such person so cited appearing before them, they shall, if requested, hear such evidence as to the real value of the return in dispute as may be submitted to them and determine the same. If such per-

son so cited refuses or neglects to appear, his returns shall be corrected by the said assessors according to the best information they can obtain.

(e) After the returns are in and corrected (where corrections are necessary), the said tax assessors shall enter the same upon two identical tax digests, alphabetically arranged, one of which tax digests shall be retained for use in their office and the other shall be placed in the office of the City Treasurer.

(f) They shall have power in all cases to swear a person making a return that he will tell the truth, the whole truth, and nothing but the truth, in answer to their questions, and to interrogate him or her closely for the purpose of having a just, full, true and correct return and valuation made.

(g) Immediately after said board of assessors shall have completed the assessment roll of real estate and improvements and personal property, it shall be its duty to prepare two tax rolls, one of which shall be known as the original and the other as the duplicate. These tax rolls shall be prepared in a book, or on sheets, appropriately ruled and arranged alphabetically, to show under each name the total amount of the assessment and taxes.

On the final completion of said tax rolls by the board of assessors it shall forthwith prepare a certificate and swear to the same before any officer authorized to administer oaths, embracing the facts shown and referred to in the following form:

We _____, chairman and _____ comprising the board of tax assessors of the City of Savannah, Georgia, do solemnly swear that the tax roll for the year _____, to which is attached this certificate, contains a full and correct list of all the real and personal property, subject to taxation in the City of Savannah, Georgia, so far as we have been able to ascertain the same; that the assessed value set down in the proper column opposite each name, aggregating $_____, is the true and correct valuation thereof, as ascertained by us, and that the footings of the several columns in said tax roll and the amount of taxes shown as collectible is correct as we verily believe.

_____, Chairman.
_____
_____

The certificate of the said board of assessors, referred to above, after having been approved by the Mayor, shall be read at the meeting of the Council following. The spreading of the certificate upon the minutes shall be deemed an approval of the tax rolls by the City Council, unless action to the contrary by the Council be taken at this meeting.

After the tax rolls shall have been approved by the City Council in the manner described above, the original shall be delivered to the City Treasurer and the duplicate remain in the vault of the Clerk of Council. It shall further be the duty of the comptroller of accounts to charge to the account of the City Treasurer the total amount of taxes due to the City of Savannah for the current year as shown on the tax rolls and by the certificate of the board of assessors, which amount shall be a valid claim against the City Treasurer and the sureties on his official bond until the same shall be properly accounted for.

Jan. 7, 1914.

1650. Real estate transfers to be recorded. All transfers of real estate in the corporate limits of the City of Savannah shall be filed by the grantee for record with the board of tax assessors, and all taxes due said city up to the end of the previous quarter shall be paid before such transfer is recorded.

Feb. 3, 1915.

1651. (1568.) Penalty for incomplete or unfaithful returns. Any person who shall knowingly make any incomplete or unfaithful return for taxation, or who shall refuse to make a return, shall, on conviction before the Police Court of the City of Savannah, be subject to a fine not exceeding fifty ($50) dollars, or imprisonment not exceeding thirty (30) days, either or both, in the discretion of the court, for each offense.

Mar. 22, 1899, ¶ 7.

1652. (1569.) Failure to make returns, double tax. In case any person, firm or corporation liable under the tax ordinances of the City of Savannah shall fail or refuse to make returns of personal property, as required in this chapter, it shall be in the power of said tax assessors to assess such persons, firm or corporation at double the amount of the immediately preceding tax return, and if no return shall have been made, then the said assessors shall have the power to assess such person, firm or corporation such amount as may be proper in their judgment, provided, however, that upon petition made to said tax assessors by any such person, firm or corporation, within thirty days after such assessment, or double assessment, and not thereafter, the said tax assessors shall hear the said petitioner, and such evidence as may be adduced before it, and if proper excuse be shown, in the judgment of said tax assessors, they shall have the power to reduce such assessment or double assessment and upon such terms as they may deem just and equitable. The decision of the said assessors, after hearing the evidence, shall be final.

1653. (1570.) To file tax digest with City Treasurer. The said tax assessors shall make their reports to the municipal authorities by filing with the City Treasurer one of the tax digests showing the assessments and valuations of property in the City of Savannah for taxation, and the municipal authorities shall, in levying or assessing the rate of taxation, do so upon the value of the property so reported.

CHAPTER LXVI.

OFFENSES AGAINST PUBLIC PEACE, ETC.

1654. Immoral women, transportation of, etc., unlawful. (a) It shall be unlawful for any person, firm or corporation, driver or drivers of any public conveyance, vehicle or common carrier of any kind whatsoever, to transport, carry, convey or assist by aiding, abetting, encouraging, requesting or otherwise, in transporting, carrying, conveying or accompanying by any ways or means whatsoever any woman or women from any point within the limits of the City of Savannah to any other point within the limits of said city or from any point within the limits of said city, to any point outside the limits of said city, or from any point outside the limits of said city to any point within the limits of said city, for any immoral purpose or purposes.

(b) It shall be unlawful for any person to give information about or direct any other person or persons to any house or place for immoral purposes, or to any immoral woman or women, whether the communication be by word of mouth, direct or by telephone or in writing, within the limits of the City of Savannah.

(c) It shall be unlawful for any person within the limits of the City of Savannah to invite, or entice any person or persons upon any avenue, street, road, highway, open space or public square or enclosure in the limits of the City of Savannah to accompany, go with or follow him or her to any place for immoral purposes, or to invite, entice or address any person from any door, window, porch or portico of any house or building, to enter any house, go with or accompany or follow him or her to any place whatsoever for immoral purposes.

(d) Any person or persons who shall knowingly violate the provisions of any of the foregoing sections of this ordinance shall upon conviction before the Police Court of said city be punished by a fine of not more than twenty-five dollars and imprisonment not more than thirty days, either or both, in the discretion of said court, and if any person or persons convicted of violating any provision hereof has at the time a license as a driver of a public conveyance of any character, the said license shall be immediately forfeited and revocation shall be declared by the city recorder.

Feb. 13, 1918.

1655. (1617.) Disorderly conduct; keeping disorderly house. 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, or keep a disorderly house within the limits of the City of Savannah, such person shall, on conviction before the Police Court, be fined in a sum not exceeding one hundred ($100) dollars, or be imprisoned not exceeding thirty (30) days, or both, at the discretion of the Police Court; each day's keeping of a disorderly house to be considered a separate offense.

June 2, 1854.

1656. (1618.) Disorderly conduct at fire. Any person who shall, at a fire, disturb the peace and quiet of the city, or disobey the orders of the Mayor or Superintendent or other acting engineer, or who shall be guilty of any riotous, disorderly or improper conduct, such person shall be sent to the police barracks 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 police barracks or jail, and brought before the Recorder, who may order the fine and imprisonment mentioned in the first section: Provided, that nothing herein contained shall be construed to interfere with the powers of the Chief of Fire Department or other acting engineer.

June 2, 1854.

1657. (1619.) Disorderly conduct in house or enclosure. It shall not be lawful for any person, whether in or out of any house or other inclosure within said city, to disturb or violate the peace, good order or quiet of the said city, or any part thereof, by any riotous, boisterous, noisy or disorderly conduct; and any person violating this section shall, on conviction before the Police Court, be fined in a sum not exceeding one hundred ($100) dollars, or be imprisoned not more than thirty (30) days, or both, at the discretion of the said Police Court.

Feb. 16, 1870.

1658. (1620.) Officer's duty to request admission, etc. Whenever any such riotous, boisterous, noisy, or disorderly conduct shall occur in any such house or enclosure in said city, to the annoyance of the people of said city, or any portion of them, it shall be the duty of any officer or private of the police force, who may know of, or whose attention may be called to such conduct, to request admission into the premises for the arrest and removal of the offender or offenders; and if such request, when made, be not complied with by the person or persons having the management, control, or government of such premises, then such person or persons having such management, control, or government, shall be deemed to be the offender or offenders, and shall be liable on conviction before the Police Court, to be fined or imprisoned, or both, as hereinbefore prescribed.

1659. (1621.) Disorderly conduct at billiard rooms or bowling alleys. 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, 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 in relation to riotous, disorderly or noisy conduct.

Nov. 16, 1843.

1660. (1622.) Balls, etc., where boisterous shouting; Mayor's permit necessary. It shall not be lawful for any person or persons to give within the limits of the city, any public balls, of whatsoever description, or other gathering, where boisterous shouting is indulged in, under the penalty of fifty ($50) dollars fine, or imprisonment for not exceeding ten (10) days, either, or both, for each and every contravention; unless permission in writing be previously obtained from the Mayor; such penalty to be inflicted upon the person or persons giving such ball or shouting, or guilty of boisterous conduct at the same. Wherever the foregoing shall be violated, it shall be the duty of the Mayor to cause said ball or balls, or other gatherings, as before mentioned, to be closed immediately by the police.

Jan. 24, 1866.

1661. (1623.) Mayor's authority to close public resorts to maintain order, etc. By virtue of the powers granted by law to the Mayor and City Council, the Mayor shall cause to be shut up any place of public

1662. (1624.) Disturbing public worship. If any person or persons whosoever shall disturb any congregation who are assembled together

resort when the maintenance of order, the public safety or tranquilty, or public decency may, in his judgment, require it.

Jan. 24, 1866.

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 offense, be subject to a fine not exceeding one hundred ($100) dollars, and in default of payment of the same, it shall be lawful, on conviction before the Police Court, for the court to commit him or them to the common jail for a space of time not exceeding ten (10) days.

Apr. 11, 1839.

1663. Loafing or loitering about the streets, alleys, etc. (a) It shall be unlawful for any person or persons to stand around or assemble on any of the sidewalks, streets or bridges or in and around any alley, railroad yard, railroad depot, pool room or refreshment place in the City of Savannah, and loaf, loiter or idle or engage in any boisterous conduct or noise to the disturbance of others.

(b) It shall be unlawful for any unemployed person (or person not engaged in a lawful business or profession) to be found idling, loitering or loafing upon the streets of said city, regardless of his income, property or means of support.

Any person violating the provisions of this section or any of them shall upon conviction before the Police Court be fined in a sum not exceeding $100.00 or imprisoned not exceeding 30 days, either or both, in the discretion of the court.

May 8, 1911. April 11, 1918.

1664. Steam whistles, unnecessary prolonged blowing of, unlawful. The unnecessarily prolonged blowing of steam whistles in the corporate or jurisdictional limits of the City of Savannah shall be unlawful, and it shall be the duty of all persons, firms or corporations having occasion to blow steam whistles, to avoid the unnecessarily prolonged blowing thereof, and thus save unnecessary noise and disturbance. The violation of this ordinance shall be punishable, upon conviction before the Police Court of the City of Savannah, by a fine not to exceed fifty ($50) dollars and imprisonment not to exceed ten (10) days, either or both, in the discretion of the court.

May 6, 1908.

CHAPTER LXVII.

OFFENSES AGAINST PUBLIC POLICY, HEALTH AND COMFORT.

1665. No unnecessary noises in hospital zones. The area within two hundred feet from any hospital in the City of Savannah, including the said hospital, is declared to be a hospital zone; and any person causing or producing unnecessary noises within a hospital zone in the City of Savannah shall, upon conviction before the Police Court of the City of Savannah, be punished with a fine of not more than twenty-five dollars and imprisonment of not more than thirty days, either or both, in the discretion of the court.

June 6, 1917.

1666. (1625.) Landing paupers from vessels. It shall not be lawful for any master, captain, or commander of any steam or sailing vessel arriving in the harbor of Savannah, to land, or permit to be landed, any steerage passenger or other person likely, as a pauper, to become a charge on said city, without permission from the Mayor or Acting Mayor of said city, and for a violation of the foregoing provision, such master, captain, or commander shall be liable, on conviction before the Police Court, to a fine of twenty-five ($25) dollars for every such steerage or pauper passenger so landed, as aforesaid; but such fine may be remitted on such master, captain, or commander, either conveying such passenger or pauper back to the port whence he came, or entering into bond, to be approved by the Mayor, that such passenger or other pauper shall not become a charge to or on said city for the space of at least twelve months from such landing, and on such master, captain, or commander paying all costs of prosecution, and all expenses attending the enforcement of the order of the Mayor in carrying out this order in every given case, or said offender may be imprisoned not exceeding ten (10) days, either or both.

1667. (1626.) Landing paupers from railways. The foregoing section shall include within all of its provisions the landing of such paupers or persons, so liable to become a charge upon the city, from any railway train or car, arriving in Savannah, by any conductor, engineer, or other officer, or agent of any railroad company; and for a violation of any of the said provisions, any such conductor, engineer, or other officer, or agent, shall be liable, on conviction, to the same punishment as is therein provided for any master, captain, or commander, of any steam or sailing vessel arriving in the harbor of Savannah, who is guilty of such violation, said punishment to be remitted in the same form, and upon the same conditions as are therein prescribed.

1668. (1627.) Pool selling on baseball games. No person shall, within the corporate or jurisdictional limits of the City of Savannah, sell, or offer to sell, tickets, chances, or privileges on any pool or pools, combination or combinations, of the results of games of baseball, or keep or maintain any establishment, room, place, office, desk, table, or blackboard, where persons singly, collectively, or mutually, bet, take chances, hazzard, or stake money, or other things of value upon the result of any game or games of baseball played in this city or elsewhere, or any combinations of results of any two or more games thereof. Any person offending against the provisions of this ordinance shall, on conviction,

be punished for each day of such violation by a fine of not exceeding one hundred ($100) dollars, or imprisonment not exceeding thirty (30) days, or both, in the discretion of the Police Court.

May 19, 1886.

1669. (1628.) Storing of guano prohibited within certain limits. It shall not be lawful for any one to store guano in any part of Savannah east of the Ogeechee Canal, or west of a line drawn southwardly from the mouth of Lamar's Creek; or anywhere south of the south line of Bay Street, along Canal Street on the west to the Ogeechee Canal, and Bay Street, extended on the east to Lamar's Creek; and if any owner, occupant, or keeper of a warehouse, or other place of storage, either for himself or others, and either with or without reward, within the limits aforesaid, shall receive or keep any guano therein, he, she, or they shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred ($100) dollars, or imprisonment not more than thirty (30) days, or both, in the discretion of the court, for each and every day during which the said guano shall be so kept or stored, to be considered a separate offense.

Apr. 4, 1877.

1670. (1629.) Opium dens or joints prohibited. It shall not be lawful for any person or persons to keep or maintain, or be concerned in the keeping or maintaining of any opium den or joint, or place for the smoking of opium, in the City of Savannah; and any person or persons violating this section, or any provision thereof, shall be subject, upon conviction before the Police Court of the City of Savannah, to a fine not exceeding one hundred ($100) dollars, and imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court.

Apr. 24, 1859, p. 352.

1671. Subdivisions; plans to be approved; streets dedicated. No tract of land lying within the corporate limits of the City of Savannah as they now are, or hereafter may be defined, or within two miles of such corporate limits, shall be laid off into lots and streets and lanes, or subdivided in any manner, until a map or plan of such subdivision shall have been first submitted to and approved by the Mayor and Aldermen of the City of Savannah. A copy of the map or plan of such subdivision, when so approved, shall be recorded by the parties making such subdivision in the office of the clerk of the superior court of Chatham County, Georgia, and copies deposited with the board of commissioners of roads and revenues of Chatham County, Georgia, and with the Chief Engineer of the City of Savannah before offering any such lots for sale, and the filing of such map or plan shall constitute a dedication for public purposes of all the streets, lanes or other highways thereon delineated.

Mar. 29, 1916. See sections 143, 144 this Code.

1672. No sale of lots until previous section complied with. No person shall sell or advertise or offer any lot or lots of any such subdivision without complying with the provisions of the preceding section of this ordinance.

1673. Removing obstructions from dedicated streets and lanes. Any obstruction in the streets, lanes or other highways dedicated by virtue of the foregoing sections, whether within or without the City of Savannah, shall be subject to summary removal by the City Marshal or the Chief Engineer, and any person or persons who shall molest or interfere with said officers, or either of them, in the removal of said obstructions shall, upon conviction thereof, be punished as provided in the following section of this code.

1674. Penalty. Any person violating any of the three foregoing sections of this code shall, upon conviction before the Police Court of the City of Savannah, be fined for each offense in a sum not exceeding one hundred dollars or imprisoned not more than thirty days, either or both, in the discretion of the court.

See Acts Legislature of Georgia, Aug. 17, 1914; this Code, sections 143, 144.

CHAPTER LXVIII.

OFFENSES AGAINST DECENCY AND MORALITY.

1675. (1630.) Appearing naked on streets; indecent exposure. If any person shall appear in any public streets, lanes, squares, or docks in this city in a state of nakedness, or who shall in any manner whatsoever wilfully make indecent exposure of his or her person, or any other person, he, or she may be arrested by the police, or any other person, and upon conviction before the Police Court of the City of Savannah shall be fined for each and every such offense in a sum not to exceed one hundred dollars or be imprisoned not to exceed thirty days, either or both, in the discretion of the court.

Aug. 2, 1839.

1676. (1631.) Swimming in Ogeechee Canal within city limits. It shall not be lawful for any person or persons to swim or bathe in the Savannah and Ogeechee canal within the limits of the City of Savannah. Any person or persons bathing or swimming in the aforesaid canal within the limits of the City of Savannah, shall, on conviction in the Police Court of the City of Savannah, be fined in a sum not exceeding one hundred ($100) dollars, or imprisoned for not more than thirty (30) days, either or both, in the discretion of the said court.

July 4, 1883. Aug. 20, 1857.

1677. (1632.) Swimming in Savannah River before sunset. It shall not be lawful for any person to swim or bathe in the Savannah River anywhere within the corporate limits of the City of Savannah, or opposite thereto, at any time between sunrise and sunset; and any person violating the provisions of this section, shall, upon conviction before the Police Court of the City of Savannah, be fined in the sum of not exceeding fifty ($50) dollars, and imprisoned not exceeding thirty (30) days, either or both, in the discretion of the court.

Sept. 11, 1895, p. 377.

1678. (1633.) Swimming in Musgrove Creek, or Springfield Canal. It shall not be lawful for any person to swim or bathe in the Musgrove Creek, or Springfield Canal anywhere within the corporate limits of the City of Savannah any time between dawn and dark, and any person violating this section shall, upon conviction before the Police Court of the City of Savannah, be subject to a fine not exceeding the sum of twenty-five ($25) dollars, and imprisonment not exceeding ten (10) days, either or both, at the discretion of the court.

June 29, 1898, p. 369.

1679. (1634.) No goods to be sold on Sunday. It shall not be lawful for any person to open on Sunday, commonly known as the Lord's Day, any shop or store within the corporate or jurisdictional limits of the City of Savannah, for the sale of merchandise of any character, within the said corporate or jurisdictional limits, provided that this section shall not apply to drug stores, which are authorized to sell drugs and medicines only: Provided, also, that it shall not be unlawful to run a news depot or to sell cigars and tobacco or to run a soda water fountain on the Lord's Day.

May 5, 1897, p. 408.

1680. (1635.) Exceptions and penalty. Any person violating the provisions of the preceding section, or either of them, shall be subject

upon conviction before the Police Court of the City of Savannah, to a fine not to exceed the sum of one hundred ($100) dollars, and to imprisonment not to exceed thirty (30) days, either or both, in the discretion of the court: Provided, that nothing herein shall be construed to prevent the delivery or sale of milk and fresh meats or the sale of bread and ice until ten A. M., city time, or the delivery by milk dealers to their customers of milk on Sunday afternoon.

Dec. 13, 1899, p. 350. Nov. 1, 1899, p. 350.

1681. (1639.) Secular amusements on Sunday prohibited. It shall not be lawful for any person or association of persons to let or lease, or to open, or permit or suffer to be opened, any hall, room, or place whatsoever, for secular use, amusement, or pastime, within the corporate limits of the City of Savannah, on the Lord's Day, usually called Sunday. And it shall not be lawful for any person, or association of persons, to use any such hall, room, or place for secular amusement or pastime, within the limits aforesaid, on such Lord's Day; and every person offending against any part of this section, shall be liable, on conviction before the Police Court, to a fine of not more than one hundred ($100) dollars for every act of offense, or imprisonment not exceeding thirty (30) days, either or both.

July 8, 1872.

1682. (1640.) Mayor on information to close halls and expel visitors. It shall be the duty of the Mayor or Acting Mayor, on information given him, or on his own knowledge, that any hall, room or place whatsoever within said corporate limits is being used or about to be used for secular amusement or pastime on the Lord's Day, to cause the same to be closed until the succeeding day, and to cause the visitors there to be expelled; and any person hindering, obstructing, resisting or molesting the civil power of the city, or any part thereof, in the execution of any order of such Mayor or Acting Mayor in the premises, shall, on conviction before the Police Court, be fined in a sum not exceeding one hundred ($100) dollars, or be imprisoned not exceeding thirty (30) days, either or both.

July 8, 1872.

1683. (1641.) License of owner of hall to be revoked, etc. In case of the violation of any part of this chapter by any owner or part owner of any place for public exhibition, amusement or pastime, for which a license from the city is or may be required, such license, if granted, shall be revoked, and if not granted, shall be withheld on conviction, of violation as aforesaid during the pleasure of the Mayor of said city; but in such case such license may be renewed or granted (as the case may be) by the City Council, on petition by such offending party.

1684. Business licenses to be revoked for selling liquor. Whenever the Chief of Police of the City of Savannah shall have reasonable cause to suspect that any restaurant keeper, fruit dealer or any other person, firm or corporation engaged in any business in the City of Savannah, has violated the prohibition law of the State of Georgia in connection with the running of said business, he shall report the same to the Mayor of the City of Savannah, and the Mayor shall make an ex-parte investigation of the same. If the Mayor shall determine there is reasonable ground for preferring said charges, he shall report the same to the City Council, stating in writing the facts constituting the charges, and the City Council shall investigate the same in open meeting, giving the person accused an opportunity to be heard. If after a hearing the City Council shall determine that the person so accused is guilty of violating the prohibition law of the State of Georgia in connection with the running of his busi-

ness or the said prohibition law has, with his knowledge, been violated upon his business premises, then the City Council shall revoke and cancel the licenses issued to said accused party, for conducting his business at the place where the prohibition law was so violated. A majority vote of the Mayor and Aldermen present shall be sufficient to revoke and cancel the licenses as aforesaid, the Mayor having a vote in case of a tie.
Oct. 18, 1915.

1685. Same; procedure where Chief of Police or Mayor fail to act. On failure or refusal of the Chief of Police or Mayor of the City of Savannah to act as provided in the foregoing section hereof, any alderman of the City of Savannah may by a communication to Council, prefer such charges, and ask for an investigation. If the petition for an investigation is granted by Council, then at the next meeting of Council, unless postponement is had for cause, the accused party shall be tried, the same as if the charges had been regularly preferred through the Mayor and Chief of Police.

1686. Same; subpoenaes for witnesses. Upon such investigation subpoenas shall be issued for witnesses by the Clerk of Council and shall be served by the City Marshal, his deputy or any police officer of the City of Savannah, and on failure of a witness to obey the subpoena he shall be punished for contempt by imprisonment for not more than five (5) days, and fined not more than twenty-five ($25) dollars, either or both, at the discretion of the Mayor. The Mayor of the City of Savannah being the judge of the contempt charges.

1687. Same; new license not to be granted. When a license is so cancelled, the offending party shall not be granted another license to conduct the same character of business until the expiration of the calendar year.

1688. Same; conviction hereunder not to bar Police Court trial. A hearing under the provisions of this ordinance shall not be a bar to a trial before the Police Court of the City of Savannah or any other judicial tribunal.

1689. Same; all future licenses subject to these provisions. From and after the passage of this ordinance (October 18, 1915,) all licenses shall be granted subject to the provisions of this ordinance—i. e., the foregoing five sections of this code.

CHAPTER LXIX.

MALICIOUS MISCHIEF AND MISCELLANEOUS.

1690. (1642.) Injuring or destroying public lamps. If any person shall break, injure, or destroy any of the public lamps, he, she, or they, may be fined in a sum not exceeding thirty ($30) dollars, or be imprisoned not exceeding ten (10) days, either or both.
July 22, 1839.

1691. (1643.) Injuring lamp posts, etc. If any person shall break, injure, deface, or destroy any of the street lamp posts, lanterns or lights, or shall, without due authority, light, or extinguish any of the said lanterns or lights, he, she, or they may be fined by the Police Court in a sum not more than fifty ($50) dollars, and in default of payment, may be committed to jail for such period within the limits of thirty (30) days, as, in the discretion of the court, may seem proper.
Aug. 15, 1850.

1692. (1644.) Defacing buildings. 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.
May 4, 1854.

1693. (1645.) Cutting, injuring, etc., public trees, benches, boxes, etc. 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, squares, or any of the palings, benches, or boxes around the trees, or any other property of the City of Savannah.

1694. Reward for arrest of persons damaging public property. A standing reward of fifty dollars is hereby offered for the arrest, with proofs to convict, of any person or persons guilty of damaging any tree, bush, or other shrubbery, or any bench or playground apparatus, in any square or park or playground of this city, or of damaging any public building, or public property of any character whatsoever, such reward, however, not to be payable to any city employe, it being the duty of such city employes to co-operate with the police department in the detection of any persons guilty of damaging public property in any way.
Aug. 5, 1914.

1695. (1646.) Throwing stones, brickbats, etc. It shall not be lawful for any person, within the limits of the City of Savannah, to cast, throw, or fling any stones, brickbats, or any other things 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.
May 4, 1854.

1696. (1647.) Officers to arrest persons violating. 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 chapter, immediately to arrest such person and take him or her to the guard house, there to be

detained until discharged by the written order of the Recorder; and any officer failing or neglecting so to do shall, upon conviction before the Police Court, be fined not less than ten ($10) dollars.

1697. (1648.) Throwing missiles by Alabama slings, etc. It shall not be lawful for any person within the limits of said city, to use any Alabama slings, or other sling, or instrument for throwing projectiles; nor to throw any stone or other missile from such sling or instrument, or by the hand, in any of the streets, lanes or squares of said city. Any person or persons violating this ordinance shall, on conviction thereof before the Police Court of Savannah, be subject and liable for each and every offense to a fine of not more than twenty-five ($25) dollars, and to imprisonment for not exceeding thirty (30) days, either or both, at the discretion of the officer presiding in such Police Court.

Apr. 3, 1878.

1698. Paper, posters, etc., unlawful to throw on premises. It shall not be lawful for any person to throw, cast or place any paper, bills, posters, circulars, advertising matter, waste paper, rubbish, trash or litter upon the stoops, piazzas, porches, lawns, yards gardens or walks of any residence or upon any vacant lot within the limits of the City of Savannah, unless he shall first obtain permission to do so from the owner or person in possession.

July 7, 1915.

1699. Must deliver same at doors of residences. All such bills, posters, circulars or advertising matter when distributed in the City of Savannah, shall be delivered at the doors of residences personally to some inmate of such residences and not in any case left loose to be blown about the premises or streets.

1700. Same; unlawful to distribute on streets. It shall be unlawful for any person to hand any free advertising matter, bills, posters, circulars or any other matter of a similar description to any person upon the streets of the City of Savannah.

Sept. 1, 1915.

1701. Boarding trains, etc., improperly. It shall be unlawful for any person to get on or off any train or street car, or to ride upon the same, in the City of Savannah, in any other manner than at the place and in the manner provided for the reception of passengers; and it shall be unlawful to get on or off any train or street car while it is in motion. Provided, however, that this section shall not apply to railway employees boarding trains or street cars in the discharge of their duties

Oct. 20, 1897; Aug. 29, 1897.

General penalty. Any person violating any of the provisions of this chapter, wherein punishment is not otherwise specifically prescribed, shall, upon conviction before the Police Court of the City of Savannah, be fined in a sum not exceeding $100 or imprisoned not exceeding thirty days, either or both, in the discretion of the court.

CHAPTER LXX.

TRANSIENT INDIGENT POOR.

1702. Regulating transportation. No city official or committee of officials shall issue free or reduced rate transportation to any applicant for charitable relief, or request same for the benefit of such applicant except in accordance with the rules of the transportation agreement as herein below stated:

Mar. 15, 1916.

1703. Definition of terms used. (a) The word "transportation," as used in the following paragraphs, includes all transportation paid for or issued upon recommendation of charitable societies or public relief officials.

(b) The word "he" means he, she, or they, as the context in any case will suggest, and the word "applicant" includes the family group for whom transportation is desired.

(c) "Charity," as used in these rules, includes any general charitable organization, public or private, upon which the applicant in question has no claim through membership, blood relationship, or through the society's definite promise to aid him.

(d) In some of the following paragraphs "shall" is used, in others "should" or "may." The former word is mandatory, and the phrases in which it is used are to be accepted as binding upon all signers of these rules. Where "should" or "may" is used the paragraph is only a suggestion which signers may observe or not, at their discretion.

1704. Applicants' condition to be examined. Before any charitable transportation shall be granted the organization or official having the matter under consideration must be satisfied, by adequate and reliable evidence—

First. That the applicant is unable to pay the regular fare.

Second. That the applicant's condition and prospects will be substantially improved by sending him to the place in question.

Third. That the applicant will have such resources for maintenance at the point of destination as will save him from becoming dependent on charity; or,

Fourth. That the applicant has a legal residence in the place to which he is to be sent, or is a proper charge upon the charity of that community.

An applicant's statements must in every case be substantiated by other definite, reliable evidence. When this is lacking the applicant should be taken care of, if necessary, until the needful testimony is secured.

1705. Appropriate organization at destination to be notified. In all cases an appropriate charitable organization or official, if such exists, at the point of destination should be promptly advised that the applicant's transportation to that place is under consideration, or has already been determined upon.

When a signer of these rules is listed as being located at the proposed point of destination, it shall not be legitimate to send the applicant thither unless notification is sent to the signer before the transportation is furnished or upon the day when it is provided.

In exceptional cases where the signer has reasons for desiring that no record be kept by the charitable agency at the point of destination, the matter may be explained to the latter, who shall then preserve no record unless the case is known through sources independent of the sender.

1706. Report to be secured. It is strongly recommended that a report be secured from an appropriate charitable organization or official in the city to which transportation is desired, before any applicant is sent thither. This is especially urged when a signer of these rules is listed as being located at the point of destination.

All signers have definitely announced themselves as willing to cooperate with other signers by making reasonable efforts to secure needful information, and to determine whether transportation ought to be provided in any given case. Other charitable agencies, also, are usually glad to make any legitimate inquiries and reports which fall within the range of their customary activities.

1707. Transportation shall be adequate. All charitable transportation provided shall, in every instance, be adequate; that is, the initial or original sender shall provide for the applicant through to his ultimate destination. When charity rates are obtainable at intermediate points, and not obtainable at points of departure, the initial sender may enlist the services of some charitable agency at the intermediate point in obtaining such rates upon arrival of the applicant, all expenses to be borne by the initial sender.

1708. Paupers not to be "passed along." If an applicant has been aided to reach a place intermediate to the point of his proper destination, without means having been provided for forwarding him to the latter, then no further transportation shall be granted without inquiry of the charitable organization or individual who sent the applicant thither. This correspondent shall be requested to remit the amount necessary either to forward the applicant to his destination or to return him to the starting point. If a satisfactory response is not promptly made, the applicant should be returned to the place where his charitable transportation originated. In no case shall he be "passed along" to another community which has no adequate responsibility for him.

1709. Disposition when party becomes dependent after arrival. If an applicant who has been provided with charitable transportation without the approval of an appropriate charitable agency at the point of destination, shall there become dependent on charity within nine months after his arrival, then the charitable organization or individual who sent him thither should be notified and requested to provide for the applicant's necessities or to remit the money necessary to return him to the place from which his transportation was provided.

If an applicant has been forwarded in violation of any of these rules, the charitable agency which provided him with transportation should be requested to bear the reasonable, necessary expense of providing for him temporarily, pending investigation and the proper disposal of the case.

1710. Record to be kept. The society or official through whom charitable transportation is procured shall in each case preserve a full record of all the essential facts upon which the granting of transportation has been based.

A copy or summary of such record should be furnished promptly on request to any charitable organization or official interested in the case. When such request for a digest of the record comes from a signer of these rules, it shall be considered mandatory upon any other signer.

1711. Transportation where employment offered. In case of persons asking charitable transportation on the ground of being able to secure employment in the place to which transportation is desired, definite, reliable assurance of employment must be obtained as part of the necessary evidence. A general report that conditions of employment are better, or that the applicant should be "better off" in the place specified shall not be considered sufficient grounds for the granting of transportation.

1712. Rules, etc., to be kept on hand. Organizations and individuals who agree to these rules thereby pledge themselves to keep a copy of the rules and the telegraphic code conveniently at hand, and to use all due diligence in making reasonable inquiries requested by other signers of the rules and replying to communications regarding transportation cases.

1713. Health certificates, when provided. Persons forwarded by charitable agencies or officials from places where any contagious or infectious disease is known to be epidemic, must be provided with proper health certificates.

1714. Disagreements to be referred to Russell Sage Foundation. When disagreement, as to facts or decisions, arises in regard to any transportation case, one or both the parties concerned may appeal to the committee on transportation of the national conference of charities and correction, sending the appeal through the charity organization department of the Russell Sage Foundation, room 613, 105 East Twenty-second Street, New York.

1715. Law officials may return persons to legal residence. Poor law officials may return any person who becomes a public charge to his place of proven legal residence without the consent of that community.

The ordinance from which the sections of this Chapter are codified was adopted after a conference of Mayors held at Jacksonville, Florida, in 1916, a number of other municipalities adopting the same ordinance.

For Charter authority in regard to disposition of paupers, see section 133, this Code.

CHAPTER LXXI.

PARKS, SQUARES AND GRASS PLATS.

1716. (1219.) Police to preserve order in. It shall be the duty of the Chief of Police, under the order of the Mayor, to detail a sufficient force to preserve order and decency in and around the public park known as Forsyth Place, and such policeman so detailed shall arrest and bring before the Police Court for trial, all persons who may in any manner disturb the public peace or be guilty of any indecent, riotous or disorderly conduct, or offensive or insulting demeanor, or who may use any indecent or improper language in or around said park; and any person convicted before said Police Court of disturbing the public peace, or of indecent, riotous, or disorderly conduct, or offensive or insulting demeanor, or of using indecent or improper language in or around said park, shall be fined in a sum not exceeding one hundred ($100) dollars, or be imprisoned, or be made to labor on the public streets, squares or lanes for a period not longer than thirty (30) days, either or both.
Oct. 17, 1866.

1717. (1220.) To disperse crowds obstructing. It shall be the duty of the policeman to disperse any crowd or congregation of persons who may in any way obstruct free access by visitors to any portion of said park.

1718. (1223.) Assemblages in squares or parks without permit of Mayor, except for military parades, prohibited. Any gathering or assemblage of persons in any public square or park of the City of Savannah, except for the purpose of lawful military parades in the extension of Forsyth Place, without the consent of the Mayor or Acting Mayor of said city first had and obtained, is hereby prohibited.

1719. (1224.) Beating carpets in, forbidden. It shall be unlawful for any person or persons to beat, shake or dust any carpet or rug in any public square, park or street in the City of Savannah.
July 15, 1874. July 6, 1881.

1720. Rules and regulations of the Park and Tree Commission for the care and government of the parks, squares, and grass plats. The following rules and regulations made by the Park and Tree Commission for the City of Savannah, for the care and government of the parks, squares, and grass plats of said city, are hereby approved and are given the force and effect of an ordinance of the City of Savannah, to-wit:
June 15, 1898, p. 341.

1721. (1202.) Tree planting. No tree shall be planted by any person in any street, park, square, grass plat or cemetery without a written permit from this Commission, which will plant trees whenever so requested by any resident, provided such request is approved by it. The person so requesting shall pay the actual cost as fixed by this Commission.

1722. (1203.) Injury to trees, plants, etc. No tree, shrub, flower or plant of any kind in any street, park, square or grass plat shall be removed, cut, mutilated or injured in any way. All necessary cutting, trimming and removal will be done by this Commission.

1723. Bicycles, etc., prohibited on sidewalks, etc. It shall be unlawful to use a bicycle or similar vehicle upon any of the sidewalks, squares or parks in the City of Savannah, including the Strand on the north side of Bay Street, and the walks around Forsyth Park and Park Extension.
Apr. 10, 1907.

1724. (1204.) Trespassing upon grass plats. No person shall trespass, ride, drive or walk upon or across any grass plat in any street, park, or square. The following exceptions are permitted: Walking upon the grass in Forsyth Extension. Playing in such squares as are adjacent to the public schools. Children when accompanied by nurses or when less than 12 years of age are allowed on the grass in any park, square or grass plat. Necessary passing across grass plats to allow ingress to and egress from dwellings.

1725. (1205.) Animals. No horse, mule, cow, goat or other like animal, and no fowl, chicken, turkey, goose, duck, or similar domestic animal, shall be permitted to enter any park, square, or grass plat, or other place under the charge of the Park and Tree Commission, or to be or remain therein, except that horses or mules may be used upon such roadways, as may be provided for public travel, and when necessary in the exercise of service appurtenant to the use of such place; nor shall any animal herein mentioned be fastened to or allowed to injure in any manner any tree, shrub, plant, grass plat, or flower bed, or any tree box, bench, fence or other public property.
June 15, 1898. Apr. 19, 1899, p. 331.

1726. (1206.) Bicycles, handcarts, etc. No bicycle or similar vehicle, nor any handcart, wheelbarrow or other like thing, shall be ridden or used in or upon any park, square, or grass plat, except upon such walks or roads where the same shall be permitted by this Commission and a notice to that effect posted, and then shall be subject to ordinances of the city regulating the use of such vehicles. Baby carriages and invalid chairs may be taken wherever persons are allowed.
June 15, 1898.

1727. (1207.) Bonfires and fireworks. Firing pistols or guns, building bonfires, the use of firecrackers or any explosive or combustible fireworks or any similar things, are prohibited in or upon any park, square, or grass plat.

1728. (1208.) Disorderly conduct. No boisterous, offensive, improper or disorderly conduct will be permitted in any park, square, or grass plat.

1729. (1209.) Paper and rubbish. No paper, stones, broken glass or crockery, nor any offensive or injurious things, litter or rubbish of any kind shall be thrown or placed by any person in or upon any park, square, grass plat, or fountain.

1730. (1210.) Injury to fences, monuments or other property. No person shall mutilate, injure, cut, mark upon, deface, remove or destroy any bench, fountain, fence, house, monument or structure or property of any kind in any park, square, or grass plat.

1731. (1211.) Removing signs. No person shall remove, deface or injure any sign or notice placed by this Commission upon any tree or in any park, square, or grass plat.

1732. (1212.) Permits. All permits of every kind contemplated by these rules shall be signed by the Secretary of this Commission, and a

proper and complete record of them kept in a special book provided for that purpose.

1733. (1213.) Police power over parks, etc. The police power is hereby declared to extend over and cover the parks, square, grass plats and cemeteries of the city, and the police force is hereby required to enforce all of the ordinances relating thereto.

1734. (1214.) Bonds to repair damage. All persons to whom permits have been issued for any purpose which may change, deface, injure or destroy any portion of any park, square, or grass plat, shall execute a bond with adequate security in double the sum of the cost to repair any damages which may be caused by any action taken under such permit. The amount of such cost will be estimated by this Commission. Said bonds will be kept in a book provided solely for that purpose.

1735. Barriers to grass plats. No person shall erect or maintain upon any grass plat in the City of Savannah, adjacent to premises owned or leased by him, any barrier about a grass plat or upon the same, of a height less than 2½ feet, and all such barriers shall not be less than six inches from the paved portion of the sidewalk. Barbed wire shall not be used as a barrier.

Nov. 21, 1917.

1736. Penalty. Any person violating any of the foregoing sections of this chapter or any part thereof shall, upon conviction before the Police Court of the City of Savannah, be fined for each offense in a sum not exceeding one hundred dollars or imprisoned not exceeding thirty days, either or both, in the discretion of the court.

1737. (1217.) Forsyth Place. All that portion of Forsyth Ward lying between Gaston Street on the north, Drayton Street on the east, Military Parade Ground on the south, and Whitaker Street on the west, is hereby forever set apart as a public park, to be called and known as Forsyth Place.

Apr. 24, 1851.

1738. (1218.) Military Parade Ground. The piece of ground known as the Military Parade Ground, containing nineteen acres, more or less, and bounded on the north by Forsyth Place, on the east by Drayton Street, on the south by Park Avenue, and on the west by Whitaker Street, is hereby added to said Forsyth Place, and made a part of the same and said Forsyth Place, so extended as aforesaid, is hereby forever set apart as a public place, to be called and known as Forsyth Place, in the same manner as the said ground now enclosed is, and has been so set apart.

Feb. 6, 1867.

1739. Forsyth Park Extension, use as parade ground and playground. The use of the parade ground or Forsyth Park Extension, as a playground, shall not be a relinquishment of any right which the volunteer military companies of Savannah may have in said parade ground, or in the use thereof, the rights of the volunteer companies in and to the said parade ground being hereby confirmed and preserved. The use of the parade ground for a playground shall in nowise interfere with the use thereof by the several volunteer companies, or any one of them, whenever the same may be desired for the use of the said company or companies, and any part of the parade ground to be used for playground purposes shall not be excavated or otherwise utilized so as to

prevent its proper use by the volunteer companies, or any one of them, for military purpose.

July 22, 1914.

1740. (1227.) Colonial Park. Colonial Park, located at the southeast corner of Oglethorpe Avenue and Abercorn Street, formerly known as "Old Cemetery," and being bounded on the north by Oglethorpe Avenue, on the east by the Police Barracks and Jail, on the south by the Pound lot belonging to the City, and on the west by Abercorn Street, was by decree of the Superior Court of Chatham County, Georgia, in the case of John Williamson, et al., vs. The Mayor and Aldermen of the City of Savannah, dated November 9, 1895, declared to belong to the city, the same to be preserved forever as a final resting place of the dead, now buried therein, and subject to certain other limitations recited in said decree.

See Section 188, this Code.

1741. (1228.) City pound lot added to Colonial Park. That certain tract or parcel of land in the City of Savannah, known as the city pound lot, now adjoining Colonial Park on the south, and fronting on Abercorn Street, sixty-seven and nine-tenths (67.9) feet, running back from said Abercorn Street eastwardly, along Perry Lane, four hundred and ninety-two and five-tenths (492.5) feet, said tract of land being fifty-seven and four-tenths (57.4) feet wide where it adjoins the county jail lot, and being bounded north by Colonial Park, south by Perry Lane, east by the county jail lot, and west by Abercorn Street, be and the same is hereby added to Colonial Park, as a part of the same, and is hereby dedicated to park purposes, under the conditions and limitations in this ordinance contained.

Oct. 9, 1896, § 1.

1742. (1229.) City reserves right to control and erect structures thereon. This dedication of the city pound lot, to be hereafter a portion of Colonial Park, shall in nowise put the said lot so dedicated under the terms and conditions of the decree made in Chatham Superior Court in 1895, in the cases of John Williamson et al., complainants, and the Mayor and Aldermen of the City of Savannah, defendants, and the Church Wardens and Vestrymen of the Episcopal Church in Savannah, called Christ Church, complainant, and the Mayor and Aldermen of the City of Savannah, defendant, the said decree being limited by its terms to the land described therein; it being expressly reserved hereby, as a right to the Mayor and Aldermen of the City of Savannah, to erect upon said addition to Colonial Park such structures and improvements as it may deem best, in its judgment, and to manage and control the said tract of land and improvements absolutely.

1743. (1230.) Myers Park. That area of land bounded on the north by Forty-third Street, and on the south by Forty-fourth Street, and one hundred and fifty (150) feet west of Burroughs Street, three hundred (300) feet in width, shall be set apart and dedicated as a public park to be known as Myers Park, and shall be used as a public park for the benefit of the inhabitants of said city.

1744. (1231.) Cann Park. That area of land bounded on the north by Forty-fifth Street, on the east by Bulloch Street, on the south by Forty-sixth Street, and on the west by Stevens Street, shall be set aside and dedicated as a public park, to be known as Cann Park, and shall be used as a public park for the benefit of the inhabitants of said city.

1745. (1232.) Emmett Park. In case of Wm. M. Low et al., vs. The City, in the Superior Court of Chatham County, a decree was entered May 21, 1904, declaring that the land on the bluff extending along Bay Street, between East Broad and Lincoln Streets, "has been and is a public park"—Council denominated it: "Emmet Park."

1746. (1233.) Plan for Emmet Park adopted. The plan submitted to Council by the Park and Tree Commission for the laying out of Emmet Park is hereby approved and confirmed.

1747. (1234.) Dasher Park named and dedicated. All that certain strip or parcel of land in the City of Savannah, Georgia, heretofore donated by the Dasher estate to the Mayor and Aldermen of the City of Savannah for the uses and purposes of a public park, and which has been received by the said municipality for such uses and purposes only, situated east of Lincoln Street and south of Thirty-fifth Street, formerly St. Michaels Street, in Dasher Ward, shall be known and designated as "Dasher Park."

Apr. 12, 1905, p. 271.

1748. (1235.) Dixon Park dedicated. The land purchased by the Mayor and Aldermen of the City of Savannah from Realty Improvement and Trust Company on July 14, 1906, being located in the City of Savannah, Georgia, and known upon the map or plan of said city as lots numbered seventeen (17) to thirty-two (32), both inclusive, in section nine (9) in Waring Ward, said land being more particularly described in the deed made on said date to said grantee, which deed is recorded in the Clerk's office of the Superior Court of Chatham County, Georgia, in Book of Deeds 9 G's, page 372, is hereby dedicated as a public park for the uses and benefit of the people of Savannah. Said park shall be hereafter known and designated as "Dixon Park," in honor of Honorable James M. Dixon, Chairman of Council of the City of Savannah.

Sept. 26, 1906. Acts 1907, p. 918, authorized closing of lane for Dixon Park.

1749. (1236.) Grayson Park dedicated. The land purchased by the Mayor and Aldermen of the City of Savannah from Robert M. Hicks on October 16, 1906, being located in the City of Savannah, Georgia, and known as twenty-two (22) lots in Kelly Ward, lying between Bolton, Ott, Waldburg and Harmon Streets, said land being more particularly described in said deed, which is recorded in Clerk's office of Superior Court of Chatham County, in Book of Deeds 9 I's, folio 166, is hereby dedicated as a public park, for the use and benefit of the people of Savannah. Said park shall hereafter be known and designated as "Grayson Park," in honor of the Honorable William L. Grayson, alderman of the City of Savannah.

Nov. 2, 1906.
Acts 1907, p. 918, authorized closing of lane for Grayson Park.

1750. Daffin Park. That tract of land located on Dale Avenue in Chatham County, consisting of 78.4 acres, more or less, purchased by the City of Savannah on the 16th day of July, 1916, from J. H. Estill and others, is hereby named "Daffin Park," and is placed under the jurisdiction and control of the park and tree commission of the City of Savannah, as are other parks.

Feb. 27, 1907.

1751. Park at Bull Street and Estill Avenue. The plat or parcel of ground of the City of Savannah known as lots B, 2, 4 and 6 in Section 8, Southville Ward, bounded on the north by Forty-second Street, on the east by the right-of-way of the Atlantic Coast Line Railroad Company, on the south by Estill Avenue and on the west by Bull Street, is set aside and designated as a public park.

May 6, 1908.

1752. Baldwin Park. All that circular plat of ground, drawn with a radius of 116 feet, whose center concides with the intersection of the centers of Forty-first and Atlantic Streets, together with a roadway 35 feet wide outside of and around said plat, shall be known and designated as Baldwin Park.

June 2, 1909.

1753. Guckenheimer Park. All that circular plat of ground, drawn with a radius of 116 feet, whose center coincides with the intersection of the centers of Battey Street and Forty-fifth Street, together with a roadway 35 feet wide outside of and around said plat, shall be known and designated as Guckenheimer Park.

June 2, 1909.

1754. Theus Park. All that circular plat of ground, drawn with a radius of 116 feet, whose center is a point on the center of Forty-fifth Street, distant 517.8 feet east of Harman Street, together with a roadway 35 feet wide outside of and around said plat, shall be known and designated as Theus Park.

June 2, 1909.

1755. McCauley Park. All that circular plat of ground, drawn with a radius of 116 feet, whose center coincides with the intersection of the center of Battey and Fiftieth Streets, together with a roadway 35 feet wide outside of and around said plat, shall be known and designated as McCauley Park.

June 2, 1909.

1756. Solomons Park. All that circular plat of ground, drawn with a radius of 116 feet, whose center coincides with the intersection of the center of Harmon and Fiftieth Streets, together with a roadway 35 feet wide outside of and around said plat, shall be known and designated as Solomons Park.

June 2, 1909.

1757. Tiedeman Park. All that plat of ground laying between Forty-sixth Street on the north, Forty-seventh Street on the south, East Atlantic Street on the east, and West Atlantic Street on the west, shall be known and designated as Tiedeman Park.

June 2, 1909.

1758. Entelman Park. All that rectangular plot of ground located between Forty-fifth, Forty-sixth, Bull and Abercorn Streets, with its northern line beginning at a point two hundred and fifty (250) feet west of Abercorn Street and extending westwardly two hundred (200) feet, with a rectangular depth of two hundred and twenty-six (226) feet, together with a street forty (40) feet wide outside of and east and west of said plot, shall be known and designated as Entelman Park.

Mar. 9, 1910.

1759. Kavanaugh Park. All that rectangular plot of ground located between Forty-sixth, Forty-seventh, Abercorn and Habersham Streets, with its northern line beginning at Abercorn Street and extending eastwardly two hundred (200) feet, with a rectangular depth of two hundred and six (206) feet, together with a street forty (40) feet wide outside of and east of said plot, shall be known and designated as Kavanaugh Park.

Mar. 9, 1910.

1760. Lattimore Park. All that rectangular plot of ground located between Forty-eighth, Forty-ninth, Bull and Abercorn Streets, with its northern line beginning at Abercorn Street and extending westwardly two hundred (200) feet, with a rectangular depth of two hundred and twenty-six (226) feet, together with a street forty (40) feet wide outside of and west of said plot shall be known and designated as Lattimore Park.

Mar. 9, 1910.

1761. Vetsburg Park. All that rectangular plot of ground located between Fiftieth, Fifty-first, Abercorn and Habersham Streets, with its northern line beginning at Abercorn Street and extending eastwardly two hundred (200) feet, with a rectangular depth of two hundred and twenty-six (226) feet, together with a street forty (40) feet wide outside of and east of said plot shall be known and designated as Vetsburg Park.

Mar. 9, 1910.

1762. Gaudry Park. All that rectangular plot of ground located between Fifty-first, Fifty-second, Bull and Abercorn Streets, with its northern line beginning at a point of two hundred and fifty (250) feet west of Abercorn Street and extending westwardly two hundred (200) feet, with a rectangular depth of two hundred and twenty-six (226) feet, together with a street forty (40) feet outside of and east and west of said plot, shall be known and designated as Gaudry Park.

Mar. 9, 1910.

CHAPTER LXXII.

CEMETERIES.

1763. (1239.) Laurel Grove Cemetery dedicated. So much of the Springfield plantation as is herein set forth and described, 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 parcel of land beginning at the northern fence recently built, 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 lands of the heirs of Morel on the east and said dam on the west, to the corner of the bank on the 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 southwestwardly 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 of the said lands purchased from the heirs of Joseph Stiles. 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.

June 3, 1852.

1764. (1240.) Granite corner posts. 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 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.

June 3, 1852.

1765. (1241.) Plan by James O. Morse confirmed. The plan of the interior of said cemetery, made by James O. Morse, and now in the office of the Clerk of Council, is hereby declared to be the true plan hereof, and 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.

1766. (1242.) Avenues and lots, how named and numbered. The Committee on Health and Cemetery, 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 after the said lots shall have been duly 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.

1767. (1244.) Dedication of parts of ground for adornment. 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, 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 said board.

1768. (1248.) Colored Cemetery; fifteen acres set apart for. There shall be laid out in the southwestern 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 regulations as Council may from time to time prescribe.

1769. (1249.) Use for any other purpose unlawful. It shall not be lawful for any person or persons, either with or without the permission of the Mayor and Aldermen of the City of Savannah, to use any portion or part of said fifteen acres of land for any other purpose than that for which the same was set apart and dedicated.

Nov. 8, 1882.

1770. (1250.) Colored Cemetery; additional land dedicated. All of that tract of land adjoining said Colored Cemetery, on the north, and bounded as follows: Beginning at a point on Kollock Street, where the southern line of lot No. 85 intersects it, and extending said southern line westwardly 916 feet to a street unnamed, thence northwardly along the line of said street 922 feet, thence eastwardly along the present southern boundary of the Laurel Grove Cemetery to Kollock Street, thence southwardly along the line of Kollock Street to the point of commencement 458 feet, a plat of the same being hereto annexed, is set apart as an addition to said cemetery for colored persons, and which shall be used alone for the interment of the remains of deceased colored persons, under such regulations as now govern the interment of persons in said Colored Cemetery. And the City Surveyor shall proceed to make a plat of said addition and lay the same off into lots.

Dec. 20, 1882.

1771. (1251.) Keeper of Colored Cemetery and fees. The keeper of that portion of Laurel Grove Cemetery in the City of Savannah set apart for the interment of persons of color shall be appointed by the park and tree commission, and shall be under the supervision of the keeper of that part of Laurel Grove Cemetery used for interment of white persons. It shall be his duty to provide all necessary labor for care of grounds and interment of bodies, including those with free permits, out of fees to be collected by him; which fees shall not exceed, for the body of each adult in coffin, $1.50; if in coffin and box, $3.00; and for each person under 12 years of age the fees shall not exceed $1.00 if in coffin, and if in coffin and box, $1.50.

Acts 1911, p. 1531. Feb. 20, 1901, p. 314.

1772. (1252.) No interments except in Laurel Grove and Hebrew Cemeteries. 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 interring any dead body within the corporate limits, save in Laurel Grove Cemetery and said Hebrew Cemetery, shall be subject to a fine of one hundred dollars or imprisonment not exceeding thirty days, either or both, in the discretion of the court, upon conviction before the Police Court of the City of Savannah.

June 3, 1852.

1773. (1253.) Hebrew portion Laurel Grove Cemetery. 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 or less, 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, 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. When said portion shall have been surveyed and laid out, Solomon Cohen shall 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.

Nov. 17, 1853, c. 73.

1774. (1254.) Size of lots and how sold. 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 opened for the passage of vehicles to other portions of the cemetery grounds, and the Keeper of Laurel 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; 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 after the fencing and clearing are paid for the purchase money of all lots shall be paid into the City Treasury.

1775. (1255.) Israelite sections in Laurel Grove Cemetery. Those sections of the Laurel Grove Cemetery tract, known as number thirteen (13), and seventeen (17), on Morse's plan, are set apart for the burial of such Israelites as may purchase lots therein, and the margin be reserved for paupers. 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. The City Treasurer is authorized to repay to Solomon Cohen all moneys expended on the same when he shall produce proper vouchers. All the ordinances applying to Laurel Grove Cemetery shall apply to the above sections.

May 4, 1854, c. 75.

1776. (1256.) Keeper's house, chapel and vault, etc. There shall be erected at, or near the said Laurel Grove Cemetery a convenient dwelling house, kitchen and stable, and also an outhouse 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 Committee on Public Health. 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.

June 3, 1852.

1777. (1257.) Keeper of Laurel Grove Cemetery, duties, etc. The park and tree commission shall elect an officer to be called the Keeper of Laurel Grove Cemetery. 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 sufficient labor 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 park and tree commission may prescribe. The said keeper shall have the use of the dwelling, kitchen and outhouses aforesaid, and of half an acre of land for a garden.

And the said keeper, for any value to prepare a grave for the remains of any person, at the written request of any inhabitant of the city, shall be subject to a fine not exceeding fifty ($50) 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, showing 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 when required a perfect transcript of such record.

Acts 1911, p. 1531. June 3, 1852.

1778. (1258.) Oath of Keeper and employes. The Keeper of Laurel Grove Cemetery and his employes, shall each take before the Mayor or Acting Mayor, the same oath as is required of the privates of the special police by day and by night, and it shall be the duty of the said keeper and his employes to arrest and place upon the information docket any person or persons violating any of the provisions of any ordinance or regulation now of force in relation to said cemetery.

Mar. 11, 1863, c. 76.

1779. (1260.) Interments. All interments in the said Laurel Grove Cemetery shall be made in such manner as the Committee on Public Health may from time to time prescribe.

Mar. 11, 1863.

1780. (1261.) Paupers, where interred. A certain part of the said Laurel Grove Cemetery shall be designated by the board named in the seventh section of this article, 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.

Mar. 14, 1863, c. 66.

1781. (1262.) Strangers, non-residents, etc. 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.

1782. (1264.) Public vault; Keeper's duties as to. 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 deodorizing 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 Committee on Public Health, it shall, under the direction of the same, be immediately buried, giving due notice thereof to the friends, where circumstances shall permit: Provided, the body of no person who may have died with the smallpox, shall ever be deposited in said vault.

Mar. 9, 1854, c. 74.

1783. (1265.) Fees for use. The keeper of said cemetery shall demand and collect the sum of five ($5) dollars, for the deposit of the remains of any deceased person in said vault, and an additional fee of twenty-five (25) 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 ($20) dollars, one-half to the informer, the other to the city.

Mar. 9, 1854.

1784. (1266.) Remains not to be kept in vault over one month. 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 thirty 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, or make satisfactory arrangement with the Park and Tree Commission.

1785. (1216.) To report annually on the Williams trust. Referring to the resolution adopted by Council March 16, 1904, touching the lot of Mary E. Williams in Laurel Grove Cemetery, the City Treasurer is directed to pay over to the Park and Tree Commission the interest on said city bond of three hundred ($300) dollars held in trust for the care of lot of Mary E. Williams, in Laurel Grove Cemetery, accruing from and after January 1, 1904, the said interest to be expended by said Commission in and upon the care of said lot, the City Treasurer taking proper vouchers therefor.

The Park and Tree Commission in its report annually shall refer to this particular trust and the expenditure of said money therefor, so as to show that the said fund is being properly administered. A certified copy of the resolution of March 16, 1904, and of this resolution will be transmitted by the Clerk of Council to the Park and Tree Commission and a certified copy of this resolution will be transmitted to the City Treasurer.

Resolution Dec. 1905.

1786. Bonaventure Cemetery. On the 11th day of July, 1907, the Evergreen Cemetery Company of Bonaventure conveyed to the Mayor and Aldermen of the City of Savannah, by its deed of that date, recorded in the office of the Clerk of the Superior Court of Chatham County, Georgia, in deed book 9 Ms, page 303, that tract or parcel of land situate and being in Chatham County, Georgia, commonly known as the Bona-

venture Cemetery and sometimes as the Evergreen Cemetery, being a portion of the tract known as Bonaventure originally conveyed by Josiah Tattnall to Peter Wiltberger, father of William H. Wiltberger, all of which will more fully appear by reference to the said deed. The cemetery was officially named Bonaventure Cemetery by ordinance adopted January 24, 1912.

June 22, 1907. May 18, 1910. Jan. 24, 1912.

1787. Same; care of certain lots. An agreement between the Evergreen Cemetery Company of Bonaventure and the Mayor and Aldermen of the City of Savannah, bearing even date with the said deed, the said municipal corporation, in consideration of the sum of five thousand ($5,000) dollars and the conveyance to it of fifteen (15) shares of the capital stock of the Southwestern Railroad Company and eight (8) shares of the capital stock of the Merchants National Bank of Savannah, and the turning over to it of the cash on hand, in accordance with paragraph 5 of said agreement, agreed and covenanted with the said cemetery company that it would perform all of the obligations which had been assumed by the said cemetery company, or devolving upon it, under the contracts mentioned in the said agreement with reference to seventeen (17) persons, and estates, whose names are set forth in the said agreement, touching the perpetual care of their lots under the terms of the said agreement, the said parties being thus stated in the second paragraph of the said agreement, namely: Edward Paddleford, John Stoddard, George L. Cope, Mrs. C. F. Mills, F. Kuck, A. Reppard, A. L. Hartridge, estate Jane Patterson, C. C. Casey, estate Sarah E. Miller, C. C. Talliaferro, Mrs. E. L. W. Clinch, J. H. M. Clinch, W. S. Chisholm, Alice V. Reitze, estate M. A. Hardee and estate Whilliam H. Wiltberger. It is now desired to make proper appropriations and provisions looking to the perpetual care of the said lots owned by the said parties and estates hereinbefore mentioned, and other lots as to which provision may be hereafter made. Wherefore, it is hereby made the duty of the Park and Tree Commission to care for the lots of the said seventeen (17) parties and estates as fully and completely as the said Evergreen Cemetery Company was bound to do under contracts with the said cemetery company and an appropriation of two hundred and forty (240) dollars a year shall be made by the City of Savannah for the care of said lots.

1788. Perpetual care contracts Bonaventure and Laurel Grove. In the future, when the said municipal corporation shall accept the trust for the care and maintenance of other lots in said Bonaventure Cemetery and in Laurel Grove Cemetery, both white and colored, that the basis of charge for this service shall be a cash payment of two hundred dollars ($200) for lots of four hundred (400) square feet or less, and twenty-five dollars ($25) for every additional one hundred (100) square feet or part thereof, the work on said lots to include the raking, watering and general care of the same, but not to include the grassing of said lots, the work on monuments or tombstones therein or other unusual care. The person owning or controlling the lot may by special contract provide for the grassing of the lot and the work on the monuments and tombstones therein or other unusual care, and the Park and Tree Commission is hereby authorized to estimate the value of such care and the amount thereof shall be added to the charge for the usual care and maintenance and be disposed of as provided by section 3 of said ordinance and upon the execution of such special contract the Clerk of Council shall at once furnish the said Park and Tree Commission with a memorandum of the scope of the work covered thereby.

May 31, 1911.

See Acts 1912, p. 1242. Secs. 145, 147, 189, this Code.

1789. Funds to be held in trust. The funds paid in by parties for the care of their lots shall be invested by the City of Savannah in securities, to be approved by the Finance Committee and confirmed by Council, which securities shall be registered in the name of the City Treasurer as trustee of this fund, and any transfer of these registered securities shall be made by the said trustee, with the joint approval of the Chairman of the Finance Committee, and any and all transfers or changes in the investment of these funds shall be reported to Council at the first meeting next succeeding such transfer or change. All cash payments heretofore received for the purposes contemplated shall be turned over to the said trustee to be invested as indicated herein, and the said trustee shall be bonded in a proper sum not exceeding twenty-five thousand ($25,000) dollars, or such smaller amount as the Finance Committee may, in the future, determine to be adequate, the premium on said bond to be paid by the City of Savannah.

May 18, 1910, § 2.

1790. Revenue from funds, how used. The two hundred and forty ($240) dollars to be annually appropriated for the maintenance of the lots of the parties and estates hereinbefore mentioned, which the City of Savannah took over from the Evergreen Cemetery Company, and the revenue from any and all securities hereafter purchased under the terms of this ordinance, shall be turned over to the Park and Tree Commission of the City of Savannah, with the condition that the revenue therefrom and the said securities shall be used by the said commission only for the maintenance in perpetuity of the lots for which the parties or estates owning the same have paid the cash contemplated by this ordinance.

1791. Duties under contracts. The obligation incurred by the Mayor and Aldermen of the City of Savannah and the duty of the Park and Tree Commission hereunder will be to at all times maintain in good order and condition the lot or lots as to which the trust is accepted and the payment made, and that it will cause the grass to be cut, the trees and shrubbery to be trimmed, the grave mounds preserved in order and the rubbish removed from the lot or lots as often as shall be necessary, except that the contract with Mrs. E. L. W. Clinch, under the agreement hereinbefore mentioned with the Evergreen Cemetery Company, assumes the additional obligation to keep the grass in good condition, furnish water and expend five ($5) dollars per annum in fertilizing her lots, and the contract with W. S. Chisholm provides that his lot be kept in perfect condition, having same raked when needed, and for the cultivation of a grass plot of the lot and fertilizing the lot each year and supplying water each year without water rent; and the contract with the estate of William H. Wiltberger provides simply for the perpetual keeping in order of his burial ground or lot.

1792. Hebrew portion Bonaventure Cemetery. The southwestern portion of Bonaventure Cemetery, known as Sections P and Q, containing eight hundred and thirty-five (835) lots, according to a map of said cemetery made by the City Engineer and adopted by the Park and Tree Commission June 15, 1908, be and the same is hereby set apart from the Evergreen or Bonaventure Cemetery as a Hebrew burial ground, to be used exclusively for the burial of the dead of the Hebrew race.

1793. Section "N" Bonaventure Cemetery. All lots in Section "N" of Bonaventure Cemetery, containing two hundred and eighty-nine (289) cemetery lots, as the same appears on the official plan or map of Bonaventure Cemetery on file in the office of the Chief Engineer of the City of Savannah, shall be sold by the city to parties, for burial purposes, only when such parties shall arrange with the city for the care of said lots

in perpetuity. The said section of said cemetery shall be perpetuated in grass and there shall be no copings, fences, hedges or enclosure of any kind whatever, the demarkation of lots shall be made by the use of marble or granite cornerstones or markers set flush with the ground with respective section and lot numbers cut in their faces. The planting of trees, shrubs, plants or flowers shall not be permitted on said lots, provided, however, that parties owning lots may place cut flowers, potted flowering plants and potted ferns upon the graves in their lots.
Apr. 26, 1916.

1794. Same; charges for pereptual care. The charges for said care in perpetunity shall be a cash payment of two hundred ($200) dollars for lots of four hundred (400) square feet or less, and twenty-five dollars ($25) for each additional one hundred (100) square feet or part thereof, the same to be paid in addition to the cost of the lot at such price as may then obtain for lots in said cemetery not sold with care in perpetuity. When said lots are sold with an agreement for care in perpetuity the city shall, through its proper departments, take all proper, reasonable and necessary care of such lots, including the raking, watering, grassing and general care of the same, but not to include work on monuments and tombstones therein or other unusual care, except by special agreement.

1795. Same; conditions of deed. When lots in said Section "N" of Bonaventure Cemetery are hereafter sold, there shall be a clause inserted in the deed conveying the same, subjecting the same to all the terms and provisions of this ordinance.

1796. Valution and sale of lots. The Mayor or Acting Mayor of the City of Savannah shall be authorized to convey lots heretofore undisposed of in Laurel Grove Cemetery or Bonaventure Cemetery at the rate of seven and one-half cents per square foot for lots in Laurel Grove Cemetery and ten cents per square foot in Bonaventure, and shall execute a conveyance thereof in the name of the Mayor and Aldermen of the City of Savannah upon the payment of the purchase money to the City Treasurer and the further sum of $1.00 for the deed.
Oct. 23, 1907.

1797. Conditions of sale. No person shall purchase in his own name more than two (2) lots in either of the said cemeteries, and that said lots shall be conveyed upon the express condition that the lot or lots conveyed shall not be aliened or conveyed by the purchasers, or their heirs or assigns, to any other person or persons whomsoever without the consent of the Council of the City of Savannah given in a resolution passed for that purpose, and upon the further condition that the Mayor and Aldermen of the City of Savannah shall always have the right and power to regulate the manner of interments in the said lots, and that said sale shall be subject to the rights and powers of the Park and Tree Commission, given by the act of the legislature.

1798. No re-sale at advanced price. It shall not be lawful for the Council of the City of Savannah to give its consent provided for in the foregoing section for the sale of a lot, unless it shall be made to appear to Council that said purchaser is re-selling at a price not in excess of the price paid by him to the City of Savannah.

1799. (1247.) Moneys from sale of lots, etc., how used. All moneys collected from the sale of lots, or water rent, or other source, in any public cemetery belonging to the City of Savannah shall be paid into the City Treasury, to be expended only under regular appropriation.
Dec. 30, 1908.

1800. Rates of Burial. The following schedule of burial fees for the said Laurel Grove and Bonaventure Cemeteries is hereby established, the same having been first approved by the Park and Tree Commission, that is to say:

For adults and persons 12 years of age or more:

Regular interment, without box	$ 5 00
Regular interment, with box	6 00
Regular interment, brick grave	7 50
Disinterment from box grave	6 00
Disinterment and reinterment from box grave	12 00
Disinterment from brick or concrete vault	7 50
Disinterment and reinterment from brick or concrete vault to vault	15 00

For children under 12 years of age:

Regular interment, without box	$ 2 50
Regular interment, with box	3 00
Regular interment, brick grave	4 00
Disinterment from box grave	3 00
Disinterment and reinterment from box grave	6 00
Disinterment from brick or concrete vault	4 00
Disinterment and reinterment from brick or concrete vault to vault	8 00

May 20, 1908.

1801. (1271.) Sextons of cemeteries to demand a burial order from Health Officer. Each and every sexton or keeper of each and every cemetery used for public burial within five miles of the city shall demand and require, with each and every application to him for burial of any deceased person, an order of burial signed by the Health Officer, setting forth the name, sex, color, age, nationality, residence, day of death, cause of death and name of attending physician, and in no instance shall any sexton or keeper of any cemetery used for public burial permit the body of any person to be interred without such order for burial, under penalty, upon conviction before the Police Court, of fine or imprisonment, or both, in the discretion of the court, such fine not to exceed one hundred ($100) dollars, and such imprisonment not to exceed thirty (30) days.
Dec. 20, 1882. See § 1251.

1802. (1272.) Disinterring remains without permit of Health Officer prohibited. It shall be unlawful to disinter or to remove from any of the public cemeteries of the City of Savannah the remains of any person buried therein, without the permission in writing of the Health Officer of the City of Savannah, and the keeper of any cemetery permitting such disinterment or removal without such permission, shall be fined on conviction thereof in the Police Court of Savannah, in a sum not more than one hundred ($100) dollars, or shall be dismissed from office, as the officer presiding in said court shall direct, and any other person disinterring or removing, or attempting to remove such remains from any of said cemeteries without such permission, shall be fined in a sum not less than twenty-five ($25) dollars, or more than one hundred ($100) dollars, or be imprisoned for ten (10) days, either or both, in the discretion of the presiding officer in the said Police Court.
Apr. 9, 1884.

RULES OF PARK AND TREE COMMISSION GOVERNING CEMETERIES OWNED OR CONTROLLED BY THE CITY OF SAVANNAH.

1803. Persons convicted of theft not allowed. No person who has been convicted of theft of any articles from any cemetery in Chatham County, Georgia, shall be permitted to enter any cemetery owned or controlled by the City of Savannah, except by permission of the keeper of the cemetery.

Dec. 5, 1917, Rule 1.

1804. Gates, when open. From April 16 to September 30, inclusive, the cemetery gates of all cemeteries owned or controlled by the City of Savannah will open at 7 o'clock A. M. and close at 7:30 o'clock P. M., and no persons other than regular employes of the park and tree commission, who may be engaged in work for the commission prior to or after that time, will be permitted in the cemetery, except during those hours.

This rule is not intended to conflict with funerals which may occur after the time specified in the said rule.

From October 1 to April 15, inclusive, the cemetery gates of all cemeteries owned or controlled by the City of Savannah will open at 7 o'clock A. M. and close at 6 o'clock P. M., and no persons other than regular employees of the park and tree commission, who may be engaged in work for the commission prior to or after that time, will be permitted in the cemetery except during those hours.

This rule is not intended to conflict with funerals which may occur after the time specified in the said rule.

1805. Entrance to be through gates. All persons must enter through the entrance gates to all cemeteries owned or controlled by the City of Savannah, and leave by the same way, otherwise all persons caught either entering or leaving the cemetery other than through the regular entrance gates will be considered trespassers and prosecuted according to law.

1806. Burial place for mankind. No lot shall be used for any other purpose than as a burial place for mankind.

1807. Interments not be made for remuneration. Proprietors shall not allow interments to be made in their lots for a remuneration; nor shall any transfers or assignments of any lot or any interest therein be valid unless the provision in deed covering same is complied with.

1808. Disinterment only by consent or Health Officer. No disinterment shall be allowed except by the consent of the City Health Officer and upon the written order of the owner or owners of the lot, and in every case shall be made by the cemetery authorities.

1809. Notice of interments. When interments are to be made, notice of the same must in all cases be given at the cemetery or the office of the park and tree commission at least six hours previous to the time of interment.

1810. Grave marked by owner or member of family. The park and tree commission or the cemetery keepers will not be responsible for orders for interments received by telephone. Location for grave to be dug must be marked out on lot by owner of lot or some member of family or by the duly authorized undertaker.

1811. Written order to open grave. When an interment is to be made, lot owners must send an order in writing to open the grave.

1812. Drivers to remain in their seats. Drivers of carriages employed at funerals are required to remain in their seats during funeral ceremonies, and their employers will be held accountable for their conduct while in the cemetery.

1813. Address of nearest relative. When the remains are to be placed in the receiving tomb, the name and address of the nearest relative must be given.

1814. Design of improvements. The first preliminary of any improvement should be a careful study of the lot and surroundings. The design should be in harmony therewith. To avoid unnecessary plans, the park and tree commission should be consulted in advance.

1815. Overcrowding monumental work. Attention is particularly called to the danger of overcrowding monumental work, which not only seriously mars the beauty and effectiveness of the design for the individual lot, but causes a similar injury to the improvements upon all lots in the vicinity.

1816. Monuments, headstones, etc. The proprietor of each lot shall have the right to erect any proper stones, monuments or sepulchral structure thereon, except that no slab shall be set in any other than a horiozntal position; headstones must be set in a solid foundation of masonry and all monuments and all exposed parts of vaults above ground shall be of marble, granite or other cut stone.

1817. Removal of offensive monuments. That if any monument, or effigy, or any structure whatsoever, or any inscription be placed in or upon the said land, which shall be determined by the park and tree commission to be offensive or improper, the said park and tree commission shall have the right, and it is their duty, to enter upon such lot or lots and remove the said offensive object or objects.

1818. No removal of plants, etc., from one lot to another. No person shall remove from any lot to place upon another lot, or for any other purpose whatsoever, any plants or flowers, whether said lot belongs to his or her family or not, the intent and meaning of this rule being to protect lot owners from the theft of plants and flowers.

All persons are warned not to pick or remove flowers, plants, Spanish moss or any other growing thing from any cemetery or lots therein or to attempt to carry them out of the cemetery, for any persons found with plants, flowers, moss, shrubs, etc., in their possession, are subject to arrest.

1819. Trees, shrubs, plants, etc. The proprietor of each lot shall also have the right to cultivate trees, shrubs, plants and flowers in the same, subject to the approval of the park and tree commission, but no tree or shrub, growing within the lot shall be trimmed, cut down, mutilated or destroyed without the permission of the park and tree commission.

1820. Removal of plants, flowers, etc. Any person who might wish to remove any plant or plants from any lot in any cemetery owned or controlled by the City of Savannah, must at the time of placing said plant or plants on lot or lots register with the keeper of the cemetery, on a form provided for the purpose, the name of the plant or plants, number of each, the lot upon which they have been placed (give both number of lot or lots and name of the owner) and the signature of the party authorized to remove same, should permission for their removal be requested and such request granted, the same party who signed the

original registry card must again attach signature to the said card as a receipt for the said plants.

1821. Mutilation of plants, flowers, etc. All persons are warned that no tree, shrub, flower or plant of any kind in any cemetery owned or controlled by the City of Savannah or in any lot thereof, shall be removed, cut, mutilated or injured in any way. All necessary cutting, trimming and removal will be done by this commission.

1822. Trees and shrubs inconvenient to vehicles and pedestrians. If any trees, shrubs or plants situated in any lot or lots shall, by means of their roots, branches or otherwise, become detrimental to the adjacent lots or avenues, or dangerous or inconvenient to vehicles or pedestrians, it shall be the duty of the park and tree commission and they shall have the right to enter into the said lot or lots and remove the said trees, shrubs or plants or such parts thereof as are detrimental, dangerous or inconvenient, after notice to the lot owner.

1823. Hedges and borders. Planting hedges or other borders upon lots shall not be allowed except by the express permission of the park and tree commission.

1824. No trees, etc., on grass plats. No trees, shrubs, plants or flowers of any kind whatever may be planted on the grass plats in any cemetery or on any other portion of the cemetery grounds except by the park and tree commission, except by express permission of the park and tree commission.

1825. Clearing off grass and weeds. The park and tree commission may at any time enter upon any lot or lots to keep the same neat, and clear off the grass and weeds therefrom, and appropriate the said grass and weeds to their own use.

1826. Fences. No fence shall, from time to time, or at any time, be placed or erected in or around any lot or lots the material and design of which shall not first have been approved by the park and tree commission.

1827. No "for sale" signs. No sign indicating that a lot is "for sale" will be permitted in the grounds.

1828. Avenues and walks. The park and tree commission from time to time may lay out or alter such avenues or walks and make such rules and regulations for the government and improvement of the cemeteries as they may deem requisite and proper to secure and promote its improvement.

1829. Access to the grounds. The proprietors of lots and their families will be allowed access to the grounds at all time, observing the rules which are or may be adopted for the regulation of the cemetery.

1830. No exposed brickwork. No exposed brickwork will be allowed in any portion of the cemetery.

1831. Contractors and workmen. Contractors and their workmen while employed in the cemetery are under the supervision of the cemetery authorities.

1832. Right to remove monuments, etc. No person shall have the right to remove from any cemetery owned or controlled by the City of Savannah, or any lot thereof, without proper written authority, any

monument, tombstone, headstone, slab, marker, coping, garden tile, etc., and said person shall first submit the said written authority to the keeper of such cemetery before any removal of the articles named is made.

1833. Contractors to obtain permits. All monument contractors or other persons are required to obtain a permit from the office of the park and tree commission before commencing work upon any monument, coping, etc., in any lot or lots in any cemetery and the keepers are hereby instructed not to permit the work to start until proper permit has been obtained covering the work to be done.

1834. Lot lines. Lines to cemetery lots must positively be furnished by the Chief Engineer's department before contractors will be permitted to set coping. Any errors made by contractors due to not following lines given by the Chief Engineer's Department shall be corrected by contractor at his expense.

1835. Monumental work. All monumental work must be provided with masonry or concrete foundations.

1836. Masonry. The masonry must be laid solidly in Portland cement mortar, made of one part Portland cement and two parts sharp river sand and hard brick only may be used in the construction of said masonry, and the foundation must extend to a depth of not less than six feet in all work.

1837. Concrete foundations. Concrete foundations must be made of one part Portland cement, three parts sharp river sand and five parts crushed stone, said stone to pass through 2½-inch mesh, and foundations must extend to a depth of not less than six feet in all work.

1838. Foundations for cut stone work. Foundations must be finished off at such levels as will permit the cut stone work to be set at least one inch below the surface of the ground at all points.

1839. Copings. Copings must have foundations two and one-half feet in depth, said foundations being of same thickness of coping and to extend one foot each side of joint. Said foundations may be either masonry or concrete, subject to the approval of the park and tree commission.

1840. Surface next to foundation dressed off. All monumental work must have the surface next to the foundation dressed off sufficiently true to allow every part to be in contact with the foundations, and must be set in a solid bed of cement mortar.

1841. Use of spawls not allowed. The removal or building up of any part of the foundations, the use of spawls between the base stone and foundation or any other defective workmanship will not be allowed.

1842. Material must be delivered at lots. All material must be delivered at lots. Adjacent lots shall not be trespassed upon.

1843. No obstruction of avenues or pathways. Monumental material or apparatus must not obstruct avenues or pathways and will not be permitted to enter cemetery until required for immediate use. Boxing material will not be allowed to accumulate, but must be removed immediately.

1844. Trucking. Heavy trucking will not be allowed in the grounds at such time as it may do injury.

1845. Guy ropes. Guy ropes must only be secured at such points and in such manner as the cemetery authorities may approve.

1846. Contractor to restore grade and sod. In making improvements upon lots the contractor must restore the grade and sod to the satisfaction of the cemetery authorities.

1847. Contractor to repair damage to roadway. If any roadway should be damaged by trucking over same or any copings, monuments or other property be injured in any way by any contractor performing work in any cemetery owned or controlled by the City of Savannah the said damage or injury shall be repaired at the expense of the contractor.

1848. No advertisements. No advertisement in any form will be allowed upon monumental work.

1849. No work commenced on Saturday. No work shall be commenced on Saturday which cannot be finished, and the debris entirely removed before the hour for quitting work that day, except by express permission of the park and tree commission.

1350. Material confined to lot when work suspended. When work is suspended for any reason, all material pertaining thereto must be confined to the lot or removed to such place as the cemetery authorities may direct.

1851. Material not stored except by permission. Material must not be stored in any part of the cemeteries except by express permission of the park and tree commission.

1852. Only lot owners to work in Bonaventure Cemetery. No person other than a lot owner or member of his or her family, working on their own lot, shall be allowed to work in Bonaventure Cemetery or any lot thereof without express authority from the park and tree commission.

1853. No fertilizers allowed in Bonaventure Cemetery. No lot holder or other person shall take or have carried into Bonaventure Cemetery, or any lot therein, any fertilizer, fertilizer material or similar sumstances without express authority from the park and tree commission.

1854. Gardeners. Gardeners or other workmen must immediately remove all refuse material from lots upon which they perform work to such places as may be designated by the cemetery authorities. This rule applies to all cemeteries owned or controlled by the City of Savannah.

1855. Soliciting work forbidden. Soliciting work in the cemetery by gardeners or other workmen or placing business cards upon lots is prohibited.

1856. Trespassers. No person shall trespass, ride, drive, or walk upon or across any grass plat in any cemetery owned or controlled by the City of Savannah.

1857. No animals or fowl allowed. No horses, mule or other like animal shall be permitted to enter any cemetery, or to remain therein, except upon such roadways as may be provided for public travel and then only when necessary in the exercise of service appurtenant to the use of such place, nor shall any such animal be fastened to or allowed to injure in any manner any tree, shrub, or other plant, or any tree box, bench, fence or other public property.

No cow, goat, dog or other like animal or chickens, geese, ducks or other like fowl will be permitted to enter the cemetery under any circumstances.

1858. No bicycles, etc., notices posted. No bicycle or similar vehicle, or any handcart, wheelbarrow, or like thing shall be ridden or used in or upon any cemetery except upon such walks or roads where the same shall be permitted by this commission and a notice to that effect posted and then shall be subject to ordinances of the city regulating the use of such vehicles. Baby carriages and invalid chairs may be taken wherever persons are allowed.

1859. Visitors and workmen. All visitors and workmen are strictly forbidden to walk upon or in any way trespass upon lots.

1860. Public assemblages. No public assemblage or gathering of persons will be allowed in or upon any cemetery without a written permit from this commission. This rule does not apply to funeral assemblages in any cemetery.

1861. Firing pistols, etc., not allowed. Firing pistols or guns, building bonfires, the use of firecrackers or any explosive or combustible fireworks or any similar things is prohibited in or upon any cemetery.

1862. No merchandise offered for sale. No person shall offer for sale or sell any merchandise or article whatsoever, nor advertise in any manner, nor conduct business of any kind, or solicit any money or other thing in any cemetery.

1863. No boisterous or disorderly conduct. No boisterous, offensive, improper or disorderly conduct will be permitted in any cemetery.

1864. Litter and rubbish. No paper, stones, broken glass, or crockery, nor any offensive or injurious things, litter, or rubbish of any kind shall be thrown or placed by any person in or upon any cemetery.

1865. Mutilation of cemetery property. No person shall mutilate, injure, cut, mark upon, deface, remove or destroy any bench, fountain, fence, house, monument, or structure, or property of any kind in any cemetery or any lot thereof.

1866. Wires, etc., fastened to trees. No wires, advertisements, notices, signs, boards or similar things shall be fastened to any tree, nor placed in any cemetery.

1867. Removal of signs of commission. No person shall remove, deface, or injure any notice or sign placed by this commission upon any tree, or in any cemetery.

1868. Portion of cemetery closed. This commission will at its discretion temporarily close to the public any portion of any cemetery during the time of any alterations or improvements, or whenever it may be deemed best for the public good, and all persons are prohibited from entering any such place when so closed.

1869. Permits. All permits of every kind contemplated by these rules shall be signed by the secretary of this commission and a proper and complete record of them kept in a special book provided for that purpose.

1870. Bonds for repair of damage. All persons to whom permits have been issued for any purpose which may change, deface, injure, or destroy any portion of any cemetery shall execute a bond with adequate security in double the sum of the cost to repair any damages which may be caused by any action taken under such permit. The amount of such cost will be estimated by this commission. Said bonds will be kept in a book provided solely for that purpose.

1871. Outstanding accounts. No new work of any kind whatever will be performed upon any lot or lots in any cemetery, until all previous outstanding accounts have been settled in full.

1872. Payment of water and lot service. All water and care of lot service that has not been paid for any current year on or prior to December 31, of that year, will be discontinued and not resumed until the said indebtedness has been paid in full nor will permission be granted for any person to perform work on the said lot as long as there is any indebtedness outstanding against it.

1873. Accounts collected by City Attorney. All accounts whether care of lots, water service, or miscellaneous work, which have not been settled in full prior to the 31st of December of any year, will be placed in the hands of the City Attorney for collection.

1874. Rules governing visitors. Visitors are reminded that these grounds are sacredly devoted to the interment of the dead, and that a strict observance of the decorum which should characterize the place will be required by all. Persons guilty of indecorous conduct within the cemetery grounds will be removed therefrom.

(a) Children must be accompanied by their parents or guardians.

(b) Dogs will not be allowed in the cemetery under any circumstances.

(c) Persons with automobiles, carriages or other means of transit will not be allowed to proceed at a greater speed than ten miles per hour.

(d) Horses must be in constant charge of a driver unless securely fastened to a post. Trees must not be used for this purpose.

(e) All persons committing any indecorum or found disturbing the quiet and good order of the place in any manner will be promptly ejected. Trespassers are liable to criminal prosecution and fine.

(f) All persons are warned that it is a violation of our cemetery rules to cut, remove, mutilate or injure in any way, any tree, shrub, plant or flower.

(g) All persons are warned not to pick or remove plants, flowers, Spanish moss or any other growing thing from any cemetery or lots therein or to attempt to carry them out of the cemetery, for any persons found with plants, flowers, moss, etc., in their possession are subject to arrest.

1875. Water rates and lot service. The following schedule of prices shall obtain in all cemeteries owned or controlled by the City of Savannah, except where noted:

Water Rates.

Lots of 400 square feet or less, $2.00 per year in advance and 25 cents for each additional 100 square feet or less. The use of water from other lots is prohibited; each lot must have its own opening. (This portion of schedule to apply to Bonaventure Cemetery only.)

Rates for Care of Lot Service.

Lots of 400 square feet or less, without grass, shrubbery, or plants, $8.00 per year in advance, and 1 cent for each additional square foot or fraction thereof.

Lots of 400 square feet or less, with shrubbery, plants and flowers only, $10.00 per year in advance, and 1½ cents for each additional square foot or fraction thereof.

Lots of 400 square feet or less, with grass, shrubbery, plants and flowers, $15.00 per year in advance, and 2 cents for each additional square foot or fraction thereof.

An extra charge of 50 cents per month will be made for the special care and watering of cradles.

1876. (1273.) General penalties. As to any section in this chapter, wherein punishment is not prescribed, any person violating the provisions thereof shall be punished, on conviction in the Police Court, by a fine not exceeding one hundred ($100) dollars, or imprisonment not exceeding thirty (30) days, either or both.

CHAPTER LXXIII.

MUNICIPAL DEBT—BONDS AND SINKING FUND.

1877. Refunding bonds issued February 1, 1909. Whereas, bonds of the City of Savannah, of the face value of two million six hundred and ten thousand ($2,610,000) dollars, will mature on the first day of February, 1909, and it is desired to refund this indebtedness by the issuance of new bonds, to be used for the purpose of retiring the said outstanding bonds, under the terms and provisions of an act of the Legislature of Georgia, approved December 11, 1878, and, particularly under so much of said act as is embodied in Sections 759, 760 and 761 of the First Volume of the Code of Georgia.

July 29, 1908, Preamble.

1878. Amount of bonds. The said Mayor and Aldermen of the City of Savannah, for the purpose of retiring the bonds of the City of Savannah of the face value of two million six hundred and ten thousand ($2,610,000) dollars, maturing February 1, 1909, shall issue new bonds of the City of Savannah, to the principal amount of two million six hundred and ten thousand ($2,610,000) dollars, face value, and the said issue of bonds is hereby fully authorized. The said bonds shall be divided into denominations of one thousand ($1,000) dollars and five hundred ($500) dollars, each, face value. They shall be deliverable February 1, 1909, shall mature February 1, 1959, be payable in gold coin, or its equivalent, shall bear interest at the rate of four and one-half (4½) per cent. per annum, payable semi-annually, and this interest shall be represented by coupons attached to the said bonds. Interest on the said new bonds shall be payable in the cities of New York and Savannah. The said new bonds shall be used by the City of Savannah, for the purpose of retiring the bonds maturing on the said first day of February, 1909, and the said new bonds, so issued, shall stand in the place and stead of the outstanding bonds and coupons maturing on the said first day of February, 1909.

The issuance of the said new bonds shall in no wise increase the municipal indebtedness of the City of Savannah, the purpose of these presents being to refund the said indebtedness by the retirement of maturing bonds, to decrease the rate of interest and the indebtedness of the City of Savannah.

The said new bonds shall be sold at the highest and best price obtainable from bidders for the same, but, in no event, for less than their face value, and parties holding the bonds which will mature on the first of February, 1909, may use the same, at their face value, in the purchase of new bonds.

1879. Annual payments. A sinking fund for the redemption of the said new bonds is hereby pledged, which said sinking fund shall not be less than twenty-five thousand ($25,000) dollars for the first year, and shall increase at the rate of not less than one thousand ($1,000) dollars for each and every year thereafter.

1880. Sinking fund commission to redeem. The provisions of an ordinance of the City of Savannah, passed December 17, 1878, and entitled: "An ordinance to compromise the bonded debt of the City of Savannah; to provide for the issue of new bonds, with which to retire those outstanding; to provide for the establishment of a sinking fund for the

redemption of the outstanding bonds of said city, and for other purposes," touching the reigstration of bonds, the retirement of the same by the Sinking Fund Commission of the City of Savannah, and the powers, rights and duties of the said Sinking Fund Commission, be and they are hereby made applicable to the said new bonds.

See sections 1887-8, this Code.

1881. Division of bonds. The Mayor of the City of Savannah and the Finance Committee of the said city are hereby clothed with full power and authority touching the division of the said new bonds into denominations of one thousand dollars and five hundred dollars, that is to say, as to the number of one thousand dollar bonds and the number of five hundred dollar bonds, and touching all other matters appertaining to the issuance, form, disposition, exchange, protection and redemption of the said new bonds and the disposition of the old bonds, not herein specifically provided.

1882. Refunding bonds of 1913. Whereas bonds of the City of Savannah, of the face value of $213,000, will mature on the first day of July, 1913, and it is desired to refund this indebtedness by the issuance of new bonds, to be used for the purpose of retiring the said outstanding bonds, under the terms and provisions of an Act of the Legislature of Georgia, approved December 11, 1878, and, particularly under so much of said act as is embodied in Sections 906, 907 and 908 of the Code of Georgia of 1910.

Apr. 23, 1913, Preamble.

1883. Amount of bonds. The Mayor and Aldermen of the City of Savannah, for the purpose of retiring the bonds of the City of Savannah of the face value of two hundred and thirteen thousand ($213,000) dollars, maturing July 1, 1913, shall issue new bonds of the City of Savannah, to the principal amount of two hundred and thirteen thousand ($213,000) dollars, face value, and the said issue of bonds is hereby fully authorized. The said bonds shall be divided into denominations of one thousand ($1,000) dollars and five hundred ($500) dollars each, face value. They shall be delivered July 1, 1913, shall mature July 1, 1943, be payable in gold coin, or its equivalent, shall bear interest at the rate of four and a half (4½) per cent.) per cent. per annum, payable semi-annually, and this interest shall be represented by coupons attached to the said bonds. Interest on the said new bonds shall be payable in the Cities of New York and Savannah. The said new bonds shall be used by the City of Savannah for the purpose of retiring the bonds maturing on said first day of July, 1913, and the said now bonds, so issued, shall stand in the place and stead of the outstanding bonds and coupons maturing on the said first day of July, 1913.

The issuance of the said bonds shall in no wise increase the municipal indebtedness of the City of Savannah, the purpose for these presents being to refund the said indebtedness by the retirement of maturing bonds, to decrease the rate of interest and the indebtedness of the City of Savannah.

The said bonds shall be sold at the highest and best price obtainable from bidders for the same, but, in no event, for less than their face value, and parties holding the bonds which will mature on the 1st day of July, 1913, may use the same at their face value, in the purchase of new bonds.

1884. Annual payments. A sinking fund for the redemption of the said new bonds is hereby pledged, which said sinking fund shall not be less than one thousand ($1,000.00) dollars for the second year, and shall increase at the rate of not less than five hundred ($500.00) dollars a year until the twentieth payment, inclusive, after which said sinking fund

shall be and continue at eleven thousand ($11,000.00) dollars for each year thereafter.

1885. Sinking Fund Comission to redeem. The provisions of an ordinance of the City of Savannah, passed July 4, 1883, and entitled "An ordinance to compromise that portion of the bonded debt of the City of Savannah known as bonds of the Savannah, Albany and Gulf Railroad Company, guaranteed by the Mayor and Aldermen of the City of Savannah, and hamlets thereof; to provide for the issue of new bonds with which to redeem the bonds so guaranteed now outstanding; to provide for the establishment of a sinking fund for the redemption of such bonds and for other purposes," touching the registration of bonds, the retirement of same by the Sinking Fund Commission of the City of Savannah, and the powers, rights and duties of the said Sinking Fund Commission, and all other ordinances heretofore passed relative to the same and not inconsistent herewith, more particularly the ordinance of December 17, 1878, to which reference is made in said ordinance of July 4, 1883, be, and they are hereby made applicable to the said new bonds.

See sections 1887-8, this Code.

1886. Division of bonds. The Mayor of the City of Savannah and the Finance Committee of the said city are hereby clothed with full power and authority touching the division of the said new bonds into denominations of one thousand ($1,000.00) dollars and five hundred ($500.00) dollars, that is to say, as to the number of one thousand ($1,000.00) dollar bonds, and the number of five hundred ($500.00) dollar bond and touching all other matters appertaining to the issuance, form, disposition, exchange, protection and redemption of the said new bonds and the disposition of the old bonds, not herein specially provided.

1887. (1603.) Sinking Fund Commission created. The said Mayor and Aldermen do hereby create, under the authority of said act, a sinking fund for the payment of such new bonds, and also a commission of freeholders, to be known as the Sinking Fund Commission, to consist of five persons, each of whom shall be the owner, in his own name, of unincumbered real estate in said city of the value of at least five thousand ($5,000) dollars upon the basis of valuation made by the City Assessors; and no Mayor, Alderman, or other city officer, shall be eligible to serve upon said commission; and when any member of said commission shall qualify as an officer of said city, he shall immediately cease to be a member of said commission. The five original members of said commission shall be elected by the Mayor and Aldermen of said city at the next regular meeting of Council after the passage of this ordinance, a two-thirds vote being necessary for a choice; and each member of said commission so elected, as well as his successors, shall be sworn to faithfully perform the duties of the position, and shall serve for ten years, and until his successor is elected in the same manner and for a similar term of years, and qualified, unless he be sooner removed as hereinafter provided. Said commission so appointed shall be invested with power, and it shall be its duty, if necessary, to enforce taxation sufficient to raise the "sinking fund" herein provided for, by application to the courts having jurisdiction, at any time when there shall be a failure to act in good faith on the part of the Mayor and Aldermen for the time being; and, after it is organized, shall have power to fill all vacancies in its body, whether caused by death, resignation or otherwise, by a majority vote of those acting, except when such vacancy is caused by the removal of a member as hereinafter provided, or by the expiration of his term of office; and except, further, that when, in consequence of a tie vote, or from any other cause, they are unable, or shall fail, to fill any vacancy or vacancies at the first regular or special meeting of their body after such vacancy or vacancies shall occur, their presiding officer shall certify such fact to Council at its next regular or special meeting thereafter, and Council shall at such meeting, proceed to fill such vacancy or vacancies in the same manner that it elected the original members.

Dec. 17, 1878.

1888. (1604.) Sinking Fund, and how applied. Where there is a sinking fund created to liquidate the bonds of the City of Savannah, the City Treasurer shall make quarterly payments to the said Sinking Fund Commission in such sums as may be fixed by the ordinances and proceedings under which the bonds were issued, and said commission shall apply the same to the purchase of any of the outstanding new bonds of said city, at the ruling market rates, and shall cancel each bond so purchased (and the coupons thereto attached), and after such cancellation shall deliver it (and them) to the said City Treasurer for such final destruction as Council may direct. And when said commission shall desire to purchase any of said bonds they shall call, by advertisement in the official gazette of the city, or in such manner as the city makes public its official acts, for proposals to furnish the same, and may accept the proposal of the lowest bidders for a part or the whole of the amount called for, or may reject any or all bids, as they may deem most advisable for the public interest and consistent with economy; calling, after each rejection for new bids; or they may, by unanimous consent of their body, buy such bonds in open market, at ruling rates, without calling for bids. Said Sinking Fund Commission shall make an annual report to the said Mayor and Aldermen of their work to December 31st of each year, which report shall be published annually with the Mayor's Report.

Dec. 17, 1878.

1889. (1605.) Council may remove members of Commission and re-elect others. Said the Mayor and Aldermen may, by a unanimous vote, remove any member or members of said Sinking Fund Commission, before his or their terms of office have expired, and may elect in the manner prescribed above, and for the unexpired term, a Commissioner or Commissioners in his or their stead, having the qualifications hereinbefore set forth; provided, that this power shall cease whenever the Legislature of this State shall give such power of removal and appointment to the Superior Court of Chatham County, or other competent tribunal.

1890. Drainage bonds of 1914. $600,000 of drainage bonds were issued April 15, 1914, under an ordinance of Council, adopted April 1, 1914. They bear four and one-half per cent. interest, payable semi-annually. The bonds are a serial issue. On April 15, 1915, $5,500 face value of the bonds became due and thereafter on April 15th of each year an additional number mature. Each year the amount is increased $1,000. The last series maturing April 15, 1944. This being a serial issue, no sinking fund was created.

1891. Auditorium bonds of 1915. $200,000 of bonds were issued October 15, 1914, for the purpose of purchasing the site for and erecting a public auditorium. They bear four and one-half per cent. interest. This is a serial issue of bonds, $2,000 of said bonds maturing October 15, 1915, and thereafter the amount maturing is increased $500.00 each year. The last series maturing October 15, 1839. These bonds are retired as they mature and no sinking fund was created.

1892. Drainage bonds of 1916. $400,000 of drainage bonds were issue March 1, 1916, under a resolution of Council adopted December 22, 1915. They bear four and one-half per cent. interest. This is a serial issue or bonds, $4,000 maturing March 1, 1917, and thereafter the amount

is increased $1,000 per year. The last series will mature twenty-five years from the date of the bonds. This being a serial issue, no sinking fund was created.

CHAPTER LXXIV.

SUBDIVISION OF GROUND RENT LOTS.

1893. (1459.) Half lot in fee simple. 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.

Feb. 27, 1851.

1894. (1460.) Half lot on ground rent. Any lessee of a city lot may, on application to Council, divide the 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.

1895. (1461.) Divisions of lot to have not less than 20 feet front. Joint owners of any lot or lots in the city, under the ordinary deed, are authorized 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. All the rights and privileges granted to lot holders as to one-half of a lot are extended to them as to the division or divisions authorized by this section: Provided, however, that it shall be lawful for the Council of the City of Savannah, by resolution, to authorize, in its discretion, a division of land held in the City of Savannah under deeds commonly known as ground rent titles, notwithstanding the fact that the division asked for may cause a part or portion of land to have a frontage of less than twenty (20) feet on a public street or square.

June 26, 1856.
Nov. 4, 1896, p. 356.

CHAPTER LXXV.

EXTENSIONS OF CITY.

1896. Extensions of City of Savannah from 1787 to 1866.
See Chapter 59, p. 306, Code of 1907.

1897. Extensions of City of Savannah from 1866 to 1897.
See Chapter 60, p. 326, Code of 1907.

1898. Extension of City of Savannah from 1897 to 1907.
See Chapter 61, p. 343, Code of 1907.

1899. Extension of City of Savannah from 1907 to 1918.
River Street changed.
April 1, 1914, p. 529.

Burroughs Road abandoned.
Jan. 2, 1907, p. 363.

Streets and Lanes in Lawton, Davant, Watson and McKenna Wards laid out.
Mar. 9, 1910, p. 425, and April 30, 1914, p. 583.

Estill Avenue Lane.
Mar. 23, 1910, p. 433.

Streets and Lanes in Granger, Watson, Schroeder and McKenna Wards laid out.
June 2, 1909, p. 467.

Atlantic and Reynolds Streets.
June 2, 1909, p. 475.

Fortieth Street, Maupas Avenue, Forty-first Street and Estill Avenue changed.
Feb. 24, 1909, p. 442.

Thirty-first, Thirty-second, Thirty-third and Thirty-fourth Streets.
Apr. 7, 1909, p. 457.

Montgomery Street.
Aug. 14, 1907, p. 417.

St. Julian and Bryan Streets at Citizens and Southern Bank.
Aug. 28, 1907, p. 420.

Brady Street.
Dec. 18, 1907, p. 431.

Streets in West Savannah.
Dec. 26, 1913, p. 553.

Streets in Pierpont Ward.
Feb. 3, 1915, p. 453.

Streets in Glen Ward, or West Savannah, named and dedicated.
Feb. 13, 1918.

1900. Wards named and defined.

Schroeder and Granger Wards.
June 2, 1909.

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June 2, 1909. Mar. 9, 1910.

Lawton and Davant Wards.
Mar. 9, 1909.

Gibbons, Morrison, Williams, Daniel, Noel and Turner Wards.
Sept. 21, 1910, p. 483.

Carmichael, McLeod, Clay, Glen, Morel and Mitchell Wards.
Dec. 26, 1913, p. 557.

Pierpont Ward.
Feb. 3, 1915.

1901. "Gordonston" subdivision approved.
Dec. 6, 1916. Aug. 15, 1917.

1902. General penalty for violations of ordinances and sections of this Code. As to all ordinances, which have been heretofore, or which may hereafter be adopted by the City Council of Savannah, lacking any provision for punishment for the violation of same, respectively, punishment is hereby provided to apply to each and all of such ordinances; that is to say, each and every offense committed under such ordinances; and each and every violation of the same shall be punished in the Police Court of the City of Savannah by a fine not exceeding one hundred dollars ($100), or imprisonment not exceeding thirty days (30), either or both, in the discretion of the court; and, as to any section of this Code, wherein no punishment is prescribed, any person violating the same, shall be punished as provided in this section.

PART FOURTH

APPENDIX

CONTAINING

1. Laws of the City Court of Savannah.
2. Laws of the Municipal Court of Savannah.
3. List of Local Laws of the City of Savannah.
4. List of Local Laws of the County of Chatham.

APPENDIX I.

CITY COURT OF SAVANNAH.

CODIFICATION OF LAWS OF CITY COURT OF SAVANNAH.

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1. (4903.) (4800.) (4800.) Name and style as a Court of Record. The City Court of Savannah, by that name, and as a Court of record in the City of Savannah, shall continue to exist, and shall have cognizance and jurisdiction as provided in the next section; and the said Court shall have criminal jurisdiction of all minor offenses committed within the limits of the County of Chatham, and which do not subject offenders to confinement in the penitentiary, and of such other cases as may be hereinafter provided for.

Acts of 1866, p. 57. Acts of 1880-1, p. 57-8, 371-3. Acts 1868, p. 165. Acts 1872, p. 399. See 114 Ga. 793; 63 Ga. 458(4).

2. (4905.) (4801.) (4801.) Territorial jurisdiction. The jurisdictional limits of the City Court of Savannah shall embrace the whole County of Chatham, and the said Court shall, within those limits, have jurisdiction concurrent with the Superior Court of the County of Chatham of all civil causes, without regard to the amount involved, except those of which jurisdiction is exclusively given to the Superior Court by the constitution and laws of the State: Provided, however, that in any cause which might have been commenced in the Court of a Justice of the Peace, the losing party shall not be charged with more costs than would have necessarily accrued if such cause had been before a Justice of the Peace. The criminal jurisdiction of the said City Court shall remain as now provided by law, and the Judge of the said City Court shall have the same powers as the Judge of the Superior Court of Chatham, except such as are exclusively given to the latter by law.

Acts 1868, p. 165. Acts 1880-1, p. 572.

Act of February 12, 1873 (Civil Code of 1895, § 4543), applies only to Superior Courts; 92 | 333. Damages ex delicto can't be set off to action ex contractu, though plaintiff non-resident; 114 Ga| 921. Has no jurisdiction to cancel by decree a deed; 96 | 469. Cannot reform a contractj 96 | 557; see also 94 | 41. No jurisdiction to foreclose mortgage on realty; 124 | 1000. Has jurisdiction of action for money founded upon fraud of defendant in procuring change of beneficiaries under insurance policy; 100 | 146. "Title to land" not involved where defense to suit on purchase money note was that plaintiff had no title; 98 | 32. Where a City Court had jurisdiction to foreclose material man's lien on realty; 107 | 255. No jurisdiction of appeals from Inferior Courts; 112 | 507; also 113 | 604; 114 Ga. 154. Power of Legislature to grant jurisdiction over the County to City Court; 112 | 179.

3. (4904.) (a.) Equitable defenses and moulded verdicts. Any defendant in any cause in said City Court may set up equitable defenses, and, if, by reason thereof, it becomes necessary to make other persons parties to the cause, it may be done in the same manner as in the Superior Courts; and it shall be within the power of the said City Court, in a proper case, to mould the verdict at law so as to do full justice to the parties, and in the same manner as a decree in equity, and the judgment and execution shall conform to the verdict.

Acts 1880-1, p. 572.

Where adequate relief only can be granted in equity, injunction may issue to restrain suit; 96 | 469. Equitable defenses, which may be entertained by City Courts, does not include specific performance of contracts, rescission or the like; 94 | 563. Where the relief sought by defendant is affirmative, resort by equitable petition to Superior Court to restrain action in City Court should be had; 96 | 558. Power of Court as to entry of judgment on bond of plaintiff in trover; 114 | 343. Where suit instituted in county other than that of plaintiff, and defendant, who desired a rmative equitable relief, enjoined the action in the county wherein suit was pending and set up his affirmative equitable defenses; 101 | 94. Where plaintiff estopped from asserting that City Court had no jurisdiction to entertain equitable defense set up by defendant; practice in cases of equitable defenses suggested; 103 | 544. After judgment by default, defendant cannot by equitable petition in Superior Court go behind judgment on ground that his defense to original suit was wholly or partially of an equitable nature; 105 | 406. See also 125 Ga. 325, 645; 124 Ga. 543; 114 Ga. 921; 119 | 905, 123 | 14, 784.

4. (4904.) (b.) Distrain warrants and writs of possession. All distrain warrants and writs of possession signed by the Judge of the City Court of Savannah, shall be attested by the Clerk or his lawful deputy, and have affixed thereto the seal of the said Court. The Clerk of said Court shall keep a book to be called the "distrain docket," which shall be kept as an execution docket in which he shall enter all distrain warrants issued as herein provided, and also the time of filing of the defendant's affidavit and bond (if any) and the term of Court to which the issue shall be returnable. The costs chargeable upon distrain warrants and writs of possession shall be the same as provided by law for other cases in said Court.

Acts 1872, p. 259.

5. (4904.) (c.) Dispossessory warrants. The said City Court of Savannah shall have cognizance of all cases for the possession of lands and tenements situated in Chatham County, arising under the laws now of force for the dispossession of tenants; and the officer executing such dispossessory warrants, when affidavit is filed and bond given, as provided by law, shall return the proceedings to the next City Court of Savannah, unless the same shall be held within ten days; in that case they shall return the proceedings to the next term thereafter.

Acts 1866, p. 57. Acts 1880-1, p. 572. See 119 | 504.

6. (4905.) Election of Judge. A judge for the City Court of Savannah shall be elected at the general election for State and County officers to be held on the first Wednesday in October, 1906, and at such general election, each four years thereafter, all qualified voters of Chatham County shall be entitled to vote at all elections held hereunder.

Acts 1905, p. 351.

7. (4906.) Term of office. The term of office of the Judge elected at said election to be held on the first Wednesday in October, 1906, shall begin January 1, 1908, and extend three years thereafter, or until his successor is elected and qualified, and the terms of all judges so elected after October, 1908, shall begin on the first of January of the year succeeding their election and extend for four years thereafter, or until their successors are elected and qualified.

Ibid. § 2.

8. (4907.) Vacancy in office, how filled. In the event of a vacancy from death, resignation or other cause from and after the passage of this act, a special election to fill said vacancy shall be called by the Ordinary of Chatham County, to be held not sooner than twenty days nor later than thirty days from the date of the call. Such special election shall be held and governed by the laws of the State provided for special elections, and the Judge so elected shall serve out the remainder of said term and until his successor is elected and qualified; in the event of a vacancy the Governor may appoint a Judge, who shall hold office until said vacancy is filled in the manner hereinbefore provided.

Ibid. § 3.

9. (4908.) Qualifications of Judge. No person shall be qualified to hold such office of Judge unless he has been a practicing attorney for seven years, a citizen of Chatham County for five years and attained the age of thiry years.

Ibid. § 4.

Judge of City Court cannot try pending case at same time Superior Court Judge is hearing case in City Court wherein Judge is disqualified; 112 | 76. Judge Superior Court can only preside in City Court when Judge of latter is disqualified; 112 | 76.

10. (4909.) Judge's salary. The Judge of said City Court shall have an annual salary of five thousand dollars, that shall not be increased or

diminished during his continuance in office, which salary shall be paid in monthly instalments, out of the treasury of the County of Chatham, by the Treasurer of said county, without the intervention or order of the County Commissioners or any other county officer. Said Judge shall not practice law in any way, or in any court of this State or of the United States during his continuance in office.

It shall be illegal for the Judge of said Court to also hold any municipal office or appointment in the city where such Court is held.

Act Aug. 9, 1904. Acts 1880-1, p. 572. Acts 1882-3, p. 532. Acts 1897, p. 496. Acts 1879, p. 137.

See Code of Ga., sec. 4831; 132 Ga. 517.

11. (4910.) (4807.) (4807.) His oath. He shall, before entering on the duties of his office, take and subscribe an oath faithfully and impartially to discharge such duties to the best of his abilities and understanding, and agreeably to the constitution of this State and the Constitution of the United States, and to support said constitution, and said oath shall immediately thereafter be forwarded to the Governor, and filed in the executive department.

12. Chief Judge of Municipal Court ex-officio judge. The chief judges of the Municipal Court of the City of Savannah are hereby made ex-officio judges of the City Court of Savannah, and they are directed to preside in the City Court of Savannah in the trial of criminal causes; in the trial of causes where the judge of said court is disqualified; and in such other causes as may be required by law or by the exigencies of the said court. As ex-officio judge of the City Court of Savannah, said chief shall, while presiding therein, have all the power and authority of the judge of the City Court of Savannah.

Acts 1915, p. 122(1). Acts 1915, p. 128(8).

13. (4911.) (4808.) (4808.) Solicitor-General, who shall be. The Solicitor-General of the Eastern District shall prosecute for all offenses cognizable before said court, but in his absence the Judge shall have 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.

14. (4912.) Clerk and Sheriff; election, terms of office, etc. The Clerk and Sheriff of the City Court of Savannah to be elected at the next election to be held for the election of such officers, shall hold such offices for a term of four years and until their successors are elected and qualified, and at all future elections for such office, said officers shall be elected for a term of four years. The election shall be under the terms, conditions and regulations which appertain to the election for county officers. The result of the election shall be certified as is the result of the election for the Clerk and Sheriff of the Superior Court of Chatham County. The successful candidates shall be commissioned by the Governor of the State, and shall qualify and give the bond as is now required with reference to the Clerk and Sheriff, respectively, of the Superior Court of Chatham County. The terms of the Clerk and Sheriff of said City Court so elected shall begin on the 1st day of January succeeding their election.

Acts 1912, p. 304(1).

15. (4912.) (a.) Deputy Clerk. Clerks of the City Courts of this State shall have the power to appoint a Deputy Clerk, and may require from him a bond with good security. The said Deputy Clerk shall take the same oath as the Clerks do before entering upon the discharge of their duties, and their powers and duties shall be the same as those of the Clerk as long as the principal continues in office, and not longer; for the faithful performance of which they and their security shall be bound. The appointment shall be in writing and shall be entered upon the minutes of the Court.

All acts heretofore performed by a Deputy Clerk of any City Court in this State under appointment by the Clerk, are hereby declared to be legal and valid as completely as if done by the Clerk himself.

The Deputy Clerk shall be paid out of the treasury of Chatham County, Georgia, as other Court expenses are paid, a salary of one thousand dollars per annum, in equal monthly installments.

Acts 1902, p. 106. Acts 1910, p. 204(3).

See Code of Ga., secs. 4829, 4830.

Deputy Clerk City Court Savannah may sign processes. 117 Ga. 503.

16. Additional Deputy Clerk. The Clerk of said Court shall have, and he is hereby given, authority to appoint a Deputy Clerk in addition to the deputy now provided by law, who shall have the same powers and duties prescribed by law for said Deputy Clerk, but said additional deputy shall serve without compensation from the county.

Acts 1917, p. 274(2).

17. (4912.) (b.) Deputy Sheriffs. The Sheriff of said City Court may appoint one or more deputies at his discretion, and he shall have the same authority to execute criminal warrants as is now vested in the Sheriff of Chatham County. He or his deputies may serve the process of the said Court in any part of said County of Chatham.

As to service of process by Deputy Sheriff of Superior Court; 122 Ga. 801. Sheriff of City Court has no power to serve processes issuing out of other Courts; 113 | 1068.

18. (4913.) (4810.) Confession of judgment. No confession of judgment shall be entered up in said Court unless the defendant resides in the corporate limits of Savannah, and unless the cause shall have been regularly sued out and docketed, nor until such cause is called in order by the Court for trial.

19. (4914.) (4811.) Habeas corpus; powers of the Court in relation to. The Judge of said Court shall have power to issue writs of habeas corpus, and to hear and dispose of the same, in all cases arising or occurring within the jurisdictional limits of Savannah, in the same way and with the same powers as the Judge of the Superior Court, and to discharge, admit to bail, or remand to jail, any prisoner, according to his discretion and the law of the land, but nothing herein contained shall be construed to lessen or take away the powers of the Judge of the Superior Court.

Acts 1880-1, p. 571. See 117 | 229, 306, 314, 317.

May grant habeas corpus for person in jurisdiction; 47 | 390. Writ of error direct to Supreme Court from decision of Judge of City Court of Richmond county; 103 | 465.

See Code of Ga., sec. 4831.

20. (4915.) (4812.) Jurisdiction in claim cases and mortgages on personalty. The said City Court shall have jurisdiction of all claim cases where personal property is levied on under execution, or other process from said Court; and all mortgages upon personal property, for an amount within the jurisdiction of said Court may be foreclosed by the Judge of the same, in the same way or manner as in the Superior Court, and all subsequent proceedings thereon shall be in said City Court, and such as are conformable with the general law of the State.

Applicability of pleading act 1895 as to DEFAULT, where cases tried in City Court at first term; 106 | 565.

21. Sessions. The sessions of said Court shall be held on the first Monday in January, March, May, July, September and November of every year and all causes except attachments shall be triable at the first term.
Acts 1915, p. 123(3).

22. Divisions of Court. The said Court may be held in divisions so that different cases may be tried in said court contemporaneously by the different judges thereof.
Ibid. p. 123(2). See Section 65 hereof.

23. (4917.) Criminal cases; when triable. At any session or term of said City Court, the Judge thereof may hear and determine the cases of any person charged with the commission of any criminal offense within the jurisdiction of said Court, upon accusation drawn up by the prosecuting officer, without a jury.

And no defendant in any criminal case in the said City Court shall have the right to demand an indictment by a grand jury in said Court or by a grand jury of Chatham County.
Acts 1868, p. 165. Acts 1866, p. 57. Acts 1915, p. 123(3). Acts 1900, p. 148.
After hearing evidence, and same showing commission of felony, Judge City Court cannot order case discontinued and bind defendant over to Superior Court; 103 | 397. One charged with misdemeanor in this State has no constitutional right to demand indictment by grand jury; 114 Ga. 421; 124 Ga. 30; 102 | 673. Where there was sufficient verification of separate counts; 88 | 91. Accusation dispenses with necessity of indictment; 74 | 842, 81 | 147. Accusation stated "State of Georgia, charges, etc.," good; 62 | 583. Offense must appear to have been committed before date of affidavit, upon which accusation made; 85 | 220. Requisites of good accusation: (a) shall be in name of State; (b) distinctly set forth offense charged; (c) time and place of commission of same; (d) the person by whom committed; (e) fact that it is based upon affidavit, referring to same, 63 | 168; (f) must charge the offense in the words of the affidavit and must not be broader; 112 | 538. Accusation and indictment distinguished; 91| 553. Not based on affidavit and special act not unconstitutional here; 120 Ga. 670.

24. (4918.) (4814.) Suits; how commenced and prosecuted. All suits in said court (except attachment cases) shall be commenced at least fourteen days before the term to which they are returnable, and the process shall be served on the defendant at least ten days before the session of the court. Suits shall in other respects be comformable to the mode of proceeding in the Superior Court, but the process shall be annexed by the Clerk of said City Court, be tested in the name of the Judge thereof, and be directed to and served by the Sheriff thereof.
Clerk cannot, without express order, issue new process, and where process not served before return day or within ten days before Court, the same is functus officio; 86 | 314.

25. (4919.) Suits against joint obligors, etc. [Where said City Court shall have jurisdiction of suits against one or more joint obligors, joint promissors, joint trespassers, or co-partners, or against the maker or makers of a promissory note or other like instrument, and the other joint obligors, joint promissors, joint trespassers or co-partners, or other endorser of promissory notes shall reside outside the limits of the County of Chatham and within any other county or counties in this State, suit may be brought in the said City Court of Savannah, by the same action, against all the said joint obligors, joint promissors, joint trespassers or co-partners, and against the maker and endorser of promissory notes; and, in such cases, the Clerk of said Court shall issue other originals of the petition and process for such cases, one for each county where the defendants may reside, and forward the same to the Sheriff of said county, who shall serve the copy and return the second or other original, with his entry thereon, to the Clerk of said City Court, and the process shall be directed to the Sheriff of the City Court of Savannah, and to the Sheriffs of the counties where the defendants reside; but no formal

direction of the process shall be required, and the mode and manner of conducting such suits shall be the same as in other cases of similar character.] (a.)
(a) Acts of 1871-2, p. 67. Acts 1880-1, p. 572.

26. (4920.) (4815.) (4815.) Lien of judgment. All judgments obtained in said Court shall be a lien on all property belonging to the defendants throughout the State, but property exempt from levy and sale under the general law of the State shall be exempt from levy and sale under process from said Court; and all executions shall be tested in the name of the Judge, issued and signed by the Clerk, directed to the Sheriff of the City Court of Savannah, and all and singular the Sheriffs of the State of Georgia, and may be levied on all property of the defendants throughout the State; but the Sheriff of said City Court may levy all such executions on property within any part of the County of Chatham.

27. (4921.) (4816.) (4816.) Adjournment of Court. In the absence of the Judge of said Court from indisposition or otherwise, it shall be the duty of the Clerk or Sheriff of the same to open and adjourn said Court to such day as the Judge may, in writing, direct.

28. Trials to be concluded. When the trial or hearing of any cause, civil or criminal, said court has been commenced and is in progress before a jury of the court, it shall not be stayed or discontinued by the arrival of the time fixed by law for another session of said court; and the court may proceed therein and bring it to a conclusion, in the same manner and with the same effect as if another stated term of the court had not intervened.
Acts 1915, p. 123(4).

29. (4922.) (4817.) (4817.) May compel the production of books, papers, etc. The said Court is empowered to compel the production of books, papers, and writings, in the possession of any party to a suit in said Court, containing evidence pertinent to the cause in question, under the rules and regulations provided by law for other Courts of record.

30. (4923.) (4818.) 4818.) Rules of practice. The mode of conducting proceedings in said Court, and carrying to trial suits therein, shall be the same as in the Superior Court, except as may be otherwise herein provided.

31. (4924.) 4819.) Jurisdiction of the Court. The Judge of said City Court shall have power and authority to hear and determine all civil causes of which the said Court has jurisdiction, and to give judgment and award executions thereon; Provided, always, that either party in any cause shall be entitled to a trial by jury, upon entering a demand therefor, in writing, on or before the call of the docket of said Court at the term to which the cause is returnable.
Act authorizing judgment without jury constitutional; 119 | 220, 61 | 293; see 117 Ga. 31; 116 Ga. 121-36. Judgments on unconditional contracts in writing; 120 | 17, 63 | 72. Not imperative that Judge should try case without jury, where no demand made for jury trial; 69 | 200, 104 | 119.
Demand for jury not made as provided by law, jury trial may be refused. 117 Ga. 31(2); 124 Ga. 859(3).
See Park's Code, sec. 4831, and annotations.

32. Motions for new trial. The Judge of said Court shall have power and authority to grant new trials under the principles of law governing the grant of new trials, but all motions for new trial must be filed within three days from the date of the verdict sought to be set aside, and the said Judges shall so order the proceedings that the motion shall be heard as soon as practicable, not later than forty days from the date of the said verdict. The motion after having been filed may be amended in

any particular before the date of the hearing. Said Judges shall determine each ground of the motion, and in the order passed thereon shall definitely state the grounds sustained and those overruled. No second new trial shall be granted in any case except for errors of law and where there is no evidence to support the verdict.

But the powers granted to the Judge by this section, shall not be constructed to interfere with the right to have the errors of the Judge of said Court corrected in any case, either in granting or refusing new trial, or otherwise, by writ of error or certiorari. But their judgment, in all cases, shall be subject to review.

Acts 1915, p. 123(5). Code 1882, sec. 4924(a). Acts 1875, p. 41, 124 | 651, 652.

The provision in the above section in regard to the second granting of new trials only for errors of law and where there is no evidence to support the verdict, was held unconstitutional by the Judge of the City Court in the case of B. C. Lee vs. Central of Ga. et al., No. 9281, February 14, 1916, Civil Minutes JJ, p. 342.

33. (4925.) (4820.) Parties may choose attorney for Judge. Whenever, in any case now pending or hereafter brought to said Court, the Judge thereof shall, from any cause, be disqualified from presiding, the parties litigant, or the respective counsel, may select any attorney practicing in said Court to preside in such case, and the Judge shall have such consent entered on the minutes; and the attorney so selected shall exercise all the functions of Judge in such case.

Acts of 1865-66, p. 73.

34. Absence of Judge. Whenever the Judge of said Court is absent from the State of Georgia, and Judge of a City Court of the State of Georgia is hereby qualified, and may preside in the place and stead of the Judge of said Court.

Acts 1910, p. 204(2).

See Code of Ga., sec. 4828, 6519, Park's Code, sec. 4831(r).

35. Defenses, when filed, defaults, etc. Defendants in cases brought in the City Court of Savannah, shall file his demurrer, plea or answer in writing on or before the opening of the Court at the return term of the suit, and the pleadings shall conform to the general law of the State. In case of default, the same shall be noted on the docket, and in such case the defendant may of right before the opening of the Court, on the Monday following the beginning of the term, open the default by filing and pleading not dilatory. If the default be not so opened the plaintiff may proceed ex parte and establish his demand, upon the proof thereof, but the Judge of said Court may upon cause shown either before or after final judgment open a default at any time within thirty days from the opening of the term.

Acts 1910, p. 203(1).

Section as to defaults construed. Buford vs. Sou. Cotton Oil Co., 93 S. E. 318.

36. (4928.) (4823.) Sales of property under execution. All sales of property, taken under execution by the Sheriff of said Court, or any Sheriff of a county, shall be conformable to the laws of the State regulating Sheriff's sales, and in all cases where property shall be taken under execution or other process by the Sheriff of said City Court, the advertisement or notice of all sales thereunder, shall be published by the Sheriff of said Court in an ynewspaper, to be selected by said Sheriff in each case, which may be published in Chatham County.

Acts 1895, p. 35.

37. (4929.) (4824.) Judgments; when and where entered. The party in whose favor a verdict shall be rendered, in said Court, shall be allowed to enter and sign judgment thereon, at any time within four days after the adjournment of the Court, at the Clerk's office, for the amount of such

verdict and all legal costs; and no execution shall issue on such verdict until such judgment shall be entered by the party or his attorney.

Court has no power on general verdict to decree that judgment be collected out of specific property; 94 | 484.

38. (4930.) (4825.) Stay of execution sixty days. Stay of execution, for sixty days, may be had in the same manner, and on the same terms, as are or may be allowed in the Superior Court.

39. (4931.) (4826.) Claim to real property. Claims to real property, levied on under execution issuing from said Court, shall be returned to and tried in the Superior Court of the county where such real property may be situated; and such claims shall be put in, and tried, and determined, as in other cases of claim in such Superior Court. Claims to personal property, levied on under execution or attachment from said City Court, shall be returned and tried there in the same manner as claims to personal property in the Superior Court.

Section (4827). Repealed by Constitution of 1868, Article I., section 18.

40. (4932.) (4828.) Attachments. All acts or parts of acts, already or 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 said City Court, as if named with the Superior Courts, so far as the nature of that tribunal will admit.

Proceedings under sec. 4543 of Code of 1895, providing for attachments against fraudulent debtors cannot be brought in a City Court; 92 Ga. 333; 118 Ga. 883. As to filing declaration in attachment at first term; 123 | 208.

See sec. 24 hereof.

41. (4933.) (4829.) (4828.) By whom issued. The Judge of said Court, or any Alderman of said city, or any Justice of the Peace or Notary Public, may issue attachments returnable to said Court, and within the jurisdictional amount of the same; but such attachments must be issued at least ten days before they are returnable, and levied at least nine days before such return term, and no judgment shall be rendered in attachment until the term after the return term.

42. (4934.) (4830.) (4829.) To whom directed. Such attachments shall be directed to the Sheriff of the City Court of Savannah, and all and singular the Sheriffs and Constables of this State; and all prior and subsequent proceedings relative to such attachments, not herein expressly mentioned or specificed, shall be governed by the laws of the State in relation to attachments, due regard being had to the nature of the different tribunals.

43. (4935.) (4831.) (4830.) By whom levied. The Sheriff of the City Court of Savannah may levy attachments returnable to said Court in any part of Chatham County.

44. (4936.) (4832.) (4831.) Declaration, when filed. The declaration in attachment may be filed at any time during the return term of the attachment; but, on failure to file it, the Court shall, on motion, dismiss the attachment.

45. (4937.) 4833.) (4832.) Garnishment, jurisdiction in the Court of. Said Courts shall have jurisdiction in all cases in garnishment, as well as when the debt of the garnishee to the defendant shall exceed, as when it shall fall short of, the jurisdictional amount of said Court; and in all cases of suit on bail or attachment, claim, or other obligations or bonds, given by parties to any proceedings issued from or had in said Court, although the penalties of said bonds may exceed the jurisdiction of said Court by being in double the sum sworn to, attached, or of the execution

issued, or property levied on: Provided, the original cause of action upon which such bonds or obligations were had or taken did not exceed the jurisdiction of said court.

46. (4938.) (4834.) (4833.) Garnishments; how sued, served and returned. Garnishment proceedings in said Court shall be conformable to the law on the State on that subject; but the summons must be served on the garnishee, personally, ten days before the Court to which the garnishee is directed to appear: Provided, such garnishee shall reside in the County of Chatham, or not elsewhere in the State; but where the garnishee shall reside in any other county, then he shall be summoned and served, and shall make his return, and all other proceedings shall be had in the manner pointed out in the general law of the State for non-resident garnishees; with this proviso, however, that the summons must be returnable to the Superior Court of the county of the residence of such garnishee, and further proceedings be had in said Superior Court.

47. (4939.) (4835.) (4834.) Notice, by whom served. Any notice which may be required to be given in any attachment case in said Court, in order to make the judgment a lien on all the property of the defendant, or otherwise, may be served by the Sheriff of said Court, or any constable of the City of Savannah; and plaintiffs in attachment may examine witnesses residing out of said city, in the same manner or under the same rules and regulations prescribed by the general law of this State.

48. (4940.) (4836.) (4835.) Parties; how made. In attachment cases in said Court, ten days' notice by scire facias, to make parties, shall be sufficient.

49. (4941.) (4837.) Scire facias to make parties. Scire facias to make parties in any cause in said Court shall be had as in the Superior Court; but such scire facias shall run throughout the State, and may be served by any Sheriff thereof; and service ten days before the return term thereof shall be valid and sufficient.

50. (4942.) (4838.) Witnesses and their attendance. The general law of the State in regard to witnesses and their attendance, interrogatories, sets-off, affidavits of illegality, arbitration, and the examination of parties to suits by interrogatories, or under subpoena, and all other matters of a judicial nature, within the jurisdiction conferred on said City Court, shall be applicable to said City Court, respect being had to the nature of the different tribunals; but subpoenas shall be served by the Sheriff of said Court, or a constable of said city, or a private person; and a commission to examine witnesses may issue on three days' notice to the opposite party, or his attorneys. Any person residing in Chatham County shall be subject to all the pains and penalties and liabilities now prescribed by law against defaulting witnesses if such person fail to appear as a witness in said City Court, when served with a subpoena for the space of two days before the day named in the subpoena for his appearance.

Acts 1869, p. 73. Acts 1880-1, p. 572.

51. (4943.) (4839.) De bene esse. The Judge of said Court shall have power to cause testimony to be taken de bene esse, in all cases pending in the same, according to the general law of the State, due regard being had to the nature of the tribunals; and the said Judge and other officers of said Court shall have, respectively, power to administer all oaths pertaining to their respective offices, as fully as the Judge and other officers of the Superior Court may in like cases do.

52. (4944.) (4840.) Judge may attest deeds, etc. [The said Judge shall also have power to attest deeds and other papers, and administer affidavits in all cases in which, by existing laws, such papers may be attested, and affidavits administered by the Justices of the Peace of the County of Chatham.] (a.)

(a) Acts 1865-66, p. 73.

53. (4945.) (4841.) Judge, Clerk and Sheriff; respective duties of. All the duties and liabilities attached to the Superior Courts, and to the Sheriffs of the counties shall be attached to the Clerk and Sheriff of said City Court; and the Judge of said Court is empowered to exercise the same authority over the Clerk and Sheriff, and other officers of said Court as is legally exercised by the Judges of the Superior Court over the Clerks of the Superior Court and Sheriffs of the counties, and other officers amenable to them.

54. (4946.) (4842.) Oath of the Clerk and Sheriff. Said Clerk and Sheriff of said City Court shall, respectively, take an oath similar to that prescribed for Clerks of the Superior Courts, and for the Sheriffs of the counties; and said oaths may be administered by the Judge of said City Court, or the Mayor or Clerk of the City Council of Savannah.

55. (4947.) (4843.) The Clerk and Sheriff may sue and be sued in said Court. Said Sheriff and Clerk of said City Court may sue and be sued in said Court; but when the Clerk may be defendant in any action, the process shall be signed by the Judge, and said Clerk shall, if required, copy the petition and annex the process thereto; and the Clerk shall also make out final process in any case in which he may be interested, as in other cases, which shall be signed by the Judge and executed as in other cases; and in all cases before said Court in which the Sheriff shall be plaintiff or defendant, process shall be directed to the Marshal and all and singular the Constables of the City of Savannah, and may be served by any one of them; and the proceeding thereon shall be as in other cases.

56. (4947.) (a.) Deposit of costs. When any civil suit is brought in the City Court of Savannah, it shall be lawful for the Clerk of said Court to demand of the plaintiff a deposit of ten dollars to cover the usual and ordinary costs of the Clerk and Sheriff of said Court in such suits, and until such deposit is made said Clerk shall not be obliged to docket, or do any other act connected with such suit, except marking the same "filed," with the date of the filing, and if the plaintiff be cast in such suit or if the suit be dismissed or withdrawn, such Clerk shall return to plaintiff any surplus of such deposit after payment of all Clerk's and Sheriff's costs, if any there be, and if the defendant be cast, such Clerk may immediately issue execution against such defendant for all costs, and upon their collection shall return to the plaintiff the amount of such deposit, or upon a return of nulla bona upon such execution, shall pay all the costs out of such deposit, returning the surplus, if surplus there be, as when the plaintiff is cast.

Acts 1878-79, p. 333. Acts 1880-81, p. 572. Acts 1882-83, p. 526.

57. (4948.) (4844.) (4842.) Certain fees and costs abolished. The costs in said Court known as the city tax fee and the attorney's fee, are hereby abolished; and that in every case commenced in said Court the Clerk may require of the plaintiff a deposit of costs to an amount not exceeding ten dollars, unless such plaintiff shall file with his declaration an affidavit that he has been advised by his counsel in the case and believes that he has a good cause of action, and that by reason of his poverty he is unable to make such deposit.

Acts 1889, p. 104. Acts 1878-79, p. 332. Acts 1880-81, p. 572. Acts 1882-83, p. 526.

58. (4949.) (4845.) (4843.) **Attachment against the Clerk.** In any case where it may be necessary to attach the Clerk of said Court, it shall be lawful for the Judge thereof to call in the services of the Clerk of the City Council of Savannah; and the Marshal of said city shall be competent to enforce any attachment by said Judge against the Sheriff thereof.

59. (4950.) (4846.) 4844.) **Record of proceedings; by whom kept.** The Clerk of said Court shall copy into a book of record, to be provided by the Mayor and Aldermen of Savannah, all the proceedings in all the civil cases in said Court; which entry of record shall be made within twenty days after the determination of any cause; and the Clerks shall be allowed the same fees for that service, to be taxed in the bill of costs, as are allowed in the Superior Courts for similar service; and the said Clerk shall keep, from day to day, regular minutes of the proceedings of said Court, which shall be examined and signed by the Judge.

60. (4950.) (a.) **Jury boxes and jurors.** It shall be the duty of the Clerk of said City Court to prepare and file in his office a copy of the traverse jury list of the Superior Court of Chatham County, as provided from time to time for such Superior Court, and the persons whose names are on such list shall be the traverse jurors of the City Court of Savannah, and traverse jurors shall be drawn therefrom in the following manner, viz.: The Clerk of said City Court shall write on separate cards or tickets, the name of each traverse juror and shall place them in the jury box or other similar box now in use, from which the traverse jurors shall be drawn, as now required by law; and for the services rendered under the Act the Clerk shall have a reasonable compensation to be allowed by the Judge. No general law now of force or hereafter framed prescribing the compensation of jurors in this State, or the manner of fixing the same, shall apply to said City Courts, unless said City Courts are especially referred to and included in said act.

Acts 1878-79, p. 35. Acts 1880-81, p. 572. Acts 1882-83, p. 532. Acts 1900, p. 148. Acts 1915, p. 124(6).

61. (4951.) (4847.) (4845.) **Jurors; how selected, etc.** All persons liable to serve as jurors in the Superior Court of Chatham County, shall be liable to serve as jurors in said City Court; and the Judge of said Court shall conform to the laws of this State pointing out the mode of selecting, drawing and summoning jurors for the Superior Court, except as may be hereinafter mentioned; and the fines and other proceedings relative to non-attendance of jurors, or contempts by them committed, shall be in conformity with the general law; and the oaths to be administered to jurors and witnesses in said City Court, upon the trial of civil causes, shall be the same as are by law to be administered to jurors and witnesses in the Superior Courts.

Jury trial must be by full panel of twelve to be a constitutional City Court; 114 Ga. 529, 793.

62. **Names of Jurors, how drawn from boxes.** Immediately after the passage of this act the Clerk of the Court shall provide locks for the lid to each apartment of the jury box and the same shall be locked at all times except when necessary to take out and replace the tickets containing the names of the traverse jurors after each revision of the jury lists. The judges in drawing juries shall draw but one ticket from the box at a time, and each juror whose name is on a ticket taken from the box shall serve twelve days unless he is excused from service by the court. No person whose name is drawn other than as above provided shall be competent to serve as a juror in said court.

Acts 1915, p. 124(6).

63. **Additional panels of jurors.** The judges of the City Court of Savannah shall have, and they are hereby given, the power to draw panels of jurors and tales jurors in addition to the regular panels, when necessary for the trial of criminal causes.

Acts 1917, p. 274(1).
See sections 22 and 23 hereof.
Ciencevich vs. State, 95 S. E. 670.

64. (4952.) **Grand jury and right of indictment abolished.** The Grand or Inquest Jury of the City Court of Savannah is abolished. The mode of proceeding and trial in all criminal cases in the City Court of Savannah shall be the same as in the Superior Courts of the State; and the oaths to be administered to jurors and witnesses in said City Court shall be the same as those administered to jurors and witnesses in criminal case in the Superior Courts. No defendant in any criminal case in the said City Court shall have the right to demand an indictment of a grand jury in said Court or by a grand jury of Chatham County.

Acts 1900, p. 148.
See sec. 23 hereof.

65. (4954.) (4850.) **Jury boxes and keys; by whom kept.** The jury boxes shall be kept by the Clerk, and the keys by the Sheriff; and no jury box shall, under any pretense, be opened but by the authority of the Judge.

66. (4954.) (a.) **Defaulting jurors; how punished.** If any person who shall be summoned to appear as a traverse juror, shall fail to appear at the time and place stated in his summons, the Clerk of said City Court shall make out against, and the Sheriff of said City Court or his deputy or any bailiff or constable in said county, shall serve on such defaulting juror a rule commanding him to show cause, if any he have, before said Court at such time not less than ten days from the serving of such rule as the Judge of said Court shall direct, why he should not be dealt with as for a contempt of Court; and if no satisfactory cause to the contrary is shown at such time, the Judge may impose upon him a fine not to exceed twenty dollars, or imprisonment without labor in the common jail of Chatham County for a term not exceeding ten (10) days, either or both, in the discretion of the Court, and such defaulting juror shall in addition pay all the costs of such proceeding.

Acts 1882-83, p. 533. Acts 1900, p. 148.

67. (4955.) (4851.) **Defaulting jurors; excuses of.** The Judge of said Court shall, in all cases, determine on the validity of the excuses of jurors; and he may, in any case, in term time or vacation, relieve a juror from payment of a fine, at any time before the same is paid over, if, in the discretion of said Judge, circumstances shall seem to warrant such remission.

68. (4956.) (a.) **Compensation of jurors.** The traverse jurors of the City Court shall be allowed the same compensation (not to exceed two dollars per diem) as is allowed to the jurors of the Superior Courts of Chatham County. Such per diem to be provided for by the County Commissioners of Chatham County and paid by the Treasurer of said county in the same manner and under the same rules (so far as the same may be applicable) now provided for paying jurors of the Superior Court of said county.

69. (4957.) (4853.) **Expenses of property levied on.** In all cases where, under execution or attachment process, returnable to said Court, horses, mules or other live stock may be levied upon, the Sheriff or other levying officer shall be allowed the amount of stabling or keeping necessary, according to the current rates actually expended by him; and, in

all cases of levy, under process as aforesaid, horses, mules, hogs, or other live stock, or dry goods, groceries, or other property of a perishable nature, may be sold by order of the Judge of the said Court, upon application to him, on oath, at such time and place as to him may 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 sale; except in cases of fruit or other articles that would be greatly deteriorated by a delay of ten days.

70. (4958.) (4854.) Certiorari; how sued out, and proceedings thereon. When either party to a cause in said Court shall take exceptions to any proceedings in a suit, affecting the real merits of the same, it shall be the duty of the Judge to cause to be made and filed of record in said Court, a just and true statement of the facts relating thereto, and of all legal points arising therein; and the said party, after a full compliance with the law of the State regulating the granting of certiorari, may apply to the Judge of the Eastern District for a writ of certiorari, who shall grant the same, if he shall dee mthe exceptions taken to be sufficient; but no writ of certiorari shall issue after three months from the adjournment of the term at which the exceptions are taken.

71. (4958.) (a.) Powers of Judge of Superior Court on certiorari. In all cases carried from the City Court of Savannah to the Superior Court of Chatham County by certiorari, the Judge of the Superior Court shall have full power on the hearing of said certiorari proceedings to determine the whole case, and either to reverse the verdict and judgment of said City Court absolutely, or to remand the case for a new hearing upon such terms and with such instructions as may be conformable to law and justice.

Acts 1874, p. 43.
As to practice on; 123 | 503.

72. (4959.) (4855.) (4853.) Sheriff may appoint a Deputy, when. In any case where it may be necessary to have property, levied on by the Sheriff of said Court, guarded, said Sheriff may appoint and have sworn in a special deputy for that purpose, and the Judge may allow a reasonable compensation in such case, and in any other case where the Sheriff may require assistance, and if any person shall oppose, resist, assault, or beat any special Sheriff in the discharge of his duty, such person shall, on conviction, be fined or imprisoned, at the discretion of the Court.

73. (4960.) (4856.) (4854.) Judge may appoint bailiffs. [The Judge of said Court is authorized to appoint three bailiffs as officers of his Court, and, in cases of necessity, to appoint additional bailiffs, in his discretion.] (a.)

(a) Acts 1866, p. 57.

74. Special bailiffs in certain cities. The Judge of any City Court of this State, which is located in a county wherein there is a city having a population of not less than 54,000, nor more than 75,000, according to the United States Census of 1900, is hereby given authority to appoint one special bailiff, who shall hold his office during the pleasure of the judge appointing him, and who shall discharge such duties in and about the court room when the court is in session, and in and about the judge's chambers, as may be required by law, or by the judge appointing him.

Code of Ga. sec. 4993.

75. Stenographer in lieu of bailiff. In lieu of the appointment a special bailiff as provided for by Code Section 4993, when there is a vacancy in said office the Judge of the City Court of Savannah may appoint a stenographer who shall perform all clerical and stenographic work required by the Judges of the City Court of Savannah, who shall receive a salary payable out of the County Treasury equal to that provided by law for bailiffs.

Acts 1917, p. 274(3).

76. Court Reporters, Appointments, Duties. Each of the judges of the Superior and City Courts of this State, in all circuits where there may be more divisions than one, whether the same be civil or criminal, shall appoint, and at pleasure remove, a reporter or stenographic reporter for their respective or said superior or city courts of their respective circuits. Such reporter, before entering on the duties of his office, shall be duly sworn, in open court, faithfully to perform all the duties required under this division; and it shall be his duty to attend all sessions of the court for which he is appointed, and when directed by the Judge as hereinafter set forth to exactly and truly record or take stenographic notes of the testimony and proceedings in the case tried, except the argument of the counsel.

Acts 1914, p. 60(1). Park's Code, sec. 4984.

77. Compensation in civil cases. The compensation of the reporter or stenographer for recording, or taking stenographic notes, and recording the evidence in such civil cases as may be agreed by counsel or plaintiff and defendant to be recorded, or, in cases of disagreement, as aforesaid in such cases as the presiding judge may direct to be recorded, shall be at a rate not to exceed ten cents per one hundred words, to be fixed by said judge, which fee shall be paid by the parties to the agreement, upon such terms as they may prescribe for themselves, and if no agreement is entered into as to the payment thereof, then in such manner as may be prescribed by the presiding judge.

Ibid. Sec. 4985.

78. Furnishing reports, etc., fee. Said reporter or stenographer shall, for reports of evidence and other proceedings by him furnished, be paid by the party requesting the same, at a rate not to exceed ten cents for each one hundred words.

Ibid. Sec. 4986.

79. (4964.) (4859.) Summary proceedings before said Court in cases specified. Upon the petition of any shipmaster, super-cargo, owner or consignee of any vessel, or of any articled seaman, or any mariner or apprentice attached to a ship or vessel, who shall have any dispute or difference with any person, touching any contract, agreement, sale, promise, debt or demand whatsoever, within the jurisdiction of said City Court, or who shall be charged with any assault, or assault and battery, trespass to the person, or other offense within the jurisdiction of said Court, committed anywhere within the County of Chatham, or where such shipmaster, super-cargo, owner or consignee, or articled seaman, or mariner, or apprentice, may prosecute for assault, or assault and battery, or trespass to the person, or other offense within the jurisdiction of said Court, committed anywhere in said county, or may be plaintiff in any such dispute or difference, touching any contract, agreement, sale, promise, debt, or demand whatsoever, within the jurisdiction of said Court, setting forth under oath, in such petition, the nature of his case, and that he cannot, without great inconvenience and damage to him, await the determination of such matter in difference, or the trial of such charge, by the ordinary and usual mode of proceedings in the Courts in this State, it shall be lawful for the Judge of said Court, and he is hereby required and directed to order and appoint a special or extraordinary Court, to be held within forty-eight hours after the grant of

such order, for the trial of any such cause, matter in difference, charge or offense; and the said Judge shall, immediately, or within twenty-four hours after the granting of such order, draw the necessary jury or juries for the investigation and trial of such matter of dispute, civil or criminal, and such jury or juries shall be forthwith summoned to appear at the time and place appointed, and further proceedings shall be had, in a summary way, as may be agreeable to law, and as though said Court were in session at a regular term.

Service of notice must be personal. Constitutionality of sections 4964 and 4965 raised, but not decided; 73 | 747-748; see also 67 | 274, 73 | 748.

80. (4965.) (4860.) **Twelve hours' notice of the time and place of hearing.** At the time and place which the said Judge shall appoint, the parties being duly notified by twelve hours' previous notice of such time and place, shall attend personally in any criminal case, and personally or by attorney in any civil case, before the said Judge, who shall then hear the parties, and shall in a summary way proceed to judge and determine such cause, and shall, forthwith, by the usual process of said Court, execute the judgment of said Court in such cause, unless exceptions to such judgment shall be taken by either party in a civil case on the pronouncing of such judgment, and if either party shall so except, or, in a criminal case, the defendant shall so except, it shall be his duty forthwith to apply to the Judge of the Superior Court of the Eastern District for a certiorari, founded on such exceptions, which, if allowed by the Judge of the said district, within twenty-four hours after the rendition of such judgment, shall be a supersedeas thereof; and in case of the absence of the Judge of said district, then reasonable time shall be allowed to the party making such exception to make such application, the said party giving good bond and security to the other party, to be approved of by the Judge of said City Court, conditioned to abide the final decision of the cause.

When Judge of City Court or Justice presides, the Court is neither the City Court nor a Justice Court, but a Special Court; 67 | 277, 16 | 606.

81. (4966.) (4861.) (4857.) **Jurisdiction and power of the Judge holding such Court.** At such special or extraordinary Courts, the said Judge shall have full power to try each cause in which any captain or commander of a vessel, or articled seaman, or mariner, or apprentice attached to a ship or vessel, may be a party, in the most summary and speedy manner, and to compel the attendance of witnesses by the most summary process that can be devised, and no more delay shall occur in the trial of such causes than such as is indispensable to the due administration of justice; and the said Judge shall have power to enforce, by order and process, the bringing before him of any and all papers appertaining to such cause, wherever such papers may be, whether actually returned to another Court within the City of Savannah, or not so returned.

a. (4967.) The foregoing provisions in regard to special or extraordinary Courts and writs of certiorari thereto, shall apply to all cases where any person or persons shall be charged and prosecuted for the offense of abducting, entertaining, secreting, lodging, or concealing any articled seaman, or mariner, or apprentice, or suffering the same to be done, or aiding or assisting any articled seaman, or mariner, or apprentice, to desert his ship or vessel, or secretly carrying off any articled seaman, or mariner, or apprentice, from any such ship or vessel, or harboring with intent to inveigle, entice, carry away, abduct, or secretly carry off, any articled seaman, or mariner, or apprentice, from a ship or vessel, or affording any conveyance or facility to such seaman, or mariner, or apprentice to desert such ship or vessel, as defined in this Code, or in any law of this State, present or future, and not subject the offender

to imprisonment in the penitentiary, whether such offense be committed in the jurisdictional limits of the City of Savannah, or within any part of the County of Chatham, upon the application to said Judge by the prosecutor in such case, or other person in interest, by petition, on oath, stating that he, or the witnesses, or some of them, necessary in carrying on said prosecution, cannot, without great inconvenience and damage to him or them, await the trial of such charge or prosecution by the usual and ordinary course of proceedings in the Courts of the State.

82. (4968.) (4863.) (4859.) **The Clerk, Sheriff and bailiffs shall attend.** The Sheriff and Clerk of said City Court, and all bailiffs thereof, shall attend such special or extraordinary Courts, and shall be entitled to the fees allowed by law for services therein; and in civil cases therein, the fee of three dollars, for use of the city, shall be paid by the plaintiff in each case, to be taxed in the bill of costs against the losing party.

83. (4969.) (4864.) (4860.) **Vexatious arrests.** For preventing vexatious arrests and fraudulent detention of articled seamen, or mariners, or apprentices, attached to a ship or vessel, it shall not be lawful for any keeper of a tavern or tippling house, or any other person, when an articled seaman, or mariner, or apprentice, as aforesaid, shall have been committed to jail by his captain, or the owner or consignee of his vessel, to lodge a detainer under the pretense of civil process founded on debt or civil contract; but in any such case, when any articled seaman, or mariner, or apprentice, as aforesaid, shall have been so committed to jail, it shall be the duty of the jailer to surrender such seaman, or mariner, or apprentice, as aforesaid, upon the requisition of the owner, captain or consignee committing him, notwithstanding any detainer which may be or have been lodged against such seaman, or mariner, or apprentice, founded on civil process; and upon failure of such jailer, within the limits of Savannah, to make such surrender, the same may be enforced by summary order of the Judge of said City Court, directed to the Sheriff and constables of said Court.

84. (4970.) (4865.) (4861.) **Arrest of persons under civil process.** It shall not be lawful for any Sheriff, constable, or other officer, to arrest any articled seaman, or mariner, or apprentice, attached to any ship or vessel, on civil process, within twenty-four hours next immediately before the time which shall have been designated by advertisement for the sailing of such vessel, or after the lapse of such time, if such vessel shall have been beyond that time by adverse wind or other cause; and in case of any such arrest within such time, anywhere within the limits of Chatham County, the Judge of said City Court shall have power and authority to discharge such seaman, or mariner, or apprentice, instantly, on the application of the captain, owner or consignee, showing that such arrest was made within the time prohibited; and the officer making such arrest shall be punishable by indictment in said Court, and, on conviction, shall be fined in a sum not exceeding one hundred dollars.

85. (4971.) (4866.) **Defendant may have a summary hearing.** If any articled seaman, mariner or apprentice, as aforesaid, shall be arrested under civil or criminal process issued by any Justice of the Peace or Ordinary, for any matter, cause or thing, within the jurisdiction of the said City Court, or offense committed anywhere in the County of Chatham, whether hereinbefore specified or not, the captain, owner or consignee of the vessel to which such seamen shall be under articles at the time of such arrest, or to which such mariner or apprentice may belong, shall be entitled to apply to said Judge for a summary hearing, as hereinbefore provided for other summary hearings before said Court; and the said Judge shall have full power and authority to take jurisdic-

tion and cognizance of such cause, and finally decide the same, as in the said other cases of summary hearing; and it shall be the duty of the officer making such arrest, and the Justice from whom the process emanated, on the requisition of the said Judge, to transmit to the said Judge all documents and papers in relation thereto; and the same proceedings in regard to certiorari shall be had as are applicable to other trials before such special or extraordinary Courts.

86. (4972.) (4867.) **Witnesses may be examined before the trial; when.** Whenever, after any order shall have been granted by said Judge, appointing a special or extraordinary term of said Court, for the trial of any criminal offense 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 offense, or his or their counsel (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 or their testimony is needed, it shall be the duty of the said Judge forthwith to order process of subpoena to issue, requiring said witness or witnesses to appear in person before him, at a certain place and 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 time and place the said Judge shall take down, in writing, the answers of the said witness or witnesses, given under oath, to the question or questions to be propounded to him or them, touching the said cause, on examination and cross-examination, by the parties, respectively, or their counsel; such examination 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 answers, 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 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 said trial, and not otherwise.

87. (4973.) (4868.) **Appeal not allowed.** No appeal to a special jury shall be allowable, in any case, before any special or extraordinary session of said Court.

88. **Expenses of Court and Solicitor's fees.** All * * * expenses of said Court shall hereafter be borne by the County of Chatham * * * provided, that nothing in this act shall be construed as to diminish the compensation of the Solicitor-General of the Eastern Judicial Circuit as now fixed by law, and the said Solicitor-General shall be entitled to receive out of the Treasury of Chatham County in each calendar year all his insolvent costs bills, the sum of sixteen hundred ($1,600.00) dollars, which amount shall be due and payable during the month of January of each calendar year, on bills properly certified by the Judge of the Superior Court of Chatham County, and the Judge of the City Court of Savannah, each for the sum of ($800.00) eight hundred dollars.

Acts 1897, p. 497(1).

89. (4976.) (4870.) (4866.) **Moneys arising from fines.** Moneys arising from jury fines, and fines imposed for violation of the penal laws, and collected from forfeited recognizances in said Court, shall be subject to the payment of the fees of the Solicitor-General, and the Clerk, and Sheriff, and other officers of said Court in criminal cases; and the Solicitor-General, Clerk, and Sheriff, and other officers bringing the money into Court, shall be entitled to have their insolvent bills paid first, and then the bills of former Solicitors, Clerks, and Sheriffs, and other officers, shall be paid according to priority; but no bill remaining unpaid for a longer time than four years shall take any part of said fund.

90. (4977.) (4871.) (4867.) **Justice of the Peace; his power.** 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, or elsewhere, and within the special jurisdiction of said City Court, for trial before the City Court of Savannah, instead of the Superior Court; and if any such case be returned to the Superior Court, the Judge thereof is thereby empowered to order said case transferred for trial to said City Court; and all bonds and other papers forming said record shall be deemed and considered as valid and binding as if returned in the first instance to said City Court; and it shall be the duty of the Solicitor-General to prosecute all such cases in the said City Court; and in all such cases of misdemeanor, returned to the Superior instead of said City Court, the magistrate so returning the same shall forfeit all costs and charges in the same; and such magistrate so acting may, besides, be attached and punished as for contempt in said Superior or City Court.

91. (4978.) (4872.) (4868.) **Peace warrants and bond.** All peace warrants and bonds to keep the peace taken in Chatham County shall be retutrned immediately to the Solicitor-General of the Eastern District, or, in his absence from said county, to the Clerk's office of the said City Court of Savannah, and also all warrants and bonds for offenses cognizable by said City Court; and said Solicitor-General shall, at every term of said City Court, lay such warrants and bonds before the Judge thereof, who may then examine into any such case; and if it shall appear to him in any case, from the papers or other evidence to be presented by the prosecution, that there is no real ground for such warrant or bond, or commitment under such warrant, or that the security required is too large or too small, then he may annul such warrants, cancel such bond, relieve from such commitment, order less or more security, and compel the prosecutor to pay all costs and expenses, as in his discretion may seem proper; and such Judge may, in any such case, and other cases of prosecution before said Court, where it shall appear to him that corruption or gross oppression has been practiced by any Justice of the Peace in said county, compel such Justice to pay all the costs, and jail fees, and other expenses in such case; and he shall cause such Justice to be bound over to the Superior Court, to answer for such malpractice.

Not necessary for magistrate's warrant to state whether larceny was a felony or misdemeanor, and where warrant turned over to City Court presumed that same charged misdemeanor and not felony; 82 | 613.

92. (4979.) (4873.) **Attorneys, when liable for court costs.** And in every case where the plaintiff may be liable for costs, and resides beyond the civil jurisdictional limits of said Court, judgment for such costs may be entered up against the plaintiff's attorney of record.

93. (4980.) (4874.) **Clerk and Sheriff fees.** Except where otherwise expressly provided in this Code, the costs to be allowed the Clerk and Sheriff, and other offices of said Court, shall be the same as those allowed for similar services in the Superior Court of Chatham County; and the provisions of this section shall apply as well to special as to regular terms of said Court.

94. (4983.) (4877.) Rules of practice. The Judge of said Court may make rules of practice for the same, not in conflict with the general law of the State; and, in all cases of fees to officers where such general laws do not strictly apply, he may, by rule or order of Court, fix such fees by analogy to the general law.

95. (4984.) (4878.) Continuances. Continuances in said Court shall be regulated by the general law applicable to other Courts of record of the State.

96. (4985.) (4879.) Jail calendar; disposition of prisoners. The keeper of the common jail in Chatham County shall, at every regular term of said City Court, return to the Judge thereof a jail calendar, containing the name of every prisoner therein, the time and cause of commitment, the name of the committing magistrate or magistrates, and the place where the alleged offense, or other cause of detention, may have occurred; and if, in any case, it shall appear to him that there is no good cause for the imprisonment, he may discharge such prisoner on such terms as such Judge may order; but such Judge shall have no power to discharge any person committed for contempt of a Court of record, or by authority of the United States, or any person regularly committed on charge of a capital offense.

97. (4986.) (4880.) Sheriff's statement to Judge. The Sheriff of said City Court shall, at the opening of every regular term, hand to the Judge a just and true statement of all moneys received by said Sheriff from fines and forfeited recognizances, the amount paid out by him, and the account on which the same was paid, together with a statement of the balance on hand; and the Judge may order any balance paid into the registry of Court, or deposited in some safe place of keeping, subject to the future order of the Court.

APPENDIX II.

MUNICIPAL COURT OF SAVANNAH.

LAWS CODIFIED, INDEXED AND ANNOTATED.

Prepared by
HON. W. W. DOUGLAS,
Associate Judge Municipal Court of Savannah.

Note: Sections followed by an asterisk do not follow the exact language of the Acts, but in the codification the language of the Acts has been condensed.

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MUNICIPAL COURT OF SAVANNAH.

Note: Sections followed by an asterisk do not follow the exact language of the Acts, but in the codification the language of the Acts has been condensed.

(1) Justice Courts Abolished, Municipal Court Established. Effective January 1, 1916, all Justices' Courts and the office of Justice of the Peace and of Notary Public Ex-Officio Justice of the Peace in the City of Savannah and of Constable in the City of Savannah are hereby abolished, and in lieu thereof, the Municipal Court of Savannah is created and established.*

Acts 1915, page 125, sec. 1. Paragraph 1, section 7 of article 6 Constitution of Georgia. Amendment Acts 1914, page 39.

(2) Territorial Jurisdiction. The territorial jurisdiction of the Municipal Court of Savannah shall include the City of Savannah and the County of Chatham.*

Acts 1915, page 125, sec. 2.

(3) Civil and Criminal Jurisdiction. The jurisdiction of the Municipal Court of Savannah in civil and criminal matters shall in all respects be the same as the jurisdiction of Justices' Courts in the County of Chatham at the date of the passage of the act creating the Municipal Court of Savannah, and in addition thereto, the said court shall have jurisdiction in trover and in bail trover proceedings, in which the value of the property sued for, exclusive of hire, does not exceed the principal sum of one hundred dollars.

Acts 1915, page 125, sec. 3.

ACCOUNT.

An action upon open account to recover a sum of money alleged to be due for section in city cemetery is not a suit involving the title to land; 117 | 345.

Suit on open account in J. P. Court no bar to suit on written instrument between same parties; 4 App. | 826.

ADMITTED WHEN.

If defendant appear and plead to the merits, without pleading to the jurisdiction, and without excepting thereto, he thereby admits the jurisdiction of the court. Sec. 5664.

Answer by non-residents of county, without objection to jurisdiction waived it; 85 | 1,(8); 114 | 1005, 1014.

Defendant served and failing to plead to jurisdiction, bound by judgment; 70 | 409(2); 69 | 180(1).

Failing to plead to jurisdiction and going to trial, defendant waives jurisdiction where suit improperly located; 77 | 584.

Plea to jurisdiction may be filed at any time during first term, notwithstanding answer; 67 | 527.

Defendant may simultaneously file demurrer, answer, dilatory pleas, and pleas to merits, without thereby waiving any of them. But if he pleads to merits without protestation as to jurisdiction, or without simultaneously pleading to it, he waives jurisdiction of person, and plea to jurisdiction cannot thereafter be filed; 5 App. | 296.

AMENDMENT.

Even the absence of an allegation of jurisdiction may be cured by amendment; 4 App. | 550.

ALLEGATION OF.

Even the absence of an allegation of jurisdiction may be cured by amendment; 4 App. | 550.

AMOUNT, INTEREST, ATTORNEY'S FEES. See Writing Off Portion of Claim.

The jurisdiction of the justices' courts is limited to $100 and interest and a suit for $100, interest and attorneys' fees or $100 and attorneys' fees is beyond jurisdiction. Where the amount sued for exceeds the jurisdictional sum, the judgment rendered thereon, whatever its amount, is void for want of jurisdiction. Jurisdiction depends on the amount claimed in the pleadings and not on the amount finally recovered. Where jurisdiction wanting at inception cannot be conferred by arrangement between parties; 73 | 243; 95 | 204; 99 | 281; 101 | 831-2, 117 | 140.

Suit on a note of $100 that provides for the payment of attorneys' fees court has jurisdiction if no notice given for attorneys' fees and no claim made for them. Suit and attorneys' fees separable; 117 | 140-1.

Amendment allowed setting forth payment on note which reduced the balance due to the jurisdictional amount; 113 | 942; 117 | 141.

Notes aggregating over $100 all falling due on default in payment of one, suits may be brought on notes severally in justice courts; 102 | 598(5).

No jurisdiction of claim, where two executions aggregating over $100 levied on property claimed; 76 | 769.

Carrier contracting to carry $1,100 in money and delivering only $1,000 suit for other $100 and interest can be brought in justice court; 94 | 450.

Summons amended on appeal so as to show amount within jurisdiction; 113 | 942.

ATTACHMENT, AMENDMENT OF.

Justice has no power to allow where amount not within jurisdiction; 120 | 449(1).

ATTORNEYS' FEES. See Amount, Interest, Attorneys' Fees.

CARRIER.

Contracting to carry $1,100 in money and delivering only $1,000 suit for other $100 with interest can be brought in justice court; 94 | 450.

Damages—Justice court has jurisdiction for suit for damages against carrier for breach of contract in failing to deliver goods within reasonable time; 1 App. | 294; 10 App. | 261.

Public Duty—Justice court has no jurisdiction for breach of. Railroads' failure to deliver to connecting carrier within time required by rules of railroad commission is a breach of public duty; 4 App. | 714; 1 App. | 14.

CIVIL JURISDICTION JUSTICE COURTS.

1. In all cases arising ex contractu, and in cases of injuries or damages to personal property, where the principal sum claimed does not exceed one hundred dollars, and in cases where the debt has been larger and the balance due is not more than said amount.

2. Of contests for the mere possession of personal property.

3. Of forcible entries and detainers, or either, with the aid of a jury, of twelve men, as prescribed by this Code.

4. Of all other cases where jurisdiction is constitutionally given them in their capacity as courts of justice. Code sec. 4665, 6524.

CLAIM.

No jurisdiction of claim, where two executions aggregating over $100 levied on property claimed; 76 | 769.

Trover—No claim can be filed by third party in a trover case; 120 | 883.

CONSENT.

Consent of parties for justice to try case beyond jurisdiction not confer jurisdiction and parties not estopped by judgment; 76 | 769.

Constables return that he had served non-resident of county and that defendant waived jurisdiction, not give justice jurisdiction; nor did fact that defendant told constable he waived jurisdiction; 86 | 482.

CONSOLIDATION.

Code sec. 5520. Justice Court cases consolidated if so doing not oust jurisdiction; 76 | 634; 45 | 96.

Several actions brought in justice court by one plaintiff against railroad company for killing separate animals, consolidation, on motion of defendant discretionary with court, if amount does not exceed jurisdiction; 122 | 25.

Joinder; ex-delicto and ex-contractu actions cannot be joined; 130 | 251; 129 | 234.

CONSTRUCTION.

If there is a doubt as to the form of the suit the construction favorable to the jurisdiction should be adopted; 10 App. | 161.

COURT OF INQUIRY.
The court of inquiry does not come into existence until the accused has been legally arrested and brought before the magistrate and a court organized for the purpose of examining into the accusation; 120 | 916(5).
Can compel the attendance of witnesses after notice of twenty-four hours. Sec. 934 Criminal Code.

COURT OF RECORD.
Justice courts are not courts of record; 1 Ga. Dec. | 50.

CRIMINAL JURISDICTION. See Courts of Inquiry and General Jurisdiction of J. P. Courts.
Justices of the peace have criminal jurisdiction in the following instances:
1. In acting as conservators and preserving the public peace in their respective districts and counties.
2. In issuing warrants for the apprehension of any person charged on oath with a violation of any portion of the Penal Code, or who is so known to them officially.
3. In examining such person when brought before them, and to commit, bind over, or discharge, according to the directions of this Code. Criminal Code. sec. 789.
The Court of Inquiry and the constitutional court are, although presided over by the same officer, separate and distinct courts. The civil court is held at fixed times and places; the court of inquiry at such times as the justice may determine. The constitutional court is always in existence. The statutory court of inquiry is organized for a particular purpose, and passes out of existence as soon as this object is accomplished; 120 | 916(3).

CROPS. See Fences and Crops; Real Estate.

DAMAGES, DEFINED.
The word damages in jurisdiction of justices courts refers only to the property, and not to the owner; but damage to personal property includes as well its total destruction as it does an injury thereto, therefore the killing of live stock is an injury or damage to personal property; 3 App. | 644.

DIVISION OF DEBTS.
Debts which in the aggregate amount to more than justice's court jurisdiction may be divided into liquidated demands, so as to bring them each within such jurisdiction. Sec. 4666.
Account divided into four parts due at different times, after all fall due creditor could bring suit on each separately. Liquidated construed; 76 | 631.
Running book accounts. See 9 App. | 733; 97 | 802; 72 | 147.

EQUITY.
A justice court is without jurisdiction in equitable proceedings; 9 App. | 713.
The defendant in a justice's court may set up any defense that would be good in a court of equity; 37 | 365; 42 | 539.

EVIDENCE.
In determining jurisdiction of a suit it may be necessary to look not only to the summons, but to the evidence on which the plaintiff relies for recovery; 1 App. | 294.

FENCES AND CROPS. See Realty.
Fences permanently affixed to land and, as a general rule, unmatured crops growing upon the land belonging to the owner of the crop are to be regarded as a part and parcel of the land and justice court has no jurisdiction of an action for damage for injury to them; 98 | 626.

GENERAL JURISDICTION OF JUSTICE COURTS. See Civil Jurisdiction and Criminal Jurisdiction.
Civil jurisdiction is prescribed by the constitution, and by statute a justice of the peace is authorized to issue warrants against persons accused of crime, and to hold courts of inquiry to examine into the accusation against them; 120 | 916(2).
If there is doubt as to the form of a suit, the construction favorable to the jurisdiction should be adopted; 10 App. | 161.
Justice Courts are successors to courts of conscience; 21 | 192.
Justice Courts "Ne Plus Ultra of Judicial Simplicity," Judge Bleckley; 62 | 679; 69 | 190.
Justice courts are not courts of record; 1 Ga. Dec. 50 .
Justices of Peace are required to perform both ministerial and judicial duties; 5 | 384.

INTEREST. See Amount, Interest, Attorneys' Fees.

KILLING STOCK.
The killing of stock is an injury or damage to personal property. Justice Court has jurisdiction; 3 App. | 644.

LIMITED JURISDICTION.
Justice Courts are courts of limited jurisdiction; they can exercise only such jurisdiction as is conferred by law; 69 | 587; 72 | 705; 73 | 240.

MATURITY.
Note sued on before, court had no jurisdiction, and defendant's waiver not affect third persons; 87 | 288(2).

NATURE OF CLAIM.
Where neither summons nor exhibit shows, nature of claim suit dismissed; 121 | 275.

NOTES. See Amount, Interest, Attorneys' Fees and Maturity.

NUISANCES.
In town or city, when no jurisdiction over; 40 | 87.

PAYMENTS.
May bring claim within jurisdiction; 30 | 8.

PERSON OR REPUTATION.
No jurisdiction in cases of injuries to the person or reputation; 76 | 355.

PERSON, OF:
Ten days' residence gives jurisdiction. Sec. 4710 of Code .
Visit does not; 91 | 30.

PENALTIES.
Justice court has no jurisdiction in cases of penalties; 84 | 408; 126 | 784.
Statutory Penalty is not an obligation arising ex-contratu and Justice Court has no jurisdiction; 84 | 408.

PLEAS TO JURISDICTION. See Admitted When. Code sec. 5664.
Plea to being dilatory must be sworn to; 17 | 573.
Plea to jurisdiction not considered unless filed at first term, made in person and sworn to, no want of jurisdiction appearing on papers; 61 | 208(1).
Too late after trial on merits; 26 | 120.
Answer by non-resident of county, without objection to jurisdiction, waived it; 85 | 1(8).

PUBLIC DUTY.
Suit for breach of public duty Justice Court has no jurisdiction of. Railroads failure to deliver to connecting carrier within time required by rules of Railroad Commission is a breach of public duty; 4 App. | 714; 1 App. | 14.
Sec. 4068 Code. Justice Court has jurisdiction for suit for damages against carrier for breach of contract in failing to deliver goods within reasonable time; 1 App. | 294; 10 App. | 261.

REALTY. See Fences and Crops.

Justice Court has no jurisdiction of case in which plaintiff seeks to recover damage for an injury to realty cause by wrongful act of defendant; 98 | 626.
An action upon open account to recover a sum of money alleged to be due for section in city cemetery is not a suit involving the title to land; 117 | 345.

REPUTATION. See Person or Reputation.

RESIDENCE.
Ten days' reseidence gives jurisdiction. Sec. 4710.
Visit does not give jurisdiction where residence not changed; 91 | 30.

STATUTORY PENALTY.
Statutory penalty is not an obligation arising ex-contractu and Justice Court has no jurisdiction; 84 | 408.

TORTS.
A Justice Court has no jurisdiction of an action of tort unless the alleged wrong consisted of injuring or damaging personal property belonging to the plaintiff; 109 | 238; 105 | 88; 81 | 47.
Justices of the Peace have jurisdiction in cases of injuries or damage to personal property where the principal sum does not exceed $100; 109 | 232; 81 | 47; 62 | 345.
Tort may be waived and suit brought on contract; 103 | 788.

TROVER.
Claim: No claim can be filed by third person in trover case; 120 | 883.

WAIVER OF OBJECTION AS TO JURISDICTION. See Consent.
By joining issue; 100 | 160.
A judgment where no jurisdiction is void unless defendant waived jurisdiction by joining issue; 68 | 354; 85 | 1(8).

WAIVER OF TORT.
Tort may be waived and suit brought on contract; 103 | 788.

WRITING OFF PORTION OF CLAIM.
Writing off portion of a claim to bring suit within jurisdiction. See discussion as to whether or not plaintiff can do this without consent of debtor. Damages liquidated cannot; damages unliquidated can; 127 | 778, 785.

WRITTEN INSTRUMENT.
Suit on open account in Justice Court no bar to suit on written instrument between same parties; 4 App. | 826.

(4) Procedure, Pleading and Practice. The procedure, pleading and practice in the Municipal Court of Savannah shall be the same as that prescribed by law for Justice Courts at the date of the passage of the act creating the Municipal Court of Savannah, except where changed by the said act creating the Municipal Court of Savannah.*
Acts 1915, page 126, sec. 4.

ABATEMENT.
Plea in abatement must be filed under oath at the first term; 4 App. | 61.
The defendant can raise the point that the plaintiff has recommenced an action previously dismissed, without paying costs of the former suit, only by a timely plea in abatement; 4 App. | 61.
Plea that plaintiff had extended time of maturity subsequent to suit and that suit prematurely brought is plea in abatement; 120 | 530(1).

ACCOUNT.
Account sworn to and defendant not filing any defense or appearing must be personal service on defendant in order to get judgment without further proof. Sec. 4730 Code.
Verified account, time of filing defense not required to be at first term; 112 | 127.
Sworn account entitles plaintiff to judgment unless sworn defense filed when personal service; 119 | 777.
Verification to plea may be added by amendment; 12 App. | 62.
Suit on unverified account may be met by unverified plea; 119 | 777(2).
Where suit on unverified account has been personally served, and the same is met by no defense whatever, the defendant's silence is to be treated as an admission of the correctness of every item in the account, and the plaintiff is entitled to judgment on the call of the docket and without the case being assigned for trial; 119 | 777(3).
Suit on account for materials furnished and work done, may be maintained, although the agreement whereon the materials were furnished or work done be evidenced by a written contract; 1 App. | 203, 212; 4 App. | 61, 62.

AMENDMENT.
A summons is amendable as to any detail, so long as there is no change as to the parties or as to the transaction which is the basis of the action, provided no change in the nature of the cause is involved; 4 App. 550.
Even the absence of an allegation of jurisdiction may be cured by amendment; 4 App. 550.
Amendment adding "& Co." to the original summons and on docket was improperly allowed as this was adding a new party plaintiff; 6 App. | 696.
Amendment of plea may be treated in Justice Court as a new and distinct plea without reference to original plea; 125 | 676(3).

APPEARANCE AND PLEADING.
Appearance and pleading in order to bind defendant not named in summons must appear from docket entry, not shown by parol; 117 | 426.

ATTACHMENT.
In attachment proceedings in a Justice Court there is no necessity to file a declaration in attachment, neither is a summons a necessary part of the proceedings; 6 App. | 65.

BANKRUPTCY.
Is a defense that must be pleaded; 73 S. E. 1089.

CERTAINITY. See Niceties in Pleading, Summons, Strictness.
Since the passage of the Act of 1880-1, page 66, the plaintiff in an action in a Justice Court must set forth, with some degree of certainty his cause of action, and, having done so, must recover, if at all, upon the cause as laid, and cannot recover upon a different and distinct ground of liability; 113 | 979; 119 | 693; 1 App. 203, 294.

CONTRACTS. See Written Contracts.
Ex-delicto and ex-contractu actions cannot be joined; 130 | 251; 129 | 234.

CONTRADICTORY PLEAS.
May be filed in Justice Courts; 125 | 676.

COST OF COURT.
The defendant can raise the point that the plaintiff has recommenced an action previously dismissed, without paying the costs of the former suit, only by a timely plea in abatement; 4 App. | 61(1).

DAMAGES.
A Justice of the Peace has no power to render judgment by default, without testimony, against the defendant in an action for damages, although the cause of action stated in the summons is verified by the plaintiff's affidavit, and although the defendant, after due service, does not appear or plead; 3 App. | 241.
A judgment rendered in a Justice Court on an unliquidated claim for damages without other proof than the affidavit of the plaintiff attached thereto, is illegal; 1 App. 46(4).

DESCRIPTION.
Questions as to description or misjoinder of the parties are concluded by the judgment; 119 | 777(4) .

DILATORY PLEAS AND NON EST FACTUM. See Jurisdiction, Plea to.
Must be filed at first term unless good cause shown; 61 | 208; 79 | 761, and verified by affidavit; 79 | 761. At second term on appeal, plea of Non Est Factum not allowed when no sufficient cause for delay shown; 75 | 504.
Plea to Jurisdiction must be verified; 17 | 573.

EX-CONTRACTU AND EX-DELICTO.
Ex-delicto and ex-contractu actions cannot be joined; 130 | 25; 129 | 234.

EQUITABLE DEFENSES.
The defendant in a Justice Court may set up any defense that would be good in a court of equity; 37 | 365; 42 | 539.

EX-DELICTO AND EX-CONTRACTU.
Ex-delicto and ex-contractu actions cannot be joined; 130 | 25; 129 | 234.

GARNISHMENT.
Ordinarily a summons of garnishment returnable to a Justice Court, and served only by leaving it at the most notorious place of abode of the garnishee, does not bind him to appear and answer at the time and place mentioned therein, yet if, notwithstanding such defective service, the garnishee appears and being in open court sworn makes answer admitting such indebtedness, the court by such appearance acqures such jurisdiction of the person of the garnishee as will enable it to render a valid judgment against him; nor does the mere fact that he has failed to reduce his answer to writing affect either the jurisdiction of the court thus acquired or the judgment; 101 | 797.

JURISDICTION, PLEA TO. See Dilatory Pleas and Non Est Factum.
Being dilatory must be sworn to; 17 | 573.
Plea to jurisdiction not considered unless filed at first term made in person and sworn to, no want of jurisdiction appearing on papers; 61 | 208(1).
Too late after trial on merits; 26 | 120.
Answer by non-resident of county, without objection to jurisdiction, waived it; 85 | 1(8).

MISJOINDER.
Questions as to description or misjoinder of the parties are concluded by the judgment; 119 | 777(4).

MIXED PLEAS.
Matters in abatement and in bar may even be mixed in the same case and one defense alone will not defeat another; 16 App. | 564 (bottom of page).

NAME OF PARTIES TO SUIT.
If the suit is brought in a name which is neither that of a natural person, a corporation, nor a partnership, it is a mere nullity. A corporation may bring suit in its own name, and if it fails fully to describe its legal entity, may amend by alleging that it is a corporation; 122 | 774, 775. Where the name of the plaintiff does not itself import a corporation and no allegations as to its corporate entity is made, it is not erroneous, in the absence of an offer to amend, to dismiss the petition, upon the ground that no party plaintiff is described therein; 12 App. | 251. Aliter where a proper amendment is offered; 18 App. 533; 92 S. E. | 648; 78 | 39; 73 | 474; 122 | 774; 14 App. | 107.

NEGLIGENCE.
Specific allegations of negligence not necessary; 1 App. 203, 734; 2 App. | 755

NICETIES OF PLEADING. See Certainity and Summons.

Niceties of pleading are not required in Justice Courts, consequently a variance between summons and the proof as to the age of a cow not material; 3 App. | 644.
In a Justice Court it is neither possible, practicable, nor requisit to indulge in the niceties of pleading. All that is required is that there should be attached to the summons a copy of the cause of action sued on; 1 App. | 734.
Niceties of pleading are not required in a Justice Court, though, of course, it is required that the plaintiff should so plainly and distinctly set forth his complaint as to define his cause of action and enable the defendant to be clearly apprised of what is required to defend; 9 App. | 524; 119 | 693; 121 | 275.
Since the passage of the Act of 1880-1, page 66, the plaintiff in an action in the Justice Court must set forth, with some degree of certainty his cause of action, and, having done so, must recover, if at all, upon the cause as laid, and cannot recover upon a different and distinct ground of liability; 113 | 979; 119 | 693; 1 App. 203, 294.

NON EST FACTUM. See Dilatory Pleas and Non Est Factum.

NOTICE TO PRODUCE.
Must be served five days before trial in Justice Court and oath must be made as to materialty and possession of opposite party; 81 | 531.
Judge has power to require and should require, the production of any pertinent documentary evidence which may illustrate the issue, and which is within the power or custody of any person then personally in court, except where the disclosure is prevented by privilege; 12 App. | 292(2); 1 App. | 514(3); 55 | 223(3); 71 | 707(1).

PARTIES TO SUIT. See Name of Parties to Suit.

SET OFF.
A claim arising ex-contractu cannot be set off against a claim arising ex-delicto except for special equitable reasons which must be made to appear; 99 | 71.

STATEMENT. See Summons.
Whether statement is attached or in body of summons immaterial; 1 App. | 203, 207.

SUMMONS. See Certainity, Niceties of Pleading, Strictness.
A summons is indespensible and a judgment, where no summons is void; 1 App. | 203.
The summons need not state the cause of action with the particularity required in regular pleading; 62 | 679

Nothing like the particularity required in a petition to the Superior Court is required in a summons issuing from a Justice Court; 105 | 275. All that is necessary is for the summons to put the defendant upon some notice of the subject matter of the complaint that he is called upon to answer; 104 | 599, or even on inquiry as to the character of the claim; 108 | 516. See Certainty.
Whether statement is attached or in body of summons immaterial; 1 App. | 203, 207.

STRICTNESS. See Summons, Certainity, Niceties of Pleading.
Strictness of pleading is not required; 1 App. | 203, 108 | 513, 516.

TECHNICAL PLEADING. See Strictness, Certainity, Niceties in Pleading, Summons.
Technical pleading is not required in a Justice Court, and in determining whether a Justice Court has jurisdiction of a suit, it may be necessary to look not only to the summons, but to the evidence on which the plaintiff relies for recovery; 1 App. | 294.
Suits in Justice Courts are not to be held to such technical rules as those in Courts of Record. The law requires no pleading in writing for the trial of a case; 70 | 592.

TORTS.
Ex-delicto and ex-contractu actions cannot be joined; 130 | 251; 129 | 234.
A claim arising ex-contractu cannot be set off against a claim arising ex-delicto except for special equitable reasons which must be made to appear; 99 | 71.

UNCONDITIONAL CONTRACT IN WRITING.
Defendant must appear and make his defense at the first term either by pleading or by the marking of his name, or that of his attorney on the docket. Sec. 4134; 95 | 714; 110 | 791; 6 App. 154; 2 App. 136.
No plea and no appearance being made by defendant at first term, it is too late on appeal to a jury to defend by filing pleas of the general issue and payment; 85 | 619.
To suit on note or unconditional contract in writing it is not necessary for defendant to file a sworn plea or answer, though he must make his defense in such case at the first term; 125, 45; 95 | 714; 59 | 774.
Where no defense is made at or before the first term to a suit in a Justice Court on unconditional contract in writing, no plea can be filed on an appeal to a jury from the judgment rendered in favor of the plaintiff; 6 App. | 154.

VARIANCE.
Niceties of pleading are not required in Justices Court, consequently a variance between summons and proof as to age of cow not material; 3 App. | 644(1).

VOID JUDGMENT.
Not rendered valid by amendment striking excess; 73 | 122.

WRITTEN CONTRACT.
Suit on account for materials furnished and work done, may be maintained, although the agreement whereon the materials were furnished or the work done be evidence by a written contract; 1 App. | 203, 212; 4 App. | 61, 62.

WRITING.
The law requires no pleading in writing for the trial of a case in Justice Court; 70 | 592.

(5) Appeals to other two Judges and to Jury, trial of same; costs. Where an appeal is taken so that if the case were in a Justice Court that said appeal would be heard by a jury in a Justice's Court, then such appeal shall be heard and determined, as fully as said jury would determine it, by the other two judges who did not preside at the original hearing of the case, unless the party appealing shall, at the time of making said appeal, demand in writing a trial by jury and deposit with the Clerk the sum of three dollars as jury fees, and if said two judges disagree, such appeal shall be tried by a jury, and in the event of such written demand or disagreement by said two judges, the said Municipal Court jury shall be selected and impanelled as is now provided in Justices' Courts, except that the jurors may reside in any district of the City of Savannah, and each juror shall receive for his services the sum of fifty cents for each case actually tried by him. Jurors shall be paid by the Clerk of

said Court out of the costs taxed and collected by said court for jury fees, of which he shall keep a separate record. In addition to the other costs to be taxed by the court, the court shall tax against the losing party three dollars in each case tried by a jury as costs for jury fees, and if the party originally making the written demand for trial by jury and depositing with the Clerk the said sum of three dollars as jury fees prevails in such proceedings the amount of said deposit shall be taxed as aforesaid against the losing party as part of the costs in the case, and if recovered, shall be refunded to the party depositing same, after all costs have been paid.

Acts 1915, pages 126-7, sec. 5.

AMOUNT CLAIMED.

Means total amount of principal and interest together; 83 | 773. Interest cannot be waived so as to prevent appeal; 64 | 684. Amount claimed in pleadings not reductions made at trial determines right of appeal; 93 | 233; 73 |112. Amount under fifty dollars and question of fact involved remedy in first instance is appeal to jury in Justice Court; 84 | 264; 85 | 515; 88 | 12; 87 |148; 95 | 799; 5 App. | 277. Amount of suit under $50 and questions of fact and law involved certiorari will not lie until jury has passed on case; 80 | 730.

BOND.

Approval of not required; 120 | 417; 105 | 240; 125 | 349.

CHARGING JURY.

Judge may charge jury on matter of law should he think proper, but is not bound to do so; 79 | 554 (bottom of page); 64 | 648; 21 | 194.

DIRECTION OF VERDICT.

A justice should not direct a verdict; 10 App. | 161.

DISMISSAL OR NON-SUIT BY JUDGE.

The jury in a Justice's Court is designed to fill the magistrate's place or rather to succeed him, in judging of the sufficiency of evidence; and we think that the magistrate has no power either to dismiss a proceeding or grant a non-suit for any shortcoming in the evidence. It is not for him to say what the evidence does or does not establish, but for the jury to determine and find accordingly; 79 | 554 (bottom of page).

Claim dismissed because not filed in time, certiorari no appeal to jury remedy; 100 | 316.

Appeal to jury not lie from dismissal of case for want of prosecution; 108 | 769.

INTEREST.

Cannot be waived so as to prevent appeal; 64 | 684.

JUDGE.

Cannot testify before jury in case being tried before him; 89 | 487.

Remark of judge in jury's hearing made in ruling on admissibility of evidence, as to its effect if true, not require new trial; 75 | 710.

JUDGMENT ON APPEAL.

Attorney of party in whose favor verdict rendered in appeal case may enter judgment on such verdict at any time within four days, and if such judgment conforms to verdict, magistrate must transcribe it on his docket; 108 | 205.

JUSTICE COURTS, APPEAL TO JURY IN. Sec. 4740 Code.

Amount not affect right to appeal to jury in Justice Court; appeal lies in all cases; 70 | 726, 526(2); 76 | 92; 69 | 523; 61 | 74. Amount of judgment within jurisdiction appeal not dismissed because true amount beyond; 77 | 159.

MISTRIAL.

Justice has a right to declare where jury cannot agree; 1 App. | 212.

NAME.

Plaintiff in suit being B appeal by B and Co. dismissed unless & Co. stricken; 6 App. | 696.

NON EST FACTUM.

Plea of not allowed at second term, no sufficient cause for delay shown; 75 | 504.

NON SUIT.

Magistrate cannot grant on trial of appeal; in denying motion he may give his reasons, though jury overhear; 79 | 553; 99 | 70; 71 | 519; 122 | 290(4).

REMARK.

Of judge, in jury's hearing made in ruling on admissibility of evidence as to its effert if true, not require new trial; 75 | 710; 79 |553; 99 | 70; 71 | 519; 122 | 290(4).

RULES.

Rules to determine whether certiorari or appeal is proper remedy; 104 | 783.

SUPERIOR COURT, APPEAL TO JURY IN.

Amount must be over $50 (see Amount). Sec. 4738 Code; 70 | 726(2); 61 | 74. Defendant in cases appealed to Superior Court should reduce his defenses to writing unless he relies on plea or defense of the general issue. Sec. 4739 Code.

SUPERIOR COURT AND JUSTICE COURT, APPEALS IN BOTH COURTS.

Appeal to Superior Court entered by one party after appeal to jury in Justice Court by other party, latter takes precedence; 72 | 252.

TIME.

Time of entering appeals from Justice Court governed by section 4738 and not section 5000; 107 | 345. Section 4738 provides that appeals shall be entered "within four days (exclusive of Sundays) after the rendition of such judgment." Inasmuch as an appeal in a Justice's Court may be entered at any time within four days, exclusive of Sundays, from the rendition of the judgment, an appeal entered on the fifth day after the rendition of the judgment may or may not be in time, according to whether or not Sunday has intervened. Appeals invalidity must affirmatively appear; 121 | 309.

Mailing Appeal. Where appellant mails appeal papers and they do not reach postoffice of justice within four days, appeal dismissed; 8 App. | 795.

Where appeal dismissed because record did not affirmatively show appeal was entered within four days, motion to reinstate case is addressed to sound direction of court; 120 | 43.

Failure to appeal in time because of mistake relieved in equity; 44 | 71.

Appellant cannot urge that appeal was entered too late; 91 | 609(2).

WAIVER.

Appeal operates as waiver of irregularities and defects in summons; 84 | 751.

WRITING. See Superior Court, Appeal to Jury In.

(6) Judges. There shall be a Chief Judge and two Associate Judges of said court, and each of the three judges of said court shall have all the power, authority and jurisdiction that a justice of the peace now has under the laws of Georgia.

Acts 1915, page 127, sec. 6.

(7) Eligibility. Any attorney at law who is a resident of Chatham County, and who has practiced law continuously for one or more years, shall be eligible to hold office as Associate Judge of said court, but in addition to the foregoing qualifications, the Chief Judge of said court must have practiced law for five years or more. No such judge or chief judge shall hold any other public office of honor, trust or profit or practice as an attorney or counseller at law, but each judge of said court shall devote his whole time and capacity, so far as the public interests demand, to the duties of his particular offices as prescribed by law.

Acts 1915, page 127, sec. 6.

(8) Chief Judge, power and duty of; Chief Judge pro tempore. The Chief Judge of the Municipal Court of Savannah, in addition to the exercise of all powers as a judge of said court, shall have the general superintendence of the business of said court. He shall have the power to divide the court into sections or divisions, and to determine the division of the business of said court, and shall assign the judges to attend to the duties of said court and the divisions or sections thereof. He shall

prescribe the hour for the opening of said court, and for the attendance of judges, clerks and bailiffs thereof, and shall generally have authority to make such rules, not inconsistent with the provisions of the act creating the Municipal Court of Savannah, or with the published rules of the court, as shall in the judgment of said chief judge, seem advisable for the prompt and satisfactory disposition of the business of said court; provided, that in the case of the illness or absence of said chief judge, he may designate by an order duly filed with the clerk of said court, one of the associate judges of the court to act as chief judge pro tempore, who shall have the foregoing powers and authority given in this section to the chief judge, during the illness or absence of the chief judge.

Acts 1915, pages 127-8, sec. 7.

(9) Judges leave of absence; Judge pro tempore. The chief judge of the Municipal Court of Savannah shall have the power and authority to grant leave of absence to the associate judges, or officers of said court, and, in the event a leave of absence is granted to any associate judge, the said chief judge shall have the power and authority to appoint a judge pro tempore, who shall serve during the absence of the associate judge or judges, the salary of the judge pro tempore to be paid by the City of Savannah in the same amount as now paid to said associate judges.

Acts 1916, page 294, sec. 3.

(10) Chief Judge ex-officio Judge of the City Court. The Chief Judge of the Municipal Court of Savannah shall be ex-officio a judge of the City Court of Savannah, and is hereby directed to preside in the City Court of Savannah in the trial of criminal cases, in the trial of causes where the judge of the City Court is disqualified, and in such other cases as may be required by law or by the exigencies of the court. As ex-officio judge of the City Court of Savannah, said Chief Judge shall, while presiding therein, have all the power and authority of the judge of the City Court of Savannah.

Acts 1915, page 128, sec. 8.

(11) Election of Judges. The chief judge and two associate judges of the Municipal Court of Savannah shall be elected by the Mayor and Aldermen of the City of Savannah in council assembled within thirty days from the date of the approval of the act creating the Municipal Court of Savannah. One associate judge shall be elected for a term of one year beginning January 1, 1916, and expiring December 31, 1916. The other associate judge shall be elected for a term beginning January 1, 1916, and expiring December 31, 1918. The chief judge shall be elected for a term beginning January 1, 1916, and expiring December 31, 1920. The successors to said judges so elected, shall be elected by the voters of Chatham County qualified to vote for members of the General Assembly, that is to say, the successor to each of said judges and the chief judge shall be elected at the general State election held next preceding the expiration of his term of office. The judges so elected shall hold office for a term of four years, or until their successors are elected and qualified.

Acts 1915, page 128, sec. 9.

(12) Judges Death, Resignation, Removal. In the event of the death or resignation of the chief judge of the Municipal Court of Savannah and ex-officio judge of the City Court, his successor for the unexpired term shall be appointed by the Governor of Georgia. In the event of the death or resignation of any associate judge of the Municipal Court of Savannah, his successor for his unexpired term shall be appointed by the chief judge of the said Municipal Court and ex-officio judge of the City Court of Savannah. In the event of the removal from office of any one of said

judges, the mayor and aldermen of the City of Savannah shall elect the successor or successors of said judge or judges, and the successor or successors of said judge or judges so elected shall hold office until the next general State election, when a judge or judges shall be elected by the people to fill the unexpired term or terms of said judge or judges who may have been removed from office.*

Acts 1915, page 128, sec. 9.
Acts 1916, page 294, sec. 5.

(13) Salaries of Judges. The chief judge of the Municipal Court of Savannah and ex-officio judge of the City Court of Savannah shall receive a salary of four thousand five hundred dollars ($4,500.00) per annum, payable monthly, the said salary to be paid from and after January 1, 1917, by the county of Chatham and the authorities of said county are hereby directed and authorized to pay the same.

Each of the associate judges shall receive a salary of two thousand four hundred dollars per annum payable monthly as hereinafter provided.*

Acts 1915, page 129, sec. 10.
Acts 1916, page 295, sec. 6.

(14) Fees. It shall be unlawful for any judge, clerk, bailiff or deputy clerk or deputy bailiff or other officer of said court directly or indirectly to charge or receive for his own use any fees, emoluments or perquisites of office other than their salaries.*

Acts 1915, page 129, sec. 10.

(15) Impeachment and Removal from Office. Any judge or chief judge of said court may be impeached for misfeasance or malfeasance in office. Said impeachment shall be preferred by presentment of the grand jury of Chatham County, and said impeachment shall be tried before the superior court of said county under the rules governing the trial of misdemeanors. The impeachment of the judge or chief judge by the grand jury shall operate to suspend him from office until the impeachment is tried. If the verdict of the jury impanelled to try the impeachment be for the impeachment, the court shall enter a judgment removing said judge or chief judge from office, and the chief judge or judge so removed shall thereafter be ineligible to hold said office. If the judgment of the court be against an impeachment, said judge or chief judge shall be restored to office as though no impeachment had been preferred.

Acts 1915, page 129, sec. 11.

(16) Judge Pro Hac Vice. Should any of the judges of the Municipal Court be disqualified from interest or otherwise, from sitting in any cause pending in said court, said judges or a majority of them, may select some practicing attorney at law to act as judge pro hac vice, who shall exercise all the functions of a judge or judges in such disqualified case or cases.

Acts 1915, page 129-30, sec. 12.

(17) Commission, Oath. The judges of the Municipal Court of Savannah shall be commissioned by the Mayor and Aldermen of the City of Savannah, after election as hereinbefore set forth, and before entering upon the discharge of the duties of the office, each of said judges shall take and subscribe an oath in substance the same as that provided for the judges of the superior courts of this State. Said oath shall be taken before the judge of the Superior Court of Chatham County or the judge of the City Court of Savannah or the ordinary of Chatham County.

Acts 1915, page 130, sec. 13.

(18) Rules of Court. The judges of the Municipal Court shall on the first day of January, 1916, organize said Court and shall prepare and pro-

mulgate such rules of procedure and practice, not inconsistent with the act creating the Municipal Court of Savannah and with the laws of the State, as may be necessary or proper to carry on and facilitate the business of said court. Such rules may be modified or changed from time to time, and shall be binding upon the officers of said court, the attorneys practicing, the parties litigating and the witnesses attending therein. All such rules shall be promptly filed with the clerk of the Municipal Court and shall be printed within a reasonable time after their adoption, and furnished upon application to the members of the bar and the public generally.

Acts 1915, page 130, sec. 14.

(19) Clerk and Bailiff; Election, Removal, Death, Resignation, Appointment. There shall be a clerk and bailiff of said Municipal Court who shall receive a salary of one thousand five hundred dollars ($1,500.00) per annum, payable monthly. Said clerk and bailiff shall be elected by the Mayor and Aldermen of the City of Savannah in council assembled for a term of four years from January 1, 1916, and may be removed from office by said Mayor and Aldermen during their terms upon charges duly made and filed in writing of misfeasance or malfeasance and upon conviction thereof. At the expiration of the terms of office of the clerk and bailiff of said court, or in the event of death or resignation of said clerk or bailiff, their successors shall be appointed by the chief judge of said Municipal Court, with the approval of the associate judges of said court.*

Acts 1915, page 130, sec. 15.
Acts 1916, page 294, sec. 4.

(20) Deputy Bailiff. The bailiff may appoint a deputy bailiff, with the approval of the chief judge of said court, who shall receive a salary of nine hundred dollars ($900.00) per annum, payable monthly, as hereinafter provided, and who shall hold office at the pleasure of said bailiff and chief judge.*

Acts 1915, page 131, sec. 15.

(21) Deputy Clerk and Additional Bailiff. In the event the three judges of the Municipal Court certify that additional officers are necessary in order to properly conduct the business of said court, there shall be appointed by the clerk with the approval of the chief judge a deputy clerk, and by the bailiff with the approval of the chief judge an additional deputy bailiff and such deputies shall be paid at the rate of three dollars ($3.00) per day each for each day of serving, provided that no deputy shall be appointed to serve for a term exceeding thirty days without the approval of the Mayor and Aldermen of the City of Savannah as to the length of said term. The chief judge of said Municipal Court is authorized to remove such deputies appointed in pursuance of this section, at any time he thinks the duties of the court do not require such additional service.

Acts 1915, page 131, sec. 16.

(22) Clerk and Bailiff Responsible for Deputies; Bonds of Officers. The clerk shall be responsible for the acts of the deputy clerk, and the bailiff shall be responsible for the acts of the deputy bailiff or deputy bailiffs. The clerk shall give bond in the sum of five thousand dollars ($5,000.00) and said bailiff in the sum of two thousand five hundred dollars ($2,500.00), with good security, payable to the Mayor and Aldermen of the City of Savannah, conditioned for the faithful performance of the duties of his office by himself and his deputies, and for the true and prompt payment and accounting for all moneys by himself and by his deputies.

Acts 1915, page 131, sec. 17.

(23) Clerk's and Deputy Clerk's Duties and Powers. The clerk of the Municipal Court touching the business of said court shall have and exercise all the duties, powers and authority provided by law for the clerk of the Superior Court of Chatham County, so far as the same are applicable to and not inconsistent with the provisions of the act creating the Municipal Court of Savannah, and such other duties pertaining to the business of said court as may be designated by the judges of said court or a majority of them. The clerk shall also have complete power and authority co-existent and co-ordinate with the power of the judges of said Municipal Court to issue summary processes and writs which are issuable as a matter of right, to issue garnishments and attachments, to administer oaths and take affidavits, to accept and approve bonds and to discharge any and all other functions ministerial in character, which under the laws of this State, are performed by justices of the peace. The deputy clerk of said Municipal Court shall have and exercise all the functions and be subject to all the responsibilities and requirements of the clerk of the court.*

Acts 1915, page 132, sec. 18.

Want of Clerk. The acts of a court shall not lack validity for the want of a clerk. Sec. 4647 Code.

(24) Bailiff's and Deputy Bailiff's Duties and Powers. The bailiff and deputy bailiffs of the Municipal Court shall have and exercise all duties, powers and authority touching the business of said court provided by law for the sheriff of the Superior Court of Chatham County, so far as the same are applicable to and not inconsistent with the provisions of the act creating the Municipal Court, and such other duties pertaining to the business of said court as may be designated by the judges of said court or a majority of them.

Acts 1915, page 132, sec. 19.

(25) Service of Criminal Warrants by County Police. The county police of Chatham County are authorized and directed to serve all criminal warrants issued by the Municipal Court of Savannah.*

Acts 1915, page 294, sec. 2.

(26) Terms of Court. The terms of the Municipal Court shall commence on the first Tuesday of each month, and each term shall continue from day to day, but not to run longer than the Monday preceding the commencement of the succeeding term.

Acts 1915, page 132, sec. 20.
DAY TO DAY until business disposed of; 79 | 532; 93 | 224.

JUDGMENT.
Rendered on a day when court is not authorized to sit and transact business is a nullity and leaves the case still pending to be afterwards tried and disposed of; 89 | 486(1).
Where judgment rendered after regular court day, presumed, in absence of proof to contrary, that term was legally protracted; 102 | 597; 117 | 178.

SUMMONS.
Served upon resident maker stated one term and second original served upon non-resident maker stated another, motion made to dismiss suit on ground that parties not sued in one and same action should be sustained; 98 | 133.

(27) Suits, Filing, Service and Answering of; Garnishment Answers. Suits shall be filed, served and answered as now provided by law for suits in justices' courts, provided that answers to garnishments may be filed at any time during the first week of the term at which said garnishments are answerable.

Acts 1915, page 132, sec. 20.

(28) Processes. All summons, warrants, writs and proceedings of any kind issuing from the Municipal Court shall be issued in the name of the chief judge of said court, and signed by the clerk or deputy clerk of said court; all executions, warrants, writs and summary processes of any kind issuing from said municipal court shall be directed to all and singular the bailiff and his lawful deputies of said Municipal Court, and to all and singular the sheriff and deputy sheriffs of this State, and shall be executed as is now provided by law for proceedings in justices' courts.
Acts 1915, page 132-3, sec. 20.

(29) Judgments, Executions. Judgments, executions and all other processes and proceedings from the Municipal Court shall have the same effect and lien as is now provided for similar proceedings in the justice of the peace courts.
Acts 1915, page 133, sec. 21.

(30) Law of Justices' Courts Applied. All laws of force at the date of the passage of the Act creating the Municipal Court of Savannah relating to and governing justices of the peace and justice of the peace courts as to all matters and things of every kind and character, shall apply to said Municipal Court, the judges thereof and the proceedings therein, so far as the same may be applicable unless inconsistent with the provisions of the Act creating the Municipal Court of Savannah.
Acts 1915, page 133, sec. 22.

(31) Place of Holding Court and Provisions for Maintenance. The Mayor and Aldermen of the City of Savannah shall provide and maintain a suitable place for holding said court, at some place in the City of Savannah as near to the court house as may in the discretion of the Mayor and Aldermen, be conveniently and reasonably obtained; and shall provide the necessary furniture, blanks, books, typewriters, and stationary for the use of the said court; and shall provide for the payment of the salaries of the associate judges, clerks, bailiffs, deputy bailiffs and all other expenses of said court. The County Commissioners of Chatham County shall, as far as possible, co-operate with the Mayor and Aldermen in providing a place or places for the holding of said court.*
Acts 1915, page 133, sec. 23.

(32) Costs and Fees. The costs and fees charged in the Municipal Court of Savannah shall be the same as are now provided by law for justices' courts and constables, as embodied in the Code of Georgia of 1910, Sections 6003 and 6006, except jury fees; provided, that when the amount recovered shall not exceed the sum of twenty ($20) dollars, the charge shall be one-half of the present fees charged.
Acts 1916, page 294, sec. 1.
Acts 1915, page 133, sec. 1.

(33) Cost Deposit. Each party filing a suit or proceeding of any character in the Municipal Court of Savannah shall deposit with the clerk of said court at the time of filing or commencement of said proceeding the sum of two dollars, as costs of suit; provided, however, that the said deposit shall not be required of any person who shall subscribe an affidavit to the effect that from poverty he is unable to pay the same, and provided, further, that if the party making such deposit shall finally prevail in said suit or proceeding, the amount of said deposit shall be taxed as part of the costs against the losing party in said suit, and if recovered as against a losing party defendant, shall be refunded to the party depositing the same, after all costs have been paid.
Acts 1915, page 134, sec. 25.

(34) Pauper Affidavit. Where a party shall make oath that through his poverty he is unable to make the deposit of two dollars hereinbefore provided for or is unable to pay costs or to give bond, any other party at interest or his agent or attorney may contest the truth of such pauper affidavit by verifying affirmatively under oath that the same is untrue, or the chief judge of the Municipal Court may notify the party filing the said pauper affidavit that the court desires the truth of the same tested. The issue thereby formed shall be heard and determined by the court under the rules of the court, and if the charges be sustained, judgment shall be rendered as if no affidavit had been made or bond given. If the said charge be not sustained, where the contest has been made by the opposite party, his agent or attorney, the costs of such hearing shall be taxed against the party complaining. The judgment of the court on all issues of fact touching the ability of a party to pay costs, give bond, or make deposit of two dollars, shall be final.
Acts 1915, page 134, sec. 26.

(35) Record of Costs and Fees. Payment Over to Treasurer; Penalty for Failure. An accurate record of all costs, fees and charges in said court shall be kept by the clerk of said court, and all costs, fees and charges of every kind and collected by any of the officers of said court shall be immediately turned over to the clerk of said court and entered at once by said clerk on his records, and on or before the fifth day of each and every month it shall be the duty of said clerk of said court to furnish the treasurer of the City of Savannah a complete, accurate and sworn copy of all costs, charges and collections and to pay over all of the moneys collected to the said treasurer of the City of Savannah; and said moneys so received by said treasurer from the clerk of said court shall be held to the credit of said court and paid out, together with any deficiency which it shall be the duty of the said Mayor and Aldermen of the City of Savannah to supply to said treasurer, by said treasurer upon a warrant signed by the chief judge of said court. Failure of the clerk of said court or of the officers of said court to promptly comply with the provisions of this section shall make it the duty of the Mayor and Aldermen of the City of Savannah to immediately remove such official from office; provided upon sufficient excuse in writing the time for the compliance by said official with this requirement is not postponed, by the chief judge by order duly made and filed.
Acts 1915, page 135, sec. 27.

(36) Diligence in Collections. It shall be the duty of the chief judge of the Municipal Court to see to it that the officers of the court are diligent in the collection of costs, and to this end he shall call the execution docket of the court on some fixed day of each term and shall adopt such other measures and rules as will insure the payment of costs by the party or parties liable for the same.
Acts 1915, page 135, sec. 28.

(37) Georgia Reports to be Supplied. A complete set of the published reports of the Supreme Court of Georgia and the Court of Appeals of the State of Georgia, and the Acts of the General Assembly of Georgia, commencing with the Acts of 1810, and future Acts and Reports and the Code of Georgia of 1910, shall be furnished by the State Librarian to the clerk of the Municipal Court of Savannah for the use of said court.
Acts 1915, page 135-6, sec. 29.

(38) Power to Punish for Contempt. The power and authority of the judges of the Municipal Court of Savannah to punish as for contempt of said court, shall not exceed a fine of twenty-five dollars or im-

prisonment for ten days in jail, either or both in the discretion of the court, and the matters, acts and things which may be held by said municipal court to be contempt of court shall be the same as are now prescribed within the jurisdiction of the Superior Courts of said State.

Acts 1915, page 136, sec. 30.
Sections 4644 and 4643 Code of Georgia.

COURT NOT IN SESSION.

Powers of Judge of Superior Court to punish for contempt when judge in court room but not conducting the business of court. Baker vs. State, 82 | 776.

DEFENDANT.

The refusal to surrender to an arresting officer, upon a warrant lawfully issued, one accused of crime cannot be dealt with as a contempt of court by a justice of the peace who has done nothing more than issue the warrant; 120 | 916(11).

WITNESS.

Refusal to testify where depositions are sought before a commissioner J. P. cannot punish for the contempt, but the commissioner has the power; 105 | 51.

Can compel attendance of witness in criminal case after twenty-four hours' notice. Sec. 934 Criminal Code.

Can compel attendance of witness in civil case after service on witness three days before trial. Sec. 5852, 4731, 5849 Code of Georgia.

(39) Transfer Pending Matters. All matters pending and undisposed of on the first day of January, 1916, in the justices' courts and notary public ex-officio justices of the peace courts in the City of Savannah, shall be and they are hereby transferred to the Municipal Court of Savannah for trial and disposition therein, and all final and other processes in the hands of the officers of justice courts in the City of Savannah, or in the hands of officers of courts of notaries public ex-officio justices of the peace, shall be by them returned to said Municipal Court, and all records and papers in said justices' courts shall be delivered to said Municipal Court. The officers of the justices' courts hereby abolished shall be entitled to all uncollected costs which may have accrued in cases in their respective courts so transferred up to the first day of January, 1916, upon the collection of the same by the officers of said Municipal Court of Savannah.

Acts 1915, page 136, sec. 31.

(40) Punishment for not Transmitting. Any justice of the peace or notary public ex-officio justice of the peace or constable who shall fail to transmit such suits, papers and documents and to return such processes within three days after written demand for such transmission and delivery has been made by the clerk of said Municipal Court of Savannah, shall be held in contempt of said Municipal Court and shall be punished as provided herein in cases of contempt.

Acts 1915, page 136, sec. 31.

APPENDIX III.

List of Local Laws Enacted for the City of Savannah Down to and Including the Year 1917.

Parish of Christ Church, and lower part of St. Phillips below Canouchee made a county by the name of Chatham. The port and town of Savannah allowed four members as representatives in Legislature.

Constitution, Feb. 5, 1777. Watkins' Digest, 9, 7.

Superior Court of Chatham to be held on first Tuesday in March.

Chatham county allowed five representatives.

Constitution, 1789. May 5, 1789.

Chatham county allowed four representatives.

Amendment to Constitution. May 16, 1795.

Chatham county allowed four representatives.

Constitution, 1798. May 30, 1798.

Acts for establishing a market in the town of Savannah and to prevent forestalling, ingrossing, and unjust exactions in said town and market.

March 7, 1755.

Christ Church Parish defined, with cemetery.

March 15, 1758. Watkins' Digest, p. 52.

Act for better regulating the market in the town of Savannah.

March 27, 1759. Watkins' Digest, p. 61.

Regulating the watch in the town of Savannah.

March 27, 1759. Watkins' Digest, p. 64.

Act for putting the town of Savannah in a better state of defense.

April 24, 1760. Watkins' Digest, p. 64

Act for erecting a fort around the magazine and the blockhouses within the lines of Savannah.

April 24, 1760. Watkins' Digest, p. 65.

To purchase a house in Savannah for the use of the present and future Governors of this province.

April 24, 1760. Watkins' Digest, p. 65.

Town common ascertained.

May 1, 1760. Watkins' Digest, p. 65.

Amends Act for erecting fort around the magazine and blockhouses.

June 4, 1760. Watkins' Digest, p. 66.

Act for the better regulating the town of Savannah and for ascertaining the common thereunto belonging.

June 9, 1761. Watkins' Digest, p. 73.

Act for erecting a fort and battery on Cockspur Island in Savannah River.
Dec. 19, 1761. Watkins' Digest, p. 74.

Same.
Dec. 19, 1761.

For regulating pilotage for the bar of Tybee and river of Savannah, etc.
March 4, 1762. Watkins' Digest, p. 75.

Act to sink wells in the town of Savannah.
March 4, 1762. Watkins, Digest, p. 79.

Act to empower Town Commissioners of Savannah to exchange fifteen acres of the commons for four garden lots containing twenty acres.
March 4, 1762. Watkins' Digest, p. 83.

Act to prevent building of wooden chimneys in the town of Savannah, the repair of those already built, and to provide against accidents of fire.
April 7, 1763. Watkins' Digest, p. 85.

Christ Church Cemetery enlarged, and burial ground allotted for negroes.
April 7, 1763. Watkins' Digest, p. 85.

Commissioners empowered to remove market and lay out ground to build church.
April 7, 1763. Watkins' Digest, p. 87.

Market removed to Ellis Square.

Act for holding special or extraordinary Courts of Common Pleas for trial of causes between merchants, etc., and ship masters and other transient persons.
April 7, 1863. Watkins' Digest, p. 90.

For rebuilding Court House in Savannah in Wright Square.
Feb. 27, 1764. Watkins' Digest, p. 91.

Act for repairing Christ Church.
Feb. 29, 1764. Watkins' Digest, p. 93.

Amending Act for regulating market in Savannah.
Feb. 29, 1764. Watkins' Digest, p. 104.

To prevent further spreading of smallpox in Savannah, etc.
May 29, 1764. Watkins' Digest, p. 105.

Building guard house in Savannah.
March 25, 1765. Watkins' Digest, p. 109.

To lease lot called the Spring near Savannah and to rent the Watch House.
March 25, 1765. Watkins' Digest, p. 115.

Appointing Daniel Nunez waiter for the port of Savannah.
March 25, 1765. Watkins' Digest, p. 115.

Impost on shipping to repair or rebuild lighthouse and pilot house on Tybee Island.
March 25, 1765. Watkins' Digest, p. 115.

For appointing packers and inspectors for the port of Savannah.
March 6, 1766. Watkins' Digest, p. 124.

Court of Common Pleas amends Acts for special or extra ordinary Courts.
March 6, 1766. Watkins' Digest, p. 128.

Church Wardens and Vestry of Christ Church Parish to appoint a beadle.
March 6, 1766. Watkins' Digest, p. 134.

Lazaretto on Tybee Island.
March 26, 1767. Waktins' Digest, p. 137.

For appointing packers and inspectors for port of Savannah, also cullers and inspectors of lumber.
March 26, 1767. Watkins' Digest, p. 144.

Church Wardens Christ Church Parish empowered to enlarge cemetery.
April 11, 1768. Watkins' Digest, p. 149.

For appointing inspector of tanned leather at port of Savannah.
April 11, 1768. Watkins' Digest, p. 152.

Male white persons to carry firearms to place of public worship.
Feb. 27, 1770. Watkins' Digest, p. 157.

For regulating rates of wharfage and storage and duty of harbor master for Savannah.
May 10, 1770. Watkins' Digest, p. 159.

True plan of the town of Savannah established.
May 10, 1770. Watkins' Digest, p. 159.

To raise watchman for preserving good order in Savannah.
May 10, 1770. Watkins' Digest, p. 160.

To regulate rates of wharfage and storage, duties of harbor master; and for keeping clear the channel of the river.
March 12, 1774. Watkins' Digest, p. 194.

Joseph Clay, William O'Brien, James Maxwell and Phillip Box, Esq., Justices of the Peace for the County of Chatham, made assistant and associate Judges with the Chief Justice of the State, to hold Superior Court in Chatham County.
March 1, 1778. Watkins' Digest, p. 219.

Act for better regulating the town of Savannah and hamlets.
Feb. 21, 1785. Watkins' Digest, p. 308.

Act to revise the laws for regulating port of Savannah, for clearing Savannah River and for a fort on Cockspur or Tybee Island.
Jan. 31, 1786. Watkins' Digest, p. 322.

To establish a ferry between Skidaway Island and the Isle of Hope.
Feb 13, 1786. Watkins' Digest, p. 333.

Union Society incorporated.
Aug. 14, 1786. Watkins' Digest, p. 344.

Town of Savannah and hamlets divided into seven Wards. Wardens when elected. President, Clerk and other officers. Power to make by-laws and regulations. Power to raise moneys by assessments. Power to rent or sell sixteen acres called the Spring west of Savannah. Boundary of lots fronting Bay street established in the plans. Power to regulate the public docks. Powers as Justices of the Peace.
Feb. 19, 1787. Watkins' Digest, p. 354.

Bethesda College. Act to establish an Academy in Chatham County and to vest certain property in Selina, Countess Dowager of Huntington.
Feb. 1, 1788. Watkins' Digest, p. 372.

Same.
Feb 3, 1789. Watkins' Digest, p. 382.

Judiciary Act. Terms of Superior and Inferior Courts of Chatham County.
Dec. 23, 1789. Watkins' Digest, p. 389.

Episcopal Church in Savannah, called Christ Church, incorporated.
Dec. 23, 1789. Watkins' Digest, p. 410.

CITY OF SAVANNAH INCORPORATED.

Town of Savannah incorporated as the City of Savannah. Owners or occupiers of lots or houses to elect aldermen to each Ward. Aldermen to elect Mayor. Style of corporation to be the Mayor and Aldermen to the City of Savannah and the Hamlets thereof.

Corporate powers. Health officer to be appointed; his duty and fees.
Dec 23, 1789. Watkins' Digest, p. 416.

Site for Lighthouse on Tybee Island ceded to the U. S.
Dec. 15, 1791. Watkins' Digest, p. 432.

Mayor and Aldermen appointed Commissioners of the Court House and Jail of Chatham County.

Bethesda College.
Dec. 20, 1791. Watkins' Digest, p. 434.

To incorporate the Savannah Association of Mechanics.
Dec. 16, 1793. Watkins' Digest, p. 518.

Commissioners of Pilotage of Savannah.
Powers to improve channel.
Dec. 17, 1792. Watkins' Digest, p. 521.

Bryan county laid off out of Chatham.
Dec. 19, 1793. Watkins' Digest, p. 528.

Vendue masters at Savannah; how appointed, their powers and duties.
Dec. 8, 1794. Watkins' Digest, p. 539.

Justices of Inferior Courts of Chatham County to establish a lottery for seaman's hospital and poor house.
Dec 16, 1794. Watkins' Digest, p. 543.

Fire Company of the City of Savannah.
Dec. 29, 1794. Watkins' Digest, p. 553.

Limits of Savannah defined. Additional number of aldermen to be elected.

Qualification of voters.
Jan. 17, 1795. Watkins' Digest, p. 556.

Mayor and Aldermen, jurisdiction extended to trial of civil causes; not over $50.00. Juries, how drawn; cases of seamen for non-payment of wages; power to commit or bind over to Superior Court in criminal cases; Court of Aldermen declared to be a Court of record.
Feb. 13, 1796. Watkins' Digest, p. 589.

Terms of Superior Court 4th. day of April and October in Chatham.
Feb. 9, 1797. Watkins' Digest, p. 620

Vendue masters in the City of Savannah.
Tax on all lots in Savannah remitted on account of the late dreadful fire.
Feb. 13, 1797. Watkins' Digest, p. 661.

Savannah, manner of electing Aldermen. Qualifications of voters; elections to be held annually; on first Monday in July.
Feb. 1, 1797. Watkins' Digest, p. 664.

Relief from taxes of sufferers by the late fire.
Feb. 13, 1797. Watkins' Digest, p. 667.

Chatham County; terms of Superior Court.
Feb. 16, 1799. Watkins' Digest, p. 689.

Savannah Library Society, incorporated.
Nov 20, 1801 Clayton's Digest, p. 1.

Mayor and Aldermen of Savannah appointed Commissioners of Court House and gaol of Chatham County, with power to manage same.
Nov. 30, 1801. Clayton's Digest, p. 5.

Roman Catholic Church incorporated.
Nov. 30, 1801. Clayton's Digest, p. 10.

For the inspection of flour in Savannah.
Dec. 5, 1801. Clayton's Digest, p. 27.

Mayor and Aldermen power to have wharf lots surveyed and remove encroachments; power to remove encroachments on squares, streets and lanes.
Dec. 5, 1801. Clayton's Digest, p. 32.

Terms of Superior Court.
Dec. 5, 1801. Clayton's Digest, p. 37.

Nathaniel Twining, franchise for stage line between Savannah and St. Mary's.
Nov. 25, 1802. Clayton's Digest, p. 54.

Fines, how collected and paid over to city corporation as Commissioners of Court House and Gaol.
Nov. 26, 1802. Clayton's Digest, p. 67.

Commissioners appointed to fix line of river front and wharf lots, and to remove encroachments.
Dec 4, 1802. Clayton's Digest, p. 87.

Savannah House Carpenters incorporated.
Dec. 1, 1802. Clayton's Digest p. 94.

Residents of Greene, Columbia, Liberty and Elbert Wards allowed to vote for Aldermen. Penalty for voting out of proper Ward.
Dec. 1, 1802. Clayton's Digest, p. 97.

Terms of Superior Court.
May 11, 1803 Clayton's Digest p. 112.

Mayor and Aldermen may appoint as many vendue masters as they may think proper.
Nov. 28, 1803. Clayton's Digest, p. 217.

Commissioners of Chatham Academy permitted to sell the Academy lots, etc.
Dec. 7, 1803. Clayton's Digest, p. 124.

Additional commissioners appointed to prevent encroachments on Savannah River.
Dec. 10, 1803. Clayton's Digest, p. 141.

Who eligible to appointment as Aldermen.
Dec. 10, 1803. Clayton's Digest, p. 141.

Quarantine; jurisdiction of city extends from Ossabaw to Tybee, including inlets, rivers, creeks, etc. Powers of Mayor and Aldermen; may remove from city any person having smallpox or other contagious disorder.
Dec. 10, 1803. Clayton's Digest, p. 151.

Lottery for funds to erect Poor House and Hospital and to rebuild Court House destroyed by late violent storm.
Nov. 21, 1804. Clayton's Digest, p. 180.

Trustees Bethesda College or Orphan House, authorized to sell certain tracts of land, etc.
Dec. 3, 1804. Clayton's Digest, p. 183.

Franchise for stage line between Savannah and Augusta.
Dec. 12, 1804. Clayton's Digest, p. 200.

Georgia Medical Society incorporated.
Dec. 12, 1804. Clayton's Digest, p. 205.

Fees of Harbor Master and Health Officer.
Dec. 12, 1804. Clayton's Digest, p. 214.

Quarantine, city's power to stop vessels until searched and purified.
Dec 2 1805. Clayton's Digest, p. 242.

Patrol laws inefficient. City's power to establish a regular watch.
Dec. 2, 1805. Clayton's Digest p. 243.

Trustees appointed for Independent Presbyterian Church, destroyed by fire, and to rebuild same.
Dec. 3, 1805. Clayton's Digest, p. 248.

Vessels in river above four mile point, required to unload only at city wharves.
June 26, 1806. Clayton's Digest, p. 299.

To regulate election of Aldermen for Savannah and the city officers by citizens entitled to vote for Representatives in Legislature.
Nov. 29, 1806. Clayton's Digest, p. 311.

Trustees of the Presbyterian Church of the City of Savannah incorporated.
Dec. 8, 1806. Clayton's Digest, p 325

Mayor's Court in City of Savannah, jurisdiction limited to $30. Terms in March, June, September and December.
Nov. 29, 1806. Clayton's Digest, p. 328.

Planters Bank of the State of Georgia, incorporated.
Dec. 5, 1807. Clayton's Digest, p. 374.

Mayor's Court in the City of Savannah, jurisdiction $30 to $100.
Nov. 27, 1807.

Presbyterian Church of Savannah, pew holders to elect trustees annually.
Nov. 27, 1807. Clayton's Digest, p. 405.

Commissioners of pilotage for port of Savannah, power to place anchors and buoys. Penalty for destroying. No vessel to be sunk on river between Ray's Hall and Cockspur Island. Fees of Commissioners.
Dec. 10, 1807. Clayton's Digest, p. 425.

Wardens and Vestrymen of Christ Church raise money by lottery to rebuild church.
May 23, 1808. Clayton's Digest, p. 430.

Mayor's Court to be held monthly, on third Tuesday.
May 23, 1808. Clayton's Digest, p. 454.

Mayor and Aldermen to elect City Sheriff, City Marshal, Clerk of Mayor's Court and Clerk of Council on first meeting in October.
May 23, 1808. Clayton's Digest, p. 435.

Acts of Thos. Bourke as Clerk of Ordinary for Chatham County made valid.
May 23, 1808. Clayton's Digest, p. 437.

Savannah Poor House and Hospital, incorporated.
Dec. 10, 1808. Clayton's Digest, p. 449.

Commissioners of Pilotage, increased.
Nov. 30, 1808. Clayton's Digest, p. 453.

Property of Bethesda College to be disposed of, applied to its debts, remainder divided, one-fifth to Poor House and Hospital, two-fifths to Union Society, and two-fifths to Commissioners of Chatham Academy.
Dec. 22, 1808. Clayton's Digest, p. 463.

Bridges over waterways in Chatham to be six feet higher than spring tides.
Dec. 15, 1808. Clayton's Digest, p. 485.

City limits extended west to east side of Musgrove Creek, thence south to north side of Spring Hill road, thence along said road to city boundary.
Dec 22, 1808. Clayton's Digest, p. 489.

Market; no person to be prevented from selling his produce in the market, at Savannah, after sun rise.
Dec. 13, 1809. Clayton's Digest, p. 540.

Laws inflicting fines on certain wharf holders repealed. New wharf line established. Certain encroachments to be removed under penalty.
Dec. 12, 1809. Clayton's Digest, p. 552.

Female Asylum of Savannah, incorporated.
Dec. 13, 1809. Clayton's Digest, p. 556.

Savannah Poor House and Hospital Society, amendment to charter.
Dec. 14, 1809. Clayton's Digest, p. 578.

Savannah Female Asylum Society, incorporated.
Dec. 15, 1810. Clayton's Digest, p. 618.

To incorporate Planters Bank of Georgia.
Dec. 19, 1810. Clayton's Digest, p. 632.

Amends charter of Planters Bank of State of Georgia.
Dec. 3, 1811. Lamar's Digest, p. 77.

Same.
Dec. 16, 1811. Lamar's Digest, p. 83.

Same.
Nov. 3, 1814. Lamar's Digest, p. 84.

One flour inspector stationed at Savannah.
Dec. 16, 1811. Lamar's Digest, p. 326.

Vendue masters for Savannah to be appointed by Legislature.
Dec. 16, 1811. Lamar's Digest, p. 1067.

Same to be appointed and licensed by Mayor and Aldermen of Savannah.
Dec. 15, 1812. Lamar's Digest, p. 1068.

Mayor and Aldermen to appoint five Port Wardens, and fix their oaths and fees.
Dec. 7, 1812. Lamar's Digest, p. 681.

Insurance Company of City of Savannah, incorporated.
Dec. 10, 1812. Lamar's Digest, p. 824.

To provide mode for collecting rents and for recovery of possession of property within City of Savannah and precincts.
Dec. 6, 1813, Lamar's Digest, p. 739.

Inspectors of flour to be appointed by Inferior Court.
Nov. 22, 1814. Lamar's Digest, p. 329.

Hibernian Society of City of Savannah, incorporated.
Dec. 14, 1815. Lamar's Digest, p. 827.

Savannah Library Society, incorporated.
Dec. 4, 1815. Lamar's Digest, p. 828.

Lottery for Savannah Poor House and Hospital.
Dec. 14, 1815. Lamar's Digest, p. 830.

Marine and Fire Insurance Company of City of Savannah, incorporated.
Dec. 16, 1815. Lamar's Digest, p. 831.

Union Axe and Firemen of the City of Savannah, incorporated.
Dec. 15, 1815. Lamar's Digest, p. 842.

Mayor's Court, heretofore held by three Aldermen, to be held by Mayor alone; jurisdiction increased to $200.
Dec. 4, 1815. Lamar's Digest, p. 1004.

Pilotage laws and Commissioners of Pilotage for bar and River Savannah.
Dec. 12, 1815. Lamar's Digest, p. 578.

Savannah River, wharves, shipping, wharfage and storage.
Dec. 12, 1815. Lamar's Digest, p. 1078.

Bank of State of Georgia, incorporated.
Dec. 16, 1815. Lamar's Digest, p. 85.

Same.
Dec. 12, 1816. Lamar's Digest, p. 92.

Same.
Nov. 27, 1817. Lamar's Digest, p. 96.

Terms Superior Court, fourth Monday in May and first Monday in January. Terms of Inferior Court.
Dec. 19, 1817. Lamar's Digest, p. 358.

Savannah Free School, incorporated.
Dec. 19, 1818. Lamar's Digest, p. 844.

Stockholders of Savannah Theater, incorporated.
Dec. 19, 1818. Lamar's Digest, p. 842.

One Justice Inferior Court of Chatham may discharge insolvent debtors between June 1 and November 1, unless a suggestion of fraud.
Dec. 19, 1818. Lamar's Digest, p. 249.

Commissioners appointed to carry into effect opening of Skidaway Narrows.
Dec. 19, 1818. Lamar's Digest, p. 1198.

Savannah Steamship Company, incorporated—"with a view of making a laudable and meritorious experiment, to attach either as auxiliary or principal, the propulsion of steam to sea vessels for the purpose of navigating the Atlantic and other oceans, etc.
Dec. 19, 1818. Lamar's Digest, p. 523.

Court of Common Pleas and of Oyer and Terminer for the City of Savannah, created. Civil jurisdiction between $30 and $200. Criminal jurisdiction extends to misdemeanors. Limits, the City of Savannah.
2. Judge elected by Legislature; his power; jury trial on demand.
3. Power to compel production of books and papers.
4. Process, how issued and served.
5. Answer and defaults.
6. Bail cases.
7. Certain provisions of judiciary Act to obtain.
8. Claim cases.
9. Confession of judgment.
10. Sales by Sheriff.
11. Judgments to be signed up in three days.
12. Clerk and Sheriff of Mayor's Court to be officers.
13. Recorder to prosecute in absence of Solicitor-General.
14. Clerk's record of proceedings.
15. Clerk and Sheriff, duties and liabilities.
16. Jurors.
17. Grand Jury.
18. Oath of Clerk and Sheriff.
19. Twelve terms to be held annually.
20. Judge's salary $1,300, payable by city. His oath.
21. Attorney's fee and city tax fee.
22. Exceptions and certiorari.
23. Suits in Mayor's Court to be transferred.
Dec. 18, 1819. Lamar's Digest, p. 369.

Clerk of Market to be elected by Mayor and Aldermen.
Dec. 18, 1819. Lamar's Digest, p. 1005.

Poor School Fund of County of Chatham vested in Savannah Free School Society.
Dec. 20, 1824. Dawson's Comp., p. 22.

Moneys appropriated by State for use of County of Chatham be applied for use of free school in Savannah whenever the Chatham County Academy is not in operation.
Dec. 24, 1825. Dawson's Comp., p. 29.

Marine and Fire Insurance Company of Savannah, name changed to Marine and Fire Insurance Bank of State of Georgia.
Dec. 20, 1825. Dawson's Comp., p. 75.

Savannah, Ogeechee and Altamaha Canal Company, incorporated.
Dec. 26, 1826. Dawson's Comp., p. 94.

Same. Governor authorized to subscribe $44,000 to.
Dec. 18, 1828. Dawson's Comp., p. 100.

Trustees Independent Presbyterian Church of Savannah to sell certain real estate.
May 16, 1821. Dawson's Comp., p. 102.

Trustees of Congregational Church or Meeting House of White Bluff; acts validated. Trustees confirmed in office; elections, when held; powers to sell or mortgage to pay debts of corporation.
Dec. 19, 1829. Dawson's Comp., p. 111.

Fines imposed by Superior and Inferior Courts heretofore vested in corporation of City of Savannah, vested in Judges of Inferior Court of Chatham County for county purposes.
Dec. 19, 1823. Dawson's Comp., p. 124.

Chatham placed in First Congressional District with Emanuel, Scriven, Bullock, Effingham, Bryan, Liberty, McIntosh, Tattnall, Montgomery and Lawrence.
Dec. 22, 1825. Dawson's Comp., p. 161.

Savannah Steam Rice Mill Company, incorporated.
Dec. 19, 1827. Dawson's Comp., p. 195.

Court of Common Pleas, etc., of Savannah, to issue stay of execution for sixty days on giving bond, etc.
Dec. 19, 1822. Dawson's Comp., p. 210.

Terms of Superior Court.
Dec. 20, 1825. Dawson's Comp., p. 236.

Act to ascertain, dispose of, and appropriate the ungranted lands in the County of Chatham and vest the proceeds in certain charitable societies. Trustees Chatham Academy Free School Society; Union Society.
(See Acts 1855, p. 255.)
Dec. 20, 1829. Dawson's Comp., p. 273.

Legionary Corps in Chatham County, established.
Dec. 13, 1820. Dawson's Comp., p. 278.

Volunteer companies of Chatham County to recruit by exemptions from militia duty.
Dec. 20, 1823. Dawson's Comp., p. 282.

Georgia Medical Society to examine qualifications and issue certificate to practitioners.
Dec. 25, 1821. Dawson's Comp., p. 292.

To give master carpenters and masons a lien on buildings erected by them in Savannah.
Dec. 18, 1820. Dawson's Comp., p. 301.

Same amended.
May 16, 1821. Dawson's Comp., p. 307.

Hibernian Society of Savannah; all moneys arising from escheated estates of Irishmen of the County of Chatham to vest in.
Dec. 9, 1824. Dawson's Comp., p. 321.

Masons and carpenters of Chatham given an incumbrance on building for work and materials furnished.
Dec. 24, 1827. Dawson's Comp., p. 236.

Chatham given three Representatives in Legislature.
Dec. 20, 1824. Dawson's Comp., p. 351.

Commissioners appointed to fix line of wharves in City of Savannah and prevent encroachments.
Dec. 23, 1826. Dawson's Comp., p. 357.

Commissioners of Pilotage, chairman and any two or more members shall constitute board for transaction of business.
Dec. 23, 1826. Dawson's Comp., p. 358.

Slaves of Chatham County not to work on Bryan public roads but on roads of Chatham.
Dec. 21, 1822. Dawson's Comp., p. 376.

Commissioners of Roads in Chatham County, powers, etc.
Dec. 19, 1823. Dawson's Comp., p. 382.

Whenever roads of Chatham shall be obstructed from storms or other casualties, Commissioners of Roads may call out one-third of hands liable to work.
Dec. 19, 1827. Dawson's Comp., p. 396.

Same; for clearing roads obstructed by storms, hurricanes or general calamity.
Dec. 17, 1828. Dawson's Comp., p. 398.

Commissioners of Roads, meetings and powers.
Sept. 21, 1829. Dawson's Comp., p. 411.

Savannah, warrants for searching premises for seamen, deserters from vessels; arrests of seamen, and penalty for resisting search or seizure.
Dec. 19, 1829. Dawson's Comp., p. 408.

Colonel of militia to enforce patrol laws when required by Mayor and Aldermen.
Dec. 20, 1823. Dawson's Comp., p. 410.

Whereas, by late distressing conflagration at Savannah, public market on Ellis Square (appropriated by Act of April 7, 1863), was consumed, etc., citizens of Savannah authorized to erect at their own expense a market, and vest same in corporation; right forfeited unless completed by Dec. 20, 1821.
Dec. 21, 1820. Dawson's Comp., p. 427.

Whereas, by recent malady, regular elections of City Sheriff, City Marshal, Clerk of Mayor's Court, Clerk of Council, and Clerk of Market rendered impracticable, there not being a quorum of Mayor and Aldermen in October (Act of May 23, 1808), election validated.
Dec. 13, 1820. Dawson's Comp., p. 429.

Mayor's salary to be fixed by corporation.
Fourth Section Act of Feb. 10, 1787, repealed.
Dec. 3, 1821. Dawson's Comp., p. 436.

Harbor Master to be elected Nov. 23, 1823, and annually thereafter on first regular meeting in December.
Dec. 23, 1822. Dawson's Comp., p. 438.

Conveyances of town common made by Mayor and Aldermen confirmed. Court House and jail taken from Mayor and Aldermen of Savannah and vested in Justices of Inferior Court and Sheriff of county, under the general laws.
Dec. 21, 1822. Dawson's Comp., p. 443.

Mayor and Aldermen to annually elect health officer, subject to their ordinances, rules, etc.; to regulate his compensation; duties on tonnage for his compensation repealed.
Dec. 19, 1823. Dawson's Comp., p. 452.

Savannah St. Andrew's Society, incorporated.
Dec. 20, 1824. Dawson's Comp., p. 457.

Engine Company of Savannah, incorporated.
Dec. 2, 1824. Dawson's Comp., p. 458.

Qualification for voters for aldermen, and oath.
Dec. 20, 1824. Dawson's Comp., p. 459.

Engine Company, city power to appoint fourteen members with certain privileges.
Dec. 24, 1825. Dawson's Comp., p. 462.

Act to amend and consolidate Acts as to powers and privileges of the Corporation of the City of Savannah and the Hamlets thereof.

Recites difference of opinion as to chartered rights of city, requiring frequent appeals to legislative interference in concerns purely municipal and local.

1. Jurisdictional limits extended one mile to prohibit cultivation of rice. Appeal to Superior Court. Extended limits not taxable.
2. Control and regulation of shops, stores and barrooms within extended limits.
3. Mode, and time of election of Aldermen and qualification of voters to remain as now.
4. Aldermen to regulate time of election of city officers, salaries and duties.
5. Power to elect Health Officer, being a physician, Harbor Master, Port Wardens, Commissioners of Pilotage and any other officer necessary for police and good government of harbor and river, and to enact ordinances, rules and regulations to carry into effect duties of officers.
6. Mayor and Aldermen, power to carry into effect within Chatham County, all quarantine laws; to enforce State laws by ordinances; to remove nuisances within corporate limits.
7. Taxing power.
8. Power to borrow money; to purchase property; to sell corporate property by lease or fee simple.
9. Power to remove encroachments by wharves.
10. Powers as Justices of Peace.
11. Power to pass by-laws and regulations for good order and government; fine not to exceed $100; forfeitures.
12. Fines and forfeitures, how enforced; imprisonment 10 days and nights.
13. Sole government and licensing of taverns within jurisdictional limits.
14. Vendue masters.
15. To tax and regulate peddlers and venders.
16. Power to pass ordinances to regulate inspectors and inspection of merchandise.
17. Power to pass ordinances as to slaves and free persons of color.

18. All chartered and corporate rights now existing and of force, confirmed.
19. Power to regulate police of the markets.
20. No powers hereby granted to contravene constitution and laws of State.
Dec. 24, 1825. Dawson's Comp., p. 464.

Arsenal to be built by Governor in Savannah on lot surrendered by citizens or city.
Dec. 28, 1828. Dawson's Comp., p. 475.

Savannah Ice Company, incorporated.
Dec. 20, 1823. Dawson's Comp., p. 475.

Savannah, qualifications of voters for Aldermen. Oath. Poll tax $1.00.
Dec. 19, 1828. Dawson's Comp., p. 476.

Commissioners of Pilotage to repair wharves. Penalty on owner. Sinking boats to annoyance of navigation. Commissioners to remove old hulks and wrecks. Penalty for breaking up old or condemned vessels. Commissioners to remove to designated spot; obstructing river, penalty; obstructing Commissioners, penalty.
Dec. 28, 1828. Dawson's Comp., p. 481.

Arsenal, city may deposits its arms and those of volunteer companies.
Dec. 19, 1829. Dawson's Comp., p. 482.

Savannah. Jurisdictional limits extended one mile beyond present jurisdictional limits.
2. Control of all shops and barrooms within jurisdictional limits, to regulate and license.
3. Residents may vote for Aldermen, but city cannot tax.
Dec. 22, 1829. Dawson's Comp., p. 482.

Rates of dockage, wharfage and storage fixed.
Dec. 22, 1829. Dawson's Comp., p. 484.

Superior Court, Judge authorized to appoint a master in equity; his duties and oath.
Dawson's Comp., Dec. 23, 1830, p. 57.

Mariner's Church in Savannah, incorporated.
Dec. 21, 1830, p. 71.

Pilotage laws amended, and powers and jurisdiction of Commissioners of Pilotage defined.
Dec. 23, 1830, p. 159.

Resolution for investigating the conduct of the Commissioners of Pilotage of Savannah.
1830, p. 228.

To require Commissioners of Pilotage to restore John Low to privileges of a pilot.
Dec. 23, 1820, p. 186.

Election of Mayor by minority of Aldermen, first Monday in September, legalized.
2. Ordinances, resolutions and acts of Mayor and Aldermen since July 1st, 1830, validated.
3. Majority of Aldermen in the city to constitute a quorum between July 1st and November 15th each year; but majority of whole number of Aldermen required to grant or pay out moneys.

4. Majority of Aldermen elected first Monday in September annually, being in city, are authorized to elect Mayor from the board who shall then be in the city.

5. Mayor to hold office until successor elected and qualified.
Dec. 22, 1830, p. 166.

Inhabitants of Skidaway Island authorized to erect a bridge across Skidaway Narrows, same to be a public way.
Dec. 26, 1831, p. 78.

Horse racing on public highways in Chatham County prohibited.
Dec. 24, 1831, p. 69.

Constables for Chatham County to be elected by Justices of Inferior Court.
Dec. 23, 1831, p. 87.

Patrol laws for Chatham.
Dec. 27, 1831, p. 167.

Persons appointed Road Commissioners required to serve, under penalty.
Dec. 26, 1831, p. 209.

Mayor and Aldermen power to purchase land in county for a lazaretto for smallpox or other contagious cases; with jurisdictional powers over same.
Dec. 26, 1831, p. 245.

City's power to pass laws for dry culture of swamps about the City of Savannah, and to remove such nuisances or causes of disease which may affect the citizens or injure their health.
Dec. 23, 1831, p. 252.

Judge of Court of Common Pleas, etc., and also Mayor, authorized to hold special or extraordinary Courts for summary trials of disputes or criminal offenses between shipmasters, seamen, citizens, etc., on twelve hours' notice to parties. Clerk and Sheriff to attend such Court; their fees.
Dec. 26, 1831, p. 97.

Savannah, Ogeechee and Altamaha Canal Company, charter amended.
Dec. 27, 1831, p. 200.

Road Commissioners of Chatham, meetings on ten days' notice.
Dec. 22, 1832, p. 162.

Georgia Infirmary for Aged and Afflicted Negroes, incorporated.
Dec. 24, 1832, p. 177.

Georgia Hussars, exempt from jury duty, and after certain term of service, from militia duty.
Dec. 22, 1832, p. 138 .

Commissioners of Pilotage, laws amended.
Dec. 24, 1832, p. 145.

Savannah Free School, all poor children in city and within two miles, entitled to benefit of poor school fund.
Dec. 22, 1832, p. 15.

To make permanent the water line for wharves in Savannah; to lay out a street between Indian Street and water line, and to appoint commissioners to carry same into effect.

Rafts of timber, etc., not to lay over 24 hours moored in river beyond said water line; penalty.
Dec. 24, 1832, p. 188.

Chatham County to build and keep in repair bridges where public roads cross Savannah and Ogeechee Canal.
Dec. 23, 1833, p. 103.

Judge of Court of Common Pleas may draw juries for special or extraordinary Courts.
Dec. 21, 1833, p. 56.

Jail of Chatham County; control vested in Mayor and Aldermen of city, with power to appoint jailor and other officers, term three years. Erection of new jail provided for; to be under management of city, but subject to visits and inspection of Justices of Inferior Court and grand jury.
Dec. 8, 1834, p. 246.

Justices of Inferior Court to pay over moneys to Road Commissioners in advance. Latter to audit their own accounts.
Dec. 19, 1834, p. 195.

Judge of Court of Common Pleas, etc., salary $1,000, payable quarterly. Act December 18, 1819, requiring party demanding jury trial to give bond for eventual condemnation money, repealed.
Dec. 19, 1834, p. 91.

Savannah Fire Company, incorporated.
Dec. 18, 1834, p. 131.

Savannah Lyceum, incorporated.
Dec. 20, 1834, p. 147.

Lien laws for carpenters and masons in Savannah.
Dec. 23, 1834, p. 187.

Power of city to collect jail fees from Inferior Courts of county from whence case sent. Power to erect about said jail a treadmill or mills, on which to work negroes confined.
Dec. 21, 1835, p. 63.

Civil jurisdiction of Justices of Peace for first, second, third and fourth districts to extend over whole corporate limits of City of Savannah. Justices shall be elected from residents of their respective districts; constables to be appointed from residents of respective districts.
Dec. 21, 1835, p. 142.

Central Railroad and Banking Company, incorporated.
Dec. 14, 1835, p. 217.

Georgia Medical Society, charter revived.
Dec 24, 1836, p. 161.

To appropriate money for relief of Chatham Artillery.
Dec. 25, 1837, p. 228.

Mayor and Aldermen authorized to extend Bay street to eastern corporate limit; land, how condemned for purpose.
Dec. 23, 1837, p. 52.

Court of Common Pleas, etc. Special or extraordinary Court may be held on petition of any master, owner, consignee or seaman of any vessel, in which they are plaintiffs, or misdemeanors of which they are prosecutors.

Where amount involved not exceed $30, may be tried by Justice of Peace, and jury of five, under same restrictions.
Dec. 23, 1837, p. 77.

Court of Common Pleas, etc. Act of Dec. 18, 1819, amended.

Civil jurisdiction to $200, and to claims to personal property levied on.
2. May foreclose mortgages on personalty.
3. Suits to be commenced ten days before term, and served eight days before.
4. Judge, or any Aldermen, or any Justice of Peace may issue attachments returnable to said Court. Judgment rendered at term after one to which returnable.
5. Proceedings on attachments.
6. Bail process.
7. Declaration in bail cases.
8. Attachments, declaration when to be filed.
9. Garnishment cases, etc.
10. Sheriff and Clerk may sue and be sued in said Court.
11. Judge absent, Clerk or Sheriff to open and adjourn Court as directed in writing by Judge.
12. Judge, power to take testimony de bene esse.
13. Lien of judgments. Executions, how directed and executed.
15. Salary of Judge fixed at $600.
Dec. 26, 1837, p. 83.

Terms of Superior Court, 2nd Monday in May and January.
Dec. 23, 1837, p. 86.

German Friendly Society of City of Savannah, incorporated.
Dec. 23, 1837, p. 151.

Savannah Widow's Society, incorporated.
Dec. 25, 1837, p. 220.

Board of Pilotage Commissioners reduced from ten to seven in number.
Dec. 25, 1837, p. 190.

Certain persons authorized to build and maintain bridge or ferry across Savannah river at Savannah.
Dec. 31, 1838, p. 48.

Corporate limits extended, bounded by present southern line prolonged, east by line parallel with Bull street extending from east side of mouth of creek which bounds wharf of Eastern Wharf Company on the east, southwardly to said prolonged line; west by Musgrove creek to line of Augusta road, thence eastwardly to Savannah, Ogeechee and Altamaha canal, thence south on line parallel to Bull street to southern line of the city prolonged.
2. Limits and authority extended over waters of Savannah river, and the land covered by said waters, which lie south of Hutchinson's Island, west of eastern line of city prolonged, northward to said island, and east of line parallel to Bull street, and extending from western side of mouth of Musgrove creek northwardly to said island.
3. Ordinances and authority of city and Court of Oyer and Terminer, etc., made of force over said limits.
4. Limits of police jurisdiction not narrowed by above provisions, but extended as in Act of Dec. 22, 1829.
Dec. 27, 1838, p. 63.

Mayor and Aldermen authorized to borrow money on credit of city for contributing to works of internal improvement.
Dec. 27, 1838, p. 64.

Georgia Infirmary authorized to fill vacancies in incorporated body from time to time.
Dec. 28, 1838, p. 114.

Savannah Medical College, incorporated.
Dec. 31, 1838, p. 156.

Savannah Theater Company, incorporated.
Dec. 27, 1838, p. 246.

Chatham County road laws amended.
Dec. 23, 1839, p. 208.

Republican Blues of Savannah furnished with arms.
Dec. 23, 1839, p. 188.

First Presbyterian Church of Savannah, incorporated.
Dec. 23, 1840, p. 85.

Wardens and Vestry of St. John's Church in Savannah, incorporated.
Nov. 26, 1841, p. 40.

Court of Common Pleas, etc. Jurisdiction in all civil cases (except such as involve title to real estate or fall within Justice of the Peace jurisdiction) to amount of $300.
2. Quarterly sessions on first Monday in February, May, August and November.
3. Suits to be commenced fourteen days before term to which returnable (except attachments).
4. Jury trial on written demand on docket, before first day of term.
5. Clerk and Sheriff to receive but two-thirds of fees heretofore allowed by law.
6. Attorney's tax fee, $1.50.
1841, p. 76.

Chatham Superior Court, 60 grand jurors and 72 petit jurors to be drawn for each term. Judge to arrange for only one week's service from each, where practicable.
Dec. 7, 1841, p. 149.

Chamber of Commerce, incorporated.
Dec. 9, 1841, p. 105.

City Hall Company, incorporated.
Dec. 10, 1841, p. 106.

Ship carpenters, machinists, painters, artisans, etc., summary process against vessels, craft and steamboats, in Chatham County and Savannah.
Dec. 10, 1841, p. 122.

Chatham Artillery, officers and members exempt from jury and inquest duty.
Dec. 9, 1841, p. 202.

Hutchinson Island wharves, to make permanent water line for.
Dec. 10, 1841, p. 47.

Mayor and Aldermen of Savannah, jurisdiction over vessels lying in the Savannah river, between said city and Tybee; all porters working on said vessels to take out badges as provided by the ordinances regulating porters and other laborers.
Dec. 26, 1842, p. 159.

Court of Common Pleas, third quarterly session changed from first Monday in August to first Monday in July.
Dec. 27, 1842, p. 68.

Irish Jasper Greens of Savannah, incorporated, and authorized to uniform themselves in green, with such ornaments as they may select. Governor to furnish 75 muskets.
Dec. 27, 1842, p. 127.

Phoenix Riflemen of Savannah. Governor authorized to furnish 25 rifles.
Dec. 26, 1842.

Court of Common Pleas, etc. Appeal from verdict of petit jury to special jury, from grand jury, by giving bond for eventual condemnation money. Damages for frivolous appeal, not over 25%.
Dec. 25, 1843, p. 38.

Board of Mayor and Aldermen to consist of Mayor and twelve Aldermen, to be elected annually on first Monday in December, and hold until their successors elected and qualified.

2. Mayor and Aldermen to be separately designated on ticket. Majority of votes elects Mayor; highest number elects Aldermen. When tie in vote of Aldermen not elected, other Aldermen to elect. No candidate for Mayor receiving majority, Board of Aldermen to elect. Vacancy in office of Mayor from death, etc., Aldermen to elect a Mayor from their own number.

3. Oath of Mayor and Aldermen. Chairman and chairman pro tempore to be elected.

4. Powers of Mayor. Presides at all meetings of board; entitled to vote at all elections or appointments; quorum for business, seven Aldermen and Mayor or presiding chairman, except in July, August, September and October, when majority of Aldermen in city sufficient.

5. Appointment of officers to be held as board shall prescribe.

6. Treasurer, Superintendent and Deputy Superintendent of City Watch, City Marshal and City Constables, to be elected at first meeting in January, for term of two years, unless removed by Council for misconduct or faithlessness.
Dec. 25, 1843, p. 56.

Savannah Port Society, incorporated.
Dec. 12, 1843, p. 77.

Chatham County part of First Congressional District.
Dec. 23, 1843.

Chatham to constitute one Senatorial District, other districts composed of two counties each.
Dec. 23, 1843, p. 17.

Republican Blues, Savannah Volunteer Guards, Phoenix Fiflemen and Irish Jasper Greens may have fifteen honorary members, each exempt from militia duty, who are to each pay $25 into treasury of company.
Dec. 28, 1843, p. 113.

Pilots to receive fees allowed by Act of December 24, 1836, and Commissioners of Pilotage to have no power to reduce.
Dec. 28, 1843, p. 137.

Resolutions relative to removal of obstructions in river by National Government; originally caused by the British repelling the advance of the French fleet (then in alliance with us), and by our own people against the invaders of the soil, they have remained since the days of the Revolution.
Dec. 25, 1843, p. 183.

Resolution furnishing Georgia Historical Society with journals of General Assembly.
Dec. 25, 1843, p. 198.

Justices of Inferior Court to superintend all elections in Chatham County, including charter elections for Mayor and Aldermen of Savannah.
Dec. 26, 1845, p. 69.

Where more than two candidates for Mayor of Savannah and no one receives majority of votes, then board to elect Mayor from those who were candidates before the people.

2. Sixth and seventh sections of Act of Dec. 25, 1843, repealed. City officers to be elected for term of one year, etc.
Dec. 27, 1845, p. 72.

Escheats in Chatham County regulated.
Dec. 29, 1845, p. 96.

Jurisdiction of State over twenty acres on Cockspur Island ceded to United States (Fort Pulaski). If at any time the United States shall cease to occupy said island for purposes of fortification, same to revert to State of Georgia for use of the public.
Dec. 27, 1845, p. 97.

Commissioners of Public Roads and Bridges of Chatham to hold annual meeting second Monday in December.
Dec. 24, 1845, p. 186.

Resolution to furnish Georgia Historical Society with Journals of Senate and House.
Dec. 8, 1845, p. 215.

Repeals law for Justices of Inferior Court to preside at all elections in Chatham.
Dec. 24, 1847, p 96.

Commissioners of Pilotage duties, as to inspecting and repairing wharves from Ray's Hall to ocean and shores of Hutchinson's Island.

2. Rafts may lie in river forty-eight hours at or near wharves.

3. Misdemeanor to break up vessel, wreck or hulk, in Savannah river other than at spot designated by Chairman of Commissioners.

4. Commissioners may require removal of dangerous vessels, wrecks or hulks; failure to remove, penalty.

5. Penalty for sinking or permitting to drift wrecks, vessels, boats, rafts or hulks.

6. Duties as to removal of obstructions to navigation.

7. Penalty.

8. Actions against defendants.

9. Throwing out ballast or rubbish from ships, etc., penalty.

10. Special Court to be held by Judge of Superior Court.

11. Penalty for obstructing Commissioners or their agents.

12. Penalties and fines, how recovered.
13. Same to be paid to Commissioners for improving navigation of river.
14. Meetings of Commissioners; powers as to licenses and certificates of pilots.
15. Wharf lines, how laid out.
16. Vested rights of property holders of Hutchinson's Island preserved.
17. Act of Dec. 20, 1828, repealed.
Dec. 30, 1847, p. 238.

Lien of machinists, etc., on steam mills, steamboats and mills, in Savannah and Chatham County.
Dec. 29, 1847.

Savannah and Ogeechee Canal Company, old charter amended.
Dec. 18, 1847, p. 141.

Savannah and Albany Railroad Company, incorporated.
Dec. 25, 1847, p. 191.

Evergreen Cemetery Company of Bonaventure, incorporated. Penalty for injuring tombs, monuments, gravestones, fences, railings, trees, plants, etc., or for discharging gun or firearms within limits.
Dec. 27, 1847, p. 136.

Mayor to collect fines, forfeitures and penalties by distress and sale of goods and chattels, or imprisonment in common jail, not to exceed ten days and nights.
2. People failing to elect Mayor, Board of Aldermen to elect Mayor from two receiving greatest number of votes, at election before people.
Dec. 27, 1847, p. 25.

Ossabaw Island taken from Bryan County and added to Chatham.
Dec. 24, 1847, p. 66.

Judge of Court of Common Pleas, etc., to hold special or extraordinary Courts for trying persons charged with abducting, entertaining, retaining or harboring articled seamen.

Trial to be as prescribed by Act of Dec. 26, 1831.
Dec. 27, 1847, p. 91.

Court of Common Pleas, etc. Fees of Sheriff.
2. Sheriff's power to appoint Special Deputy Sheriff. Penalty for resisting Special Deputy.
Dec. 18, 1847, p. 281.

Chatham Artillery, incorporated.
Dec. 29, 1847, p. 116.

Oglethorpe Fire Company No. 1, incorporated.
Dec. 24, 1847, p. 118.

Ceding jurisdiction to United States over Lot 2, Jekyll Tithing, Derby Ward, for erecting Custom House, and one acre at eastern end of Fig Island for lighthouse, as long as United States holds said lands for said purposes.
Dec. 7, 1847, p. 207.

Officers and privates of City Watch exempt from militia duty, under the peace establishment of the State.
Dec. 10, 1847, p. 222.

Collection of rents and recovery of possession. Section 2, Act of 1827, amended to require tenant to give bond for double rent if proceedings determined against tenant.
Dec. 7, 1847, p. 195.

Regulates trial of slaves and free persons of color within limits of Savannah.
Dec. 17, 1847, p. 202.

Resolution to furnish Georgia Hussars with 75 holsters and same number of sabres or broad swords.
Dec. 16, 1847, p. 327.

Bank of Savannah, incorporated.
Feb. 13, 1850, p. 51.

Justices of the Peace of first, second, third and fourth districts, Georgia Militia, to reside and hold their Courts at any place within corporate limits of Savannah.
Dec. 19, 1849, p. 294.

Justices of the Peace—Suits brought, judgment at first term unless plea in writing.
2. Where plea in writing filed, tried by jury at second term.
3. Where plaintiff proves account by his own oath, defendant may likewise testify on affidavit that he has no other evidence to disprove.
Dec. 19, 1849, p. 294.

Justices of Inferior Court may pay Road Commissioners $1,000 from county funds to establish causeway from Cabbage Landing on Whitmarsh Island, to east bank of St. Augustine Creek, opposite main land known as Greenarch.
Jan. 25, 1850, p. 361.

Commissioners of Skidaway Ferry and Montgomery road district, power to compel work by road hands on same.
Jan. 26, 1850, p. 362.

Executions by Commissioners of Roads of Chatham County, how issued and collected.
2. Commissioners exempted from patrol duty.
Feb. 11, 1850, p. 366.

Sheriff of Chatham County, fees, for attendance and Court service.
Power to appoint special Deputy Sheriffs to guard levies; penalty for resisting or assaulting.
Jan. 18, 1850, p. 369.

Tax on auction sales in Chatham.
Feb. 21, 1850, p. 381.

Deacons and Trustees of Second Baptist Church of Savannah, incorporated. Abram Harmon, G. W. Davis and Thos. Dowell.
Dec. 19, 1849, p. 72.

Trustees of Permanent Fund of Hebrew Congregation of Savannah, incorporated. Jacob DeLamotta, Octavus Cohen and Levy Hail.
Dec. 19, 1849.

Wesley Chapel, Andrew Chapel and Trinity Church, incorporated. F. M. Stone, J. R. Saussy, D. Heidt, R. A. Allen, Robert D. Walker, J. E. Godfrey and others.
Dec. 20, 1849, p. 80.

Police Court of City of Savannah established and declared a Court of Record. Mayor to preside; Cognizance of laws of State touching city; infractions of ordinances of city; power to fine and imprison and enforce same by execution; power to commit for contempt; appeals to Council allowed, when costs paid and bond given.

2. Clerk of Council and constables of city to be officers; their fees.

3. Mayor and Aldermen power to make by-laws, regulations and ordinances for general welfare and good government, peace and health. Power to levy taxes and enforce payment.

4. Former tax ordinances confirmed.

5. Power to widen, extend or straighten streets and lanes, to open new streets within present or future limits of city.

6. Damages for widening, extending, opening, etc., streets or lanes, how assessed.

7. Power to order pavements or sidewalks and collect expenses from lot holders.

8. Mayor and Aldermen exempt from jury duty.

9. Acts touching City of Savannah, to be construed in Courts most favorably for said corporation.
Dec. 8, 1849, p. 83.

To regulate election of constables in City of Savannah.
Dec. 8, 1849, p. 116.

To change line between Effingham and Chatham to include residence and lands of George A. Keller in County of Chatham.
Feb. 11, 1850, p. 128.

Washington Fire Company, in Savannah, incorporated.
Dec. 19, 1849, p. 185.

Savannah Gas Light Company, incorporated.
Dec. 14, 1849, p. 194.

Savannah Institute of the Sisters of Mercy, incorporated.
Dec. 19, 1849, p. 201.

Fees of Magistrates and constables in County of Chatham.
Dec. 19, 1849, p. 180.

Lien of painters, tinners and coppersmiths in Savannah.
Feb. 23, 1850, p. 278.

Municipal elections; vacancies in Mayor and Aldermen, how filled.
Jan. 22, 1852, p. 408.

Constables, how elected.
Jan. 22, 1852, p. 438.

Corporate limits extended, but lands and property not taxable until plan of city regularly extended thereover.
Jan. 14, 1852, p. 267.

Court of Common Pleas and Oyer and Terminer of Savannah, changed to City Court of Savannah; Jurisdiction increased to $500.

Judge, how and when elected; term of office and how removed; salary; commissioned by Governor; Solicitor; vacancies, how filled; laws and officers of old court to continue.
Feb. 13, 1854, p. 281.

Court of Common Pleas, etc. Act of Dec. 7, 1841, reduction of fees of Clerk repealed.
Feb. 11, 1854, p. 232.

Justices of Peace, limited in civil jurisdiction to their districts; required to keep offices and hold court in their districts; fees of Justices of the Peace and constables; persons arrested and giving bond to pay the costs; costs insolvent cases to be paid by county.
Feb. 17, 1854, p. 325.

Germania Fire Company, incorporated; exempt from militia and jury duty.
Feb. 1, 1854, p. 372.

Young America Fire Company, incorporated.
Feb. 16, 1854, p. 375.

Fees of pilots.
Feb. 13, 1856, p. 17.

Site for lighthouse on East Broad and Bay streets, ceded to United States.
March 1, 1856, p. 105.

City Court Judge, term and when elected; Justices of Peace to bond misdemeanor cases to City Court instead of Superior.
March 1, 1856, p. 251.

Independent Volunteer Battalion, officers exempt from jury duty.
March 1, 1856, p. 264.

City's control over its property in town of Warsaw, retained.
March 5, 1856, p. 376.

Justices of Peace; 2nd section, Act of Feb. 17, 1854, restricting jurisdiction to their districts, repealed.
March 1, 1856, p. 486.

Superior Court; 60 grand jurors to be drawn each term.
March 4, 1856, p. 488.

Keepers of Laurel Grove and Catholic Cemeteries exempt from jury duty.
March 4, 1856, p. 488.

City Court grand and petit jurors to serve one week; Judge's power to summon additional jurors instanter.
March 4, 1856, p. 488.

Cemeteries within five miles of Savannah to keep record of interments, and required to make reports to Board of Health and Clerk of Council. Penalty.
March 1, 1856, p. 501.

City exempt from taxes on Springfield plantation in corporate limits.
Feb. 18, 1856, p. 546.

Power of Mayor pro tem and Chairman of Council as Justice of Peace in absence of Mayor; City's power to pass police ordinances, etc., and punish for violation; Judge of City Court, power to take testimony de bene esse for trial of criminal cases at extraordinary or special terms; Mayor and Aldermen, annual elections for, on 2nd. Monday in October; their terms to begin when; organization of Board; registration of voters; issue of bonds for internal improvements, legalized.
March 4, 1856, p. 388.

Land ceded to United States for lighthouse.
Dec. 22, 1857, p. 30.

City Court's jurisdiction in attachments and garnishments; discovery from adverse party; all Acts for Superior Court to apply to City Court; Sheriff's fees for stabling stock; sales of stock and perishable property; Judge and Mayor to select five bailiffs; their fees, powers and duties; criminal jurisdiction; transfer of misdemeanor cases from Superior Court. Solicitor-General to prosecute; his fees and salary; fines and forfeitures, how distributed. Act of Dec. 27, 1847, to apply to cases of abducting seamen; cases when triable, jury fees, attorneys fees. Appeals, judgments and executions.
Dec. 22, 1857, p. 114.

Property of Seamen's Friend Society exempt from taxation.
Dec. 22, 1857, p. 159.

Fees of Justices and constables; Justice may hold Court longer than one day.
Dec. 16, 1857, p. 269.

Work house established for violators of city ordinances; city's power as to tippling houses and lewd houses; power to tax real estate and banking capital.
Dec. 22, 1857, p. 166.

Wharf Head-rights granted to city.
Dec. 22, 1857, p. 91.

City Court, sections 9, 10 and 11 of Act of Dec. 22, 1857, repealed; Clerk's fees in certain cases.
Dec. 11, 1858, p. 174.

Registration law amended.
Dec. 11, 1858, p. 126.

System of drainage authorized; damages how assessed; canals to be kept in order; contents of water closets not to be emptied into drains; obstructions, how removed.
Dec. 13, 1858, p. 129.

Oglethorpe Light Infantry exempted from jury duty.
Dec. 11, 1858, p. 174.

City Court, jurisdiction in habeas corpus cases, within city limits, conferred.
Dec. 17, 1859, p. 56.

Justices of Peace, jurisdiction extended two miles beyond city limits.
Dec. 20, 1859, p. 56.

Georgia Hussars exempted from jury duty.
Dec. 15, 1859, p. 384.

Property of Republican Blues and Volunteer Guards exempted from State and city taxes.
Dec. 17, 1859, p. 393.

Code of laws of city made a part of Code of Georgia.
Dec. 19, 1860, p. 24.

Justices of the Peace for first, second, third and fourth districts may hold offices in any part of the city, Act of Feb. 17, 1854, repealed.
Nov. 18, 1863, p. 91.

Writ of error from City Court to Supreme Court same as Superior Court; duty of officers.
Feb. 8, 1866, p. 58.

City Court, where Judge if disqualified, parties may select Judge pro hac vice.
Feb. 28, 1866, p. 73.

Permanent Board of Education established; Board incorporated; its powers; entitled to proportion of county educational fund.
March 21, 1866, p. 78.

City Court to have jurisdiction in cases where damages do not exceed $1,000.

Jurisdiction of cases for possession of land, etc.; to hold monthly sessions.

Salary of Judge.

Bailiffs, how appointed.

Deputy Sheriffs, how appointed.

Compensation of Sheriff.
Dec. 20, 1866, p. 57.

City's power to build street railways propelled by animal power. Rate of speed. Corporation may conduct railway, or farm the privilege. Transportation, increase of fare, duration of lease.
Dec. 21, 1866, p. 33.

Board of Education; Act of March 21, 1866, amended. Name changed. Powers extended over whole of Chatham County; rights conferred by this bill, how construed.

Party walls or fences; agreement of owners of adjoining lots may be recorded, and shall act as covenant. Same effect given to agreement for repairing. Power to build after 20 days' notice and compel owner of adjoining lot to pay proportion of expenses.
Dec. 18, 1866, p. 175.

Council authorized to make rules concerning party walls.
Dec. 13, 1866, p. 194.

Justice of Peace; insolvent cost in felony cases.
Dec. 10, 1866, p. 195.

City Court to hold monthly sessions; Code Sec. 4813 amended.

Criminal jurisdiction extended to criminal offenses less than felony. Judge's power to try such cases. Clerk's and Sheriff's fees. Fees of Solicitor-General, how paid.
Oct. 8, 1868, p. 165.

Time for serving subpoenas in Superior Court and in City Court. Penalty for disregarding service.
Feb. 10, 1869, p. 173.

Germania Fire Company, Metropolitan Fire Company and Marshal Hose Company; forty members of each exempt from jury duty.
Feb. 12, 1869, p. 168.

Certiorari and appeals from Police Court.
Dec. 15, 1871, p. 22.

Clerk of City Court may practice law except in said Court.
Nov. 28, 1871, p. 23.

Recorder for Police Court provided for.
Dec. 15, 1871, p. 67.

City Court; jurisdiction over joint debtors outside of Savannah.
Dec. 15, 1871, p. 67.

Illegally assuming to act as constables in City of Savannah.
Dec. 13, 1871, p. 133.

Evergreen Cemetery Company of Bonaventure; power to purchase land enlarged.
Dec. 13, 1871, p. 207.

City Court; fee bill of Clerk and Sheriff in criminal cases, how paid.
Dec. 9, 1871, p. 235.

Congress requested to reimburse city for improving navigation of harbor.
Dec. 13, 1871, p. 200.

Election and registration law for city.
Aug. 7, 1872, p. 254.

Mayor and Aldermen to fix and regulate certain jail fees.
Aug. 23, 1872, p. 233.

Savannah Poor House and Hospital, name changed to Savannah Hospital; membership fees; election for managers, etc.
Aug. 23, 1872, p. 256.

City's powers to control and manage wharves; to regulate rates of wharfage and dockage; regulate repairing or building of wharves, and all matters pertaining thereto, within present or future corporate limits; power to compel wharf owners to repair or rebuild and on failure, to do so at owner's expense; lien for expense from date of notice; powers of Commissioners of Pilotage not affected by this Act.
Aug. 23, 1872, p. 257.

City's power to issue bonds limited and city to vote on question.
Aug. 23, 1872, p. 258.

Distrain warrants and writs of possession in City Court, how issued; dockets to be kept and costs.
Aug. 23, 1872, p. 259.

First Volunteer Regiment of Georgia, constituted.
Aug. 17, 1872, p. 261.

City Court rooms, jury rooms and offices to be provided by Ordinary free of expense to city.
Aug. 23, 1872, p. 399.

City's right to issue bonds limited. Act of Aug. 24, 1872, amended.
Feb. 24, 1873, p. 156.

City's power over oyster culture and leases.
Feb. 20, 1873, p. 156.

Georgia Hussars exempt from jury duty, and after a certain term, from militia duty. Act of December 22, 1872, re-enacted.
Feb. 21, 1873, p. 182.

Oglethorpe Light Infantry, Act of December 19, 1851, re-enacted.
Feb. 13, 1873, p. 183.

Volunteer companies of Savannah may appoint a Brigadier General to command.
Feb. 18, 1873, p. 183.

Recorder's Court; persons sentenced for over three days to jail, liable to work on public roads.
Feb. 22, 1873, p. 239.

Magistrates' and constables' fee bills in civil cases; special contracts between Justices and parties prohibited; charges in criminal cases and when paid by county; to keep copy of fee bill posted conspicuously in office, or failure, malpractice.
March 2, 1874, p. 220.

Inspectors of lumber and timber to keep records of inspections, under penalty.

Sellers of lumber for account of others, to render account sales, under penalty.
Feb. 28, 1874, p. 222.

Chatham Artillery, certain privileges re-granted.
Feb. 28, 1874, p. 318.

City Court, power to grant new trials; remedy by certiorari preserved.
Prosecutor's name to be endorsed upon accusations; Judge finding prosecution malicious prosecutor to pay costs.
March 3, 1875, p. 41.

Savannah Free School Society authorized to convey its property to Savannah Widow's Society on certain conditions and trusts and surrender of its charter.
March 5, 1875, p. 323.

Drainage; Section 4845 of Code of Georgia, amended; city given absolute control over soil pipes, private drains and sewers, water closets, privies, dry wells, etc., with power to regulate or discontinue; lazaretto at Thunderbolt discontinued; power to purchase another lazaretto, with same powers and jurisdiction over it; power to dispose of old lazaretto.
Feb. 26, 1877, p. 180.

City's power to collect by execution costs of removing nuisance from defendant property owner; Section 4875 of Code of 1873 amended.
Feb. 24, 1877, p. 182.

Mayor's power to remove and quarantine smallpox patients; vaccination compulsory; penalty for not being vaccinated; physicians to report to Mayor residents not vaccinated, under penalty; paupers to be vaccinated free.
Feb. 19, 1877, p. 183.

City's power to establish voting places for municipal elections.
Feb. 17, 1877, p. 377.

Corporate limits extended.
Oct 18, 1879, p. 276.

City's power to build aqueduct; damages to property, how assessed.
Oct. 17, 1879, p. 306.

Clerk of City Court may require deposit of costs, etc.
Oct. 17, 1879, p. 333.

Registration and election law for municipal elections.
Sept. 29, 1881, p. 391.

Jailor and County Jail; repeals law vesting in Mayor and Aldermen management of county jail, etc.; Sheriff of Chatham County to be ex-officio jailor; appointment of deputy jailor; his oath and bond; jail guard; reports of Sheriff.

Payment of jail expenses by county.

County Commissioners to supply jail with provisions; power to make rules and regulations for jail.
Sept. 29, 1881, p. 393.

City authorized to tax S. F. & W. R. R. Co.
Sept. 30, 1881, p. 397.

City Court; jurisdictional limits to embrace Chatham County.

Equitable defenses may be pleaded in; power to mould verdict as in equity decrees.

Judge to be appointed by Governor with consent of Senate; qualifications of Judge.

Judge not to practice law. His salary fixed.

City tax fee and attorney's fee abolished; plaintiff to make deposit of costs, proviso. Sheriff of said Court to serve process.

Juries, how drawn.
Sept. 15, 1881, p. 571.

Central Cotton Press Company authorized to construct bridge over Savannah and Ogeechee canal; damages to Canal Company, how assessed.

Cotton Press Company liable for damages or injury caused by negligent construction of bridge. Transportation over bridge. This Act extends to successors.
Sept. 29, 1881, p. 641.

Jurisdictional limits extended one mile beyond corporate limits for abatement of nuisances, etc. Section 4875 of Code of 1873 amended.
Dec. 12, 1882, p. 46.

Drainage; power to construct and cost, by whom paid.

Power to construct cross drains and main trunk outlets; cost of same, when and how divided.

Rates of assessments, how computed; means of flushing supplied.

Private drains, when accepted.

Notice to owners of lots; right of appeal.

Connections with drains provided for.

City to keep drains in repair. Assessments, when due and how collectible; appeals, executions, levies and sales.
Dec. 9, 1882, p. 259.

Registration and election law.
Dec. 9, 1882, p. 262.

City Court; Judge not to practice law; salary of Judge $3,000.00, and how paid; special tax to be levied for. Expenses of Court, how paid. Jurors for City Court, how provided, length of services, and per diem; penalty for juror failing to appear.
Sept. 18, 1883, p. 532.

Deposit of cost in City Court; Act of September 15, 1881, amended.
Aug. 17, 1883, p. 526.

Corporate limits of city extended.
Added area exempt from taxes for 10 years.
Residents not to vote until taxable.
Building across projected streets, damages when condemned confined to previous value when survey of street made.
Sept. 21, 1883, p. 410.

Fire Marshal, how appointed; his duties and powers; rules for his government to be made by Council; Council may join his office to another now existing; his pay; may investigate cause of any fire in Chatham County.
Sept. 28, 1883, p. 488.

Drainage. System of primary drains, how constructed; application of property owners; assessment of cost. Use of existing sewers; construction of new main trunk outlets, etc.; apportionment of cost. Ratio of computation for assessment. Proviso where two drains touch same lot. Means for flushing to be provided. City's power to abolish privies and dry wells. Previously constructed primary drains, how received as part of system. Notice of intended construction of drains. Appeals. "T's" to be supplied opposite each lot. No fees for connection. Cost of repairs to be borne by city. Extension of drains beyond city limits; right of way; notice of construction; disputed right of way; appeals to Superior Court; penalty for failure to abolish privies and dry wells. Collection of assessments.
Dec. 12, 1884, p. 294.

Power to pave, grade, etc., streets, lanes, etc., to put down curbing, cross drains, etc.; cost of paving, how assessed; what request by lot owners, and what vote of Council necessary. Duty of street railway in paving tracks.
Equalizing assessments; discretion of authorities in ordering improvements. Lien of assessments; executions for; levies, sales and counter affidavits.
Sept. 5, 1885, p. 362.

Cotton Exchange authorized to build certain bridge, etc., how same must be done.
Oct. 6, 1885, p. 386.

Registration and election law for city.
Aug. 29, 1885, p. 612.

Jurisdiction ceded to United States over lot of land for Postoffice, etc.
Sept. 27, 1887, p. 101.

Power to pave, grade, etc., streets and lanes by two-thirds vote of Council; power to require payment of two-thirds of cost by property owners abutting. Assessments for cost. Requirements of street railway companies.
Frontage of intersecting streets and lanes assessed on city; payment of city's pro rata.

Renewals and repairs, expenses, how divided.

Powers conferred on city by Act of Sept. 5, 1885, confirmed.
Oct. 1, 1887, p. 537.

Old Cemetery; consent to appropriation of by county for site of Court House, subject to popular election. Exhumations, regulations as to. This Act not to affect litigation as to title of land in question.
Oct. 24, 1887, p. 646.

Authority for United States to condemn private property for public building. Value, how appraised. Private residences exempt.
Sept. 20, 1887, p. 866.

Grant to county of eight feet of President street authorized for site of new Court House.
Dec. 17, 1888, p. 344.

Oyster leases and lands, Act of Feb. 23, 1873, as to, repealed.
Sept. 19, 1889, p. 143.

Grant to Andrew Hanley of strip of land by city confirmed.
Sept. 19, 1889, p. 828.

Grant to Savannah Volunteer Guards confirmed.
Aug. 20, 1889, p. 784.

City authority to establish and control harbor lines, to prevent piers being built beyond such lines, and to prevent shoaling of river, etc.
Oct. 24, 1889, p. 879.

Amends Registration law. Act of Aug. 29, 1885, Sec. 2.
Nov. 13, 1889, p. 1095.

Act of Feb. 17, 1877, amended. Number of voting places in Court House increased.
Nov. 4, 1889, p. 1137.

City Court, Act of Sept. 18, 1883, amended. Term of Judge increased and permitted to act as conveyancer.
Sept. 26, 1889, p. 1157.

Provides for sale of "The Arsenal" to Savannah Volunteer Guards, etc.
Oct. 26, 1889, p. 1399.

Jurisdiction of certain land ceded to the United States.
July 27, 1891, p. 201.

Veto power given to the Mayor. How ordinances may be passed over veto. Mayor must veto within five days.

Veto after Council meeting may be overruled at next meeting.
Dec. 4, 1890, p. 590.

Male residents may be required to do street work or to pay commutation tax. Collection of street tax.
Dec. 24, 1890, p. 591.

Western boundary of city, north of Louisville road, to be as before Act of Sept. 21, 1883.
Dec. 27, 1890, p. 592.

Grant of land on Bull street to Savannah Theater Company confirmed.
Dec. 15, 1892, p. 174.

City registration and election law.
Dec. 12, 1893, p. 296.

City authorized to erect and maintain electric light plant. May contract for furnishing lights, etc.
Dec. 11, 1893, p. 306.

City authorized to charge telegraph, telephone, railway and light companies for use of thoroughfares for poles.
Dec. 11, 1893, p. 307.

Subordinate City Officers, time of electing changed. Terms of office. Expirations of terms of present incumbents, etc. Vacancies in subordinate offices, how filled.
Dec. 1, 1894, p. 181.

Registration and election law of Dec. 12, 1893, amended.
Dec. 1, 1894, p. 230.

City Court Sheriff's sales, how advertised.
Dec. 16, 1895, p. 35.

Old Cemetery, title of fixed.
Dec. 5, 1894, p. 286.

Commissioner of Public Works, office of created.
Dec. 5, 1895, p. 287.

Board of Fire Commissioners created.
Dec. 4, 1895, p. 292.

Board of Tax Assessors and Receivers created.
Dec. 10, 1895, p. 297.

Board of Water Commissioners created.
Dec. 16, 1895, p. 300.

Park and Tree Commission created, how appointed, terms, qualifications, powers and duties.
Nov. 30, 1895, p. 306.

Board of Police Commissioners created.
Dec. 2, 1895, p. 309.

Condemnation of property for street purposes.
Dec. 11, 1895, p. 316.

Arrests without corporate limits.
Nov. 30, 1895, p. 317.

Grant of certain land for strenghtening Abercorn street.
Nov. 30, 1895, p. 317.

Appeals from Police Court abolished.
Nov. 30, 1895, p. 318.

Jurisdiction of Police Court extended.
Nov. 30, 1895, p. 318.

City's jurisdiction for sanitary purposes extended.
Nov. 30, 1895, p. 319.

Park and Tree Commission granted additional powers.
Dec. 23, 1896, p. 243.

Expenses of City Court to be borne by County of Chatham, after April 1, 1898.
Dec. 16, 1897, p. 496.

City Court Clerk and Sheriff to be elected by the people.
Nov. 29, 1899, p. 411.

Registration and election law.
Dec. 15, 1900, p. 415.

City may buy land outside corporate limits for public purposes.
Dec. 6, 1900, p. 421.

City Officers, their election, terms, etc.
Dec. 19, 1900, p. 422.

Grand Jury in City Court abolished.
Dec. 20, 1900, p. 148.

City Officers, their election, terms, etc.
Dec. 17, 1901, p. 627.

Center street closed.
Sept. 16, 1901, p. 628.

Corporate limits extended.
Dec. 12, 1901, p. 628.

Police Court, Alderman may preside, when, etc.
Dec. 10, 1902, p. 595.

Election of City Officers (general law applying to Savannah.)
Dec. 17, 1902, p. 109.

Salary of Aldermen.
Each Alderman to receive $10.00 for each and every "regular meeting" of City Council.
Aug. 6, 1903, p. 65.

Land granted to Mayor and Aldermen for City Hall.
July 30, 1903, p. 666.

Police Court, may imprison with labor in the chaingang of Chatham County, upon the public works of said county, or of the City of Savannah, and may be committed directly from Police Court to chaingang into custody of the county authorities.
Aug. 15, 1903, p. 152.

After Jan. 1st, 1905, Judge of City Court of Savannah to be paid annual salary of $5,000, to be paid in monthly instalments by County Treasurer.
Aug. 9, 1904, p. 201.

Sale by city of portion of Wright street to Savannah Gas Company, confirmed.
July 27, 1904, p. 607.

Power to sell portion of Thirty-second street.
Aug. 22, 1905, p. 1148.

Election of Judges of City Court of Savannah.
1. Election first Wednesday in October, 1906, at general State election, and each four years thereafter.
2. Vacancy by death, resignation, etc., Ordinary to call special election, not less than 20 and not more than 30 days, for ad interim vacancy. Governor appoints.
3. Qualifications for Judge. Must have been a practicing attorney for seven years, citizen of Chatham County for five years, and attained thirty years of age.
Aug. 22, 1905, p. 351.

City Court of Savannah. Defaults may be opened during the term at which entered, upon payment of costs or at discretion of Judge.
Aug. 21, 1905, p. 352.

2. After term when entered, may be opened on same term and conditions as Judge of Superior Court can enter.

Police Court of Savannah. Jurisdiction to try offenses against city laws and ordinances within corporate limits, and three miles therefrom, and extending into the County of Chatham, and to punish, etc. To investigate violations of criminal laws of State committed within county.
Aug. 11, 1906, p. 1033.

2. Recorder. Sessions, election of, term of office, qualifications. Mayor may designate Alderman to preside in absence of Recorder. Mayor may prescribe with, and pronounce judgment when they differ.
3. Oath.
4. Powers of Recorder. To impose fines and imprisonments; to punish contempts by fine up to $25, and imprisonment up to ten days, either or both.
Power as a Justice of the Peace as to issuing warrants, examinations and commitment for trial and admit to bail.
5. Right to suspend, vacate or reduce fines and imprisonments. Fines already paid shall not be refunded except by City Council, upon written recommendation of Recorder or other presiding officer.
6. The dockets and entries required to be kept.
7. Complaint or information; subpoenas, contempt, and arrest for.
8. Clerk, a city officer, election, term, oath, duties and powers, bond.
9. Chief and members of police force, to be ministerial officers of Police Court.
10. Certioraris.
11. Deposits of money in lieu of appearance bond. When non-appearance, to be paid over to City Treasurer.
12. Appearance bonds, scire facias, and forfeiture. Judgment and execution.
13. Appearance bonds in offenses against State laws.
14. Mayor and Aldermen, power to pass ordinances, rules and regulations to carry into effect powers herein granted.
Mayor and Aldermen authorized to grant to Trustees of Y. M. C. A. ten feet on Bull street, front of lot 23, Jasper Ward.
Aug. 20, 1906, p. 1039.

Council authorized to permit areas under sidewalks to be excavated and used by owners, under such terms and conditions as Council may prescribe.
Aug. 21, 1906, p. 1039.

Deed by Mayor and Aldermen to D. G. Purse, Sept. 12, 1874—in 4 Q's, folio section 323, etc., confirmed.
Aug. 26, 1906, p. 1039.

Citizens and Southern Bank, conveyance of land to authorized.
Acts 1907, p. 918.

Power to close lanes in Kelly and Waring Wards for use as portion of park.
Acts 1907, p. 918.

City Court Savannah, laws relating to amended.
Aug. 12, 1910, p. 203.

Registration of voters for bond election.
Aug. 15, 1910, p. 1144.

Street improvements, assessments, making railroad companies pave between tracks and two feet on either side.
Aug. 10, 1910, p. 1142.

Park and Tree Commission Act amended, giving Commission power to select cemetery keeper.
Aug. 19, 1911, p. 1530.

Ferry, power of city to own and operate.
Aug. 9, 1911, p. 1533.

City Court Savannah, terms of officers extended to four years.
Aug. 5, 1912, p. 304.

Act amending city charter.

1. 2. 3. Perpetual contracts for cemeteries provided.
4. Corporate limits extended.
5. Recorder made elective.
Aug. 19, 1912, p. 1242.

Municipal elections regulated.
Aug. 9, 1912, p. 1246.

Commission government, election for.
Aug. 19, 1912, p. 1248.

Conveyance of land to Ardsley Park Land Corporation authorized.
Aug. 5, 1912, p. 1260.

Conveyance of land to heirs of Mrs. Mary J. Roberts authorized.
Aug. 14, 1912, p. 1261.

Conveyance of land to J. S. Collins authorized.
Aug. 29, 1912, p. 1263.

Ferry rights of Thos. F. Screven confirmed.
Aug. 8, 1912, p. 1264.

Primary elections provided for in city.
Aug. 19, 1913, p. 1141.

Justice Courts, constitutional amendment abolishing.
July 29, 1914, p. 39.

Act amending city charter.

1. Territorial limits extended.
2. 3. Subdivisions regulated, maps to be approved.
4. Underground connections to be made before pavements laid.
5. Owner of property liable for injuries from defect in pavement.
6. Transfers of property to be recorded.
7. Recorder's salary fixed.
Aug. 17, 1914, p. 1178.

River Street, authorized closing part of.
July 19, 1914, p. 1161.

Elections, Municipal, providing for, fixing time, qualifications of voters, preparation of lists, etc.
Aug. 12, 1914, p. 1162.

Primary, municipal elections, act amending Act 1913.
Aug. 12, 1914, p. 1172.

City Court Savannah, laws relating to amended.
Aug. 13, 1915, p. 122.

Municipal Court established.
Aug. 13, 1915, p. 125.

Act amending city charter.

1. Notice of suit for damages six months.
2. Condemnation of property for certain purposes and procedure.
3. City to regulate use of streets for business.
4. Vancay in office of mayor, who may fill.
5. Closing streets for certain purposes authorized.
6. Territorial limits extended.
7. Rate expert provided for.
Aug. 16, 1914, p. 825.

Closing McDonough Street for auditorium site authorized.
Aug. 16, 1915, p. 827.

Municipal Court Act amended.
Aug. 16, 1916, p. 292.

Recreation Commission, for Playgrounds, created.
Aug. 19, 1916, p. 957.

Recreation Commission Act amended.
Aug. 4, 1917, p. 862.

Henry Street Lane, portion of, to authorize closing.
Aug. 4, 1917, p. 861.

Forty-fourth Street Lane, portion of, to authorize closing.
Aug. 4, 1917, p. 860.

City Court Act amended.
Aug. 7, 1917, p. 274.

Board of Education.

1. Confirming charter amendment allowed by Superior Court.
2. Authorizing Board to borrow money.
Aug. 15, 1917, p. 975.

Independent Presbyterian Church, confirming charter amendment of Superior Court.
Aug. 16, 1917, p. 980.

APPENDIX IV.

List of Local Laws Enacted for Chatham County Down to and Including the Year 1917.

Local Acts for Chatham County Since 1850.

(For prior Acts, see List of Local Laws for Savannah.)

Inferior Court to set aside permanent common school fund, etc.
Dec. 16, 1851, p. 330.

Justices of Peace, etc., holding county, city or town office, prohibited from presiding at elections.
Jan. 7, 1852, p. 449.

Per diem of jurors.
Jan. 14, 1852, p. 483.

Lumber measurers may be clerks of lumber buyers or mills. Act of February 8, 1850, repealed.
Jan. 19, 1852, p. 449.

Road Commissioners empowered to shut up creek between Whitmarsh and Outland Islands. Hands on Skidaway exempt from road duty for one year, except on island.
Jan. 22, 1852, p. 524.

Compensation of Tax Receivers increased.
Feb. 16, 1854, p. 568.

Road laws amended.
Feb. 17, 1854, p. 560.

Ungranted lands, to ascertain and dispose of to charitable societies.
March 1, 1856, p. 255.

Magistrates' and constables' insolvent costs to be paid by county, when (amending Act of Dec. 21, 1835).
March 5, 1856, p. 403.

Residents of Skidaway Island exempt from road duty on main-land.
March 5, 1856, p. 510.

Solicitor-General's fees, how paid.
Dec. 17, 1857, p. 248.

Act of Dec. 20, 1849, giving election of Treasurer to people, repealed as to Chatham County.
Dec. 22, 1857, p. 237.

Sheriff's fees and Deputy Sheriff's fees.
Dec. 22, 1857, p. 237.

Certain distress warrants, how, by whom, and on what, levied; notice; imprisonment; Jailor's duty.
2. Constable neglecting duty, to be ruled.
3. His fees; taxed in bill of costs; when defendant insolvent, how paid.
Dec. 22, 1857, p. 247.

Survey of Tybee Island authorized.
Dec. 22, 1857, p. 326.

Act Dec. 22, 1857, repealed, except as to Chatham County.
Dec. 9, 1858, p. 7.

$100,000 of net annual earnings of W. & A. R. R. to be added to school fund; how expended, exception as to Chatham County.
Dec. 11, 1858, p. 49.

Constable neglecting or refusing to collect money on distress warrants, for fines, how ruled. Power to imprison constable for contempt.
2. Duty of Sheriff to serve rules and attachments; fees therefor.
Dec. 11, 1858, p. 153

Tales Jurors. How selected, drawn and summoned for trial of criminal cases. To serve only in case regular panels are exhausted.
Dec. 11, 1858, p. 156.

Fees of Ordinary.
Dec. 11, 1858, p. 158.

Tax Receivers to receive same commission as Tax Collectors, on taxes extraordinary by Superior Court.
Dec. 3, 1859, p. 277.

Pay of persons who take down testimony in Superior Court, in criminal cases, how fixed.
Dec. 19, 1859, p. 286.

Power to levy extra tax for three years of $10,000 per year, for jail.
Dec. 17, 1860, p. 227.

Sec. 1. Act of Dec. 17, 1857, as to fees of Solicitor-General, repealed.
Dec. 13, 1866, p. 68.

Sec. 1. County Judge to make list of persons subject to jury duty and place same in jury box.
Sec. 2. Compensation for this service.
Dec. 18, 1866, p. 55.

Sec. 1. Bills of Solicitor-General of Eastern Judicial Circuit, for prosecution of criminal cases in Superior Court of Chatham County, how paid. Remainder of funds from fines, etc., how applied.
Oct. 10, 1868, p. 26.

Roads and bridges from Isle of Hope to main road on Skidaway Island made public roads.
Oct. 17, 1870, p. 453.

Width of public roads changed to 20 feet, including "Middle Ground Road."
Oct. 27, 1870, p. 456.

Ordinary to issue extra tax for paying insolvent criminal costs of Ben. L. Cole, late Sheriff, and W. H. Bulloch, late Clerk of Superior Court.
Dec. 9, 1871, p. 219.

Fee bill in criminal cases of Clerk and Sheriff of Superior Court, and how paid.
Dec. 9, 1871, p. 235.

Terms of Court.
Dec. 13, 1871, p. 39.

Ordinary to levy annual tax, not over $1,500, for Georgia Infirmary, as grand jury may recommend.
Dec. 13, 1871, p. 214.

Costs of Court Officers. Act of Oct. 27, 1870, as to payment of, repealed.
Dec. 13, 1871, p. 234.

Sec. 1. Coroner indictable for failure to hold inquests in certain cases.
Sec. 2. His duties and extra fees.
Sec. 3. Allowances for boat hire, etc.
Dec. 13, 1871, p. 235.

Power to abolish, alter or change roads and bridges from Isle of Hope across Long Island to main road on Skidaway, notwithstanding Act of Oct. 17th, 1870.
Dec. 13, 1871, p. 242.

Superior Court Jurors. How drawn, length of service; compellable to serve on 24 hours' notice.
Dec. 13, 1871, p. 243.

Catching fish by seining in Skidaway River within one mile of Isle of Hope, or in river within one mile of Montgomery, prohibited under penalty.
Aug. 23, 1872, p. 398.

Ordinary to provide, free from expense to City of Savannah, a room in the Court House for sessions of the City Court of Savannah; also offices for Clerk and Sheriff, and jury rooms.
Aug. 23, 1872, p. 399.

Moses M. Belisario, Henry Ambros and John Smith, empowered to plant oysters in the middle of Warsaw River, in front of Thunderbolt, in front of the lots owned by them in Thunderbolt, provided they sink, and keep always, buoys at the terminal point of said bed.

2. They to have exclusive right to oysters so planted, and misdemeanor for any other persons to take said oysters.
Aug. 23, 1872, p. 496.

Superior Court. Terms to commence on second Mondays in February, May and November in each year.

2. Judge of Superior Court authorized to adjourn court from time to time, such recesses as seem necessary to him.

3. Judge authorized to draw grand and petit juror at any time during sessions of the Superior Court of Chatham County.

4. Rules nisi upon realty to be published once a month for three months, or served upon mortgages over two months previous to time money directed to be paid into court.
Feb. 21, 1873, p. 53.

Chatham County, with three others, to constitute the Eastern Judicial Circuit.
Feb. 24, 1873, p. 58.

Surrender to Board of Commissioners of Public Roads, by Skidaway Road Company, of all rights between the four and eight mile posts on the Skidaway Road, confirmed and The Shell Road Company discharged
Feb. 18, 1873, p. 239.

Section 346 of Irwin's Revised Code amended to except Chatham County as to the establishing and changing election precincts unless recommended by two successive grand juries of county.
Feb. 19, 1873, p. 157.

Shooting or trapping of deer, partridges or wild turkeys between April and October prohibited under penalty.
Feb. 21, 1873, p. 235.

Jailor to turn over to Road Commissioners, prisoners jailed for short terms, to work on county roads, when.

2. Requisition on jailor for prisoners.

3. Jailor to issue rations for such prisoners to Road Commissioners.

4. Road Commissioners to create no salaried office except for guard of prisoners.

5. Persons sentenced to jail by Superior Court, City Court, or Recorder's Court, liable to work on public roads.
Feb. 22, 1873, p. 238.

Superior Court. Persons sentenced to jail for over five days liable to work on public roads.
Feb. 22, 1873, p. 239.

City Court. Persons sentenced to Jail for over five days liable to work on public roads.
Feb. 22, 1873, p. 239.

Judge of Superior Court may adjourn court from time to time to take recesses and draw and discharge jurors, both grand and petit, as the necessity of the business may require.
Feb. 24, 1873, p. 58.

Ordinary authorized to widen bridge across Skidaway River to twenty feet for free passage of timber rafts.
Feb. 25, 1873, p. 234.

Board of Commissioners created.

Sec. 2. To be appointed by Governor for term of four years; their oath; to receive no compensation, but exempted from any other public service.

3. Board to have same jurisdiction as exercised by Ordinary for county purposes to exclusion of Ordinary; Ordinary to have none of the powers conferred upon the board by this Act.

4. Quorum of board; no certificate for payment of dues against county to be issued without consent of three Commissioners.

5. Exclusive Jurisdiction:

1 In controlling county property.
2. In levying taxes for county purposes, with approval of grand jury.
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